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Washington, Tuesday, July 24, 1945

The President

EXECUTIVE ORDER 9589

RESTRICTING COMPETITION IN CERTAIN CIVIL SERVICE EXAMINATIONS TO VETERANS

By virtue of the authority vested in me by section 3 of the Veterans' Preference Act of 1944, approved June 27, 1944 (58 Stat. 387, 388), and section 1753 of the Revised Statutes of the United States (5 U.S.C. 631), it is hereby ordered as follows:

In civil service examinations for the position of Veterans' Relations Adviser in the Office of Price Administration and the positions of Contact Officer, Assistant Contact Officer, Senior Contact Representative, and Contact Representative in the Veterans' Administration, competition shall be restricted by the Civil Service Commission to persons entitled to preference under the said Veterans' Preference Act of 1944, as long as persons entitled to preference are available and during the present war and for five years following the termination thereof.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 16, 1945.

[F. R. Doc. 45-13242; Filed July 20, 1945;
12:41 p. m.]

Regulations

TITLE 7—AGRICULTURE

**Chapter I—Office of Marketing Services
(Standards, Inspections, Marketing Practices)**

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

OFFICIAL AND UNOFFICIAL SAMPLES; ANALYSES; CERTIFICATE

Pursuant to authority vested in the Secretary of Agriculture, the regulations

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

governing the inspection, sampling, and certification of cottonseed sold or offered for sale for crushing purposes (7 CFR, Cum. Supp. 61.1 et seq.; 8 F.R. 8588; 9 F.R. 11047; 10 F.R. 181) are further amended by striking therefrom § 61.16 and inserting, in lieu thereof, the following:

§ 61.16 *Official and unofficial samples; analyses; certificate.* (a) Each licensed cottonseed chemist shall assign a laboratory number to each sample of cottonseed received by him and shall analyze and certificate over his signature the grade of each sample or lot of cottonseed in the order in which the sample is received.

(b) Each such sample which is in proper condition for analysis under these regulations and which is accompanied by the certificate of a licensed cottonseed sampler certifying it to be an official sample representing an identified lot of cottonseed shall be considered an official sample. In any case where the original official sample is lost or destroyed before analysis the duplicate thereof retained by the licensed cottonseed sampler as provided in § 61.34 shall become the official sample; and in any case where a review is requested under § 61.8 the retained portion of the official sample first analyzed shall be considered an official sample for purposes of review analysis.

(c) Each such sample which is (1) not in proper condition for analysis as an official sample under these regulations, or (2) not accompanied by a certificate of a licensed cottonseed sampler, or (3) known to be a duplicate of an official sample (except duplicates of lost or destroyed official samples) shall be considered an unofficial sample and the

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at \$3.00 each.

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licensed cottonseed chemist's certificate of the grade thereof shall be plainly marked: "Sample not official; grade applies to sample only." This paragraph shall not apply to mill control or crush samples.

(58 Stat. 425, 453; E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued at Washington, D. C., this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13355; Filed July 23, 1945; 11:12 a. m.]

Subchapter K—Federal Seed Act
PART 201—FEDERAL SEED ACT REGULATIONS
EXEMPTIONS FROM LABELING AS TO GERMINATION OF KENTUCKY BLUEGRASS

By virtue of authority vested in the Secretary of Agriculture by subsection 203 (c) of the Federal Seed Act of August 9, 1939 (53 Stat. 1281; 7 U. S. C. 1573 (c)) and Executive Orders 9280, 9322, 9334, 9392 and 9577 (7 F.R. 10179; 8 F.R. 3807, 5423, and 14783; and 10 F.R. 8087), and it having been found that the time interval between seed harvesting and sowing is not sufficient to assure the completion of a germination test of freshly harvested seed of Kentucky bluegrass, *Poa pratensis*, the order appearing in 7 CFR 1940 Supp. 201.172 is hereby amended to read as follows:

§ 201.172 Section 203 of the act—
(a) Exemptions from labeling as to germination of Kentucky bluegrass. The requirements of paragraph 201 (a) (8) of the Federal Seed Act of August 9, 1939, as to labeling seed for germination when

transported or delivered for transportation in interstate commerce for seeding purposes shall not apply to the 1945 crop of seed of Kentucky bluegrass, *Poa pratensis*, during the period beginning August 23, 1945, and ending October 15, 1945.

Issued this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13356; Filed, July 23, 1945; 11:12 a. m.]

Chapter XI—War Food Distribution Orders

[WFO 15-13]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103), and in order to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1401.200 Percentages of Cheddar cheese to be set aside in August and September 1945—(a) Definitions. Each term defined in War Food Order No. 15, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 15, as amended.

(b) Percentages. Each person who is required by War Food Order No. 15, as amended, to set aside Cheddar cheese during August or September 1945 shall set aside in each of said months, in which he is required to set aside Cheddar cheese, a quantity of Cheddar cheese equal at least to the following percentages of all Cheddar cheese produced by him in the respective month: (1) in August, 60 percent; and (2) in September, 50 percent.

(c) Effective date. This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945.

(E.O. 9280, 10 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 15, as amended, 8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103)

Issued this 19th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13203; Filed, July 20, 1945; 11:17 a. m.]

[WFO 54-4, Amtd. 10]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526, 10239, 11927, 12579, 13703, 10 F.R. 556, 2807, 5712), is hereby further amended by inserting, at the end of § 1401.179 (b), the following additional sentence: "Each producer shall set aside in the calendar months of August and September 1945 a quantity

of spray dried skim milk equal at least to the following percentages of all spray dried skim milk produced by him in the respective month: (1) in August, 70 percent; and (2) in September, 60 percent."

This order shall become effective at 12:01 a. m., e. w. t., August 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 54-4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54-4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 10 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 54, as amended, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319, 9584, 10 F.R. 103)

Issued this 19th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13202; Filed, July 20, 1945; 11:17 a. m.]

[WFO 79-102, Amtd. 12]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN ADMINISTRATION OF WAR FOOD ORDERS FOR CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990, 10 F.R. 103, 5347), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-102, as amended (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500, 10241, 11308, 12948, 14007, 14875, 10 F.R. 103, 126, 1854, 3173, 4229, 7133), is hereby further amended by deleting in the proviso included in § 1401.135 (b) (3) the numeral "92" and substituting therefor the numeral "123".

The provisions of this amendment shall become effective as of 12:01 a. m., e. w. t., July 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-102, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79-102, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990; 10 F.R. 103, 5347)

Issued this 20th day of July 1945.

[SEAL] C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-13244; Filed, July 20, 1945; 3:12 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 80]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

JULY 11, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Civil Airways: Blue Civil Airways Nos. 43 and 45. Redesignation of Civil Airways: Amber Civil Airway No. 4. Red Civil Airway No. 31. Blue Civil Airways Nos. 13, 14 and 43

1. By deleting in § 600.10103 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* the words "Olathe, Kans., radio range station; the intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range;"

2. By striking in § 600.10230 *Red civil airway No. 31 (Cheyenne, Wyo., to Minneapolis, Minn.)* the words: "the Willmar, Minn., radio range station to the intersection of the center lines of the on course signals of the east leg of the Willmar, Minn.; radio range and the northwest leg of the Minneapolis, Minn., radio range." and substituting in lieu thereof the following: "the Willmar, Minn., Municipal Airport to a point located at 45° 00' north latitude and 93° 27' west longitude."

3. By striking in § 600.10312 *Blue civil airway No. 13 (Houston, Tex., to Kansas City, Mo.)* the words: "the intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range." and substituting in lieu thereof the following: "the Kansas City, Mo., radio range station."

4. By amending § 600.10313 *Blue civil airway No. 14 (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 600.10313 *Blue civil airway No. 14 (Riverside, Calif., to Oakland, Calif.)*. From the Riverside, Calif., radio range station via the intersection of the center lines of the on course signals of the northwest leg of the Riverside, Calif., radio range and the southeast leg of the Palmdale, Calif., radio range; the Palmdale, Calif., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Palmdale, Calif., radio range and the south leg of the Bakersfield, Calif., radio range and a point located at 34°52' north latitude and 118°44'30" west longitude to a point located at 37°00'30" north latitude and 121°17'15" west longitude.

5. By deleting § 600.10342 *Blue civil airway No. 43 (Olathe, Kans., to Kansas City, Mo.)*.

6. By inserting § 600.10342 to read as follows:

§ 600.10342 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.)*.

From the intersection of the center lines of the on course signals of the north leg of the Birmingham, Ala., radio range and the southwest leg of the Chattanooga, Tenn., radio range via a point located at 34°01' north latitude and 86°44' west longitude to a point located at 35°50' north latitude and 86°19' west longitude.

7. By adding § 600.10344 to read as follows:

§ 600.10344 *Blue civil airway No. 45 (Lake Charles, La., to Baton Rouge, La.)*. From a point located at 30°07'25" north latitude and 91°43' west longitude to a point located at 30°34'18" north latitude and 91°11'51" west longitude.

This amendment shall become effective 0001 e. w. t., August 1, 1945.

T. P. WRIGHT,
Administrator of
Civil Aeronautics.

[F. R. Doc. 45-13342; Filed, July 23, 1945;
9:31 a. m.]

[Amdt. 111]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

MISCELLANEOUS AMENDMENTS

JULY 11, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Blue Airways Nos. 13, 14 and 43. Designation of Radio Fixes: Blue Civil Airways Nos. 43 and 45. Redesignation of Radio Fixes: Amber Civil Airway No. 4. Blue Civil Airways Nos. 14 and 43

1. By striking in § 601.10313 *Blue civil airway No. 13 airway traffic control areas (Houston, Tex., to Kansas City, Mo.)* the words: "the intersection of the center lines of the on course signals of the southeast leg of the Kansas City, Mo., radio range and the east leg of the Olathe, Kans., radio range." and substituting in lieu thereof the following: "the Kansas City, Mo., radio range station."

2. By amending § 601.10314 *Blue civil airway No. 14 airway traffic control areas (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 601.10314 *Blue civil airway No. 14 airway traffic control areas (Riverside, Calif., to Oakland, Calif.)*. All of Blue civil airway No. 14 between the Riverside, Calif., radio range station and the intersection of the center lines of the on course signals of the northwest leg of the Palmdale, Calif., radio range and the south leg of the Bakersfield, Calif., radio range.

3. By deleting § 601.10343 *Blue civil airway No. 43 airway traffic control areas (Olathe, Kans., to Kansas City, Mo.)*

4. By deleting in § 601.4014 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* the words: "Olathe,

Kans., radio range station; intersection of the center lines of the on course signals of the east leg of the Olathe, Kans., radio range and the southeast leg of the Kansas City, Mo., radio range."

5. By amending § 601.40314 *Blue civil airway No. 14 (Riverside, Calif., to Bakersfield, Calif.)* to read as follows:

§ 601.40314 *Blue civil airway No. 14 (Bakersfield, Calif., to Oakland, Calif.)*. The intersection of the center lines of the on course signals of the north leg of the Riverside, Calif., radio range and the southeast leg of the Palmdale, Calif., radio range.

6. By deleting § 601.40343 *Blue civil airway No. 43 (Olathe, Kans., to Kansas City, Mo.)*.

7. By inserting § 601.40343 to read as follows:

§ 601.40343 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.)*. No radio fix designation.

8. By adding § 601.40345 to read as follows:

§ 601.40345 *Blue civil airway No. 45 (Lake Charles, La., to Baton Rouge, La.)*. No radio fix designation.

This amendment shall become effective 0001 e. w. t., August 1, 1945.

T. P. WRIGHT,
Administrator of
Civil Aeronautics.

[F. R. Doc. 45-13343; Filed, July 23, 1945;
9:31 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3385]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PACIFIC CHINA COMPANY, ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (s) *Advertising falsely or misleadingly—Promotional sales plans:* § 3.6 (dd) *Advertising falsely or misleadingly—Special or limited offers:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with the offering for sale, sale and distribution of earthenware or so-called chinaware products and so-called sales plans, inclusive of redeemable cards, coupons, certificates, bonds, and literature relating to said products, in interstate commerce and in the District of Columbia, (1) using the terms "free", "without cost", or any other terms of similar import or meaning, to describe, designate, or refer to products offered or delivered to holders of so-called "punch cards" or "certificates" in redemption thereof; (2) representing that the offer of any of said products is "introductory," or for the purpose of advertising and introducing the same, when in fact said offer is made for the purpose of selling

the particular items or set of products included in said offer, and constitutes an offer regularly and continuously made and used in the course of offering for sale and selling said products; (3) representing that the offer of any of said products, or any catalog prices listed in connection therewith, constitutes or partakes of the nature of a "special" offer or opportunity provided by respondents for a limited time only, when in fact the same constitutes an offer or prices regularly and continuously made or used in the course of offering for sale and selling such products; or, (4) representing that the respondents, or any of them, are the manufacturers of the products sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a manufacturing plant wherein such products are manufactured by them; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Docket 3385, Pacific China Company, et al., July 5, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of July, A. D. 1945.

In the Matter of Marcus A. Weinberg and Belle Weinberg, Individuals, and Trading as Pacific China Company, and Ray Y. Cliffe, an Individual, and Trading as Pacific China Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admitted all material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts, and the Commission having duly made and issued its findings as to the facts, conclusion, and order to cease and desist dated February 17, 1939, and the Commission having further considered said order to cease and desist heretofore issued and having on July 13, 1944, in the case of Marcus A. Weinberg, February 16, 1945, in the case of Ray Y. Cliffe, and May 2, 1945, in the case of Mrs. Belle Weinberg served upon each of said respondents due notice to appear and show cause at a time and place fixed why this case should not be reopened for the purpose of modifying said order to cease and desist in the manner and to the extent set out in said notice, to which notice respondents failed to make a return; and having considered the matter and the record herein and having concluded that the public interest requires such action, the Commission issues this its modified order to cease and desist:

It is ordered, That the respondents Marcus A. Weinberg, Belle Weinberg, and Ray Y. Cliffe, their representatives, agents, and employees, individually and directly, or trading as the Pacific China Company, or through any corporate or other device, in connection with the offering for sale, sale, and distribution of earthenware or so-called chinaware

products and so-called sales plans, inclusive of redeemable cards, coupons, certificates, bonds, and literature relating to said products, in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

1. Using the terms "free," "without cost," or any other terms of similar import or meaning, to describe, designate, or refer to products offered or delivered to holders of so-called "punch cards" or "certificates" in redemption thereof.

2. Representing that the offer of any of said products is "introductory," or for the purpose of advertising and introducing the same, when in fact said offer is made for the purpose of selling the particular items or set of products included in said offer, and constitutes an offer regularly and continuously made and used in the course of offering for sale and selling said products.

3. Representing that the offer of any of said products, or any catalog prices listed in connection therewith, constitutes or partakes of the nature of a "special" offer or opportunity provided by respondents for a limited time only, when in fact the same constitutes an offer or prices regularly and continuously made or used in the course of offering for sale and selling such products.

4. Representing that the respondents, or any of them, are the manufacturers of the products sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a manufacturing plant wherein such products are manufactured by them.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-13363; Filed, July 23, 1945;
11:14 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51276]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS

JULY 21, 1945.

Coastwise laws waived to extent necessary to permit Canadian vessels to transport passengers and merchandise between ports in Alaska, and to transport merchandise between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia as a portion of the transportation of that merchandise between points in Alaska and the continental United States.

Waiving compliance with the provisions of section 8 of the Act of June

19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended.

Upon the written recommendation of the Deputy Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. Sup. App. 635), as extended by the Act of December 20, 1944 (50 U.S.C. Sup. App. 645), I hereby waive compliance with the provisions of section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation on Canadian vessels of:

(1) Passengers and merchandise, except frozen fish, between points in Alaska during the period between August 1, 1945, and October 31, 1945, inclusive;

(2) Fresh fish, not including frozen fish, between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia, as a portion of the transportation of that merchandise between points in Alaska and points in the continental United States, during the period between August 1, 1945, and October 31, 1945, inclusive; and

(3) Merchandise, except frozen fish, between ports in southeastern Alaska, south of Yakutat, and ports in British Columbia, as a portion of the transportation of that merchandise between points in Alaska and points in the continental United States, during the period between August 1, 1945, and August 31, 1945, inclusive.

I deem that such action is necessary in the conduct of the war.

If the transportation of passengers or merchandise on a Canadian vessel is not completed on or before midnight on October 31, 1945, or August 31, 1945, the provisions of this order contained in subdivisions (1) and (2) or subdivision (3), respectively, will not relieve the vessel or merchandise concerned from the penalty prescribed by section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

[SEAL]

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13364; Filed, July 23, 1945;
11:23 a. m.]

[T. D. 51277]

PART 16—LIQUIDATION OF DUTIES

QUOTA COMMODITIES, LIQUIDATION OF WAREHOUSE AND REWAREHOUSE ENTRIES

Sections 16.3 (c) and 16.10 (h), Customs Regulations of 1943, relating to the liquidation of entries, amended.

Section 16.3 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.3 (c)), is hereby amended by inserting "or rewarehouse" after the word "warehouse" in the first line and by adding the following immediately before the parenthetical citation: "When the entry is liquidated, such of the merchandise as

has been withdrawn for transportation to another port shall be excluded from the liquidation. See § 16.10 (h)." (Secs. 505, 624, 46 Stat. 732, 759; 19 U.S.C. 1505, 1624)

Section 16.10 (h), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.10 (h)), is hereby amended by adding thereto the following: "In the case of merchandise covered by a warehouse or rewarehouse entry and subject to a tariff-rate quota, the liquidation shall be governed by § 16.3 (c)." (Secs. 505, 624, 46 Stat. 732, 759; 19 U.S.C. 1505, 1624.)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 20, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13365; Filed, July 23, 1945;
11:23 a. m.]

[T. D. 51275]

PART 18—TRANSPORTATION IN BOND AND
MERCHANDISE IN TRANSIT

NOTATION ON MANIFEST

Section 18.6, Customs Regulations of 1943 (19 CFR, Cum. Supp., 18.6), is amended by deleting the parenthetical matter at the end of paragraph (e) and by adding the following new paragraph:

(f) In the case of shipments arriving in the United States by rail or searain which are forwarded under customs in-bond seals under the provisions of §§ 5.11, 18.11, 18.20, or 18.29 of the regulations, a notation shall be made by the carrier or shipper on the in-bond manifest, customs Form 7512, to show whether the shipment was transferred to the car designated in the manifest or whether it was laden in the car in the foreign country, which shall be named. (Secs. 551, 624, 46 Stat. 742, 759; 19 U. S. C. 1551, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 18, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13246; Filed, July 20, 1945;
4:00 p. m.]

PART 24—CUSTOMS FINANCIAL AND
ACCOUNTING PROCEDURE

[T. D. 51278]

CHECKS RECEIVABLE FOR DUTIES

Section 24.1 (a), Customs Regulations of 1943, relating to checks receivable for duties, amended.

Section 24.1 (a), Customs Regulations of 1943 (19 CFR 24.1 (a)), is hereby amended by adding the words "or a United States postal, bank, express, or

telegraph money order" following the words "domestic traveler's check" in the second sentence.

(R.S. 251, sec. 1, 36 Stat. 965, 37 Stat. 733, secs. 624, 648, 46 Stat. 759, 762; 19 U.S.C. 66, 198, 1624, 1648)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: July 20, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13366; Filed, July 23, 1945;
11:23 a. m.]

TITLE 29—LABOR
Chapter IX—Agriculture
(Agricultural Labor)

[Supp. 58]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING PEARS, PRUNES, WALNUTS AND HOPS IN LAKE COUNTY, CALIF.

§ 1102.26 *Workers engaged in picking pears, prunes, walnuts and hops in Lake County, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the California USDA Wage Board that a majority of the producers of pears, a majority of the producers of prunes, and a majority of the producers of hops in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the California USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in picking pears, prunes, walnuts and hops in Lake County, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Wage rates; maximum wage rates for picking pears, prunes, walnuts and hops—(1) Hourly rates:*

(1) For picking pears, prunes, walnuts and hops—85¢ per hour.

(2) *Piece rates:*

(1) For the tree picking of pears—15¢ per Stewart lug or the equivalent (7¾ x 13½ x 20¾—40 to 45—2171 cubic inches).

(11) For the picking of prunes from the ground—25¢ per box containing 50 pounds.

(iii) For picking hops—3¼¢ per pound.

(iv) The piece rate for knocking and picking up of walnuts, or for the picking up of walnuts only, may not exceed an amount equal to the cost per sack or other unit of measurement if such work were paid for on an hourly basis under the conditions in that individual orchard at the time of picking.

(c) *Administration.* The California USDA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 58 shall become effective at 12:01 a. m., Pacific war time, July 21, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F. R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 19th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13360; Filed, July 23, 1945;
11:13 a. m.]

[Supp. 60]

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

WORKERS ENGAGED IN HARVESTING WHEAT AND OTHER GRAINS AND DRY PEAS IN CERTAIN IDAHO COUNTIES

§ 1108.8 *Wages of workers engaged in harvesting wheat and other grains and dry peas in Benewah, Clearwater, Idaho, Kootenai, Latah, Lewis and Nez Perce Counties, State of Idaho.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Idaho USDA Wage Board that a majority of the producers of wheat and other grains and a majority of the producers of dry peas in the area affected participating in a hearing conducted for

such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Idaho USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in harvesting wheat and other grains and dry peas in Benewah, Clearwater, Idaho, Kootenai, Latah, Lewis and Nez Perce Counties, State of Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for harvesting wheat and other grains and dry peas.*

(1) Combine mechanic-operator (responsible for repair of combine)—\$20 per day, plus board.

(2) Combine operator (not responsible for repair of combine)—\$15 per day, plus board.

(3) Sack sewer—\$15 per day, plus board.

(4) Tractor operator—\$15 per day, plus board.

(5) Header tender—\$10 per day, plus board.

(6) Truck driver—\$10 per day, plus board.

(7) Sack jigger—\$10 per day, plus board.

If worker furnishes his own board, a minimum of 50¢ per meal may be paid in addition to the specified money rates. If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided.

(c) *Administration.* The Idaho USDA Wage Board, located at Room 521, Idaho Building, Boise, Idaho, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific Wage Ceiling Regulations.

Effective date. This Supplement 60 shall become effective at 12:01 a. m., Mountain War Time, July 24, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 21st day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13361; Filed, July 23, 1945;
11:13 a. m.]

[Supp. 17, Amdt. 1]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING APRICOTS IN CERTAIN WASHINGTON COUNTIES

Supplement 17 (formerly referred to as Specific Wage Ceiling Regulation 17), issued July 17, 1944 (9 F.R. 8010; 10 F.R. 3518) is hereby amended as follows:

Subparagraph (b) (2) of § 1111.3 is amended to read:

(2) Piece rate—25¢ per 40-pound bag, or other equivalent measure.

This Amendment 1 to Supplement 17 shall be effective at 12:01 a. m., Pacific War Time, July 24, 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13359; Filed, July 23, 1945;
11:12 a. m.]

[Supp. 59]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PERFORMING GENERAL FARM LABOR IN CLALLAM COUNTY, WASH.

§ 1111.14 *Wages of workers engaged in performing general farm work in Clallam County, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations," and based upon a certification of the Washington USDA Wage Board that a majority of the producers of each agricultural commodity in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Washington USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in performing general farm work in Clallam County, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage and salary rates for general farm work.*

- (1) \$200 per month, or
- (2) \$170 per month, plus board and room, or
- (3) \$185 per month, plus housing, lights, fuel and milk, or
- (4) \$1 per hour.

If workers are paid on any other basis, the rate of compensation shall not exceed the equivalent of the rates herein provided. No perquisites may be paid in addition to the maximum wage rates specified above unless otherwise specifically provided herein. This section shall not be construed as establishing maximum salary or wage rates for services

performed by foremen or farm superintendents.

(c) *Administration.* The Washington USDA Wage Board, located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violations of this section shall constitute a violation of such Specific Wage Ceiling Regulations.

Effective date. This Supplement 59 shall become effective at 12:01 a. m., Pacific war time, July 23, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 10 F.R. 7609; 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 19th day of July 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-13362; Filed, July 23, 1945;
11:13 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 300]

STATE MONTHLY REPORT OF INDUCTIONS AND REJECTIONS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms;

Revision of DSS Form 275, entitled "State Monthly Report of Inductions and Rejections." Upon receipt of the revised DSS Form 275, the use of the supply of DSS Form 275 (Revised 12/10/43) will be discontinued.

The foregoing revision shall become a part of the Selective Service regulations 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 3, 1945.

[F. R. Doc. 45-13321; Filed, July 21, 1945;
11:36 a. m.]

¹ Filed with the Division of the Federal Register.

Chapter IX—War Production Board

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; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-845]

BROWN WHOLESALE ELECTRIC CO.

The Brown Wholesale Electric Company is a California corporation having its principal place of business at 319 East Second Street, Los Angeles, California. The corporation is principally engaged in the selling of electrical fixtures and supplies. Between May 5, 1944 and October 19, 1944, the company applied an unauthorized allotment symbol and preference rating to acquire 16 fluorescent lighting fixtures, and between April 25, 1944 and November 1, 1944 the company delivered approximately 158 new fluorescent lighting fixtures on orders other than those permitted by Limitation Order L-78. These acquisitions and deliveries were in wilful violation of that Order and resulted in the diversion of critical materials to uses unauthorized by the War Production Board, and hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.845 *Suspension Order No. S-845.* (a) For a period of three months from the effective date of this order, deliveries of materials to Brown Wholesale Electric Company, its successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

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

(c) This order shall take effect on July 22, 1945.

Issued this 12th day of July 1945.

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

[F. R. Doc. 45-13334; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-846]

OTTO KAUFMAN CO.

Otto Kaufman Company is a partnership composed of Otto Kaufman, Norman Kaufman and Paul Kaufman, with

No. 146—2

its principal place of business at 2425 South Michigan Avenue, Chicago, Illinois. The partnership's business is primarily that of a manufacturers' representative. It also maintains a stock of automotive supplies and hardware tools. Between November 1, 1943 and June 16, 1944, the partnership, as a distribution outlet, accepted orders which did not bear a preference rating of AA-5 or higher for 6,268 grease guns from jobbers or wholesalers, in violation of General Limitation Order L-314. Between November 20, 1943, and December 23, 1943, the partnership, as a distribution outlet, delivered 2,808 grease guns to jobbers or wholesalers, on orders which did not bear a preference rating of AA-5 or higher, in violation of General Limitation Order L-314. The partners were familiar with General Limitation Order L-314 and their actions constituted wilful violations.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.846 *Suspension Order No. S-846.* (a) Otto Kaufman, Norman Kaufman, and Paul Kaufman, doing business as Otto Kaufman Company shall not for a period of three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Otto Kaufman, Norman Kaufman and Paul Kaufman from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Otto Kaufman, Norman Kaufman and Paul Kaufman, doing business as Otto Kaufman Company or otherwise, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the 21st day of July 1945.

Issued this 14th day of July 1945.

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

[F. R. Doc. 45-13335; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-847]

JOHN C. MICHAEL CO.

John C. Michael Company, a corporation with its principal place of business at 212 South Franklin Street, Chicago, Illinois, is engaged in the manufacture of women's dresses. On July 15, 1944, by direction of the War Production Board,

pursuant to Women's House Dresses Program No. 1, under Conservation Order M-328B and Supplement III of Schedule A of that order, it was assigned a preference rating of AA-3 to procure delivery of a total of 24,244 yards of print cloth to produce 638 dozen women's house dresses, sizes 38 to 44 only, and in conformity with standards and specifications set forth in Table I to Supplement III of Schedule A of the aforementioned order. Subsequently, John C. Michael Company used the print cloth to manufacture 742 dozen women's house dresses, none of which conformed with standards and specifications. Further, it ignored the directive setting forth the specific sizes of dresses to be manufactured, all contrary to and in violation of the said direction and of Conservation Order M-328B. The responsible officers of the company were familiar with the direction, Conservation Order M-328B and Supplement III of Schedule A of that order and its actions constituted a wilful violation thereof.

This violation has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.847 *Suspension Order No. S-847.* (a) John C. Michael Company, its successors or assigns, shall not for a period of ninety days from the effective date of this order apply or extend any preference ratings or participate in any special program under any order or regulation of the War Production Board.

(b) The provisions of paragraph (a) shall not apply to deliveries of materials required to fill any order or contract with the Army, Navy, or any other governmental department or agency of the United States.

(c) Nothing contained in this order shall be deemed to relieve John C. Michael Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the 21st day of July 1945.

Issued this 14th day of July 1945.

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

[F. R. Doc. 45-13336; Filed, July 21, 1945; 11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-848]

THE STEELWOOD CORP.

The Steelwood Corporation, Pittsburgh, Pennsylvania, is engaged in the real estate business and construction of defense housing projects in the vicinity of Pittsburgh, Pa. On July 16, 1943, an application made by the Steelwood Corporation on WPB Form PD-105 to construct 42 family dwelling units, six rooms each, plus bathroom and garage, for rental to eligible war workers on lots

designated as Nos. 1 to 36 inclusive in the Riverside Manor of Lots, Borough of Sewickley, Allegheny County, Pennsylvania, was approved and resulted in the issuance of preference rating order P-55-b, Serial Number 903300457 on July 30, 1943. On January 11, 1944, in response to its letter, it was granted authority to sell 12 of the dwellings constructed on lots designated as Nos. 25 to 36 inclusive, at a sales price not to exceed \$6,000. However, instead of holding the dwellings constructed for rental as required in its application and authorization, it imposed as a condition of occupancy by the prospective occupant, the execution of a sales agreement as well as a lease, and it also increased the sales price to certain of the purchasers beyond the \$6,000 by requiring the purchaser to enter into a landscaping contract in the amount of \$250 in each case. These were deliberate and wilful violations of its agreements entered into as aforesaid, and have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.848 *Suspension Order No. S-848.* (a) The Steelwood Corporation shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) The Steelwood Corporation shall cancel immediately all preference ratings which it has applied or extended to orders which have not yet been filled, and shall also cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the symbol SO under the small order procedure of CMP Regulation No. 1).

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery on materials to The Steelwood Corporation or placed prior to November 14, 1945, are void and shall not be given any effect by suppliers of The Steelwood Corporation or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this order.

(d) During the period in which this order shall be in effect, no authorization to begin any new construction to be erected in whole or in part by The Steelwood Corporation, its successors or assigns, shall be granted, except as may be hereafter specifically authorized in writing by an official order of the War Production Board, as an exception to, or modification to this order.

(e) Nothing contained in this order shall be deemed to relieve The Steelwood Corporation, its successors or assigns, from any restrictions, prohibition or provision contained in any other order or

regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on July 21, 1945.

Issued this 14th day of July 1945.

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

[F. R. Doc. 45-13337; Filed, July 21, 1945;
11:41 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, Revocation]

FURNITURE AND FURNITURE PARTS

Section 3291.65 *General Limitation Order L-260-a* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of furniture and furniture parts remain subject to all applicable regulations and orders of the War Production Board.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13326; Filed, July 21, 1945;
11:41 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, as Amended July 21, 1945]

PARTS AND MATERIALS FOR REPAIRMEN

§ 3175.9a *CMP Regulation 9A—(a) What repairmen can buy materials and parts under this regulation.* Anyone in the business of making repairs may buy materials and parts under this regulation. This includes such persons as farm machinery repair shops, blacksmiths shops, electricians, radio repair shops, plumbers, refrigeration repair shops, boiler repair shops, motor rewinders, electrical contractors, automotive repair shops, upholstery repair shops, bicycle repair shops, and carpenters. It also includes repair shops which are owned by the persons for whom the repair work is done if the repair shops are distinct and separable, if that person can segregate the purchases of his repair shop from his other purchases, and if he employs at least one person who spends his full time on maintenance and repair. It also includes persons who recondition or rebuild damaged or used items for resale.

(b) *How much materials a repairman can buy.* Each calendar quarter a repairman may buy, under this regulation, up to 20 tons of carbon and alloy steel, a total of 500 pounds of copper and copper base alloy brass mill and foundry products (this does not include any wire or cable), and 200 pounds of aluminum, in the forms listed in Schedule I. Only the following kinds of repairmen may

buy any copper wire, and they must not buy more than the amount which this paragraph says they may. Refrigeration repairmen, domestic appliance repairmen, electricians, electrical contractors, and radio repairmen may buy \$150 worth of copper wire in a calendar quarter, or one-eighth of what they used in making repairs in 1941 (figured as accurately as possible by dollar value), whichever is more. Any repairman who buys any steel, copper or aluminum under this paragraph must keep a separate record of the amount which he buys in each quarter. It is not sufficient that he merely keep the copies of his purchase orders with copies of his other purchase orders. A repairman may buy as much other material and repair parts as he needs for his maintenance and repair work, subject to the inventory restrictions of paragraph (f).

(c) *How to buy materials under this regulation.* (1) When buying materials and parts under this regulation a repairman must put on his order a certification in substantially the following form:

CMP allotment symbol V-3; Preference Rating AA-3; Repairmen under CMP Regulation 9A

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the items ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

He must sign the certification himself, or as described in Priorities Regulation No. 7. An order for controlled materials bearing this certification is an authorized controlled material order under all CMP regulations.

(2) If a repairman does repair work for persons who have the right to use an allotment symbol to buy controlled materials and a preference rating of AA-3 or higher to buy non-controlled materials and parts for their own maintenance, and repair, the repairman may use that rating and symbol to buy what he needs to do their work or to replace in inventory what he has already used for that purpose.

(d) *How a repairman can get more controlled materials.* (1) The War Production Board may authorize repairmen who do work primarily of an industrial nature to buy up to 2000 pounds of copper wire and a total of 2000 pounds of copper and copper base alloy brass mill and foundry products, and to use the preference rating AA-2. To get this authority, a repairman must apply to the War Production Board, Reference CMP Regulation No. 9A, Washington (25), D. C., by letter giving information showing what kind of work he is doing, and what kind of customers he has.

(2) If a repairman needs to buy more controlled materials a quarter than he

can get under this regulation including what an industrial repairman can get under paragraph (1), he should fill out and send Form CMP-4B to the War Production Board, Washington (25), D. C. The War Production Board may allot him controlled materials and assign him a preference rating. If he gets an allotment, he may not buy any controlled materials or non-controlled materials or parts under this regulation in any calendar quarter for which he gets an allotment.

(e) *What kind of work a repairman may do with materials or parts bought under this regulation.* (1) A repairman may use what he buys under this regulation only to do maintenance and repair work described in this paragraph, or else described in directions to this regulation. He may not use what he buys to make products, such as repair parts, which he does not expect to use himself in making repairs.

(2) "Maintenance" means the minimum upkeep necessary to continue a building, machine or piece of equipment in sound working condition, and "repair" means the restoration of a building, machine or piece of equipment to sound working conditions when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of the parts or the like: However, neither maintenance, nor repair includes the improvement of any building, machine or piece of equipment with material of a better kind, quality, or design.

(3) [Deleted July 21, 1945.]

(4) A repairman may use what he buys under this regulation to recondition or rebuild a damaged or used item which he plans to sell, but he may not use it to replace material or parts which are still usable, nor to replace material or parts solely to improve it from its original design.

(f) *Restrictions on inventory.* A repairman may not accept delivery of any item of parts or materials bought under this regulation if his inventory of that item of parts or materials is or would be accepting delivery become larger than he needs to continue his repair and maintenance service for a 60-day period, according to his current method of operation. A repairman may not accept delivery of any item of copper wire if his inventory of that item is or would be accepting delivery become more than he needs for a 30-day period. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(g) *Effect of other orders and regulations.* (1) Repairmen buying and using parts and materials under this regulation are subject to all applicable provisions of the other orders and regulations of the War Production Board as amended from time to time. Attention is specifically called to Order L-41 which forbids construction (including wiring and piping)

except under certain conditions. Information concerning this order can be secured from the nearest War Production Board field office.

(2) No item appearing on List A or B of Priorities Regulation No. 3, (such as automotive repair parts) may be bought under this regulation.

(3) Certain orders of the War Production Board require special applications for some materials and parts. An example of this type of order is M-328, Textiles. A repairman will not be able to buy these materials and parts under this regulation. Generally his supplier can tell him if a special application is needed.

(g-1) *Certain items may not be rated by a repairman.* (1) No repairman may use the AA-3 rating assigned by this regulation to buy any of the following items. These items are made available to repairmen and retailers on a pro-rata basis without the use of ratings, and a repairman does not need a rating to get his fair share.

The following radio repair items:

Capacitors (CMP Code No. 500).
Microphones and loudspeakers (CMP Code No. 505).
Resistors (CMP Code No. 506).
Transformers (CMP Code No. 510).
Tubes (CMP Code No. 511).

Paint.

(2) No repairman may use the AA-3 rating assigned by this regulation to buy any of the following items.

Refrigeration condensing units
Low side units (such as unit coolers)
Cabinets or other insulated enclosures
Transformers for neon signs.
Internal combustion engines, except air-cooled.

(h) *Communications.* Any communications or appeals under this regulation should be made by writing a letter to the War Production Board, Reference CMP Regulation 9A, Washington (25), D. C.

Issued this 21st day of July 1945.

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

SCHEDULE 1¹

STEEL

Carbon steel (including wrought iron):

Bars, cold finished.
Bars, hot rolled or forged.
Ingots, billets, blooms, slabs, die blocks, tube rounds, skelp, and sheet and tin bar.
Pipe, including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
Plates.
Rails and track accessories.
Sheets and strip.
Steel castings.
Structural shapes and piling.
Tin plate, terne plate, and tin mill black plate.
Tubing.
Wheels, tires, and axles.
Wire rods, Wire and wire products.
Alloy steel (including stainless):
Bars, cold finished.

¹ This schedule is identical in substance with Schedule I of CMP Regulation 1.

Alloy steel (including stainless)—Con.

Bars, hot rolled or forged.
Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet bar.
Pipe including threaded couplings of the types normally supplied on threaded pipe by pipe mills.
Plates, all plates (including rolled armor plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.
Track accessories.
Sheets and strip.
Structural shapes.
Steel castings.
Tubing.
Wheels, tires and axles.
Wire rods, wire, and wire products.

COPPER AND COPPER-BASE ALLOY PRODUCTS

I. Brass mill products (for the purpose of this regulation):

Alloy sheet and strip:

Alloy plate, sheet, and strip (including strip equivalent of ammunition cups and discs).

Alloy rods, bars and wire including extruded shapes:

Alloy rods, bars and wire (including extruded shapes and ammunition slugs).

Alloy seamless tubing and pipe:

Alloy seamless tubing and pipe.

Brass mill copper products:

Plate, sheets, and strip.

Rods, bars, and wire including extruded shapes (not including wire bars and ingot bars, or rod and wire for electrical conduction).

Tube and pipe.

II. Wire mill copper products:

Wire and cable (bare, insulated, armored, and copper-clad steel) for electrical conduction.

III. Foundry copper and copper-base alloy products:

Castings (before machining).

ALUMINUM

Rod, bar, wire and cable:

Rod and bar.

Wire (wire covers maximum diameter under $\frac{3}{8}$ " in rounds, ovals, squares, hexagonals, octagonals, and rectangles).

Cable (electrical transmission only).

Rivets:

Rivets.

Forgings, pressings and impact extrusions:

Forgings and pressings (before machining).
Impact extrusions.

Castings:

Cylinder head castings for air-cooled engines.

Heat treated sand castings, except cylinder heads.

Non-heat treated sand castings.

Heat treated permanent mold castings.

Non-heat treated permanent mold castings.

Cold-chamber die castings.

Goose neck die castings

Other castings (including rotor, centrifugal, plaster, etc.).

Shapes, rolled or extruded:

Rolled structural shapes (angle, channels, zees, tees, etc.).

Extruded shapes

Sheet, strip, plate and foil:

Sheet, strip and plate.

Foil (0.005" and thinner).

Tubing and tube blooms:

Tubing.

Tube blooms (tube redraw stock).

Ingot and powder:

Powder (including atomized, granular, flake, paste and pigment).
Ingot, pig, billets, slabs, etc.

INTERPRETATION 1

REPAIR PARTS

Paragraph (b) of CMP Regulation 9A assigns a preference rating of AA-3 to a repairman to buy repair parts and materials for carrying on his repair work. The terms "repair parts and materials" does not include any complete item ordinarily used by itself. For instance, a repairman can use the rating to buy grates which he requires in repairing furnaces, but cannot buy a complete furnace by use of the rating. Similarly, an industrial repairman could buy a gear needed to repair a lathe but could not buy a complete lathe (Issued Dec. 15, 1943.)

INTERPRETATION 2

RESPONSIBILITIES OF DISTRIBUTORS OF MATERIALS AND PARTS TO REPAIRMEN

(a) A distributor who receives an order under CMP Regulation No. 9A is entitled to rely upon the customer's certification that he is entitled to place the order, and is not required to find out whether his customer is complying with the regulation, unless he knows or reasonably believes otherwise. However, in the case of copper tubing which a distributor bought under Direction 1, the distributor must know or reasonably believe that his customer is a refrigeration, automotive, or gas or oil burner repairman. If he delivers materials or parts under those circumstances in good faith, he is not responsible even though in fact his customer was not entitled to buy the materials or parts, or used them to do work not permitted by paragraph (e) of the regulation.

(b) Sometimes a distributor will receive both MRO orders and V-3 orders from the same customer. Paragraph (g-1) of CMP Regulation 5, and paragraph (c) (2) of CMP Regulation 9A, allow a repairman to use his customer's MRO symbol and rating to get materials needed for repair, in addition to materials bought with the rating and symbol assigned by CMP Regulation 9A. Hence, unless he knows or has reason to believe that his customer does not have the right to use both symbols and the related preference ratings, the distributor may rely upon the customer's certification that he is entitled to use them. (Issued April 15, 1944.)

INTERPRETATION 3

PURCHASE OF LUMBER UNDER ORDER L-335

(a) A repairman using lumber on a construction job he does for another person is not entitled to certify his lumber orders that he places with lumber suppliers. Under Order L-335, which governs the distribution of lumber, a contractor doing construction for another person is not considered the consumer of the lumber that he uses. The person for whom the construction work is being done is considered the consumer of the lumber and he is the one that is entitled to place the certification on the lumber order that the contractor places with his supplier. This provision also applies to a repairman that does construction work for another person. Construction means the putting up, altering or repairing of any sort of a structure including a building, road, bridge, dam, sewer and similar jobs. It also includes the installation of equipment or fixtures in such a structure. A consumer may authorize the contractor or repairman to act as his agent in certifying a lumber delivery order and in such a case the contractor or the repairman signs the required certification "as duly authorized official" of the consumer. The contractor does not use his rating but the rating

of the person for whom the construction work is being done. Even though a repairman may himself have a rating he cannot use it to get lumber for that construction job. After August 1, the effective date of Order L-335, repairmen placing orders for lumber required on construction jobs they do for other persons must either certify as agents for the persons for whom they do the work or have their lumber order certified by such persons. Lumber distributors have been allocated a small amount of lumber for civilian repairs and maintenance work and this lumber can be sold on uncertified and unrated orders. Repairmen may buy that type of lumber from lumber distributors the same as any other person, but only a limited amount of such lumber is available to distributors.

(b) A repairman doing other repair which is not construction, may use the CMP-9A rating and the certification under paragraph (q) (1) of L-335 to get lumber needed for such repairs, provided he does not get more than 50,000 board feet a calendar quarter for all purposes (except construction). In such a case, he should apply on Form WPB-3640. (Issued Aug. 4, 1944.)

INTERPRETATION 4

CMP Regulation 9A includes "captive repair shops". This includes "captive repair shops" owned by any person, including a farmer, which meet the requirements of the regulation. (Issued July 27, 1944.)

[F. R. Doc. 45-13322; Filed, July 21, 1945; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 1 as Amended July 21, 1945]

COPPER TUBING FOR DISTRIBUTORS OF AUTOMOTIVE, HEATING, PETROLEUM EQUIPMENT AND REFRIGERATION REPAIR PARTS

The following amended direction is issued pursuant to CMP Reg. 9A:

(a) *What this direction does.* This direction tells distributors of automotive equipment, petroleum equipment except for the refining industry, heating equipment (gas or oil burning), and refrigeration equipment how to get copper tubing to sell to repairmen for use in repairing such equipment.

(b) *What distributors can buy copper tubing under this direction.* Distributors of refrigeration equipment, distributors of gas or oil burner equipment, distributors of petroleum equipment except for the refining industry, and distributors of automotive equipment who were in business on August 1, 1943 and who sold copper tubing for refrigeration, gas or oil burner petroleum equipment or automotive repair purposes in 1941 may buy copper tubing under this direction. Warehouses who are authorized to replace brass mill stocks providing they file Form WPB-3007 may not obtain copper tubing under this direction.

(c) *How distributors get copper tubing.* A distributor of the kind covered in paragraph (b) may order for delivery in any calendar quarter up to 6000 pounds of copper tubing. He may endorse his orders for this tubing with the CMP allotment number V-3 and the CMP Regulation No. 7 certification. An order bearing this endorsement signed manually, or in the way as described in Priorities Regulation No. 7 is an authorized controlled material order under all CMP Regulations. A distributor who had more than one distribution point on August 1, 1943 may order up to 6000 pounds of copper tubing in each calendar quarter for delivery to each distribution point.

(d) *How a distributor may apply for additional tubing.* A distributor who needs more copper tubing than this direction allows, or who is not permitted under this direction to buy copper tubing for sale for repair purposes may apply by letter to the nearest War Production Board Field Office for authorization to buy the tubing he needs, stating how much copper tubing he needs for resale and why he needs that amount. If he needs more than a total of 12,000 pounds a quarter, he should apply to the Copper Division, War Production Board, Washington 25, D. C., stating how much copper tubing he needs and why he needs that amount.

(e) *Persons to whom distributors may sell copper tubing.* (1) A distributor may sell copper tubing bought under this direction only on an order placed under paragraph (c) of CMP Regulation No. 9A by (i) a refrigeration repairman, (ii) an automotive repairman, (iii) a petroleum equipment repairman (who places his order under Direction 2 to Order P-98-b) who will use the tubing for repair of petroleum equipment, except refiners, and (iv) a gas or oil burner repairman. In the latter case only copper tubing of a type suitable for use for repair of functional parts of gas burning and oil burning heating equipment (excluding piping system connected with such equipment) may be sold.

(2) A distributor may sell not more than 2,000 pounds of copper tubing under this direction in one calendar quarter to fill orders placed with him by other distributors. A distributor buying from another distributor for the purpose of reselling to repairmen must so indicate when placing his orders.

No distributor may buy more copper tubing under this direction (whether from other distributors as permitted in this paragraph or from brass mill warehouses or producers) than he is permitted to buy under paragraphs (c) and (d). The fact that a distributor sells to another distributor does not increase the amount of tubing he is permitted to buy.

(f) *Restrictions on inventory.* A distributor may not accept deliveries of copper tubing ordered under this direction if his inventory of copper tubing already is, or will be, on accepting a delivery, more than a thirty-day's supply. However, if the supply of copper tubing which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item of copper tubing which his distributor normally sells even if that will increase his supply beyond the amount specified.

(g) *Compliance with WPB orders and regulations.* Distributors operating under this direction must observe the restrictions of all applicable WPB orders and regulations.

NOTE: This reporting requirement passed by Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13323; Filed, July 21, 1945; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 2, as Amended July 21, 1945]

USE OF MATERIAL TO INSTALL EQUIPMENT

The following amended direction is issued pursuant to CMP Reg. 9A:

(a) A repairman may use only up to \$25 worth of material purchased under CMP

Regulation 9A to install any unit of cooking, plumbing, heating, or new or used air-conditioning or refrigeration equipment.

(b) However, if installation of a new air-conditioning or refrigeration system has been authorized under L-41, a repairman may use up to \$250 worth of material purchased under CMP Regulation 9A to install the new system.

(c) This direction does not increase the amount of material which a repairman can buy under CMP Regulation 9A.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13324; Filed, July 21, 1945; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Revocation of Interpretation 1 to Direction 2]

EFFECT OF OTHER ORDERS AND REGULATIONS

Interpretation 1 to Direction 2 to CMP Regulation 9A is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13325; Filed, July 21, 1945; 11:43 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 11, Revocation of Direction 1]

RESCHEDULING OF ORDERS FOR VALVES AND PIPE FITTINGS FOR DESTROYER ESCORT PROGRAM

Direction 1 of Table 11 to General Scheduling Order M-293 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13327; Filed, July 21, 1945; 11:41 a. m.]

PART 3231—MARINE PAINTS

[Preference Rating Order P-65, As Amended July 21, 1945]

§ 3231.1 *Preference Rating Order P-65—(a) Definitions.* (1) "Marine paints" means paints, coatings, and finishes produced for use (other than ornamental or non-utilitarian or any pleasure craft) in coating bottom, topsides, superstructure, and interior of ocean-going vessels or vessels operating in salt water, and gear, tackle, fittings, and other usual and necessary accessories of such vessels.

(2) "Producer" means any person who produces or manufactures marine paint.

(3) "Supplier" means any person with whom a contract or purchase order has

been placed for delivery of material to the producer.

(b) *Assignment of preference rating.* Subject to the terms of this order, the preference rating AA-1 is hereby assigned to deliveries to the producer by his suppliers of material to be physically incorporated by such producer into marine paints.

(c) *Application and extension of ratings.* The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on sales and uses of marine paints.* No person shall sell or deliver any marine paints produced by him in whole or in part from material acquired by him under a purchase order or contract to which he shall have applied the rating herein provided for except where both of the following conditions are fulfilled:

(1) Such marine paints are to be sold or delivered to the United States Army, United States Navy, United States Maritime Commission, the War Shipping Administration, or to any other agency of the United States Government, or to the government of any state or political subdivision thereof, or to any agency of such government, or to any person who owns, operates, leases or charters any shipyard, ship repair shop or vessel; and

(2) Such marine paints are to be used by the agency or person to whom sale or delivery is made solely for the maintenance or repair of or operating supplies for, ocean-going vessels or vessels operated in salt water owned, operated or chartered by any of such agencies, or governments, or agencies of them, or for commercial vessels of any sort used in trade, or for the maintenance or repair of any gear, tackle, fittings and other usual and necessary accessories of such vessels.

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

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: P-65.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13331; Filed, July 21, 1945; 11:42 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 7, as Amended July 21, 1945]

PRIORITIES ASSISTANCE FOR COTTON PIECE GOODS FOR DIRECT BUYING WHOLESALERS AND RETAILERS WHO ARE IN A POSITION TO SERVE SMALL TOWNS AND RURAL AREAS

The following amended direction is issued pursuant to General Conservation Order M-317:

(a) Wholesalers and retailers who buy directly from textile mills or converters and who are in a position to serve small towns and rural areas may apply on Form WPB-4157 for priorities assistance to buy the kinds of cotton piece goods described in this direction.

(b) The following kinds of cotton piece goods are now available in limited quantities: lawn, class C sheeting, 68 x 64 print cloth (percale), 64 x 56 print cloth (percale), 60 x 48 plissé (crinkled crepe), outing flannel, gingham and seersucker.

(c) Applications for assistance to get some of the goods that are now available must be filed with the nearest War Production Board field office not later than August 11, 1945.

(d) The purpose of this program is to make more cotton piece goods available to persons who live in small towns and rural areas and who buy these goods over-the-counter from retailers for use in making garments in the home. Therefore, the only applications that will be considered will be those from wholesalers who customarily buy these goods directly from textile mills or converters and resell to retailers in small towns and rural areas, and from the retailers themselves in the small towns and rural areas who also customarily buy directly from textile mills or converters. Because of the very limited supply of the goods, applications from these eligible wholesalers and retailers may be granted only where it appears that the applicant's 1944 receipts of cotton piece goods have been less than 40% of 1942 receipts and the consumer needs of the community or area served by the applicant have not decreased, or where the consumer needs of the community or area have greatly increased. Applications that meet this test will generally be granted on a pro rata basis, based on the applicant's receipts of the goods in 1942 and his receipts into stock in 1944 and 1945, including unfilled rated orders. A person who has not been in a business handling cotton piece goods long enough to give this information, or who is just entering business, may, if he buys or plans to buy directly from a textile mill or converter, apply for priorities assistance and his application will be processed on an equitable basis.

(e) Orders shall be placed and preference ratings assigned under this direction shall be applied and extended in the manner provided in Priorities Regulations 1 and 3. The following certification shall be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference rating indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

This rating has been assigned under Form WPB-4157, Serial No. — (Insert the serial number).

(Name of purchaser)

(Address)

By -----
(Signature and title of
duly authorized officer)

(Date)

When the above is complied with, the requirements of M-317 and M-328 are met, and it is unnecessary to use any other notation.

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13328; Filed, July 21, 1945; 11:41 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER[Supplementary Order M-317B, as Amended
July 21, 1945]COTTON SALE YARN PRODUCTION AND
DISTRIBUTION

§ 3290.117 *Supplementary Order M-317B*—(a) *Contents of this order.* This Order M-317B is supplementary to Order M-317 and contains Preference Rating Schedules and a Distribution Schedule referred to in that order. These schedules apply only to cotton sale yarn. (Cotton sale yarn is included in the definition of "Cotton textiles" in Order M-317.) This order also contains provisions relating to production of cotton sale yarn, including provisions which have been transferred from Order L-99 to this order. Furthermore, it contains provisions relating to distribution of cotton sale yarn which are in addition to those contained in Order M-317.

(b) *Specific directions to producers and converters.* No producer or converter of cotton sale yarn shall produce, convert or deliver cotton sale yarn and no person shall accept delivery of cotton yarn sale from a producer or converter contrary to any specific direction which may be issued from time to time by the War Production Board.

(c) *Operation of spinning machinery.* (1) No person, regardless of the presentation of rated orders, shall operate spinning machinery (i. e., roving, ring, mule or converted twister spindles) contrary to the provisions in the Sale Yarn Production Schedule of this supplementary order.

(2) *Spinning machinery acquired after July 3, 1943.* No person shall operate any spinning machinery acquired (the term includes leasing or renting) by him after July 3, 1943, except for the production of cotton sale yarn required to be produced by paragraph (d) of this supplementary order or as specifically authorized in writing by the War Production Board. For such authorizations, application may be made by letter to the War Production Board stating all facts which the applicant deems important and pertinent to his particular case. In all instances he shall state the type of cotton sale yarn he wishes to produce and in instances where he has acquired used spinning machinery he shall state the name of the person who formerly owned or controlled the equipment and the yarn produced by such former owner. Authorizations will be granted to maintain a maximum practical production of cotton sale yarn.

(d) *Cotton sale yarn production directions*—(1) *Cotton sale yarn described in Cotton Sale Yarn Production Schedule.* Each producer of cotton sale yarn must in each calendar quarter produce and deliver at least the same poundage of

cotton sale yarn in the description and counts listed for each of the numbered groups in the "May produce only" column of the Cotton Sale Yarn Production Schedule of this supplementary order as he delivered in that calendar quarter of 1943 in which he delivered the greatest poundage of cotton sale yarn. The calendar quarter of 1943 in which a producer delivered his greatest poundage of cotton sale yarn, as compared with the other calendar quarters of 1943, is called the "base period". The required poundage of each description and count of cotton sale yarn must be produced for sale at the same price (or any increase subsequently granted by the OPA for the same description and count) at which the required poundage in the particular description and count was produced in the base period.

(2) [Deleted July 21, 1945.]

(3) *Twine layers and ring twisters operations.* Each Haskell-Dawes, Brownell or ring twister and each twine layer in the possession or under the control of any producer shall be operated at least as many hours per week as any twister or any twine layer is operated at the same plant.

(e) *Restrictions on distribution and use of cotton sale yarn and roving*—(1) *Roving.* No spinner shall use roving except for spinning on his own spindles, or sell or deliver roving to others on unrated orders, unless specifically authorized in writing by the War Production Board. An authorization to use roving for other purposes or to deliver it on unrated orders may be granted if the War Production Board finds that the roving produced by spinners, who do not have spinning spindles, is not needed to fill rated orders, or in cases where spinners show that their spinning spindles are operating at maximum capacity. To secure such authorizations, an application must be made by letter to the War Production Board, stating the quantity of roving which the applicant wishes to use or dispose of for other than spinning or the filling of rated orders; and the hours per week which each spinning machine is being operated.

(2) (i) *Seine twine, hawser cord, cabled cord, twisted or braided cord rope.* Sales. No person shall sell, purchase, deliver or accept delivery of cotton seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive (even to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration) except to fill an order bearing a preference rating assigned on Form WPB-2842, WPB-547 (distributors application for preference rating), or a rating assigned by the Foreign Economic Administration, or a rating assigned in connection with an authorization from the Canadian Cotton Administrator. In-

sofar as practicable, authorizations will cover quarterly periods.

(ii) The following transactions are exempted from the restrictions in subdivision (i): (a) Sales by wholesalers and retailers; and (b) sales which are authorized pursuant to written application to the War Production Board (application for such authorization shall be made by letter and will be granted within the available supply to producers of commercial fish netting who regularly sold such material prior to August 15, 1944, to commercial fish netting users for hanging and repair of netting and insofar as practicable, authorizations will cover quarterly periods).

(3) *Use by integrated mills producing seine twine, hawser cord, or other cabled cord.* No person who produces seine twine, hawser cord or other cabled cord shall use it for the manufacture of netting or other purposes even in plants owned or controlled by him unless authorized by the War Production Board pursuant to application by letter. The authorization will be based on the procurements of the Armed Services for camouflage netting and the needs for commercial fish netting. Insofar as practicable, authorizations will cover quarterly periods.

(4) *Use of seine twine, hawser cord, cabled cord, twisted or braided cord rope obtained with a preference rating.* No person shall put into process, process or commercially use any seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive, which he obtained by the use of a preference rating, other than for the specific purpose or purposes authorized by the form assigning the rating. If the rating is assigned on Form WPB-547, the authorized purpose is resale. If the rating is assigned by the Foreign Economic Administration, or in connection with an authorization from the Canadian Cotton Administrator, the authorized purpose is export. If the rating is assigned on Form WPB-2842 for delivery to or for the account of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration, the authorized purpose is filling the specific agency contract(s) listed in the form unless otherwise authorized in the form. In all other cases the authorized purpose is the one specifically stated in Form WPB-2842 assigning the rating.

(5) *Fugitive-dyed yarn.* No person shall sell or deliver any "fugitive-dyed" or "fugitive-tinted" cotton yarn for any purpose whatever. "Fugitive-dyed" or "fugitive-tinted" cotton yarn means any cotton yarn which has been dyed or tinted with a dye or tint which can be completely removed by normal commercial washing and scouring.

Issued this 21st day of July 1945.

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

COTTON SALE YARN PRODUCTION SCHEDULE

Roving, ring, mule or converted twister spindles which on January 1, 1945 produced or were assigned to produce the yarn and

Note: Schedule amended July 21, 1945.

Group No.	Form WPB 656-E (6/27/45) line numbers	Did produce	May produce only
1	1, 2	Carded single yarns, other than machine knitting, 8's and coarser.	Carded single yarns, other than machine knitting, 8's and coarser.
2	3, 25 and 29	Carded single yarns, other than machine knitting, finer than 8's, up to but not including 15's.	Carded single yarns, other than machine knitting, finer than 8's and up to but not including 15's.
3	4, 25, 30	Carded single yarns, other than machine knitting, 15's and up to but not including 21's.	Carded single yarns, other than machine knitting, 15's and up to but not including 21's.
4	5, 6, 31	Carded single yarns, other than machine knitting, 21's and finer.	Carded single yarns, other than machine knitting, 21's and finer.
5	7, 8, 13, 14, 17, 18, 25, 29	Carded ply yarns, other than machine knitting, 8's and coarser.	Carded ply yarns, other than machine knitting, 8's and coarser.
6	9, 15, 17, 18, 25, 29	Carded ply yarns, other than machine knitting, finer than 8's, up to but not including 15's.	Carded ply yarns, other than machine knitting, finer than 8's, up to but not including 15's.
7	10	Carded 2-ply yarns, other than machine knitting, 15/2 to 20/2.	Carded 2-ply yarns, other than machine knitting, 15/2 to 20/2.
8	11	Carded 2-ply yarns, other than machine knitting, 21/2 to 29/2.	Carded 2-ply yarns, other than machine knitting, 21/2 to 29/2.
9	12	Carded 2-ply yarns, other than machine knitting, 30/2 and finer.	Carded 2-ply yarns, other than machine knitting, 30/2 and finer.
10	16, 28, 30, 31	Carded ply yarns, other than machine knitting, finer than 14's excluding 2-ply.	Carded ply yarns, other than machine knitting, finer than 14's excluding 2-ply.
11	16, 20, 21	Carded single machine knitting yarns, all counts.	Carded single machine knitting yarns, all counts.
12	26	Hose cord (tube twist only).	Hose cord (tube twist only).
13	27	Carded cordage, rope and twine yarn.	Carded cordage, rope and twine yarn.
14	32, 33, 34, 62	Combed single yarns, other than machine knitting, 40's and coarser.	Combed single yarns, other than machine knitting, 40's and coarser.
15	35, 36, 37, 62	Combed single yarns, other than machine knitting, finer than 40's, up to but not including 71's.	Combed single yarns, other than machine knitting, finer than 40's, up to but not including 71's.
16	38, 63	Combed single yarns, other than machine knitting, 71's and finer.	Combed single yarns, other than machine knitting, 71's and finer.
17	39, 40, 41, 46, 62	Combed ply yarns, other than machine knitting, 40's and coarser.	Combed ply yarns, other than machine knitting, 40's and coarser.
18	42, 43, 44, 46, 62	Combed ply yarns, other than machine knitting, finer than 40's up to but not including 71's.	Combed ply yarns, other than machine knitting, finer than 40's up to but not including 71's.
19	45, 46, 62	Combed ply yarns, other than machine knitting, 71's and finer.	Combed ply yarns, other than machine knitting, 71's and finer.
20	47, 48, 49, 50, 51, 52	Combed single machine knitting yarns, 70's and coarser.	Combed single machine knitting yarns, 70's and coarser.
21	53	Combed single machine knitting yarns, finer than 70's.	Combed single machine knitting yarns, finer than 70's.
22	54, 55, 56, 57, 58, 59	Combed ply machine knitting yarns, 70's and coarser.	Combed ply machine knitting yarns, 70's and coarser.
23	60	Combed ply machine knitting yarns, finer than 70's.	Combed ply machine knitting yarns, finer than 70's.
24	61, 66	Combed thread yarns, of any count or description.	Combed thread yarns, of any count or description.
25	74, 75, 76	Seine twine, hawser cord and other cabled cord.	Seine twine, hawser cord and other cabled cord.
26	77, 78, 80	Tyng, wrapping and all other twines (except cabled and sewing).	Tyng, wrapping and all other twines (except cabled and sewing).
27	79	Sewing twine.	Sewing twine.

AA-2X COTTON SALE YARN PREFERENCE RATING SCHEDULE

Note: Schedule amended July 21, 1945.

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
1	Processor, Merchant	Twine, sewing	Textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
2	Merchant, User	Thread, Twine (other than seine or cabled).	Hand or machine sewing for bag closing.
3	Processor	Yarn, carded	Transmission belts, tapes & ropes. Polishing, grinding and roughing belts. Harvester webbing. Shuttle strap belt. Paper makers' blankets. Woven felts for industrial purposes. Card clothing fabric. Blasting caps and fuses.
4	Intermediate processor, Processor	Thread, sewing	Safety equipment. This term means equipment and devices designed primarily to promote safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including but not necessarily limited to the following articles: 1. Protective occupational safety clothing made only of impregnated or coated fabrics for the purpose of making it resistant against fire, heat, acid or other chemicals or abrasives. 2. Safety belts, life lines and nets. 3. Gas masks, respirators and other respiratory protective equipment. 4. Protective hard hats and helmets.
5	Intermediate processor	Yarn, carded	Rubber hose and tubing, rubber belts and belting, rubber packing and gaskets and other mechanical products as defined in Rubber Order R-1 as amended May 30, 1945—Appendix I, Table B, Code Groups 9, 10 (except garden hose), 11 and 12. Fabric packings and gaskets.
6	Intermediate processor, Merchant, User	Twine (other than seine or cabled), Yarn, carded	Agricultural and food processing uses. Farm equipment: Horse collars and pads. Rack bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey and vegetable oils.
7	Intermediate processor, Processor	Thread, sewing	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.

Note: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of certain carded cotton sale yarn in counts finer than 8's and coarser than 15's, single and ply.

AA-3 COTTON SALE YARN PREFERENCE RATING SCHEDULE
NOTE: Schedule amended July 21, 1945.

Group	Column I	Column II	Column III
8	Intermediate processor... (See (non-profit, public institutions only).	Thread sewing	Men's and boys' work clothing, meaning any garments designed for male workers' wear, while engaged in their occupations and expressly limited to the types customarily known as one of the following, and made in accordance with W.P.B. Limitation Order L-181: W. A. Subband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes', or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', bakers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps.
9	Intermediate processor... Processor	Thread, sewing	Oilskin jackets, coats, hats, or apron overalls. Occupational protective clothing (i. e. black rubber clothing).
10	Processor	Thread, sewing	Butting and seaming bolts of fabrics.
11	Processor	Yarn, carded	Wicking for oil lamps and stoves.

¹ Note: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of certain carded cotton sale yarn in counts finer than 8's and coarser than 15's, single and ply.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING
The percentage obligations in Columns III, IV and V are to be calculated for quarterly periods on production from the first day of each calendar quarter.

(a) Column I indicates the corresponding item numbers of the various cotton yarns in this schedule as each appears on Form WPB-658-E (6/27/45).

(b) Column II shows the descriptions and counts of yarns covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton sale yarns. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) of Order M-317 may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders. However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If acceptance of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then, unless the producer is willing to accept rated orders above the required percentage, the lowest rated order on his books for the current quarter must be displaced and filled from the percentage applicable to the next quarter.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued
NOTE: Schedule amended July 21, 1945.

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		CARDED COTTON SALE YARN				
1	1, 2	Single other than machine knitting.	5	80	100	May not be exported.
2	3, 25, 29	8's and coarser	5	100	100	
3	4, 25, 30	9's to 14's inclusive	5	80	100	
4	5, 6, 31	15's to 20's inclusive	5	80	90	
		Finer than 20's				
5	7, 8, 13, 14, 17, 18, 25, 29	Ply other than machine knitting.	5	80	100	May not be exported.
6	9, 15, 17, 18, 25, 29	8's and coarser				
7	10	9's to 14's inclusive				
		2 ply weaving 15/2 to 20/2				
8	11	2 ply weaving 21/2 to 29/2	5	80	90	
9	12	2 ply weaving 30/2 and finer				
10	16, 28, 30, 31	Ply yarns finer than 14's excluding 2 ply.				
11	23, 24	Speeder spun, roving	4	90	100	
12	25	Insulating yarns (waste, part waste or tinged).	4	0	100	
13	27	Carded cordage rope and twine.				
14	19	Single machine knitting yarn 14's and coarser.	4	90	100	
15	20, 21	Single machine knitting yarn 15's and finer.	4	80	100	
16	22	Ply machine knitting yarns.	5	80	100	
		COMBED COTTON SALE YARN				
17	32, 33, 34, 35, 36, 37, 38, 62	Single, other than machine knitting.				
18	39, 40, 41, 42, 43, 44, 45, 46, 62	Ply other than machine knitting.				
19	47, 48, 49, 50, 51, 52	Single machine knitting Yarns:	5	80	100	
		70's and coarser				
20	53	71's and finer	5	80	100	
21	54, 55, 56, 57, 58, 59	Ply machine knitting Yarns:	4	80	100	
		70's and coarser				
22	60	71's and finer	4	80	100	
23	61	Thread yarns		0	100	

*May be delivered only (1) to the United States Army, Navy, Maritime Commission, or War Shipping Administration or (2) to fill a rated order bearing purchaser's certification substantially as follows: "This yarn will be used to fill Contract No. (insert number) of the (United States Army, Navy, Maritime Commission or War Shipping Administration)" or (3) to fill a rated order bearing purchaser's certification substantially as follows: "This rating has been assigned under Form WPB-2842, Serial No. (insert number), and this yarn will be incorporated into insulated wire."

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued

NOTE: Schedule amended July 21, 1945.

Ref. No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		COTTON TWINE, CORDAGE AND ROPE				
24	71, 72, 73.....	Cordage and rope, braided and twisted.		100	100	
25	74, 75, 76.....	Seine twine, hawser cord and other cabled cord.		100	100	
26	77, 78, 80.....	Tying, wrapping and all other twines (except cabled and sewing).		100	100	
27	79.....	Sewing twine.....		100	100	
28	26.....	Hose cord (tube twist only).		100	100	

[F. R. Doc. 45-13330; Filed, July 21, 1945; 11:43 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended May 30, 1945, Amdt. 5]

Appendix II, *Manufacturing regulations*, as amended May 30, 1945, is hereby further amended by changing Table A

of List 8, Regulations for the Manufacture of Tires and Tire Casings (Except Airplane and Bicycle Tires) in the following particulars:

Change the data applicable to tire sizes—7.50-16, 6 Ply; 7.50-16, 8 Ply; 7.50-17, 8 Ply; 7.50-18, 8 Ply; 7.50-20, 8 Ply—to read as follows:

Size	Ply	Tread type	Construction		Maximum content natural rubber in pounds			
			Civilian orders	Government orders	Civilian orders		Government orders	
					Rayon	Cotton	Rayon	Cotton
7.50-16	6	Highway.....	S-4	S-4	2.85	-----	2.85	-----
7.50-16	8	do.....	S-4	S-4	3.20	-----	3.20	-----
7.50-17	8	do.....	S-4	S-4	3.60	-----	3.60	-----
7.50-18	8	do.....	S-4	S-4	3.85	-----	3.85	-----
7.50-20	8	do.....	S-4	S-4	4.05	-----	4.05	-----

All other provisions of List 8 shall remain in full force and effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13332; Filed, July 21, 1945; 11:42 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended May 30, 1945, Amdt. 6]

Appendix II, *Manufacturing regulations*, as amended May 30, 1945, is hereby further amended by changing List 15, Regulations for the Use of High Tenacity Rayon Cord, to read as follows:

LIST 15—REGULATIONS FOR THE USE OF HIGH TENACITY RAYON CORD

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

ORDER OF PREFERENCE AND TYPE OF PRODUCT

1. Airplane tires.
2. Self-sealing fuel cells.

No. 146—3

3. Bullet-sealed hose.
4. Combat (U. S.) tires including only cross-sections 8.00 and larger.
5. Mileage contract bus tires:
 - (a) Intercity bus tires.
 - (b) City bus tires.
6. Synthetic rubber truck and bus tires, including only:

Tread types: Standard low platform trailer.

Sizes: 7.50 and up, 10 plies and more.

Orders: Government and civilian.
7. Truck and bus tires, including only:

Tread types: Standard highway and mud-snow.

Sizes: 14.00-20-24, 20 plies.

Orders: Government only.
8. Synthetic rubber truck and bus tires, including only:

Tread types: Standard highway, mud-snow.

Sizes: 8.25 through 10.00, 10 plies and more.

Orders: Government and civilian.
9. Truck and bus tires, including only:

Tread types: Standard highway.

Sizes: 8.25-20, 10 and 12 plies. 9.00-20, 10 plies. 9.00-20/36 x 8, 12 plies. 10.00-20-22, 12 plies. 11.00-20-22-24, 12 plies.

Orders: Civilian only.
10. Synthetic truck and bus tires, including only:

Tread types: Standard highway, mud-snow.

Sizes: 10.50 and up, 10 plies and more.

Orders: Government and civilian.
11. Synthetic special purpose tires including:

Tread types: Rock Service, logger, earthmover, and 18.00 and up mud-snow.

Sizes: All.

Orders: Government and civilian.

12. Synthetic truck and bus tires including only:

Tread types: Standard highway, mud-snow.

Sizes: 14.00-20-24, 18 plies.

Orders: Civilian only.

13. Synthetic truck and bus tires including only:

Tread types: Standard highway, mud-snow.

Sizes: 7.00 and 7.50, 10 plies.

Orders: Government and civilian.

14. Synthetic truck and bus tires, including only:

Tread types: Standard highway sizes: 7.50-16, 6 and 8 plies. 7.50-17, 8 plies. 7.50-18, 8 plies. 7.50-20, 8 plies.

Orders: Government and civilian.

15. V-Belts.

16. Tire repair materials made from scrap rayon cord friction resulting from the manufacture of products listed above.

(b) All available rayon for a given allocation period will be allocated in accordance with the order of preference in the above usage pattern, full allocations being made for total industry requirements for the first group before any allocations are made for the second group, and so on down the list until the entire supply of rayon available for that period has been allocated.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

(Sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13333; Filed, July 21, 1945; 11:42 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-747, Reinstatement and Amendment]

NATIONAL ELECTRICAL CO.

John A. Rosenfeld, doing business as National Electrical Company, of 135 Locust Street, Evansville, Indiana, engaged in the sale of electrical equipment, including fans and fluorescent lighting fixtures was suspended on April 6, 1945, by Suspension Order No. S-747. He appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on May 8, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Flood who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing; it is hereby ordered, that:

§ 1010.747 *Suspension Order No. S-747* issued March 30, 1945, and effective April 6, 1945, be and hereby is reinstated effective July 23, 1945, to expire October

20, 1945; the stay of execution directed by the Chief Compliance Commissioner on May 8, 1945, be and hereby is revoked effective July 22, 1945; and that the suspension order be modified by striking paragraph (c) therefrom and substituting for paragraph (g) the following:

(g) This reinstatement shall take effect on July 23, 1945.

Issued this 13th day of July 1945.

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

[F. R. Doc. 45-13371; Filed, July 23, 1945;
11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C, as Amended July 23, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CHILDREN'S 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 children's and infants' apparel made of cotton fabric to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(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) *Requirements for obtaining priorities assistance.* (1) Applications under this schedule may be filed only by manufacturers who have received a serial number under Order M-388A for the manufacture of the cotton items listed in this schedule for which they apply. Two copies of Form WPB-3732 (revised) should be filed in accordance with the rules stated in paragraph (c) of M-328B.

(2) A person who has received a rated quota under Order M-388A pursuant to an application on Form WPB-4200 who files Form WPB-3732 (revised) for the third calendar quarter of 1945 by July 21, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is

made. He may do so only for an item he made in the base period and only for 15% of his rated quota under M-388A with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer receiving an allocation for an item under this schedule for a quarter must subtract from his rated quota for that item under Order M-388A for that quarter, the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota. If the quantity of fabrics for which an AA-3 rating is authorized for an item under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not use an AA-4 rating under M-388A for that item.

(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) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price column.

(3) If applications are received for rated quotas in an amount for any item in excess of the yardage available for that item, the rated quotas will be assigned in proportion to the manufacturers' rated quotas for the particular items under AA-4 preference rating Schedule 1 of M-388A.

(4) A manufacturer who is not a base period manufacturer and was not assigned a quota under AA-4 preference rating schedule pursuant to application on Form WPB-4200 but was given a serial number under M-388 pursuant to application on Form WPB-4201, must comply with the provisions of paragraph (c) (6) of M-328B.

(5) Any manufacturer granted a rated quota for an item under this

schedule must meet the following minimum specifications in producing that item:

(i) The yardage limitations (the minimum linear yardage per dozen garments) shall in no event be less than the amount used by him for the production of the same item in the base period, or if his quota was assigned on the basis of an application on Form WPB-4201, not less than the yardage per dozen authorized on Form WPB-3732 (revised).

(ii) *Seams, stitching and construction.* All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannelette, a seam overlap allowance of not less than 3/8" from the edge of the cut material to the inner stitch shall be provided. The inner stitch is the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric allowance of not less than 3/8" clear after pinking shall be provided. For flannelette the minimum construction shall be overlock seam, with 1/2" allowance; plain pinked seams are not permitted in flannelette.

(6) Manufacturers may also file on form WPB-2842 with the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., to obtain priorities assistance for elastic tape, narrow woven selvage edge tape, sewing thread, linings, pocketings and other necessary component materials in the quantities required for incorporation into the number of units of the items for which application is made on Form WPB-3732 (revised). Such requests will be granted within the limits of materials available and to the extent that priorities assistance is granted for the items requested.

(7) 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 WPB-3732 (revised). If his application is granted, he must comply with these size assortments.

Issued this 23d day of July 1945.

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

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

NOTE: Item A-34 (a) amended July 23, 1945.

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers ¹	Maximum price column	Fabric column
A-9	Creepers, Rompers	6 mos-2 yrs	6 mo.-1-1/2-2-3-3-3	\$8.50	Carded poplin, sheeting yarn. Print cloth, sley of 66 to 78.
A-10(a)	Pajamas; 2-piece button-on with or without feet	1-4	1-2-3-4-3-3-3-3	9.00	Carded broadcloth, 89 sley and less. Chambray, 4.20 yard and lighter.
(b)	Pajamas; 2-piece button-on with extra pants	1-4	1-2-3-4-3-3-3-3	10.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).
A-11(a)	Pajamas; 1-piece with or without feet	2-8	2-4-6-8-2-2-4-4	10.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse).

¹ First line indicates size. Second line the number of each size.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL—Continued

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers	Maximum price column	Fabric column
(b)	Pajamas; 2-piece jacket style	2-8	2-4-6-8 2-2-4-4	\$10.50	Outing flannel.
A-12	Pajamas; 2-piece jacket style	8-16	8-10-12-14-16 2-2-3-3-2	12.00 13.50	Outing flannel. Print cloth, sley of 56 to 65 (plisse). Outing flannel.
A-13	Night gowns; Infants	0-1	Normal Industry Practice	4.50	Print cloth, sley of 56 to 65 (plisse). Outing flannel.
A-14	Night gowns; Children's	1-4	Normal Industry Practice	4.50	Outing flannel.
A-15	Night gowns; Children's	2-8	Normal Industry Practice	7.50	Outing flannel.
A-16	Night gowns; Children's	8-16	8-10-12-14-16-2-2-3-3-2	10.50	Outing flannel. Outing flannel.
A-17	Kimonos; Infants	0-1	Normal Industry Practice	4.50	Print cloth, sley of 56 to 65 (plisse). Outing flannel.
A-18	Gertrudes; Infants	0-1	Normal Industry Practice	4.50	Print cloth, sley of 56 to 65 (plisse). Lawn, 96 x 100.
A-19	Dresses; Infants	0-1	Even	9.75	Dimity. Print cloth, sley of 62 to 65. Carded broadcloth, more than 80 sley. Lawn, 96 x 100.
A-20	Dresses; Toddlers	1-3	1-2-3 2-4-6	10.50	Pique. Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Print cloth, sley of 66 to 78.
A-21	Dresses; Children's	3-6X	3-4-5-6-6X 1-2-3-3-3	10.50	Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley.
A-22	Dresses; Girls	7-14	Normal Industry Practice	15.75	Carded poplin, sheeting yarn. Gingham, 4.00 and heavier.
A-23	Slips; Toddlers	1-3	1-2-3 4-4-4	3.75	Lawn, 96 x 100. Lawn, 76 x 72. Lawn, 96 x 100.
A-24	Slips; Girls, gertrude type	2-14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	6.75	Lawn, 76 x 72. Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less. Lawn, 96 x 100.
A-25	Slips; Girls, shoulder strap style	10-16	10-12-14-16 1-4-4-3	9.75	Lawn, 76 x 72. Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less.
A-27	Blouses; Girls	2-6X	Normal Industry Practice	8.50	Dotted Swiss. Dimity. Carded broadcloth, more than 80 sley. Dotted Swiss.
A-28	Blouses; Girls	7-14	7-8-10-12-14 2-2-3-3-2	9.75	Dimity. Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99.
A-29	Panties; Girls	2-12	2-4-6-8-10-12 1-2-2-3-2-2	3.75	Print cloth, sley of 62 to 65.
A-30	Overalls and Coveralls (includes crawlers)	1-4	1-2-3-4 3-3-3-3	9.00	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Ticking.
A-32	Overalls and Coveralls	2-8	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Carded poplin, sheeting yarn.
A-33	Wash suits; Boys; Toddlers	1-4	Normal Industry Practice	9.25	Pique. Carded poplin, sley of 88 to 99. Print cloth, sley of 66 to 78.
A-34 (a)	Wash suits; Boys; short pants	2-8	Normal Industry Practice	10.50	Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker. Print cloth, sley of 66 to 78.
(b)	Wash suits; Boys; long pants	2-8	Normal Industry Practice	10.50	Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker.
A-35	Shirts and Blouses; Boys	2-10	2-4-6-8-10 2-2-3-3-2	8.50	Print cloth, sley of 66 to 78. Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99.
A-36	Shirts; Boys	11-14½	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99.
A-37	Pants; Boys, short	4-10	Normal Industry Practice	10.50	Suitings. Carded poplin, sheeting yarn.
A-38	Pants; Boys, long	4-12	Normal Industry Practice	15.75	Suitings. Carded poplin, sheeting yarn.
A-39	Under shorts; Boys	6-16	Normal Industry Practice	3.50	Carded poplin, sheeting yarn. Print cloth, sley of 62 to 65.

First line indicates size. Second line the number of each size.

[F. R. Doc. 45-13369; Filed, July 23, 1945; 11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended July 12, 1945, Amdt. 1]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

Section 3290.116 *Supplementary Order M-317A, as amended July 12, 1945* is amended in the following respects:

1. In the 4th line of paragraph (c) (2) change the date "July 20, 1945" to "July 31, 1945".

Make the following changes in Preference Rating Schedules:

2. In Group "CONT-2" add to the present fabrics listed in Column II "(18a) Cheesecloth, tobacco cloth and bandage cloth (except 44 x 36)".

3. In Group "STRA-1" change the code number opposite "Sateen" in Column II to read "(16e)".

4. In Group "TOOL-1" add to the fabrics listed in Column II "(17a) Print cloth, 80 sley and higher," and "(17b) Print cloth, 64 and higher but less than 80 sley."

Make the following changes in Distribution Schedule 1:

5. In Reference Nos. 1 and 2, place a bracket in front of the provision contained in Column VI to indicate that this provision applies to both reference numbers.

6. In Reference No. 9, change the percentage appearing in Column V from "85" to "25".

7. In Reference No. 17, change the Column V percentage from "20" to "0".

Make the following changes in Distribution Schedule 2:

8. In Reference No. 29 in the 1st line of the Column VI provision change the

word "must" to "may" and insert the word "only" after the word "delivered".

9. In Reference No. 35 in the 1st line of the Column VI provision change the word "must" to "may" and insert the word "only" after the word "delivered".

10. In Reference No. 40 in the 1st line of the 2nd paragraph in Column VI change the word "must" to "may" and insert the word "only" after the word "delivered".

11. In Reference No. 41 delete the word "widths" in Column II and substitute "laundry sheeting" and in the 1st line of paragraph (2) in Column VI insert the word "only" immediately after the word "delivered".

12. In the heading in Column II immediately above Reference No. 41a change "Class B Sheetings:" to "Class A Sheetings:".

13. In Reference No. 41a, Column II, delete the word "widths" and substitute "laundry sheetings."

14. In Reference No. 50 change the Column V percentage from "100" to "70"; extend the bracket presently covering Reference Nos. 50a and 51 to include 50; and delete the present paragraph (2) contained in Column VI and substitute: "(2) The Column V obligation may be met by deliveries, as selected by the producer, of the required percentage of the aggregate percentages of Ref. Nos. 50, 50a and 51."

Add a new paragraph (3) to read: "(3) None of the production for Ref. Nos. 50, 50a and 51 may be delivered to fill unrated orders except in the form of sheets or pillow cases made on the producers' own facilities or to a person who certifies in writing that he will use the fabrics only to produced sheets or pillow cases." Change present paragraph "(3)" to read paragraph "(4)".

15. In Reference No. 61 after the word "Clothing" in the 5th line of paragraph (2) in Column VI insert "(including work clothing)".

16. In Reference No. 77 add after the word "yard" in Column II "and pro rata widths."

17. In Reference No. 89 insert in Column I "90 and" immediately before "93" and in Column II after the word "construction" add "including bandage cloth 99 to 72 threads per square inch."

18. In Reference No. 93 change the percentage in Column III from "1" to "2".

19. In Reference No. 95 change the percentage in Column III from "10" to "16".

20. In Reference No. 96 change the percentage in Column III from "5" to "10".

21. In Reference No. 121, 2nd line of Column VI, delete the word "order" and substitute "orders".

Issued this 21st day of July 1945.

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

[F. R. Doc. 45-13329; Filed, July 21, 1945;
11:41 a. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-795, Revocation]

MELSON CLEANERS

Suspension Order No. S-795 effective May 23, 1945 was issued against Ida Sue

Melson doing business as Melson Cleaners at 1312 Lapeer Street, Flint, Michigan, for violations of Conservation Order L-41. This construction has now been determined to be essential and the Chief Compliance Commissioner has therefor directed that the suspension order be revoked. In view of the foregoing, It is hereby ordered, That:

Section 1010.795, Suspension Order No. S-795 be revoked.

Issued this 23d day of July 1945.

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

[F. R. Doc. 45-13372; Filed, July 23, 1945;
11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[General Preference Order M-388C, as
Amended July 23, 1945]

WOOL AND WOOL TEXTILES FOR CIVILIAN
ITEMS

§ 3290.354 *General Preference Order M-388C*—(a) *Explanation*. This order is supplemental to M-388. It states the special rules applicable to civilian items made from wool materials and lists the items for which ratings are assigned.

(b) *Delivery quotas*—(1) *General rule*. (Orders rated AA-3 or higher, or AA-5, must be filled as required by Priorities Regulation 1, in addition to the quotas under this paragraph.) Every producer and importer of wool fabrics must deliver to fill AA-4 orders in the period from May 1, 1945, through June 30, 1945, inclusive, and in each subsequent calendar quarter, at least 80 percent of his total deliveries of wool fabrics (by linear yards) during the same period on both AA-4 and unrated orders. Stated another way, he must not deliver on unrated orders in any of these periods more than 20 yards of wool fabrics for each 80 yards he delivers to fill AA-4 orders in the same period. He must not discriminate against rated orders in distributing fabric widths as between rated and unrated deliveries.

(2) *Exception for 6 percent of total deliveries*. An exception to the above rule is that each producer or importer may deliver up to 6 percent of his total deliveries in the period without regard to AA-4 ratings, as long as he fills all other rated orders and complies with all other applicable orders, regulations and directions of the War Production Board.

(3) *Examples*. If a woolen mill delivers a total of 1,000,000 yards in a calendar quarter, and half of this yardage is delivered to fill orders rated AA-3 or higher, or AA-5, it has available a total of 500,000 yards of both AA-4 and unrated deliveries. Eighty percent of this total, or at least 400,000 yards, would have to be delivered on AA-4 orders, and not more than 20 percent or 100,000 yards could be delivered on unrated orders. However, if the mill delivers in the period 750,000 yards on orders rated AA-3 or higher, or AA-5, leaving 250,000 yards for unrated and AA-4 orders, he may still deliver 60,000 yards on unrated orders to the extent that these 60,000 yards are not needed to fill orders other than AA-4 or to comply with regulations,

orders or directions of the War Production Board.

(4) *Rejects*. Rejects, including remnants over one yard and seconds, must be included in calculating required deliveries for rated delivery quotas under this order.

(5) *Military and other cancellations*. Material resulting from cancellations of customers' orders must also be included in calculating rated delivery quotas. However, unless otherwise ordered by the War Production Board, a producer or importer who has a contract or subcontract with the U. S. Army, Navy, Maritime Commission, War Shipping Administration or the Procurement Division of the Treasury Department which is cancelled after April 30, 1945 and for which wool fabric, wool yarn or wool is already completed or in process either in his plant or that of one of his subcontractors may deliver the completed fabric, or the fabric made from the material in process free of his rated delivery quota.

(c) *Dyeing and finishing of fabrics*. A producer of wool fabrics or importer shall dye wool fabrics which he produces or imports after May 1, 1945, only to fill accepted rated orders, or orders which are authorized under paragraph (g) of M-388, or unrated orders within the limits allowed by this order. Material must not be finished in a manner which will make it unsuitable to fill the required amounts of rated orders.

(d) *Preference rating schedules*. Preference ratings are assigned in the preference rating schedules of this order. The conditions under which the ratings can be used are explained in these schedules.

Issued this 23d day of July 1945.

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

AA-4 PREFERENCE RATING SCHEDULE I—WOOL
CIVILIAN ITEMS

Assignment of AA-4 rating to manufacturers of listed wool apparel and other items. Preference rating AA-4 for wool fabric is assigned to manufacturers of the items shown in this schedule who qualify under M-388 and M-388C and comply with the following:

(1) This rating may be used only to get the fabric shown in the Fabric Column for the particular item and may be extended for wool material to be incorporated in the fabric, as permitted by Priorities Regulation 3.

(2) The fabric must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices: (i) the price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration, or (ii) the price specified in the Maximum Price Column.

(3) The Rated Quota Column in this schedule shows for each item a quota of units of the item. This quota is a percentage of the total number of units (in all price lines) of the same item which the manufacturer made in the corresponding quarter of 1943. He may not get more fabric with the rating in any calendar quarter than the yardage necessary to fill this quota. This is the yardage which he must show in Form WPB-4200 before using the rating, as explained in paragraph (1) (2) of M-388.

(4) The rated quotas shown below, as amended June 28, 1945, supersede the previous rated quotas of this schedule for deliveries in the third calendar quarter of 1945 and thereafter. AA-4 ratings previously accepted by a supplier for deliveries within the

AA-4 PREFERENCE RATING SCHEDULE I—WOOL CIVILIAN ITEMS—Continued

50 percent of previous quotas authorized by yardages covered by such ratings must be charged to the rated quotas shown below. Direction 3 to M-388 remain valid, but the yardages covered by such ratings must be charged to the rated quotas shown below.

Item number	Item column (name of item)	Size (or equivalent trade designation)	Maximum price column	Rated quota column	Fabric column
C-1	Coats, women's and misses'	9 to 17 10 to 20 36 to 44 46 and up	Untripped \$22.75 each. Fur trimmed \$45 each.	35	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-2	Coats, teen age, girls'	10 to 16	\$13.75 each.	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-3	Coats, girls'	7 to 14	\$12.75 each.	75	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-4	Coats, children's and small boys'	3 to 6X 3 to 8	\$9.75 each.	85	Woolen fabric, less than 26 oz. per linear yd. Worsted fabric, piece dye only.
C-5	Coats, toddlers'	1 to 4	\$7.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-6	Coats, infants'	6 mos. to 2 yrs.	\$6.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-7	Dresses, women's and misses', street only.	9 to 17 10 to 20 38 to 44 16½ to 26½ 46 and up	\$12.75 each *	35	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only. Not over 9 oz. per linear yd. in which worsted yarn content is single ply.
C-8	Dresses, teen age, girls'	10 to 16	\$5.75 each.	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only.
C-9	Dresses, girls'	7 to 14	\$5 each.	75	Woolen fabric, less than 10 oz. per linear yd. Worsted fabric, piece dye only.
C-10	Suits, women's and misses'	9 to 17 10 to 20 38 and up	\$22.75 each *	35	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C-11	Suits, teen age girls'	10 to 16	\$12.75 each.	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C-12	Suits, girls'	7 to 14	\$10.75 each.	75	Woolen fabric, less than 16 oz. per linear yd. Worsted fabric, single twist, piece dye only.
C-13	Skirts, women's, misses', and juniors'	36 and up 9 to 17 10 to 20 10 to 16	\$5 each *	40	Woolen fabric, less than 12 oz. per linear yd.
C-14	Skirts, teen age, girls'	7 to 14	\$4.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-15	Skirt, girls'	7 to 14	\$3.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-16	Skirts, children's	3 to 6X	\$2.50 each.	85	Woolen fabric, less than 12 oz. per linear yd.
C-17	Suits, men's	All sizes	\$32.25 each *	40	Worsted fabric. Woolen fabric, less than 19 oz. per linear yd.
C-18	Shirts, men's	All sizes	\$4.50 each *	40	Woolen fabric, less than 32 oz. per linear yd.
C-19	Men's separate trousers	All sizes	\$6.25 each *	40	Woolen fabric, less than 32 oz. per linear yd.
C-20	Overcoats, boys', student	10 to 20 12 to 24	\$14.75 each.	75	Woolen fabric, 32 oz. per linear yd. and lighter.
C-21	Suits, students'	32 to 38	\$17.50 each.	75	Worsted fabric. Woolen fabric, less than 19 oz. per linear yd.
C-22	Suits, cadets'	8 to 16	\$13.50 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric, less than 19 oz. per linear yd.
C-23	Suits, junior boys'	3 to 12	\$10.00 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric, less than 19 oz. per linear yd.

Note: Table amended July 23, 1945.

Item number	Item column (name of item)	Size (or equivalent trade designation)	Maximum price column	Rated quota column	Fabric column
C-24	Separate trousers, students'	25 to 32	\$5.00 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric, less than 19 oz. per linear yd.
C-25	Separate trousers, cadets'	21 to 26	\$4.00 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric, less than 19 oz. per linear yd.
C-26	Separate trousers, junior boys', including knickerbockers	13 to 12 16 to 16	\$3.00 each.	75	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric, less than 19 oz. per linear yd.
C-27	Men's and Women's official uniforms and caps or hats, (except Army or Navy uniforms, caps or hats) as required by Government regulations, or for transportation, police, and industrial operations, but excluding sporting and amusement industries	All sizes		40	Worsted fabric. Woolen fabric, less than 36 oz. per linear yd.
C-28	Shoes, misses', women's and children's daytime outdoor type	All sizes		100	Worsted fabric. Woolen fabric, less than 19 oz. per linear yd.
C-29	Religious vestments, clothing and robes as required by the rules of religious sects			100	Woolen fabric, less than 19 oz. per linear yd. Worsted fabric.
C-30	Separate coats (jackets) men's	All sizes	\$15.75 each.	40	Woolen fabric, less than 19 oz. per linear yd.
C-31	Separate coats (jackets) students'	32 to 38	\$11.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-32	Separate coats (jackets) cadets'	8 to 16	\$7.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-33	Separate coats (jackets) junior boys'	3 to 12	\$5.75 each.	75	Woolen fabric, less than 19 oz. per linear yd.
C-34	Separate jackets, women's, misses' and juniors'	36 and up 10 to 20 19 to 17	\$10.75 each *	35	Woolen fabric, less than 12 oz. per linear yd.
C-35	Separate jackets, teen age, girls'	7 to 14	\$7.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-36	Separate jackets, girls'	7 to 14	\$6.75 each.	75	Woolen fabric, less than 12 oz. per linear yd.
C-37	Separate jackets children's	3 to 6X	\$5.75 each.	85	Woolen fabric, less than 12 oz. per linear yd.
C-38	Men's overcoats, ulster and double-breasted	All sizes	\$39.00 each *	75	Woolen fabric less than 40 oz. per linear yard.
C-39	Men's overcoats and topcoats other than ulster or double-breasted	All sizes	\$34.20 each *	75	Woolen fabric under 40 oz. per linear yard. Worsted fabric under 19 oz. per linear yard.
C-40	Children's leggings sets	1 to 4	\$6.75 each.	75	Woolen fabric less than 19 oz. per linear yard.
C-41	Children's leggings sets	3 to 6X	\$12.75 each.	85	Woolen fabric less than 19 oz. per linear yard.

*The applicable maximum prices of single-asterisk items may be 10 percent higher for sizes 46 and up.
**The applicable maximum price of double-asterisk items may be 10 percent higher for sizes 17½ and up.

Note: 1. Weight per linear yard is based on 56-58 inches finished width.
2. When an AA-4 rating is applied to obtain wool linings or interlinings, it may only be used to get woolen fabric or lining, interlining or under-collar cloth containing at least 25 percent or more wool fiber by weight, however spun.

[F. R. Doc. 45-13370; Filed, July 23, 1945; 11:28 a. m.]

PART 3305—PAPERBOARD
[Conservation Order M-290, Direction 7, as Amended July 23, 1945]
LIMITATION ON PRODUCTION OF V-BOXES AND SLEEVES THEREFOR
The following amended direction is issued pursuant to Conservation Order M-290:

(a) *Purpose.* This direction is issued in order to conserve the critical supply of containerboard by reflecting certain military changes in specifications for V-boxes and eliminating their use, and the use of sleeves, in certain instances.

"V-boxes" are defined in paragraph (b) (5) of Order L-317.

(b) *Elimination of V-1 boxes.* No person shall manufacture any V-1 boxes (as defined in Army and Navy specification JAN-P-108).

(c) *Prohibition against manufacture of V-boxes for certain purposes.* No person shall manufacture any V-boxes for drop tanks or duffle bags.

(d) *Prohibition against manufacture of sleeves for certain purposes.* No person shall manufacture any sleeve for V-boxes for dried whole eggs, packaged in No. 10 cans, or cocoa, packaged in 5 lb. cans.

(e) *Exception for boxes and sleeves in process.* The provisions of paragraphs (b), (c) and (d) of this direction shall not prohibit the completion of V-boxes and sleeves which were in process of manufacture on May 23, 1945. A box or sleeve is not "in process", for the purposes of this paragraph (e) unless the containerboard therefor has been run through a corrugator or solid fibre paster.

(f) [Deleted July 23, 1945.]

Issued this 23d day of July 1945.

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

[F. R. Doc. 45-13368; Filed, July 23, 1945;
11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 17,¹ Amdt. 3]

EXPORT OF RATIONED FOODS

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 17 is amended in the following respects:

1. Section 5 is redesignated 5 (a) and section 5 (b) is added to read as follows:

(b) (1) Notwithstanding the provisions of paragraph (a) a person who has received an advance of evidences under section 4 and has been unable to export the rationed foods within 30 days after receiving the evidences may apply for an additional 30 days in which to make the accounting required under paragraph (a). The application must state:

(i) The amount of rationed foods, if any, the applicant obtained with the evidences issued to him under this order;

(ii) The point value (weight value in the case of sugar) of evidences issued to him under this order, he still has on hand, if any;

(iii) Why he was unable to export the rationed foods within 30 days after receiving the evidences; and

(iv) That he will export the rationed foods.

¹ 9 F.R. 3508.

(2) The District Office may grant the 30-day extension if it finds that the applicant has at the time of application the rationed foods, or evidences, that he was unable to export rationed foods during the prescribed time, and that he will export the rationed foods.

(3) At the end of the 30-day extension provided in (1) he may apply for and get additional 30-day extensions in the same way and under the same conditions as provided in (1).

2. Section 7 (a) is amended by inserting in the last sentence thereof between the words "master of the vessel" and "on which the foods" the words "or an authorized official of the carrier."

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

This amendment shall become effective July 25, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13282; Filed, July 21, 1945;
11:17 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 17]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1305.59 (c) is added to read as follows:

(c) Sales and deliveries of the commodities and services set forth in subsequent subparagraphs of this paragraph (c) are exempted from price control either absolutely or, where the exemption is qualified, under the conditions and to the extent indicated.

(1) Any sale of wet cell electric storage batteries by a manufacturer to the brand owner, pursuant to a cost-plus-a-fixed fee or a cost-plus-a-percentage-of-cost contract.

This amendment shall become effective July 26, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13283; Filed, July 21, 1945;
11:17 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 289,¹ Amdt. 32]

DAIRY PRODUCTS

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

¹ 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950 5772, 5792, 6232, 7340, 7852.

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

Revised Maximum Price Regulation 239 is amended in the following respect:

Section 20 (a) (2) (6) (i) is amended to read as follows:

(6) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter to the United States Government or any agency thereof shall be determined in accordance with paragraph (a) (2) of this section establishing maximum prices for "sales by a creamery or manufacturer of butter."

The maximum price for sales to the armed forces of the United States Government of bulk unsalted butter of a score of 92 or higher, shall be $\frac{3}{4}$ cent per pound higher than the maximum price established for a similar sale of bulk butter of that particular score as determined in accordance with paragraph (a) (2) of this section for "sales by a creamery or manufacturer of butter." This special markup for bulk unsalted butter shall be permitted only on orders placed by the United States Government procurement agency for the armed forces and packed according to the specifications of the government agency making the purchase.

For the purposes of this subsection "unsalted" means butter which is made exclusively from milk or cream, or both, without the addition of common salt, to be used by the armed forces for reconstituting purposes and packed according to government specifications. It shall score 92 or higher at the time inspection is made by a qualified individual selected by, and satisfactory to, the government agency purchasing the product.

This amendment shall become effective July 20, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 17, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13248; Filed, July 20, 1945;
4:32 p. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,¹ Amdt. 10]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In Article IV, Appendix A, Table 2, of Second Revised Maximum Price Regulation 19, footnote 18 is amended to read as follows:

¹⁸ From July 23, 1945 through October 21, 1945, the maximum price for all grades of 2 x 4" may be increased \$4.00 per M'BM [€3.50

¹ 9 F.R. 11483, 12843; 10 F.R. 458, 1146, 3467.

per M'BM over the price effective prior to July 23, 1945] when shipped in straight carloads of 10 feet and longer and sold for direct-mill shipment to an agency of the United States government, or to a user for direct use in filling government contracts or sub-contracts, but not for resale.

This amendment shall become effective July 23, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13247; Filed, July 20, 1945; 4:31 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[3d Rev. MPR 216, Incl. Amdts. 1-3]

EASTERN RAILROAD TIES

This compilation of 3d Revised Maximum Price Regulation 216 includes amendment 3, effective July 26, 1945. Portions added, amended and redesignated by Amendment 3 are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

Sec.

1. Sales of Eastern railroad ties at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Registered tie contractors.
7. Special pricing.
8. Adjustable pricing.
9. Exports and imports.
10. Records.
11. Applications for adjustment and petitions for amendment.
12. Prohibited practices.
13. Enforcement.
14. Licensing.
15. Maximum prices for Eastern railroad cross and switch ties.

AUTHORITY: Secs. 1 to 15, inclusive, (§ 1426.1), issued under 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.

SECTION 1. Sales of Eastern railroad ties at higher than maximum prices prohibited. (a) On and after September 26, 1944, regardless of any contract or

¹9 F.R. 11638.

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

other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern railroad ties covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. Coverage of the regulation.

(a) This regulation covers all sales and purchases of railroad cross ties and switch ties, produced from any species in that part of the United States east of a line approximating the one-hundredth meridian, except North Dakota and South Dakota. Bridge ties and crossing timbers are not covered, but are subject to the appropriate lumber price regulation.

The price tables in Section 15 cover certain "listed" species and definite producing zone boundaries.

(b) Definitions. (1) "Cross tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting the rails of railroad tracks. "Switch tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting a switch in a railroad track.

(2) "Size", sometimes referred to as "grade", of any Eastern railroad tie, means the dimensions of a cross tie or switch tie as established by the American Railway Engineering Association. The following is a summary of the principal provisions on dimension specifications:

(i) Length. Standard-gauge railroad ties shall be 8 feet, 8 feet 6 inches, or 9 feet long.

(ii) Width and thickness. Ties shall measure as follows throughout both sections between 20 inches and 40 inches from the middle of the tie:

Size	Sawed or hewed top, bottom, and sides	Sawed or hewed top and bottom
1	6 inches thick by 6 inches wide on top.	6 inches thick by 6 inches wide on top.
2	6 inches thick by 7 inches wide on top.	6 inches thick by 7 inches wide on top.
3	6 inches thick by 8 inches wide on top.	6 inches thick by 8 inches wide on top. 7 inches thick by 7 inches wide on top.
4	7 inches thick by 8 inches wide on top.	7 inches thick by 8 inches wide on top.
5	7 inches thick by 9 inches wide on top.	7 inches thick by 9 inches wide on top.

1. Square sawn 6" x 6" cross ties are not accepted in standard gauge railroad ties.

2. Railways which specify both 6 inch by 8 inch and 7 inch by 7 inch ties, in size 3, sawed or hewed on top and bottom only, and which desire to separate the 6 inch from the 7 inch ties will designate the 7 inch by 7 inch as size 3A.

[Note 1 amended by Am. 3, effective 7-26-45.]

(3) "SR" means a serviceable reject cross tie or switch tie, hewn or sawn, which does not meet the tie specifications of the American Railway Engineering Association, and which, because of defects which are not such as to impair the strength of the tie for limited use, is not a first quality tie.

(4) "Cull" means a cross tie or switch tie which, because of defects, is not suitable for use under a railroad track.

(5) "Class T" cross ties and switch ties embrace the following species:

(i) Group Ta: Ash, hickory, "sap" black locust, honey locust, oak, and "sap" black walnut.

(ii) Group Tb: "Sap" cedar, "sap" cypress, hemlock, "sap" larch, "sap" pine, and spruce.

(iii) Group Tc: Beech, birch, cherry, gum, and hard maple.

(iv) Group Td: "Sap" catalpa, "sap" chestnut, elm, hackberry, magnolia, soft maple, "sap" mulberry, poplar, "sap" sassafras, sycamore, and white walnut.

(6) "Normal loading-out point" means the siding or point on a railroad, or the barge landing at which the railroad ties may be sold and to which the railroad ties can be most cheaply transported from the point of production for shipment by rail, raft, or barge.

SEC. 3. Basic maximum prices.

The maximum prices for Eastern cross ties and switch ties are set out in section 15. These maximum prices are for switch ties or cross ties manufactured in accordance with the specifications of the American Railway Engineering Association. It is required that switch ties or cross ties not meeting these specifications in every detail will be priced correspondingly lower, as set forth in section 15 (b) (3), or after application to this Office as provided in section 7.

The maximum producer's f. o. b. car price which may be charged or paid shall be the price established for the zone in which the "normal loading-out point" of the material is located, subject only to additions for transportation permitted by section 4. Deductions are provided in section 15 (b) if the ties are not loaded on cars, not piled in accordance with the requirements of a concentration yard buyer or not completely manufactured in accordance with the specifications of the American Railway Engineering Association.

The maximum producer's price which may be charged or paid at any point other than the "normal loading-out point" of the material shall be the price established for the proper zone after the deductions in section 15 (b) have been made as well as a deduction to cover the cost of hauling from such point to the "normal loading-out point."

[Sec. 3 amended by Am. 3, effective 7-26-45]

SEC. 4. Transportation addition. Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail, barge, and towing charges paid by the seller for transportation beyond the normal loading-out point may, in every case, be added. Trucking charges may be added only when delivery is made by the seller to a destination which is not a loading-out point for railroad ties and from which there is no further movement. Where such delivery is made, the charge must be reduced by the cost of trucking to the seller's normal loading-

out point. All additions for transportation must be shown separately on the invoice.

[Above paragraph amended by Am. 1, 9 F.R. 12814, effective 10-30-44.]

(a) *Common or contract carrier.* The appropriate published rate times the actual weight is the proper transportation charge. The charge for transportation shall be evened out to the nearest quarter-dollar per M'BM or quarter-cent per piece, whichever is applicable.

(b) *Private truck.* The seller shall apply under section 7 for the proper addition.

(c) *Averaging-out and buying in the round.* (1) When a single order requires quotations of a single flat delivered price per tie and fulfillment of the order contemplates delivery with a variation in tie prices and/or a variation in freight rates, the seller may use a flat average delivered price but must show on each invoice that the particular shipment is part of a larger order for which a reconciliation invoice will be furnished.

Upon completion of the order the seller must render a final invoice showing the individual prices separately, the amount shipped from each loading-out point, the freight charge for each shipment, and reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation. Failure to make a reconciliation invoice within 30 days of completion of the order for which an average price was quoted is as much a violation of the regulation as selling at an over-ceiling price.

(2) Where a straight average price is charged (known as "buying in the round") for cross ties of more than one size, the maximum price shall be that of the lowest-priced size.

SEC. 5. Treated products. (a) The maximum prices for Eastern railroad ties preservatively treated by pressure process are established by Maximum Price Regulation 491.⁸

(b) The maximum price for any Eastern railroad ties preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation⁹ for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest price f. o. b. loading-out point, paid in March 1942 by this seller of treated ties and the maximum price established in this regulation for the same size and grade of untreated ties. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the

treated ties. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated ties. (If the seller of a treated tie did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated tie.)

SEC. 6. Registered tie contractors. A registered tie contractor is a seller of cross ties who has received or shall receive written authority from the Office of Price Administration, together with an authorization number, permitting him to make the additions provided in this section to the maximum prices set forth in the tables.

(a) *Invoicing requirements.* The authorization number assigned to a tie contractor must be shown on all of his invoices covering the sales of Eastern cross ties where the tie contractor's addition has been added. The invoice must also contain a sufficiently complete description of the cross ties sold so that the permissible tie contractor's addition can be determined from its face.

(b) *New tie contractors.* Any person may be registered as a tie contractor and be granted authority to make the additions provided in this section to the maximum prices of cross ties fixed in the regulation upon presentation of proof that he will supply a service needed by cross tie users and will increase the production and availability of railroad ties anywhere in the area covered by this regulation. Such presentation shall be made, in writing, to the Lumber Branch, Office of Price Administration, Washington 25, D. C., which may require the submission of further facts and the compliance with such conditions as may be appropriate to assure that the authorization is warranted in each case.

(c) *Tie contractors' additions to maximum prices—(1) Untreated cross ties.* On a sale of untreated cross ties under this regulation, a registered tie contractor may add \$0.20 per cross tie to the maximum prices set forth in section 15.

(2) *Pressure treated cross ties.* On a sale of pressure treated cross ties under section 19 (b) of Maximum Price Regulation 491, a registered tie contractor may make the following additions to the maximum price of the unseasoned and untreated cross ties set forth in section 15 (the maximum price to which the tie contractor's addition is permitted may not include any addition provided in section 15 (a) (2) and (3) of this regulation on a sale of the untreated tie, even though seasoning or separating is actually performed by the tie contractor):

<u>Class of pressure treated tie</u>	<u>Tie contractor's addition (per tie)</u>
Group Ta cross ties.....	\$0.20
Group Tb cross ties.....	.10
Group Tc cross ties.....	.15
Group Td cross ties.....	.15

[Sec. 6 amended by Am. 1, 9 F.R. 12814, effective 10-30-44; and Am. 3, effective 7-26-45]

SEC. 7. Special pricing. If a seller wishes to sell a specification of Eastern Railroad Ties not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for approval of a maximum price. He must provide the following information.

(a) The requested price;
(b) A complete description of the item for which price approval is desired;

(1) If a specification other than A. R. E. A., he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 8. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

⁸ 8 F.R. 15594; 9 F.R. 8182, 9955, 13857.

⁹ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

SEC. 9. Exports and imports. (a) The maximum price for export sales of Eastern railroad ties is governed by the Second Revised Maximum Export Price Regulation.⁵

(b) For railroad cross ties produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the maximum price is the price "f. o. b. normal loading-out point" established in this regulation for the zone in which the port of entry is located, and such port of entry shall be regarded as the "normal loading-out point". Railroad ties of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 556.⁶

SEC. 10. Records. All sellers of Eastern Railroad ties must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the sellers. These records must be kept for any month in which the seller or buyer sold or bought \$1,000.00 worth of Eastern Railroad ties. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 11. Applications for adjustment and petitions for amendment—(a) Government contracts. See Procedural Regulation No. 6⁷ for adjustment provisions on certain government contracts or sub-contracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,⁸ issued by the Office of Price Administration.

SEC. 12. Prohibited practices—(a) General. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Selling or buying material under and according to the provisions of this regulation to be converted into products suitable for uses other than those set out in section 2 (b), "definitions."

(5) Selling or buying material under and according to the provisions of any other regulation except this regulation and Maximum Price Regulation 491, where the material purchased is to be used for ties.

[Subparagraph (5) added by Am. 3, effective 7-26-45]

(c) *Purchasing commissions.* No commission on Eastern railroad cross ties may be paid by contractors or users unless all of the following conditions are met:

(1) The person receiving the commission is a full time employee carried on the payroll of the contractor or user.

(2) The money used in purchasing railroad ties is supplied by the contractor or user.

(3) The employee's compensation is not based on the result of inspection of railroad ties by the user or the employer.

(4) The person receiving the commission is not a producer or hauler of railroad ties or a tie contractor.

(5) The commission or bonus is not greater than 10 cents per tie.

However, if a contractor or user wishes to pay a commission to a person who meets all of the above requirements except that stated in paragraph (1) he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for authorization to do so. The request must contain the following information:

Name and address of the person whose services are being requested to be authorized.

A description of the commercial activities, other than that of dealings in primary forest products, which are carried on by such a person.

Location of the loading-out point at which such person intends to operate.

Names of the other contractors or users who are buying railroad ties at the above named loading-out point.

The Office of Price Administration, Washington 25, D. C. may authorize such payment upon presentation of proof that the granting of the authorization will supply a service needed by tie contractors or users by increasing production and availability of railroad ties in the area covered by this regulation.

If such commission is authorized to be paid by a tie contractor, he may in no event make sales under this regulation at maximum prices higher than the prices fixed in section 15, plus the additions provided in section 6.

[Above paragraph added by Am. 3, effective 7-26-45]

[Paragraph (c) amended by Am. 2, 10 F.R. 3924, effective 4-18-45]

SEC. 13. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil

enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. Licensing. The provisions of Licensing Order No. 1,⁹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. Maximum prices for Eastern railroad cross ties and switch ties. The maximum prices set forth below are f. o. b. cars at the railroad loading-out point or loaded on barges at the barge landing which is the "normal loading-out point" for such ties, as defined in section 2 (b) (6), or stacked for seasoning in a treating plant's yard within the zone of production.

The maximum prices are for untreated and unseasoned cross ties and switch ties. See section 5 for treatment additions, and section 4 for transportation additions.

ZONE 1—NEW ENGLAND STATES

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

TABLE 1—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 1

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 5' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'
5.....	\$1.65	\$1.65	\$1.65	\$1.55	\$1.55	\$1.55
4.....	1.55	1.55	1.55	1.45	1.45	1.45
3A.....	1.40	1.40	1.40	1.30	1.30	1.30
3.....	1.30	1.30	1.30	1.20	1.20	1.20
2.....	1.15	1.15	1.15	1.05	1.05	1.05
1.....	.90	.90	.90	.80	.80	.80
SR.....	.60	.60	.60	.55	.55	.55
Cull.....	.25	.25	.25	.25	.25	.25

TABLE 1 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" x 9", 9' to 16', F. O. B. CARS, ZONE 1

Group T switch ties (for use treated) - \$43.00

[Tables 1 and 1 (a) amended by Am. 3, effective 7-26-45]

ZONE 2—NORTHERN BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 2 shall include the States of New York, New Jersey, and Pennsylvania; that part of the State of Michigan, lying between Lake Huron and Lake Michigan, south of the Straits of Mackinac (known as the Lower Peninsula of Michigan); that part of the States of Indiana and Ohio located on and north of the main line of the Pennsylvania Railroad between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois north of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough and Hancock; that part of the State of Iowa north of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass, and Pottawattamie,

⁹ 8 F.R. 13240.

⁵ 8 F.R. 4132, 5987, 7662, 9998, 15193; ⁹ F.R. 1036, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

⁶ 9 F.R. 10996.

⁷ 9 F.R. 10628; 10 F.R. 1382.

⁸ 9 F.R. 10476, 13715.

TABLE 2—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 2

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'
5.....	\$1.65	\$1.55	\$1.50	\$1.55	\$1.45	\$1.40
4.....	1.55	1.45	1.40	1.45	1.35	1.30
3A.....	1.40	1.30	1.25	1.30	1.20	1.15
3.....	1.30	1.20	1.15	1.20	1.10	1.05
2.....	1.15	1.05	1.00	1.05	.95	.90
1.....	.90	.80	.75	.80	.70	.70
SR.....	.65	.55	.50	.55	.45	.45
Cull.....	.25	.25	.25	.20	.20	.20

TABLE 2 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7' x 9' 9' TO 16', F. O. B. CARS, ZONE 2

Group T switch ties (for use treated) - \$42.00
[Tables 2 and 2 (a) amended by Am. 3, effective 7-26-45]

ZONE 3—MIDDLE BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 3 shall include the States of Delaware and Maryland and the District of Columbia; that part of the State of Virginia, in Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland, and Bath Counties; that part of the State of West Virginia except the nine counties included in Zone 4; that part of the States of Ohio and Indiana, not on, but south of, the main line of the Pennsylvania Railroad extending between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois south of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough, and Hancock, and north of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties; that part of the State of Iowa south of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass and Pottawattamie; the State of Nebraska; that part of the State of Missouri north of the southern boundaries of Jackson, Lafayette, and Saline Counties and on the north bank of and north of the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River.

TABLE 3—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 3

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'
5.....	\$1.65	\$1.55	\$1.50	\$1.55	\$1.45	\$1.40
4.....	1.55	1.45	1.40	1.45	1.35	1.30
3A.....	1.40	1.30	1.25	1.30	1.20	1.15
3.....	1.30	1.20	1.15	1.20	1.10	1.05
2.....	1.15	1.05	1.00	1.05	.95	.90
1.....	.90	.80	.75	.80	.70	.70
SR.....	.55	.50	.50	.50	.45	.45
Cull.....	.25	.25	.25	.20	.20	.20

TABLE 3 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7' x 9' 9' TO 16' F. O. B. CARS, ZONE 3

Group T switch ties (for use treated) - \$40.00
[Tables 3 and 3 (a) amended by Am. 3, effective 7-26-45]

ZONE 4—SOUTHERN BELT OF EAST CENTRAL STATES

Zone 4 shall include all of the State of Virginia, except the 10 Virginia counties included in Zone 3: Greenbrier, Monroe, Summers, Raleigh, Mercer, Wyoming, McDowell, Logan, and Mingo Counties, in the State of West Virginia; and that part of the State of Kentucky north and east of the southern

boundaries of Union, Webster, McLean, Ohio, Grayson, Hardin, Larue, Casey, Green, Taylor, Pulaski, and McCreary Counties.

TABLE 4—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 4

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'
5.....	\$1.60	\$1.50	\$1.45	\$1.50	\$1.40	\$1.35
4.....	1.50	1.40	1.35	1.40	1.30	1.25
3A.....	1.35	1.25	1.20	1.25	1.15	1.10
3.....	1.25	1.15	1.10	1.15	1.05	1.00
2.....	1.10	1.00	.95	1.00	.90	.85
1.....	.85	.75	.70	.75	.65	.65
SR.....	.50	.50	.50	.50	.45	.45
Cull.....	.25	.25	.25	.20	.20	.20

TABLE 5—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 5

Size	Group T ties (for use treated), species listed in sec. 2 (b)						Group U ties (for use untreated), Red cypress, black cypress, black locust	
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'	Uc 8' 6"	Uc 8'
5.....	\$1.45	\$1.35	\$1.30	\$1.35	\$1.25	\$1.20	\$1.50	\$1.40
4.....	1.35	1.25	1.20	1.25	1.15	1.10	1.35	1.25
3A.....	1.20	1.10	1.05	1.10	1.00	.95	1.20	1.10
3.....	1.10	1.00	.95	1.00	.90	.85	1.15	1.05
2.....	.95	.85	.80	.85	.75	.70	1.00	.90
1.....	.70	.60	.55	.60	.50	.50	.85	.75
SR.....	.45	.40	.40	.40	.35	.35	.60	.55
Cull.....	.20	.20	.20	.15	.15	.15	.30	.25

TABLE 5 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7' x 9' 9' TO 16' F. O. B. CARS, ZONE 5

Group T switch ties (for use treated) --- \$40
Group U switch ties (for use untreated)
Red Cypress, Black Cypress, (Tidewater) Black Locust..... 68
Group U switch ties (for use untreated)
Yellow Cypress, White Cypress..... 54

[Tables 5 and 5 (a) amended by Am. 3, effective 7-26-45]

ZONE 6—SOUTHWESTERN STATES

Zone 6 shall include points in the State of Florida, on the west bank of and west of the

TABLE 4 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7' x 9' 9' TO 16' F. O. B. CARS, ZONE 4

Group T switch ties (for use treated) - \$40.00
[Tables 4 and 4 (a) amended by Am. 3, effective 7-26-45]

ZONE 5—SOUTHEASTERN STATES

Zone 5 shall include the States of North Carolina, South Carolina, Georgia and Tennessee; that part of the State of Florida on the east bank of and east of the Apalachicola River; and that part of the State of Kentucky south and west of the southern boundaries of Union, Webster, McLean, Ohio, Grayson, Hardin, Larue, Green, Taylor, Casey, Pulaski, and McCreary Counties.

Apalachicola River; the States of Alabama, Mississippi, and Louisiana; points in the State of Arkansas on the south bank of and south of the Arkansas River; points in the State of Oklahoma on the south bank of and south of the Arkansas River, but excluding points in Cimarron, Beaver, and Texas Counties, Oklahoma; points in the State of Texas on and east of a line beginning at the junction of the west boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Rannels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

TABLE 6—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 6

Size	Group T ties (for use treated), species listed in sec. 2 (b)						Group U ties (for use untreated), Red cypress, black cypress, black locust	
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'	Uc 8' 6"	Uc 8'
5.....	\$1.45	\$1.35	\$1.30	\$1.30	\$1.30	\$1.25	\$1.70	\$1.60
4.....	1.35	1.25	1.20	1.20	1.20	1.15	1.55	1.45
3A.....	1.20	1.10	1.05	1.10	1.10	1.05	1.40	1.30
3.....	1.10	1.00	.95	1.05	1.00	.95	1.25	1.15
2.....	.95	.85	.80	.90	.85	.80	1.10	1.00
1.....	.70	.60	.55	.65	.60	.60	.95	.85
SR.....	.50	.40	.40	.40	.40	.40	.65	.60
Cull.....	.20	.20	.20	.20	.20	.20	.30	.25

TABLE 6 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7' x 9' 9' TO 16' F. O. B. CARS, ZONE 6

Group T switch ties (for use treated) - \$40.00
Group U switch ties (for use untreated)
red cypress, black cypress (tidewater) black locust..... 68.00
Group U switch ties (for use untreated)
yellow cypress, white cypress..... 54.00
[Tables 6 and 6 (a) amended by Am. 3, effective 7-26-45]

ZONE 7—SOUTHERN BELT OF WEST CENTRAL STATES

Zone 7 shall include the State of Kansas; that part of the State of Oklahoma on the

north bank of and north of the Arkansas River; that part of the State of Arkansas on the north bank of and north of the Arkansas River; that part of the State of Missouri south of the southern boundaries of Jackson, Lafayette and Saline Counties and on the south bank of and south of the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River; and that part of the State of Illinois south of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties.

TABLE 7—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 7

Size	Group T ties (for use treated), species listed in sec. 2 (b)					
	Ta 8' 6"	Tc 8' 6"	Tb, Td 8' 6"	Ta 8'	Tc 8'	Tb, Td 8'
5	\$1.55	\$1.45	\$1.40	\$1.45	\$1.35	\$1.30
4	1.45	1.35	1.30	1.35	1.25	1.20
3A	1.30	1.20	1.15	1.20	1.10	1.05
3	1.20	1.10	1.05	1.10	1.00	.95
2	1.05	.95	.90	.95	.85	.80
1	.85	.70	.65	.70	.60	.60
SR	.50	.45	.45	.45	.40	.40
Cull	.25	.25	.25	.20	.20	.20

TABLE 7 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" x 9", 9' to 16' F. O. B. CARS ZONE 7

Group T switch ties (for use treated) --- \$40
[Tables 7 and 7 (a) amended by Am. 3, effective 7-26-45]

ZONE 8—LAKE STATES

Zone 8 shall include the States of Minnesota and Wisconsin and that part of the State of Michigan between Lake Superior and Lake Michigan lying north of the Straits of Mackinac (known as the Upper Peninsula).

TABLE 8—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 8

Size	Group T ties (for use treated), species listed in sec. 2 (b)			
	Ta, Tc 8' 6"	Tb, Td 8' 6"	Ta, Tc 8'	Tb, Td 8'
5	\$1.60	\$1.40	\$1.50	\$1.30
4	1.50	1.30	1.40	1.20
3A	1.30	1.10	1.20	1.00
3	1.30	1.10	1.20	1.00
2	1.20	1.00	1.10	.90
1	1.00	.80	.90	.70
SR	.60	.50	.55	.45
Cull	.30	.25	.20	.20

TABLE 8 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" x 9", 9' to 16' F. O. B. CARS, ZONE 8

Group T switch ties (for use treated) --- \$42
[Tables 8 and 8 (a) amended by Am. 3, effective 7-26-45]

(a) **Additions.** The following additions may be made to the maximum prices set forth above in Tables 1 through 8:

(1) For 9' cross ties: add \$0.05 per tie to the maximum price listed in the proper zone for the required size and species of 8'6" cross tie.

(2) For seasoning cross ties or switch ties in preparation for preservative treatment, the seller of untreated ties may increase the maximum prices set out in Tables 1 through 8 (a), for the specified seasoning by the following percentages of the maximum prices in tables.

	Ta	Tb	Tc & Td
More than 180 days	Percent 12 1/2	Percent	Percent
More than 120 days but less than 180 days	8		
More than 90 days		6	10

¹ If the purchaser requires that the cross ties or switch ties be seasoned for a period longer than 180 days for Ta

ties, 120 days for Tc and Td ties or 90 days for Tb ties, the ties shall be seasoned for the full period required by the purchaser at no additional charge.

[Subparagraph (2) amended by Am. 3, effective 7-26-45]

(3) For loading in separate thicknesses and species groups (as defined in section 2 (b) (5), not more than two "separations" to a car, the seller of untreated ties may add 3¢ per tie to the maximum prices in the tables. A "separation" consists of one thickness of a single species group. Thus, separately loading on a single car a quantity of 6" thick group Tb ties and a quantity of 7" thick Group Tb ties is two "separations." Also, separately loading on a single car a quantity of 7" thick Group Tc ties and 7" thick Group Td ties is two "separations."

[Subparagraph (3) added by Am. 3; former subparagraphs (3) and (4) redesignated (4) and (5) by Am. 3, effective 7-26-45]

(4) For switch ties longer than 16': add to the maximum prices in the proper zone:

\$3.00 per 1,000 feet board measure to and including 20'.

\$7.00 per 1,000 feet board measure for over 20' to and including 24'.

\$15.00 per 1,000 feet board measure for over 24' to and including 28'.

\$20.00 per 1,000 feet board measure for over 28'.

(5) For switch ties sold and loaded in sets in accordance with the requirements of the purchaser: add \$2.50 per 1,000 feet board measure to the maximum prices listed in the proper zones.

(b) **Deductions.** (1) If ties are not loaded on railroad cars or on barges, or stacked for seasoning in a treating plant yard within the area of production by the seller, the following deductions from the prices set out in Tables 1 through 8 (a) must be made:

(i) For 7' ties (sizes 3A, 4 and 5): Deduct \$0.05 per tie.

(ii) For other sizes (Culls, SR, 1, 2 and 3): Deduct \$0.01 per tie.

(iii) For switch ties: Deduct \$1.00 per M'BM.

(2) For cross ties not properly piled as required by a concentration yard buyer: Deduct \$0.02 per tie.

(3) If cross ties are not completely finished in accordance with specifications of the American Railway Engineering Association, and require any of the following: barking, cutting spurs, end trimming, cutting to proper length, etc., a deduction of \$0.05 per tie shall be made from the prices in the above tables 1 through 8.

(4) For cross ties, meeting the specifications for #2 sizes which are sawed or hewed to 6" x 7", deduct \$0.05 per tie from the prices for #2 ties in tables 1 through 8.

(5) For 7' cross ties: Deduct \$0.05 per tie from the maximum prices for 8' cross ties of the required sizes and species, as provided in the table of maximum prices

applicable to the zone in which produced.

[Paragraph (b) amended by Am. 2, 10 F.R. 3924, effective 4-16-45; and Am. 3, effective 7-26-45]

(c) **Odd sizes.** (1) The maximum prices for narrow gauge ties other than 7' shall be the same maximum prices on a per 1,000 feet board measure basis as the corresponding size of 8'0" tie.

[Subparagraph (1) amended by Am. 2, 10 F.R. 3924, effective 4-16-45]

(2) For switch ties other than 7" x 9" the maximum price shall be the same maximum price on a per 1,000 feet board measure basis as the 7" x 9" switch tie.

(d) **Group U ties.** The maximum price for Group U cross ties not specifically priced in this regulation shall be determined in accordance with the provisions of section 7.

[Paragraph (d) added by Am. 3, effective 7-26-45]

This regulation shall become effective September 26, 1944.

[3d Revised Maximum Price Regulation 216 originally issued September 21, 1944]

[Effective dates of amendments are shown in notes following parts affected]

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

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13316; Filed, July 21, 1945; 11:21 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 94, Amdt. 5]

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 94 is amended in the following respects:

1. The third paragraph in section 1 is amended to read as follows:

Resales by private sellers are governed by the existing applicable price regulations and Supplementary Order 122 and not by this supplementary order, except where OPA issues an order under section 11 of this supplementary order covering resales of a particular commodity. If OPA issues an order under section 11 the provisions of the order will apply instead of Supplementary Order 122 or the regulation otherwise applicable. The order will either provide a maximum price or exempt the resale from price control.

2. Section 11 is amended to read as follows:

SEC. 11. When OPA may establish special maximum prices or exemptions on

its own motion. The OPA, on its own motion, may, by order establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of commodities purchased from Government agencies. Except where a special maximum price or special exemption for all or designated classes of resellers of a commodity has been provided by an order issued under this section 11, the maximum prices and exemptions applying to all such resales shall be determined by the applicable maximum price regulation or by supplementary order.

An order issued under this section shall, with respect to sales by Government agencies, supersede any other pricing or exemption provision of Supplementary Order 94, and shall, with respect to resales by private resellers, supersede the provisions of Supplementary Order 122 or any maximum price regulation otherwise applicable.

This amendment shall become effective August 22, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13331; Filed, July 23, 1945;
11:49 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 591]

SPECIFIED MECHANICAL BUILDING EQUIPMENT

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

Sec.

1. What this regulation covers.
2. Prohibitions against dealing at prices above the maximum.
3. Prohibitions against sales prior to compliance with reporting requirements.
4. Evasion.

ARTICLE II—MAXIMUM PRICES

5. Maximum prices for commodities delivered, or offered for delivery prior to the effective date of this regulation.
6. Maximum prices for commodities first offered for sale after the effective date of this regulation.
7. First pricing method; minor changes.
8. Second pricing method; comparable commodities.
9. Third pricing method; commodities which cannot be priced under the first or second method.
10. Discounts, allowances, and differentials.
11. Sales pending approval of maximum prices.
12. Revision of maximum prices.
13. Resellers', including installers', maximum prices.
14. Notification to purchasers for resale of the manufacturers' maximum prices.

ARTICLE III—ADJUSTMENT PROVISIONS

15. Government contracts.
16. Other applications for adjustment.
17. Adjustable pricing.

ARTICLE IV—MISCELLANEOUS PROVISIONS

18. Transfer of business or stock in trade.
19. Records and statements.
20. Licensing.
21. Enforcement.

Sec.

22. Modification of provisions of this regulation.
23. Petitions for amendment.
24. Federal and State taxes.

ARTICLE V—LIST OF COMMODITIES AND FORMS

25. List of commodities covered by this regulation.
26. Forms for reporting maximum prices.
27. Forms for applications for adjustment.

AUTHORITY: § 1346.707 issued under 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.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all sales by manufacturers of the specified commodities set forth in section 25. Sales by persons other than manufacturers, except insofar as maximum prices for sales by such persons are fixed by orders issued under this regulation, are not covered by this regulation but are covered by the General Maximum Price Regulation or other applicable regulations.

"Manufacturer" as used in this regulation means the person who makes the first sale of any commodity listed in section 25, if the article has been completed to the point indicated by the terminology of that section. The term also includes any subsidiary or affiliate, commission salesman, or other agent of such person.

"Person" as used in this regulation means an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivision, and any agency of any of the foregoing.

(b) *Relation to other regulations*—
(1) *GMPR, RMPR 136, and MPR 188.* This regulation supersedes the GMPR, RMPR 136, MPR 188 and any other regulations with respect to transactions covered by this regulation. This regulation does not, however, apply to transactions which are excluded from the General Maximum Price Regulation by Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation and future amendments thereto, particularly transactions excluded under section 4.3 (exception of certain sales to the United States, certain foreign governments, or their agencies), and section 4.6 (certain sales of steel valves, valve parts or sub-assemblies, to the Navy Department).

(2) *Exports.* The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters.

(3) *Imports.* The Maximum Import Price Regulation covers purchases, sales or deliveries if they originate outside of the Continental United States.

(4) *Installed Sales.* RMPR 251 (Construction Services and Sales of Installed Materials) covers sales of mechanical building equipment on an installed basis, except when maximum prices for installed sales are fixed under section 13 of this regulation.

(c) *Geographical applicability.* This regulation applies in the forty-eight

states of the United States and the District of Columbia.

SEC. 2. *Prohibitions against dealing at prices above the maximum.* On and after the effective date of this regulation, no manufacturer shall sell or deliver, and no person shall buy or receive in the course of trade or business, any commodity covered by this regulation at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing.

Lower prices may, of course, be charged.

SEC. 3. *Prohibition against sales prior to compliance with reporting requirements.* No manufacturer shall offer to sell, sell, or deliver any commodity for which a maximum price must be established in accordance with section 6, until he has complied with the reporting provisions of this regulation.

SEC. 4. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodities covered by this regulation, or by way of commissions, services, transportation or other charges, or by tying agreement or other trade 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 regulation).

ARTICLE II—MAXIMUM PRICES

SEC. 5. *Maximum prices for commodities delivered, or offered for delivery prior to the effective date of this regulation*—

(a) *What this section does.* Under this section, maximum prices properly established under Maximum Price Regulation 188, the General Maximum Price Regulation, or any other applicable regulation prior to the effective date of this regulation are continued in effect under this regulation. Such prices shall continue to be subject to adjustment orders issued by the OPA prior to the effective date of this regulation which have not been revoked. Paragraph (b) below sets forth the specific pricing provisions applicable to such prices.

(b) *Commodities having a March 1942 base date.* The manufacturer's maximum prices for any commodity except those listed in paragraph (c), which he delivered or offered for delivery prior to the effective date of this regulation shall be determined as follows:

(1) If the commodity was delivered or offered for delivery by the manufacturer during March 1942, his maximum price to each class of purchaser shall be the highest price at which he delivered it, or, if he did not deliver it, at which he offered it for delivery during that month to that class of purchaser.

(2) If the commodity was first delivered or offered for delivery by the manufacturer after March 1942, but prior to the effective date of this regulation, his maximum price to each class of purchaser shall be the maximum price properly established prior to the effective date of this regulation under MPR 188 or any other applicable regulation. If he did not have a maximum price properly

established under the applicable regulation prior to the effective date of this regulation, his maximum price must be determined under section 6.

(3) If the commodity was delivered or offered for delivery by the manufacturer prior to March 1, 1942, but not during the period March 1, 1942, through July 30, 1945, his maximum price must be determined pursuant to section 6.

(4) For the purpose of this section a commodity need not be considered to have been delivered or offered for delivery during March 1942 if the manufacturer stopped production thereof 90 or more days prior to March 31, 1942, and if the prices he charged during March 1942 were at least 20% less than the last net price at which he delivered the commodity or offered it for delivery when he was still producing it. The maximum price for such a commodity may be determined in accordance with section 6.

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

(c) *Commodities having a base date other than March 1942.* (1) The manufacturer's maximum prices for the following commodities which he delivered or offered for delivery prior to the effective date of this regulation shall be determined in the same manner as that stated in (a) above, except that October 1, 1941, shall be substituted for March 1, 1942, and the following dates or periods shall be substituted for March 1942:

Valves and pipe fittings as set forth in section 25---- October 1, 1941.
Commercial refrigeration as set forth in section 25---- October 1, 1941.
Control equipment as set forth in section 25---- October 1, 1941.

(2) With respect to the commodities listed in (1) above, the same substitution of dates or periods should be made throughout this regulation.

SEC. 6. *Maximum prices for commodities first offered for sale after the effective date of this regulation.* This section sets forth the procedure for determining maximum prices of commodities for which maximum prices cannot be determined under section 5. Such commodities for the purpose of this regulation shall be considered new or changed commodities. The maximum price for a commodity covered by this section shall be determined in accordance with the first applicable pricing method set forth in sections 7, 8 and 9. Accordingly, a manufacturer may not use any particular pricing method unless he cannot or need not use any of the other methods which precede that method. A maximum price computed under any of these methods, however, must be consistent with the level of maximum prices fixed by this regulation and may be approved, disapproved or revised by the Office of Price Administration as hereinafter provided.

SEC. 7. *First pricing method; minor changes—(a) Maximum prices.* The

manufacturer's maximum price for a new commodity to each class of purchaser shall be the same as his maximum price for an old commodity produced by that manufacturer for which a maximum price has already been established to that class of purchaser, where:

(1) The new commodity belongs to the narrowest trade category which includes the old commodity for which a maximum price has already been established.

(2) The new commodity has current unit direct costs which do not vary by more than 2 percent from the current unit direct costs of the old commodity.

(3) The old commodity which is used as a basis for pricing, is currently being produced by the manufacturer.

(b) *Optional use of this method.* A manufacturer may, however, if he chooses, determine his maximum price for a new commodity under this first pricing method in any case in which the current unit direct costs of the new commodity exceed the current unit direct costs of the old commodity by more than 2 percent.

(c) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor computed on a consistent basis for both the old and the new commodity in accordance with the instructions set forth in Form No. OPA 678:2472 in section 26.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this first pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., containing the information required on Form No. OPA 678:2472 as set forth in section 26. A proposed maximum price under this first method shall be deemed to be automatically approved upon the mailing of this report, subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 8. *Second pricing method; comparable commodities—(a) When this method shall be used.* The maximum price of a commodity which cannot or need not be priced under the first pricing method (section 7) shall, if possible, be determined under this second pricing method. This second pricing method shall be used where the manufacturer of the commodity being priced produces a comparable commodity.

"Comparable commodity" for the purpose of this section, means a commodity which meets all of the following conditions:

(1) It belongs to the narrowest trade category which includes the commodity being priced.

(2) Its current unit direct costs vary from the current unit direct costs of the commodity being priced by more than 2 percent but not more than 25 percent.

(3) It is currently being produced by the manufacturer.

(4) If more than one "comparable" commodity meets all of the above conditions, the manufacturer must use the one whose current unit direct costs are nearest to the current unit direct costs of the commodity being priced.

(b) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor, computed on a consistent basis for both the commodity being priced and the comparable commodity, in accordance with the instructions set forth in Form No. OPA 678:2473 in section 26.

(c) *Maximum prices.* The maximum price to a particular class of purchaser for a commodity priced under this section shall be determined in accordance with the following formula:

(1) Ascertain the maximum price to that class of purchaser of the comparable commodity.

(2) Divide (1) by the current unit direct costs of such comparable commodity.

(3) Multiply the result by the current unit direct cost of the commodity being priced.

(4) The resulting amount is the maximum price of the commodity being priced to that particular class of purchaser.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices must be determined under this second pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., containing the information required by Form No. OPA 678:2473 in section 26. A proposed maximum price under this second pricing method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 9. *Third pricing method; commodities which cannot be priced under the first or second pricing methods—(a) General applicability.* The third pricing method shall be used if:

(1) The first and second pricing methods (sections 7 and 8) are not applicable.

(2) The application of the first or second pricing method results in a maximum price which is not in line with the general level of prices established by this regulation.

(3) The use of a formula is required due to the type of commodity manufactured or the number of commodities in a line being manufactured.

(4) A maximum price is required for sales of a commodity to a new class of purchaser.

(b) *Maximum prices.* Maximum prices under this third pricing method shall be determined first by a comparison of the proposed price with the maximum prices for similar commodities sold by competitive sellers, or if that is not possible, then by a comparison of the current unit direct costs and margins proposed for the commodity being priced with costs and margins generally pre-

vailing for other commodities produced by that manufacturer or other manufacturers.

(1) *Prices based upon maximum prices of similar commodities.* The manufacturer shall first ascertain whether commodities similar to the new commodity were manufactured or sold by other manufacturers during March 1942. If so, the maximum price of the new commodity shall be consistent with the general level of maximum prices of such similar commodities. For the purpose of this section, another commodity shall be deemed similar to the new commodity only if it meets all of the following conditions:

- (i) It must have the same general use as the new commodity.
- (ii) It must afford serviceability fairly equivalent to the new commodity.
- (iii) It must be of the type which would ordinarily be sold in the same price line as the new commodity.

For the purpose of this section, the maximum price of a similar commodity shall be the highest price for which such commodity was delivered or, if it was not delivered, at which it was offered for delivery, during March 1942. Such price shall be subject to any price adjustment authorized by the Office of Price Administration on an industry-wide basis. Such price may not, however, be adjusted on the basis of an increase granted to an individual manufacturer as distinguished from an industry-wide increase.

(2) *Prices based upon current unit direct costs of the new commodity.* If no similar commodities were manufactured or sold by other manufacturers during March 1942, the maximum price for the new commodity shall be determined on the basis of a comparison of the manufacturer's current unit direct costs and margins with costs and margins generally prevailing for other commodities produced by that manufacturer or other manufacturers, so as to result in a price consistent with the general level of prices established by this regulation.

(c) *Reports and approval of maximum prices.* Before offering the commodity for sale the applicant must file an application in duplicate with the Building Materials Price Branch, OPA, Washington 25, D. C., for specific authorization of a price or pricing method containing the information required by Form No. OPA 678:2474 in section 26. Authorization of a maximum price under this third pricing method will be given in the form of an order prescribing a maximum price or a method of determining the maximum price for the applicant, or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(d) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case properly referred to him, issue orders under this section 9 establishing maximum prices in accordance with its terms.

SEC. 10. Discounts, allowances, and differentials—(a) Price differentials for existing classes of purchasers. Every manufacturer shall continue discounts,

allowances, including transportation allowances, and other price differentials at least as favorable as those in effect during March 1942.

(b) *New classes of purchasers other than the United States Government or an Allied Government.* Where a manufacturer has established maximum prices for a commodity to certain classes of purchasers, and wishes to determine maximum prices for sales to a new class of purchaser, he shall apply under section 9 for authorization of a maximum price to that new class of purchaser. Before offering the commodity for sale to the new class of purchaser, he shall file the report required under section 9.

(c) *Sales to United States Government or an Allied Government.* For a sale to the United States Government or an Allied Government of a commodity for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined for sales to purchasers of a different class, such government shall be classed as belonging to the class of purchaser to whom the manufacturer customarily sold the commodity in quantities most nearly equal to the quantity involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales to such classes of purchasers shall apply.

SEC. 11. Sales pending approval of maximum prices. After a report has been filed as required, and pending approval of the proposed maximum price, a manufacturer may offer to sell and accept orders at the proposed maximum price reported to the OPA. He shall not, however, make deliveries or accept payment until a maximum price has been approved by the OPA, except on direct sales to the United States Government or an Allied Government. Until a maximum price has been approved, a notification that the proposed maximum price is subject to the approval of the OPA must appear on all quotations and orders covering sales of the commodity. If the price approved by the OPA is less than that set forth in the quotations or orders all such quotations and orders must be changed to the approved maximum price, and in the case of direct sales to the United States Government or an Allied Government, refunds must be made where the price collected exceeds the approved price.

SEC. 12. Revision of maximum prices—(a) When maximum prices may be revised. A maximum price established in accordance with the first, second or third pricing method (sections 7, 8 or 9) may at any time be revised by order (not to apply retroactively):

(1) To make it consistent with the level of maximum prices otherwise established by this regulation.

(2) To reflect savings in indirect costs realized by the manufacturer because of the introduction of the commodity so priced.

(b) *Who may revise maximum prices under this section.* Orders revising maximum prices under this section may be issued by the Price Administrator or

by any duly authorized representative who approved or authorized the original maximum price.

SEC. 13. Resellers', including installers', maximum prices. (a) In connection with the approval or revision of maximum prices for manufacturers under the first, second or third pricing methods (section 7, 8, or 9 above), the OPA may issue orders fixing maximum prices for sales by resellers including installers. To the extent that such orders are issued, this regulation supersedes the General Maximum Price Regulation and Revised Maximum Price Regulation No. 251 with respect to maximum prices for such resellers or installers.

(b) In appropriate cases, when orders are issued fixing maximum prices for resellers, including installers, the OPA may require the manufacturer to mark by tagging or otherwise, the maximum retail or installed price of the commodity. No person shall make a retail or installed sale of a commodity subject to a marking requirement before it is marked with the proper maximum retail or installed price.

SEC. 14. Notification to purchasers for resale of the manufacturer's maximum prices—(a) When notification must be given. Every manufacturer making sales of any commodity covered by this regulation must on or before the first delivery furnish a statement in writing containing the information set forth in (b) to:

(1) A purchaser for resale of any commodity the maximum price for which must be determined in accordance with section 6.

(2) A purchaser for resale of any commodity covered by this regulation (regardless of the section under which the maximum price thereof must be determined) to whom the manufacturer did not sell or offer to sell the commodity prior to July 30, 1945.

(3) Any purchaser for resales of any commodity covered by this regulation at any time on request.

(b) *What the statement must contain.* The statement furnished to the purchaser for resale must contain the following:

(1) A description of the commodity, including the manufacturer's model or plate number, if any, and such additional information as may be necessary to identify the commodity on the manufacturer's pricing records and his invoices to purchasers for resale.

(2) The manufacturer's maximum price and terms and conditions of sale fixed for sales to that class of purchaser.

(3) The pricing method or section of the regulation under which the manufacturer's maximum price was established.

(4) Where approval of the maximum price by the Office of Price Administration is required, the date of such approval.

(5) Where authorization by the Office of Price Administration is required, the order number authorizing the maximum price and the effective date thereof.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 15. Government contracts. Any person who has made or intends to make

a government contract, or subcontract thereunder, who believes that a maximum price under this regulation impedes or threatens to impede the production or manufacture of a commodity which is essential to the war program and which is, or will be, the subject of such contract or subcontract, may file an application for adjustment of that maximum price in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

SEC. 16. Other applications for adjustment—(a) Who may adjust maximum prices. The Office of Price Administration or any duly authorized representative thereof may adjust maximum prices for any of the commodities covered by this regulation as hereinafter provided.

(b) Who may apply—(1) Commodities listed in paragraph (e). Any manufacturer of a commodity listed in paragraph (e) of this section may file an application for adjustment in his maximum prices setting forth the information required by the form in section 27, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, where his supply of the commodity could not be replaced if he discontinued production except at a price equal to or higher than the requested adjusted maximum price.

(2) Other commodities. Any manufacturer of any commodity covered by this regulation may file an application for adjustment in his maximum prices setting forth the information required by the form OPA 678:2475 in section 27, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, where:

(i) He sells the commodity to a reseller who generally purchases more than 50 percent of the manufacturer's total production of that commodity, or to other manufacturers for use in the manufacture of other products, or to industrial or commercial users; and

(ii) The purchasers referred to in (i) above agree in writing that the increase in acquisition costs resulting from an adjustment granted the manufacturer will not be used by them as the basis for an increase in the maximum prices of the commodities they sell.

(c) Amount of adjustment. The adjustment will not be greater than the following:

(1) An amount sufficient to make the adjusted price equal to manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized, where the applicant's current over-all earnings on an annual basis represent an increase of 15 percent or more over his average annual net earnings for the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(2) An amount sufficient to make the adjusted price equal to total cost, where the applicant's current over-all earnings on an annual basis do not exceed by 15 percent but are not appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (1) to the extent that such adjustment will result in current over-all

earnings which exceed base period over-all earnings by 15 percent or more.

(3) An amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit on the commodity or line where the applicant's current over-all earnings on an annual basis are appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth. In no event, however, shall such adjustment exceed the amount permitted under (1) to the extent that such adjustment will result in current over-all earnings which exceed base period over-all earnings by 15 percent or more.

(4) Any adjustment granted a manufacturer under paragraph (b) (1) above on the ground that the loss of his production would force his customers to resort to higher cost sources of supply, shall not exceed the amount permitted under sub-paragraphs (1) to (3), inclusive, and shall be further limited to an amount equal to the difference between his existing maximum price and the selling price of the next higher competitive seller able to supply the applicant's customers.

(5) Any adjustment granted a manufacturer under paragraph (b) (2) above on the ground that purchasers have agreed to absorb the amount of the increase, shall not exceed the amount permitted under subparagraphs (1) to (3), inclusive, and shall be further limited to the amount which the purchasers have agreed in writing to absorb.

(6) If the applicant produces the commodity in a line or series of sizes, types or models, and if it is not practical to determine the manufacturing cost or total cost, as the case may be, of each size, type or model, a uniform adjustment may be made for the entire line or series. However, any such adjustment for a line or series shall be subject to the limitations in subparagraphs (1) to (5) inclusive, above.

(d) Meaning of terms used. The term "manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to the article.

The term "total cost" means the total of manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding non-operating expense items and income and excess profits taxes.

The term "over-all earnings" means net profits before income and excess profits taxes experienced on the company's entire operations.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead included in "manufacturing cost" and "total cost" may be adjusted to reasonable levels based upon a normal rate of operations.

In evaluating costs, the Office of Price Administration will give consideration to whether they are based on a representative period of normal production.

Depreciation included in cost shall be at normal rates which do not exceed those approved by the Bureau of Internal Revenue.

In cases where the company was not in business during 1936-1939 and in extremely unusual cases where the period

1936-1939 cannot be considered a representative peacetime period, the Office of Price Administration may make an exception to the use of this base period.

(e) Commodities covered by paragraph (b) (1). There is set forth below a list of the specific commodities for which an application for adjustment may be filed under paragraph (b) (1). The individual commodities are listed under the broad trade categories in which each such commodity is included. The listing of any commodity includes within the coverage of paragraph (b) (1) any service or repair part for such commodity.

I—HARDWARE

1. Cabinet hardware.
2. Casket and casket shell hardware.
3. Furniture hardware.

II—MISCELLANEOUS CAST AND SHEET METAL BUILDING MATERIALS

All commodities listed under classification III—Miscellaneous Cast And Sheet Metal Building Materials of section 25.

III—HEATING AND WINTER AIR CONDITIONING EQUIPMENT

1. Boilers, hot water supply, cast-iron, coal-fired, falling within the following limitations:

- Inside grate diameter—Up to and including 12 inches.
- Net weight—Up to and including 370 pounds.
- Height (overall)—Up to and including 35 inches.
- Capacity: 25 degree (Fahr.) temperature rise—Up to and including 250 gallons; 40 degree (Fahr.) temperature rise—Up to and including 185 gallons.

2. Coils, extended surface, finned, etc., except those manufactured from glass.

3. Furnaces, heating, warm air only, cast-iron and steel.

4. Furnace pipe, fittings, and accessories, all types and sizes.

5. Registers and grilles.

6. Smoke pipe, fittings, and accessories, black and galvanized, all types and sizes.

7. Stove pipe, fittings, and accessories, all types and sizes.

IV—VALVES AND PIPE FITTINGS

1. Asbestos packed plugged cocks.
2. Forged steel unions, one inch and under only.
3. Cast iron flanges and cast iron flanged fittings.
4. Malleable iron ground joint unions, brass to iron seat, black and galvanized, 150 pounds SWP.

V—PIPE ACCESSORIES

1. Clamps and couplings, except garden hose clamps and couplings.
2. Cocks, all types and pressures.
3. Ground key work such as stops and cocks, except when produced by manufacturers of machines and parts and industrial equipment cover by RMPR 136, and when produced by manufacturers of automotive parts as defined in MPR 452.
4. Nozzles, except for garden hose.
5. Pipe hangers, rests, rollers, etc.
6. Spigot and gates.

VI—MECHANICALLY OPERATED COMMERCIAL REFRIGERATION AND SUMMER AIR CONDITIONING EQUIPMENT AND ACCESSORIES

1. Air conditioning units, self contained, 1 HP up to but not including 25 HP.
2. Coils and fan coils, except those manufactured from glass.
3. Condensing units, all types, ¼ HP up to but not including 25 HP or 25 tons.
4. Evaporative condensers, water cooled only.
5. Insulated cold storage doors.
6. Refrigerators over 16 cu. ft. capacity, commercial, display, reach-in, and walk-in.

7. Refrigerator compressors, all types, ¼ HP up to but not including 25 HP or 25 tons.
8. Refrigerated beverage coolers, only.
9. Refrigerated counters and display cases.

VII—PLUMBING EQUIPMENT AND ACCESSORIES

1. Automatic cellar and basement drainers, syphon operated only.
2. Ballcocks for water closet and urinal tanks.
3. Bathroom accessories, of the type attached to plumbing fixtures, or attached to the wall by means of wall inserts which are part of the accessory unit.
4. Component parts for brass lavatory, sink, and bathtub wastes on sales to manufacturers of the complete waste assembly.
5. Fire fighting (standpipe) equipment.
6. Hydrants.
7. Manholes and covers.
8. Metal clad wooden plumbing fixtures.
9. Meter boxes (outside).
10. Plumbing and drainage staples.
11. Plumbing and drainage specialties.
12. Plumbers' brass goods.
13. Porcelain plumbing fixtures.
14. Road and curb boxes.
15. Self-contained metal commodes.
16. Septic tanks—all sizes and materials except cement or ceramic.
17. Tanks and vessels, pressure, cement-lined, made of metal 12 BWG and lighter, of a capacity not in excess of 192 gallons.
18. Toilet seats, sprayed and varnished only.
19. Water heaters, direct fired and indirect, all types.

(f) *Adjustment in resale prices.* In connection with any order granting an adjustment in the manufacturer's maximum price the OPA may also set forth or adjust the maximum price of any person who resells the article in the same form, to the extent deemed necessary in the judgment of the Price Administrator or his duly authorized representative. To the extent that such an adjustment may be made, this section supersedes the appropriate provisions of the General Maximum Price Regulation.

(g) *Where to file the application.* Any manufacturer seeking an adjustment under this section shall file his application with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(h) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case properly referred to him, issue orders under this section 16 adjusting maximum prices in accordance with its terms.

SEC. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum prices is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having au-

thority to act upon the pending request for a change in price. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

ARTICLE IV—MISCELLANEOUS PROVISIONS

SEC. 18. *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferee shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 19. *Records and statements.* Every manufacturer making sales of any commodity covered by this regulation in an amount of \$200 or more in any one calendar month must comply with the following provisions for keeping price records and for maintaining statements of maximum prices.

(a) *Records.* Each such manufacturer must preserve for examination by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the following:

(1) All his records regarding his prices and pricing methods of commodities delivered or offered for delivery during March 1942.

(2) Records relating to the prices he charged for such commodities as he sold after March 1942 showing as precisely as possible the basis upon which he determined maximum prices for those commodities, including copies of his correspondence with the Office of Price Administration and the letters and orders he received from the Office of Price Administration relating to such maximum prices.

(3) Records relating to sales made after the effective date of this regulation of commodities covered by this regulation, showing for each such sale, the date thereof, the name and address of the purchaser, the quantity sold and the price charged.

(b) *Statements of maximum prices.* (1) Each such manufacturer must prepare and keep for examination by any person during ordinary business hours, a statement showing:

(i) His maximum prices to purchasers of each class of every commodity covered by this regulation which he sells or offers for sale.

(ii) An adequate description of each such commodity.

(iii) All of his customary allowances, discounts and other price differentials.

(2) The manufacturer must prepare this statement within 30 days of the date that his maximum price for a commodity is first established under this regulation. If he has previously prepared a statement of maximum prices under the General Maximum Price Regulation or Maximum Price Regulation 188, and his maximum prices have not changed under this regulation, he need not prepare another statement. The manufacturer must also prepare an appropriate supplement to the statement within 10 days after any change in his maximum price is authorized by the Office of Price Administration.

(3) Any manufacturer who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purpose of this regulation.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 21. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) If a manufacturer fails to keep the records required by section 19 or if such records are incorrect, or if he fails to report proposed maximum prices where required to do so, the Office of Price Administration may issue an order establishing maximum prices for his sales of commodities covered by this regulation which are consistent with the level of prices fixed by this regulation. The issuance of any such order will not relieve the manufacturer of his obligations to comply with the reporting and record keeping requirements of this regulation.

SEC. 22. *Modification of provisions of this regulation.* The provisions of MPR No. 591 as applied to the commodities subject thereto may be modified by order under this section.

SEC. 23. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. A petition for amendment must propose a change of general applicability in the regulation for the industry as a whole or a substantial portion thereof, or a change affecting all sellers in a given area, as distinguished from an application which seeks an individual price adjustment.

SEC. 24. *Federal and State taxes.* Any tax upon, or incident to, the sale or delivery of any of the commodities covered

by this regulation, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, that for the purpose of determining the applicable maximum price of any product covered by this regulation, the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

ARTICLE V—LIST OF COMMODITIES FORMS

Sec. 25. List of commodities covered by this regulation—(a) *General coverage.* This regulation covers the commodities listed below. The list contains some general headings which are meant to include all commodities, though not specifically listed, which the trade usually classifies within such general headings, including:

- (1) Any part or sub-assembly for a commodity listed in paragraph (b) when produced by a manufacturer of the complete commodity.
- (2) Any part or sub-assembly for a commodity listed in paragraph (b) when produced by a manufacturer who advertises himself as a manufacturer of such parts or sub-assemblies.
- (3) Any repair or service part for a commodity listed in paragraph (b) when such parts are specifically designed and produced as repair or service parts for use on or in connection with any commodity listed in paragraph (b).
- (4) Any commodity listed in paragraph (b) when produced from used or reconditioned materials, or a combination of used, reconditioned, and new materials, except when such commodities are specifically covered by MPR 546 or CMPR.

(5) Notwithstanding the provisions of (1), (2), and (3) above, this regulation does not cover gears, pinions, sprockets, and speed reducers. These commodities are subject to the provisions of RMPR 136.

(b) *Specific categories and commodities covered.*

I—HARDWARE (except as covered by RPS 40, MPR 317, or MPR 416)

1. Awning hardware, including awning pulley.
2. Bright wire goods.
3. Builders hardware, including miscellaneous shelf hardware.
4. Cabinet hardware.
5. Carded builders hardware.
6. Casket and casket shell hardware.
7. Furniture hardware, including slides and glides but not including casters.

8. Garage hardware.
9. Key blanks—all types and materials.
10. Lavatory hardware.
11. Marine hardware, except turnbuckles.
12. Mail boxes except rural.
13. Mail chutes, except pneumatic.
14. Overhead door hardware.
15. Refrigerator hardware.
16. Sash hardware, including sash pulleys.
17. Screen and screen door hardware, including grilles and guards.
18. Showcase hardware.
19. Window guards.

II—SCREENING (except as covered by RPS 40)

1. Glass cloth.
2. Glass screen cloth.
3. Metal framed screens (except as covered by RMPR 136).
4. Metal framed screen doors.
5. Non-ferrous screen cloth including phosphorus bronze.
6. Plastic cloth.
7. Plastic screen cloth.

III—MISCELLANEOUS CAST AND SHEET METAL BUILDING MATERIALS, including but not limited to:

- Air and fume conductor devices and accessories.
- Battenstrips.
- Bucks and partitions.
- Caps, corners, and cornices.
- Coal chutes.
- Combination screen and storm doors, metal and metal covered.
- Combination screen and storm windows, metal and metal covered.
- Doors, metal and metal covered, except airplanes hangar doors.
- Door sash and frames, metal and metal covered.
- Flagpoles and staffs.
- Flashings, except lead.
- Formed valley but not including rolled valley.
- Incinerators, metal.
- Iron and steel ceilings, gratings, and floorings.
- Iron and steel hand rails and stairway guards.
- Iron and steel stair treads.
- Louvres.
- Metal awnings.
- Metal and metal bound weatherstripping.
- Miscellaneous sheet iron work.
- Mouldings, bindings, and edgings.
- Prefabricated metal and metal covered store fronts.
- Rainwater disposal devices and accessories.
- Ridge roll and accessories.
- Sanitary Risers.
- Shutters, metal and metal covered.
- Skylights.
- Terrazzo strips.
- Tier and timber connectors.
- Tie rods and accessories, except bolts and nuts.
- Vault doors.
- Ventilators, except marine.
- Walk gates, not including farm gates and fences.
- Wallboard fasteners, except nails and screws.
- Window sash and frames, metal and metal covered.

IV—HEATING AND WINTER AIR CONDITIONING EQUIPMENT

1. Boilers—hot water supply—
 - a. Cast iron—all types, except "laundry stoves";
 - b. Steel—domestic and commercial designed for less than 100 lbs. P. S. I. steam working pressure.
2. Boilers—steam, hot water heating and vapor heating—
 - a. Cast iron—all types, except those covered by MPR 272;
 - b. Steel—domestic and commercial designed for less than 100 lbs. P. S. I. steam working pressure.

3. Burners, except those designed for use with products subject to RMPR 136—

- a. Gas—all types;
- b. Oil—all types burning lighter than No. 5 oil—horizontal rotary and gun type burning No. 5 and No. 6 oil.
4. Colls, extended surface, finned, etc., except those manufactured from glass.
5. Convector, except rotary, and convector enclosures and shields, metal, all types, except those covered by MPR 272 and those specifically designed for railroad use.
6. Conversion burners, all types as described under oil burners, gas burners, or stokers.
7. Conversion grates, except fireplace grates, and those covered by RMPR 235.
8. Fuel oil storage tanks—metal, 12 B. W. G. and lighter, coated or uncoated, with capacity not exceeding 585 gallons, except those covered by RPS 96.
9. Furnaces and accessories—all types, cast iron or steel, chimney, floor, forced air, gravity, wall, and warm air furnaces, except portable space heaters and pot stoves.
10. Furnace pipe, fittings, and accessories—all types and sizes—
 - a. Black iron;
 - b. Bright tin;
 - c. Galvanized iron.
11. Heating and hot water specialties, including but not limited to:
 - Air valves.
 - Blast traps and strainers.
 - Damper regulators and draft controls, all types, except forced or induced draft.
 - Hand dampers including fireplace dampers.
 - Radiator valves.
 - Thermostatic traps and strainers.
 - Vent valves.
12. Incinerators, metal.
13. Oil burner pumps for oil burners covered by this regulation.
14. Radiators and radiator enclosures and shields, metal, all types, except those covered by MPR 272 and those specifically designed for railroad use.
15. Registers and grilles, all types.
16. Smoke pipe, fittings, and accessories, black and galvanized, all sizes but not including smoke stacks or breechings.
17. Solar systems—all types for heating and hot water generating.
18. Stokers—all types with capacity of less than 1200 lbs. per hour.
19. Stove pipe, fittings, and accessories, all types and sizes.
20. Unit heaters—all types.

V—CONTROL EQUIPMENT—Electrical, mechanical, and pneumatic, (not including industrial process controls) primarily designed for:

1. Air conditioning.
2. Heating, low pressure only.
3. Hot water heating.
4. Hot water generating.
5. Refrigeration—
 - a. airstat (bi-metal expanders);
 - b. pressure;
 - c. thermostatic.
6. Temperature, air, and humidity.
7. Water level, not including electrical panel boards.

VI—VALVES, PIPE FITTINGS

1. Grease and oil pressure valves and fittings except those covered by RMPR 136, MPR 246 and MPR 452.
2. Fabricated pipe, with or without fittings.
3. Fittings, pipe and tubing—all types and materials, except glass and conduit fittings.
4. Float valves.
5. Hose fittings, except for garden hose.
6. Irrigation gates and valves.
7. Nipples, all types and materials except glass.
8. Sprinkler system fittings, except those for portable lawn sprinklers.
9. Valves, automatic and manually operated, except tire valves, all types and materials except glass and those covered by MPR 452.

VII—PIPING ACCESSORIES

1. Clamps and couplings except garden hose clamps and couplings.
2. Cocks and bibbs—all types and pressures except wooden spigots.
3. Ground key work such as stops and cocks, except when produced by manufacturers of machines and parts and industrial equipment covered by RMPR 136, and when produced by manufacturers of automotive parts as defined in MPR 452.
4. Nozzles, except for garden hose.
5. Pipe hangers, rests, rollers, etc.
6. Spigots and gates, all types and materials, except glass and wood.

VIII—MECHANICALLY OPERATED COMMERCIAL REFRIGERATION AND SUMMER AIR CONDITIONING EQUIPMENT AND ACCESSORIES

1. Air conditioning units—self contained 1 horsepower and up but under 25 horsepower.
2. Coils and fan coils, except those manufactured from glass.
3. Condensing units—all types under 25 horsepower or under 25 tons.
4. Cabinets—
 - a. Frozen food;
 - b. Ice, except household;
 - c. Ice cream.
5. Evaporative condensers.
6. Freezers—
 - a. Farn;
 - b. Home, all sizes except household refrigerators and ice cream machines.
7. Hardening cabinets.
8. Insulated cold storage doors.
9. Refrigerated coolers—
 - a. Beverage;
 - b. Milk;
 - c. Water.
10. Refrigerated counters and display cases.
11. Refrigerator compressors—all types under 25 horsepower or under 25 tons.
12. Refrigerators over 16 cubic feet capacity—
 - a. Commercial;
 - b. Display;
 - c. Reach-in;
 - d. Walk-in.

IX—PLUMBING EQUIPMENT AND ACCESSORIES

1. Automatic cellar and basement drainers, syphon operated only.
2. Bathroom accessories—
 - a. When attached to plumbing fixtures;
 - b. When attached to the wall by means of wall inserts which are part of the accessory unit.

3. Cabinets when designed for under sink or under lavatory use.
4. Cast iron pressure pipe and fittings.
5. Cast iron soil pipe and fittings except as covered by RPS 100.
6. Cocks, metal—all types and pressures.
7. Domestic water softening and purifying equipment—all types.
8. Fire fighting (standpipe) equipment—
 - a. Nozzles;
 - b. Play pipes;
 - c. Racks;
 - d. Siamese (or steamer) connections;
 - e. Wrenches.
9. Hydrants.
10. Ice water faucets—all types.
11. Liquid soap dispensing equipment, except portable or detachable self-contained units.
12. Manholes and covers.
13. Meter boxes (outside).
14. Permanently installed lawn sprinkler equipment.
15. Plastic pipe and tubing manufactured from co-polymer vinyl and vinylidene chlorides commercially known as Saran B-11.
16. Plumbing and drainage staples.
17. Plumbing and drainage specialties.
18. Plumbing brass specialties.
19. Plumbing fixtures—
 - a. Enameled iron;
 - b. Formed metal;
 - c. Metal clad wood;
 - d. Vitreous china;
 - e. Vitrified earthenware.
20. Plumbing fixture fittings and trimmings—all types but not including suction stoppers.
21. Plumbers' brass goods.
22. Range boilers, made of metal 12 B. W. G. and lighter of capacity not in excess of 192 gallons.
23. Road and curb boxes.
24. Separators, grease and oil—all types, except as covered by RMPR 136.
25. Septic tanks—all sizes and materials except cement or ceramic.
26. Shower stalls and shower enclosures, but not including shower curtains.
27. Sink tops when designed to mount plumbing fixtures and/or plumbing fixture fittings and trimmings.
28. Sprinkler (fire protection) system equipment—all types including heads, devices, alarm valves, wrenches, etc., but not including pipe.
29. Tanks and vessels, non pressure, made of metal 12 B. W. G. and lighter of capacity not in excess of 585 gallons, except as covered by RPS 96 and except products com-

monly known as pans and cans, such as pails and buckets, non returnable shipping containers, refuse receptacles, drip and waste receivers, but including septic tanks.

30. Tanks and vessels, pressure, made of metal 12 B. W. G. and lighter of capacity not in excess of 192 gallons.

31. Water heaters—

- a. Direct-fired—all types;
- b. Indirect—all types, except heat exchangers, industrial water heaters as covered by RMPR 136.

X—PACKAGED COMMODITIES

A "packaged commodity" within the meaning of this regulation means:

1. Any combination sold as a unit, consisting of any commodity or group of commodities covered by this regulation together with any accessory equipment necessary for its installation regardless of whether such accessory equipment is covered by this regulation.
2. Any commodity or group of commodities covered by this regulation sold as a unit in any combination with the following provided that the commodity or group of commodities covered by this regulation constitutes the major portion of such combination:
 - a. Any accessory equipment necessary for its installation, or
 - b. Any commodity or commodities not covered by this regulation.

(c) *Exempt commodities.* Notwithstanding the commodity listing in paragraph (b), the following commodities are exempt from the provisions of this regulation and any other price regulation.

1. Ferrous architectural metal work.
2. Ornamental metal work including but not limited to—
 - a. Art metal;
 - b. Iron gates;
 - c. Iron fencing;
 - d. Cast and sheet metal caps, corners and cornices;
 - e. Iron and steel handrails and stairway guards;
 - f. Door and window guards;
 - g. Walk gates;
 - h. Door and sash.
3. Ferrous metal ornamentations.
4. Wood pipe, continuous stave.
5. Wood pressure pipe—
 - a. Machine banded;
 - b. Wire-wound;
 - c. Solid bored, machine banded;
 - d. Solid bored, wire-wound.
6. Wood lined pressure pipe.

SEC. 26. Forms for reporting maximum prices.

OPA Form No. 678-2472 Budget Bureau No. 08-R1426	Name of firm
UNITED STATES OF AMERICA	Address—Number and street
OFFICE OF PRICE ADMINISTRATION Washington 25, D. C.	City, postal zone number, State
	Name of commodity being priced

Report of determination of maximum prices under section 7 of Maximum Price Regulation No. 591.

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR FIRST PRICING METHOD FORM

Instruction I—Description of the old commodity: If a cut or sketch and a description of the old commodity appears in your catalog which is on file with the Building Materials Price Branch, you need only identify the old commodity by giving its name and model or figure number. If, however, a cut or sketch and a description does not appear in your catalog, or if your catalog is not on file with the Building Materials Price Branch, you should identify the old commodity by giving its name; model or figure number; principal material used in its manufacture (e. g. brass, steel, etc.); its finish (e. g. painted, polished, plated, etc.); its construction (e. g. cast, stamped, etc.). You may include as many additional characteristics in your description as you consider necessary to insure identification.

Instruction II—Commodity being priced: Specify in detail those characteristics by which the commodity being priced differs from the old commodity. A sample of

small, inexpensive commodities should be submitted. If the commodity being priced is bulky or expensive, a cut or sketch of the commodity being priced should be submitted.

Instruction III—Direct material costs. The total cost of the direct materials reported for both the old commodity (line 1) and the commodity being priced (line 6) should be based on your current costs of each material or part but in no event should the cost used exceed your supplier's approved maximum price for the material or part. If any of the materials or parts used in the commodity being priced are the same as those used in the old commodity, the prices used for such materials or parts in developing the total direct material cost for both commodities must be identical. For example, if you use steel in the manufacture of both commodities and previously purchased your supply directly from the mill but now must purchase from warehouses, in developing your total direct material cost for both commodities, you must use the mill shipment price of the steel. Similarly, if you previously purchased your supply of a material or part used in the manufacture of both commodities in carload quantities but now must purchase in smaller quantities, you must develop the total direct material cost for both commodities using the carload quantity price for the material or part.

Instruction IV—Direct labor costs: In developing the total direct labor cost for both the old commodity (line 2) and the commodity being priced (line 7), current wage or piece rates must be used for each labor operation but in no event should such rates exceed those approved by the NWLB when such approval is required. You should compute your total direct labor cost for both commodities on the basis of the same productive techniques and the same level of labor efficiency. You must exclude overtime or premium wage payments in your calculations of the total direct labor cost for both commodities.

Instruction V—Maximum price for old commodity: Indicate in line 4 your approved maximum price for the old commodity and in line 5, the class of purchaser (e. g. jobber, retailer, consumer, etc.) to whom this price is applicable. You should specify whether the maximum price shown in line 4 is a list or net price. This may be done as follows:

\$1.20 list, or \$0.40 net

Instruction VI—Statement of discount practices applicable to old commodity: Specify fully the prices, discounts, terms, and allowances which currently are applicable to each class of purchaser to whom you sell the old commodity. These prices, discounts, terms and allowances are also applicable to the commodity being priced. If you wish to change your practices with respect to discounts, terms and allowances on sales of the commodity being priced, you must apply for specific authorization to make such

changes under section 9 of the regulation. Until such authorization is given, however, you may not make the proposed changes. Similarly if you wish to sell the commodity being priced to a new class of purchaser, to whom you did not sell the old commodity, you must apply for a maximum price to the new class of purchaser under section 9 of the regulation.

PART I

Description of old commodity (see instruction I)

The commodity being priced is identical with the old commodity with the following exceptions (see instruction II):

PART II

Summary of current unit direct costs

(Indicate unit of production used in calculations: Units)

<p>Old Commodity</p> <p>(Note: This commodity must be in current production.)</p> <p>1. Current direct material cost (see instruction III) \$.....</p> <p>2. Direct labor cost (see instruction IV)</p> <p>3. Total current direct cost (sum of lines 1 and 2)</p> <p>4. Maximum price per unit (see instruction V)</p> <p>5. To what class of purchaser (see instruction V)</p>	<p>Commodity Being Priced</p> <p>6. Current direct material cost (see instruction III) \$.....</p> <p>7. Direct labor cost (see instruction IV)</p> <p>8. Total current direct costs (sum of lines 6 and 7)</p> <p>9. Maximum price of commodity being priced (Same as line 4 and applicable to same class of purchaser shown on line 5)</p>
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BASIS OF UNIT COST DATA

Past 3 months production of old commodity Units.
 Estimated monthly production of commodity being priced Units per month.
 Are above unit cost data for commodity being priced based upon records of actual production?
 Yes No

PART III

Statement of discount practices applicable to old commodity

(See instruction VI)

4. Trade and cash discounts:

Class of purchaser	List price per...pieces	Trade discount	Cash discount	
			Amount	Terms
Distributor or jobber.....	\$	%	%
Retailer or dealer.....	\$	%	%
Consumer.....	\$	%	%
(Specify).....	\$	%	%
(Specify).....	\$	%	%

B. Quantity discounts:

Indicate whether quantity discounts shown below are given (1) in lieu of trade or cash discounts Yes
 (2) in addition to trade and cash discounts Yes

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than:					
From To					
From To					
From To					
Less than Carload					
(Specify)					
(Specify)					

C. Delivery practice

- F. o. b. plant
- Full freight allowed
- Carload rate of freight allowed
- Other (specify)

CERTIFICATION

I certify that the information contained herein is correct:
 Sign here..... Name Title Date

OPA FORM 678:2473 Budget Bureau No. 03-R1427

UNITED STATES OF AMERICA
 OFFICE OF PRICE ADMINISTRATION
 Washington 25, D. C.

Name of firm

Address—Number and street

City, postal zone number, State

Name of commodity being priced

Report of determination of maximum prices under Section 8 of Maximum Price Regulation No. 591

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR SECOND PRICING METHOD FORM

Instruction I.—Description of comparable commodity: If a cut or sketch and a description of the comparable commodity appears in your catalog which is on file with the Building Materials Price Branch, you need only identify the comparable commodity by giving its name and model or figure number. If however a cut or sketch and a description does not appear in your catalog, or if such catalog is not on file with the Building Materials Price Branch, you should identify the comparable commodity by giving its name; model or figure number; principal material used in its manufacture (e. g. steel, brass, etc.); its finish (e. g. painted, polished, plated, etc.); its construction (e. g. cast, machined, etc.). You may include as many additional information characteristics in your descriptions as you consider necessary to insure identification.

Instruction II.—Commodity being priced: Specify in detail those characteristics by which the commodity being priced differs from the comparable commodity. A sample of small, inexpensive commodities should be submitted. If the commodity being priced is bulky or expensive, a cut or sketch of the commodity being priced should be submitted.

Instruction III.—Maximum price for comparable commodity: Indicate in line 7 your approved maximum price for the comparable commodity and in line 8 the class of purchaser (e. g. jobber, retailer, consumer, etc) to whom this price is applicable. You should specify whether the maximum price shown in line 7 is a list or net price. This may be done as follows:

\$1.20 list, or \$0.40 net

Instruction IV.—Statement of discount practices: Specify fully the prices, discounts, terms, and allowances which currently are applicable to each class of purchaser to whom you sell the comparable commodity. These discounts, terms, and allowances are also applicable to the commodity being priced. If you wish to change your practice with respect to discounts, terms, and allowances on sales of the commodity being priced, you must apply for specific authorization to make such changes under section 9 of the regulation. Until such authorization is given, however, you may not make the proposed changes. Similarly, if you wish to sell the commodity being priced to a new class of purchaser to whom you did not sell comparable article, you must apply for a maximum price to the new class of purchaser under section 9 of the regulation.

Instruction V.—Cost of direct materials: Current costs of materials or parts must be used in computing your total direct materials costs for the commodity being priced (lines 13a-13f) and the comparable commodity (lines 18a-18f) but in no event should the costs used exceed your supplier's approved maximum price for the material or part. If any of the materials or parts used in the manufacture of the commodity being priced are the same as those used in the manufacture of the comparable article, the cost used for such materials or parts in developing the total direct materials costs for both commodities must be based on purchases of like quantities from the same source of supply. Under the heading "Kind and Quality of Material Used" list the materials and parts (e. g. brass—standard) used in the manufacture of the both commodities. Under the heading "Price" list your supplier's current maximum price for each material or part (e. g. \$1.00 per lbs; per doz. etc.). Under the heading "Quantity Used Per Unit" list the amount of each material or part used in the manufacture of both commodities.

Instruction VI.—Direct labor costs: In developing the total cost of the direct labor for both the commodity being priced (lines 15a-15f) and the comparable commodity (lines 19a-19f), current wage rates must be used for each labor operation but in no event should such rates exceed those approved by the NWLB when such approval is required. You should compute your total direct labor cost for both commodities on the basis of the same production techniques and the level of labor efficiency. Under the heading "Direct Labor Operations" list the labor operations (e. g. casting, machining, polishing, etc.) involved in the manufacture of both commodities. Under the column "Average Current Wage Rate" list the weighted average current straight time hourly wage rate for each labor operation computed as follows:

The total hours worked by employees paid at a specific rate should be multiplied by their straight time hourly rates to determine the total amount of straight time wages for the month. Divide the amount so determined by the total hours worked to arrive at the weighted average hourly straight time rate. Do not include any premium or other extra wages in this determination.

EXAMPLE

Operation A

Number of employees paid same hourly straight time wages	Hourly straight time wages	Total number hours worked	Amount
3.....	\$0.75	120	\$90
2.....	1.00	80	80
		200	170

Weighted average straight time hourly wage rate for Operation A equals \$170.00 divided by 200 hours or \$0.85 per hour.

If any of the labor operations are paid for on a piece basis, under the heading "Average Current Wage Rate" show the current piece rate for such operations.

PART I

Description of comparable commodity (see instruction I)

The commodity being priced is identical with the comparable commodity with the following exceptions (see instruction II)

PART II

Determination of maximum price

A. Summary of unit direct costs (indicate unit of production used in calculations) Units)

<p>Comparable Commodity</p> <p>1. Direct material cost (from \$..... line 19).</p> <p>2. Direct labor cost (from line 21).</p> <p>3. Total direct costs (sum of lines 1 and 2).</p> <p>II. Determination of maximum price:</p> <p>7. Maximum price of comparable commodity (see instruction III)..... \$.....</p> <p>8. To what class of purchaser (see instruction III).....</p> <p>9. Unit direct cost of comparable commodity (line 3).....</p> <p>10. Percentage markup of comparable commodity (divide 7 by 8).....</p> <p>11. Unit direct cost of commodity being priced (line 6).....</p> <p>12. Maximum price of new commodity (multiply line 9 by line 10).....</p>	<p>Commodity Being Priced</p> <p>4. Direct materials costs (from \$..... line 14).</p> <p>5. Direct labor cost (from line 16).....</p> <p>6. Total direct costs (sum of lines 4 and 5).</p>
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PART III

Statement of discount practices applicable to comparable commodity

(See Instruction IV)

A. Trade and cash discounts:

Class of purchaser	List price per pieces	Trade discount	Cash discount	
			Amount	Terms
Distributor or jobber.....	\$.....
Retailer or dealer.....	\$.....
Consumer.....	\$.....
(Specify).....	\$.....

B. Quantity discounts:

Indicate whether quantity discounts shown below are given
 (1) in lieu of trade or cash discounts Yes No
 (2) in addition to trade and cash discounts Yes No

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than:.....					
From To.....					
From To.....					
From To.....					
Less than Carload					
Carload					

(Specify).....

(Specify).....

C. Delivery practice

- F. o. b. plant
- Full freight allowed
- Carload rate of freight allowed
- Other (Specify).....

PART IV

UNIT DIRECT COST DATA

Commodity Being Priced

13. Cost of direct materials of commodity being priced. (See Instruction V.)
 Specify in detail the materials or parts which account for at least 75 percent of total direct materials cost; the remainder may be included under "All Other."
 (Indicate unit of production used in calculations:.....units)

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.....	\$..... per.....	.....	\$.....
b.....	..... per.....	.....	.....
c.....	..... per.....	.....	.....
d.....	..... per.....	.....	.....
e.....	..... per.....	.....	.....
f. All other.....	..... per.....	.....	.....

14. Total material cost per unit.....

15. Cost of direct labor of article being priced. (See Instruction VI.)
 Major operations listed should account for at least 75 percent of total direct labor cost; the remainder may be included under "All Other."
 (Indicate unit of production used in calculations:.....units)

Direct labor operation	Average current wage rate	Time per unit	Cost per unit
a.....	\$..... per.....	.....	\$.....
b.....	..... per.....	.....	.....
c.....	..... per.....	.....	.....
d.....	..... per.....	.....	.....
e.....	..... per.....	.....	.....
f. All other.....	..... per.....	.....	.....

16. Total direct labor per unit.....

a. Estimated monthly production will be:..... units per month
 b. Are above unit cost data based upon records of actual production of this commodity? Yes No

Comparable Commodity

(Note: This commodity must be in current production)

18. Cost of direct materials of comparable commodity. (See Instruction V.)
 Specify in detail the materials or parts which account for at least 75 percent of a total direct materials cost; the remainder may be included under "All Other."
 (Indicate unit of production used in calculations.....units.)

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.....	\$..... per.....	.....	\$.....
b.....	..... per.....	.....	.....
c.....	..... per.....	.....	.....
d.....	..... per.....	.....	.....
e.....	..... per.....	.....	.....
f. All other.....	..... per.....	.....	.....

19. Total material cost per unit.....

20. Cost of direct labor of comparable commodity. (See Instruction VI.)
 Major operations listed should account for at least 75 percent of total direct labor costs; the remainder may be included under "All Other."
 (Indicate unit of production used in calculations.....units.)

Direct labor operation	Average current wage rate	Time per unit	Cost per unit
a.....	\$..... per.....	.....	\$.....
b.....	..... per.....	.....	.....
c.....	..... per.....	.....	.....
d.....	..... per.....	.....	.....
e.....	..... per.....	.....	.....
f. All other.....	..... per.....	.....	.....

21. Total direct labor per unit.....

22. Basis of unit cost data:

a. Past 3 months production was:..... Units

CERTIFICATION

I certify that the information contained herein is correct:

Sign here..... Name..... Title..... Date.....

OPA Form 678:2474 Budget Bureau No. 08-R1428

UNITED STATES OF AMERICA
 OFFICE OF PRICE ADMINISTRATION
 Washington 25, D. C.

Name of firm.....
 Address—Number and street.....
 City, postal zone number, State.....
 Name of commodity being priced.....

Report of determination of maximum prices under section 9 of Maximum Price Regulation No. 591.

File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

INSTRUCTIONS FOR THIRD PRICING METHOD FORM

Instruction I—Description of commodity to be priced and competitive commodities: In many cases OPA is able to price your new commodity by comparison with similar commodities sold by competitors. In Part II of this report, there is provided a table which calls for a detailed description of your commodity and similar commodities manufactured by two competitors. A sample of small, inexpensive articles should be submitted. If the article is bulky or expensive, a cut or sketch should be submitted. Under the heading of "Maximum Price on Sales to" indicate both your competitors' maximum net prices for the similar commodity and the class of purchaser (e. g. jobber, retailer, consumer) to whom such maximum price is applicable. For example \$1.00 to jobbers or \$3.00 to retailers.

Instruction II—Requested prices, discounts, terms and allowances: Specify fully the prices, discounts, terms and charges requested for each class of customer to whom you intend to sell. If you will grant trade discounts, supply the list price and the trade discount. If cash discounts will be offered, specify the amount and terms. If quantity discounts are contemplated, specify the amount granted for each quantity. If none write "None." The price authorization will specify classes of customers in the light of information supplied in this section.

Instruction III—Current costs of direct materials: Current costs of materials or parts must be used in computing the total direct material costs, for the commodity being priced (lines 7a-7f) but in no event should the costs used exceed your suppliers approved maximum price for the materials or parts. If any of the materials or parts used in the commodity being priced have been previously purchased by you for use in the production of other commodities the cost used for developing the unit direct material cost for the commodity being priced must be based on purchases of like quantities from the same source of supply. Under the heading "Kind and Quantity of Material Used" list the parts and materials (e. g. brass-standard) used in the manufacture of the commodity being priced. Under the heading "Price" list your supplier's current maximum price for each material or part (e. g. \$1 per lb.; per doz., etc.). Under the heading "Quantity Used Per Unit" list the amount of each material or part used in the manufacture of the commodity being priced.

Instruction IV—Current direct labor cost: In developing the total cost of the direct material for the commodity being priced (lines 8a-8f), current wage rates must be used for each labor operation, but in no event should such rate exceed those approved by N.W.L.B. when such approval is required. Under the heading "Direct Labor Operations" list the labor operations (e. g. casting, machining, polishing, etc.) involved in the manufacture of the commodity. Under the column "Average Current Wage Rate" list the weighted average current straight time hourly wage rate for each labor operation computed as follows:

The total hours worked by employees paid at a specific rate should be multiplied by their straight time hourly rates to determine the total amount of straight time wages for the month. Divide the amount so determined by the total hours worked to arrive at the weighted average hourly straight time rate. Do not include any premium or other extra wages in this determination.

EXAMPLE

Operation A

Number of employees paid same hourly straight time wages	Hourly straight time wages	Total number hours worked	Amount
3	\$0.75	120	\$90
2	1.00	80	80
		200	170

Weighted average straight time hourly wage rate for Operation A equals \$170.00 divided by 200 hours or \$0.85 per hour.

If any of the labor operations are paid for on a piece basis, under the heading "Average Current Wage Rate" show the current piece rate for such operations.

Instruction V—Part 5: This part need only be completed when no commodity similar to the commodity being priced exists. In the event you have to complete Part 5 you should follow the instructions for developing your direct material and direct labor costs set forth in Instructions III and IV with one exception. Use your March 1942 costs of materials and your March 1942 average wage or piece rates instead of the current costs of rates.

PART I

Suitability of pricing under section 9

1. Reasons for not pricing under sections _____ and _____ Other (specify and explain) _____
- New business started on _____, 194____. 2. a. Did you take over another business since March 1942. Yes No
- In business in March 1942, but you have no comparable commodity. b. If answer is "yes," give name and kind of business. _____
- In business in March 1942, but no comparable commodity is currently being sold. _____
3. List the names of principal owners and officers and their previous business connections since 1941.
(Omit if data have previously been supplied unless a change has occurred)

Name	Position	Previous business connections	Nature of business

4. What type of products have you manufactured in the past?

PART II

DESCRIPTION OF COMMODITY TO BE PRICED AND COMPETITIVE COMMODITIES

(See Instruction 1)

Characteristic	Your article	First competitor's article	Second competitor's article
Name of manufacturer			
Address—Number and street			
City, postal zone, number, State			
Maximum price on sales to—			
Model number			
Size:			
Length			
Width			
Height			
Material (e. g. brass, steel, etc.)			
Finish (e. g. painted, plated, etc.)			
Construction (e. g. cast, stamped, etc.)			
Other (specify)			

PART III

REQUESTED PRICES—DISCOUNTS, TERMS, AND ALLOWANCES

(See Instruction II)

Prices and discounts by class of customers to whom you wish to sell.

A. Trade and cash discounts:

Class of purchaser	List price per pieces	Trade discount	Cash discount	
			Amount	Terms
Distributor or jobber	\$ _____	_____ %	_____ %	
Retailer or dealer	\$ _____	_____ %	_____ %	
Consumer	\$ _____	_____ %	_____ %	
(Specify)	\$ _____	_____ %	_____ %	
(Specify)	\$ _____	_____ %	_____ %	

B. Quantity discounts:

Indicate whether quantity discounts shown below are given

- (1) in lieu of trade or cash discounts Yes No
- (2) in addition to trade and cash discounts Yes No

Quantity	Distributor or jobber	Retailer or dealer	Consumer	(Other) (Specify)	(Other) (Specify)
Less than:					
From					
To					
From					
To					
Less Than Carload					
Carload					
(Specify)					
(Specify)					

C. Delivery practice:

- F. o. b. plant
- Full freight allowed
- Carload rate of freight allowed
- Other. (Specify) _____

PART IV

DIRECT COSTS

7. Current cost of direct materials. (See Instruction III.)

(Indicate unit of production used in calculations units)

Specify in detail the materials or parts which account for at least 75 percent of total material cost; the remainder may be included under "All Other."

Kind and quality of material used	Price	Quantity used per unit	Cost per unit
a.	\$..... per .....	.....	\$.....
b. ....	..... per .....	.....	.....
c. ....	..... per .....	.....	.....
d. ....	..... per .....	.....	.....
e. ....	..... per .....	.....	.....
f. ....	..... per .....	.....	.....
All other.....	..... per .....	.....	.....
Total material cost per unit.....			.....

8. Current direct labor cost on product. (See Instruction IV.)

(Indicate unit of production used in calculations units)

Major operations listed should account for at least 75 percent of total direct labor cost.

Direct labor operations	Average current wage rates	Time per unit	Cost per unit
a.	\$..... per .....	.....	\$.....
b. ....	..... per .....	.....	.....
c. ....	..... per .....	.....	.....
d. ....	..... per .....	.....	.....
e. ....	..... per .....	.....	.....
f. ....	..... per .....	.....	.....
All other.....	..... per .....	.....	.....
Total direct labor per unit.....			.....

9. Basis of unit cost data:

- a. Estimated monthly production will be: units per month
- b. Are above unit cost data based upon records of actual production of this article? Yes No

PART V

(See Instruction V)

10. March 1942 cost of direct materials.

(Indicate unit of production used in calculations units)

Specify at least 75 percent of total material cost; the remainder may be included under "All Other."

Kind and quality of material used	March 1942 price	Quantity used per unit	Cost per unit
a.	\$..... per .....	.....	\$.....
b. ....	..... per .....	.....	.....
c. ....	..... per .....	.....	.....
d. ....	..... per .....	.....	.....
e. ....	..... per .....	.....	.....
f. ....	..... per .....	.....	.....
All other.....	..... per .....	.....	.....
Total material cost per unit.....			.....

11. March 1942 direct labor cost on product.

(Indicate unit of production used in calculations units)

Major operations listed should account for at least 75 percent of total direct labor cost.

Direct labor operation	Average March 1942 departmental wage rate	Time per unit	Cost per unit
a.	\$..... per .....	.....	\$.....
b. ....	..... per .....	.....	.....
c. ....	..... per .....	.....	.....
d. ....	..... per .....	.....	.....
e. ....	..... per .....	.....	.....
f. ....	..... per .....	.....	.....
All other.....	..... per .....	.....	.....
Total direct labor per unit.....			.....

12. March 1942 indirect cost per unit.

Type of expense	Amount allocated	Percent (if any)	Base to which percent is applied	Remarks
Factory overhead.....	\$.....
Selling.....
General and administrative.....
Other. (Specify).....

13. Total March 1942 cost to make and sell. (Sum of items totals of 10, 11, and 12)

14. Profit and loss statement for calendar or fiscal year of 1942. If this information has previously been supplied OPA in at least the detail shown below, it need not be filed again. Note that gross sales are requested and that cost of goods sold should be broken down into direct materials, direct labor and factory overhead. If you have previously filed this data with OPA, check here.

Gross sales	\$.....
Less: returns and allowances	.....
Net sales	.....
Direct material used	\$.....
Direct labor	.....
Factory overhead	.....
Net change in inventories of work in process and finished goods	.....
Cost of goods sold	.....
Selling expense	.....
General and administrative expense	.....
Net operating profit	.....

CERTIFICATION

I certify that the information contained herein is correct.

Sign here Name Title Date

SEC. 27. Form for applications for adjustment.

OPA Form No. 678:2475 Budget Bureau approval waived Name of firm Address

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Application For Adjustment of Maximum Prices for Specified Mechanical Building Equipment Under Section 16 of Maximum Price Regulation No. 591.

Where to Apply: File this report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

Supply the following facts to the Office of Price Administration in support of your application:

PART I

1. General description of your company's business.
2. Designate and describe the commodities for which increases in price are requested.
3. Itemize the price increases requested showing present and requested maximum prices, together with terms and conditions of sale.
4. Present any evidence you may possess showing either:
 - (a) Your supply of the commodity could not be replaced if you discontinued production; or
 - (b) Your supply could be replaced only at a price equal to or higher than the requested adjusted price.
5. Indicate whether products similar to that upon which adjustment is requested are manufactured by competitors in your region. If so, give names and addresses of competitors and where available their prices for such product.
6. If an increase in your maximum price is approved, indicate whether the increase will be absorbed by purchasers of your products. If not, describe subsequent distributive levels and such knowledge as you have of margins over cost in the resale of your product. Attach a list of 5 of your customers who purchase for resale the products upon which an increase is requested.

PART II

Important: If you have submitted any of the following information on OPA Financial Reporting Forms A and B for certain periods or have furnished same on any other OPA questionnaire, you may omit these periods in your present report.

1. Regularly prepared balance sheets, statements of profit and loss, and analysis of surplus reflecting total company operations for the fiscal years 1936-1939, inclusive. (NOTE: The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should you prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.)
2. Statements of profit and loss reflecting entire company operations for the fiscal years 1941, 1943, succeeding years, and for the latest available accounting period. These statements should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses.

3. Where you produce and sell products other than those upon which adjustments are requested: Statements of profit and loss for the fiscal years 1941, 1943, succeeding years and for the latest available accounting period reflecting the operations of each plant of the company where the products for which adjustments are requested are produced. These statements must clearly indicate by segregation the production cost of such products and other operations conducted at the plant and should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses. The basis used in all allocations made to the products under review should be explained.
4. A statement of the total volume of production and total volume of sales for the products for which adjustments are requested for each of the periods mentioned in (3) above. The volume should be stated in the units of measurement customarily used in your particular industry, and should show unit quantities applicable to all inventory adjustments with a complete reconciliation between units produced and units sold.

5. Balance sheets as of the close of the fiscal years 1941, 1943, succeeding years, and at the close of business for the latest available accounting period together with analyses of the changes in surplus.
6. Where measurable increases in costs (e. g. War Labor Board approval of increased wages or an advance in the price paid for fuel) have occurred during your latest accounting period or subsequent thereto, such increases may be given consideration. Compute in detail the additional increase in your costs, above the costs reported in the latest accounting period, which would have been incurred if the increase had been in effect since the first day of your latest accounting period.

I certify that the information contained herein is correct to the best of my knowledge
 Sign here..... Name..... Title..... Date.....

Effective date. This regulation shall become effective July 30, 1945.

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

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

Issued this 23d day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of Section 16 and 17 of this regulation are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13374; Filed, July 23, 1945; 11:40 a. m.]

PART 1346—BUILDING MATERIALS
 [MPR 592]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

Sec.

1. What this regulation covers.
2. Prohibitions against dealing at prices above the maximum.
3. Prohibitions against sales prior to compliance with reporting requirements.
4. Evasion.

ARTICLE II—MAXIMUM PRICES

5. Maximum prices for commodities delivered or offered for delivery prior to the effective date of this regulation.
6. Maximum prices for commodities first offered for sale after the effective date of this regulation.
7. First pricing method; minor changes.
8. Second pricing method; line differentials.
9. Third pricing method; competitive prices.
10. Fourth pricing method; commodities which cannot be priced under the first, second or third pricing methods.
11. Discounts, allowances and differentials.
12. Sales pending approval of maximum prices.
13. Revision of maximum prices.
14. Resellers' maximum prices.
15. Notification to purchasers for resale of the manufacturer's maximum prices.

ARTICLE III—ADJUSTMENT PROVISIONS

Sec.

16. Applications for adjustment.
17. Local area adjustments.
18. Government contracts.
19. Adjustable pricing.

ARTICLE IV—MISCELLANEOUS PROVISIONS

20. Transfer of business or stock in trade.
21. Records and statements.
22. Licensing.
23. Regional pricing orders.
24. Enforcement.
25. Modification of provisions of this regulation.
26. Petitions for amendment.
27. Federal and State taxes.

ARTICLE V—LIST OF COMMODITIES; AND FORMS

28. Commodities covered by this regulation.
29. Form for reporting maximum prices.
30. Form for applications for adjustment.

AUTHORITY: § 1346.706, issued under 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.

ARTICLE I—SCOPE OF THIS REGULATION AND PROHIBITIONS

SECTION 1. What this regulation covers—(a) Transactions covered. This regulation applies to all sales by manufacturers of the specified commodities set forth in section 28. Except insofar as maximum prices for sales by persons other than manufacturers are fixed by orders under this regulation, sales by such persons are covered by the General Maximum Price Regulation or other applicable regulation.

"Manufacturer" as used in this regulation means the person who makes the first sale of any commodity listed in section 28, if the article has been completed to the point indicated by the terminology of that section. The term also includes any subsidiary or affiliate, commission salesman, or other agent of such person.

"Person" as used in this regulation means an individual, corporation, partnership, association, any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(b) *Relation to other regulations—(1) The General Maximum Price Regulation and Maximum Price Regulation 188.* This regulation supersedes the General Maximum Price Regulation and Maximum Price Regulation 188 with respect to transactions covered by this regulation. This regulation does not, however, apply to transactions which are excluded from the General Maximum Price Regulation by Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation and future amendments thereto.

(2) *Exports.* The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters.

(3) *Imports.* The Maximum Import Price Regulation covers purchases, sales or deliveries if they originate outside of the Continental United States.

(4) *Installed sales.* Revised Maximum Price Regulation 251 (Construction Services and Sales of Installed Materials) covers sales of building materials on an installed basis.

(c) *Geographical applicability.* This regulation applies in the forty-eight States of the United States and the District of Columbia.

SEC. 2. Prohibitions against dealing at prices above the maximum. On and after the effective date of this regulation, no manufacturer shall sell or deliver, and no person shall buy or receive in the course of trade or business, any commodity covered by this regulation at a price higher than the maximum price fixed by this regulation, regardless of any contract or other obligation. No person shall agree, offer, solicit or attempt to do any of the foregoing. Lower prices may, of course, be charged.

SEC. 3. Prohibition against sales prior to compliance with reporting requirements. No manufacturer shall offer to sell, sell, or deliver any commodity which he first offers for sale after the effective date of this regulation, until he has complied with the reporting provisions of this regulation.

SEC. 4. Evasion. The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodities covered by this regulation, or by way of commissions, services, transportation or other charges, or by tying agreement or other trade 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 regulation).

ARTICLE II—MAXIMUM PRICES

SEC. 5. Maximum prices for commodities delivered or offered for delivery prior to the effective date of this regulation—(a) What this section does. Under this section, maximum prices properly established under Maximum Price Regulation 188 and the General Maximum Price Regulation prior to the effective date of this regulation are continued in effect under this regulation. (Such prices shall continue to be subject to adjustment orders issued by the Office of Price Administration prior to the effective date of this regulation, which have not been re-

voked.) Paragraph (b) below sets forth the specific pricing provisions applicable to such prices.

(b) The manufacturer's maximum prices for any commodity which he delivered or offered for delivery prior to the effective date of this regulation shall be determined as follows:

(1) If the commodity was delivered or offered for delivery by the manufacturer during March 1942, his maximum price to each class of purchaser shall be the highest price at which he delivered it, or, if he did not deliver it, at which he offered it for delivery during that month to that class of purchaser.

(2) If the commodity was first delivered or offered for delivery by the manufacturer after March 1942, but prior to the effective date of this regulation, his maximum price to each class of purchaser shall be the maximum price to that class of purchaser properly established under Maximum Price Regulation 188 or any other regulation prior to the effective date of this regulation. If he did not have a maximum price properly established under the applicable regulation prior to the effective date of this regulation, his maximum price must be determined under section 6.

(3) If the commodity was delivered or offered for delivery by the manufacturer prior to March 1, 1942, but not during the period March 1, 1942, through July 30, 1945, his maximum price must be determined pursuant to section 6.

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

For example, if in March 1942 the seller's established practice was to sell the same commodity to a group of purchasers at a particular price, that group of purchasers constitutes a "class" to whom the same prices and pricing practices must be continued. Also, if in March 1942 the seller customarily sold or offered to sell the commodity to any purchaser at a price different from the price at which he sold or offered to sell the same commodity to all other purchasers, that purchaser is in a "class" by himself and the same price and pricing practices must be continued for that class. In the absence of any customary differential treatment to particular buyers, such buyers are all members of the larger class to which they belong.

(5) For the purpose of this section a commodity need not be considered to have been delivered or offered for delivery during March 1942 if the manufacturer stopped production thereof 90 or more days prior to March 1, 1942, and if the prices he charged during March 1942 were at least 25 percent less than the last net price at which he delivered the commodity or offered it for delivery when he was still producing it. The maximum price for such a commodity may be determined in accordance with section 6.

SEC. 6. Maximum prices for commodities first offered for sale after the effective date of this regulation. This section sets forth the procedure for determining maximum prices of commodities for which maximum prices cannot be determined under section 5. Such commodities for the purpose of this regulation shall be considered new or changed commodities. The maximum price for a commodity covered by this section shall be determined in accordance with the first applicable pricing method set forth in sections 7, 8, 9, and 10. Accordingly, a manufacturer may not use any particular pricing method unless he cannot or need not use any of the other methods which precede that method. A maximum price computed under any of these methods, however, must be consistent with the general level of maximum prices fixed by this regulation and may be approved, disapproved or revised by the Office of Price Administration as hereinafter provided.

Sec. 7. First pricing method; minor changes—(a) Maximum prices. The manufacturer's maximum price for a new commodity to each class of purchaser shall be the same as his maximum price for an old commodity produced by that manufacturer for which a maximum price has already been established to that class of purchaser, where:

(1) The new commodity belongs to the narrowest trade category which includes the old commodity for which a maximum price has already been established.

(2) The new commodity has current unit direct costs which do not vary by more than 2 percent from the current unit direct costs of the old commodity.

(3) The old commodity which is used as a basis for pricing, is currently being produced by the manufacturer.

(b) *Optional use of this method.* A manufacturer may, however, if he chooses, also determine his maximum price for a new commodity under this first pricing method in any case in which the current unit direct costs of the new commodity exceed the current unit direct costs of the old commodity by more than 2 percent.

(c) *Definition of current unit direct costs.* Current unit direct costs mean the total of unit costs of direct materials and direct labor, computed on a consistent basis for both the old and the new commodity.

(d) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this first pricing method, the manufacturer must file a report in duplicate with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., giving a description of the new commodity being priced; a description of the old commodity; the maximum price for the new commodity; and the details of the computation of the maximum price. A proposed maximum price under this first method shall be deemed to be automatically approved upon the mailing of this report, subject to revision by the Office

of Price Administration, not to apply retroactively.

SEC. 8. Second pricing method; line differentials—(a) Maximum prices. The maximum price of any commodity which cannot or need not be priced under the first pricing method shall, if possible, be determined under this second pricing method. If a manufacturer has established maximum prices for a line of commodities which reflect differentials in size, weight, mesh, specifications or similar physical characteristics, in effect during March 1942, the manufacturer shall determine a maximum price to each class of purchaser for a new article in his line on the basis of his established March 1942 method of calculating such price differentials.

(b) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices must be determined under this second pricing method, the manufacturer must file a report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the information required by the form in section 29. A proposed maximum price under this second method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 9. Third pricing method; competitive prices—(a) Maximum prices. The maximum price to each class of purchaser for any commodity which cannot or need not be priced under the first or second pricing method shall be the maximum price, prior to any adjustment, of his most closely competitive seller of the same class for the same kind, grade, quality and quantity of the commodity, to a purchaser of the same class, f. o. b. the point of production.

"Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (i) is selling the same or a similar commodity, and (ii) is closely competitive in the sale of such commodities, and (iii) is located nearest to the seller.

(b) *Reports and approval of maximum prices.* Before offering for sale or delivery a commodity for which maximum prices are determined under this third pricing method, the manufacturer must

file a report in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., setting forth the information required by the form in section 29. A proposed maximum price under this third method shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on expiration of 20 days after mailing of all additional information which may have been requested) unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. An approved price shall be subject to revision by the Office of Price Administration, not to apply retroactively.

SEC. 10. Fourth pricing method; commodities which cannot be priced under the first, second, or third pricing methods—(a) General applicability. The fourth pricing method shall be used where:

(1) The first, second and third pricing methods (sections 7, 8 and 9) are not applicable.

(2) The first, second or third pricing method results in a maximum price which is not consistent with the general level of prices established by this regulation.

(3) The use of a formula is required due to the type of commodity manufactured or the number of commodities in a line being manufactured.

(4) A maximum price is required for sales of a commodity to a new class of purchaser.

(b) *Maximum prices.* Maximum prices under this fourth pricing method shall be determined by a comparison of the direct costs and margins proposed for the commodity being priced with costs and margins generally prevailing for comparable commodities produced by that manufacturer or by other manufacturers, so as to result in a maximum price consistent with the general level of prices established by this regulation.

(c) *Reports and approval of maximum prices.* Before offering the commodity for sale the applicant must file an application in duplicate with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., for specific authorization of a price or pricing method, setting forth the information required by the form in section 29. Authorization of a maximum price under this fourth pricing method will be given in the form of an order prescribing a maximum price or a method of determining the maximum price for the applicant, or for sellers of the commodity generally, including purchasers for resale, or for a class of such sellers.

(d) *Delegation of authority.* The National Office may refer any application filed under this section to the appropriate Regional Administrator. Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may in any case so referred to him, issue orders under this section 10 establishing maximum prices in accordance with its terms.

SEC. 11. Discounts, allowances, and differentials—(a) Price differentials for existing classes of purchasers. Every manufacturer shall continue discounts, allowances, including transportation allowances, and other price differentials at least as favorable as those in effect during March 1942.

(b) *New classes of purchasers other than the United States Government or an Allied Government.* Where a manufacturer has established maximum prices for a commodity to certain classes of purchasers, and wishes to determine maximum prices for sales to a new class of purchaser, he shall apply under section 10 for authorization of a maximum price to that new class of purchaser. Before offering the commodity for sale to the new class of purchaser, he shall file the report required by that section.

(c) *Sales to United States Government or an Allied Government.* For a sale to the United States Government or an Allied Government of a commodity for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined for sales to purchasers of a different class, such government shall be classed as belonging to the class of purchaser to whom the manufacturer customarily sold the commodity in quantities most nearly equal to the quantity involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales to such classes of purchasers shall apply.

SEC. 12. Sales pending approval of maximum prices. After a report has been filed as required, and pending approval of the proposed maximum price, a manufacturer may offer to sell and accept orders at the proposed maximum price reported to the Office of Price Administration. He shall not, however make deliveries or accept payment until a maximum price has been approved by the Office of Price Administration, except on direct sales to the United States Government or an Allied Government. Until a maximum price has been approved, a notification that the proposed maximum price is subject to the approval of the Office of Price Administration must appear on all quotations and orders covering sales of the commodity. If the price approved by the Office of Price Administration is less than that set forth in the quotations or orders, all such quotations and orders must be changed to the approved maximum price, and in the case of direct sales to the United States Government or an Allied Government, refunds must be made where the price collected exceeds the approved price.

SEC. 13. Revision of maximum prices—(a) When maximum prices may be revised. A maximum price established in accordance with the first, second, third, or fourth pricing method (sections 7, 8, 9, or 10) may at any time be revised by order (not to apply retroactively):

(1) To make it consistent with the level of maximum prices otherwise established by this regulation.

(2) To reflect savings in indirect costs realized by the manufacturer because of the introduction of the commodity so priced.

(b) *Who may revise maximum prices under this section.* Orders revising maximum prices under this section may be issued by the Price Administrator or by the duly authorized representative who approved or authorized the original maximum price.

SEC. 14. Resellers' maximum prices. In connection with the approval or revision of maximum prices for manufacturers under the first, second, third, or fourth pricing methods (section 7, 8, 9, or 10 above), the Office of Price Administration may issue orders fixing maximum prices for sales by resellers. To the extent that such orders are issued, this regulation supersedes the General Maximum Price Regulation with respect to maximum prices for such resellers.

SEC. 15. Notification to purchasers for resale of the manufacturer's maximum prices—(a) When notification must be given. Every manufacturer making sales of any commodity covered by this regulation must on or before the first delivery furnish a statement in writing containing the information set forth in (b) to:

(1) Each purchaser for resale of any commodity the maximum price for which must be determined in accordance with section 6.

(2) Each purchaser for resale of any commodity covered by this regulation (regardless of the section under which the maximum price thereof must be determined) to whom the manufacturer did not sell that commodity prior to July 30, 1945.

(b) *What the statement must contain.* The statement furnished to the purchaser for resale must contain the following:

(1) A description of the commodity and such additional information as may be necessary to identify the commodity on the manufacturer's pricing records and his invoices to purchasers for resale.

(2) The manufacturer's maximum price and terms and conditions of sale fixed for sales to that class of purchaser.

(3) The pricing method or section of the regulation under which the manufacturer's maximum price was established.

(4) Where approval of the maximum price by the Office of Price Administration is required, the date of such approval.

(5) Where authorization by the Office of Price Administration is required, the number of the order authorizing the maximum price and the effective date thereof.

ARTICLE III—ADJUSTMENT PROVISIONS

SEC. 16. Applications for adjustment—(a) Who may adjust maximum prices. The Office of Price Administration or any duly authorized representative thereof may adjust maximum prices for any of the commodities covered by this regulation as hereinafter provided.

(b) *Who may apply.* Any manufacturer of a commodity covered by this regulation may file an application for ad-

justment in his maximum prices (setting forth the information required by the form in section 30, in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration) where:

(1) His supply of the commodity could not be replaced if he discontinued production; or

(2) His supply could be replaced only at a price equal to or higher than the requested adjusted maximum price.

(c) *Amount of adjustment.* The adjustment will not be greater than the following:

(1) An amount sufficient to make the adjusted price equal to manufacturing cost, plus packing cost and shipping cost where delivered prices are quoted or freight is allowed or equalized, where the applicant's current over-all earnings on an annual basis represent an increase of 15 percent or more over his average annual net earnings for the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(2) An amount sufficient to make the adjusted price equal to total cost, where the applicant's current over-all earnings on an annual basis do not exceed by 15 percent but are not appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(3) An amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit on the article or line where the applicant's current over-all earnings on an annual basis are appreciably less than his average annual over-all earnings during the base period years 1936 to 1939, inclusive, adjusted for changes in net worth.

(4) In no event shall an adjustment granted a multiple line producer under subparagraphs (2) and (3) be greater than the total amount necessary to make current over-all earnings equal to 115 percent of base period over-all earnings except that any such adjustment shall at least cover manufacturing cost plus packing cost, and shipping cost where delivered prices are quoted or freight is allowed or equalized. Moreover, where such adjustment includes a reasonable profit on a product or line, the total amount of adjustment shall not be greater than that necessary to make current over-all earnings equal to base period over-all earnings.

(5) Any adjustment granted a manufacturer under paragraph (b) (2) above on the ground that the loss of his production would force his customers to resort to higher priced sources of supply, shall not exceed the amount permitted under subparagraphs (1) to (4), inclusive, and shall be further limited to an amount equal to the difference between his existing maximum price and the selling price of the next higher competitive seller able to supply the applicant's customers.

(6) If the applicant produces the commodity in a line or series of sizes, meshes or specifications, and if it is not practical to determine the manufacturing cost or total cost, as the case may be, of each size, mesh or specification, a uniform adjustment may be made for the entire line

or series. However, any such adjustment for a line or series shall be subject to the limitations in subparagraphs (1) to (5), inclusive, above.

(d) *Meaning of terms used.* In cases where the company was not in business during 1936-1939 and in extremely unusual cases where the period 1936-1939 cannot be considered a representative peacetime period, the Office of Price Administration may make an exception to the use of this base period.

The term "manufacturing cost" means the total of direct materials, direct labor, and manufacturing expenses or factory overhead, applicable to the article.

The term "total cost" means the total of manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding non-operating expense items and income and excess profits taxes.

The term "over-all earnings" means net profits before income and excess profits taxes experienced on the company's entire operations.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead items included in "manufacturing cost" and "total cost" may be adjusted to reasonable levels based upon a normal rate of operations.

In evaluating costs, the Office of Price Administration will give consideration to whether they are based on a representative period of normal production.

(e) *Adjustment in resale prices.* In connection with any order granting an adjustment in the manufacturer's price the Office of Price Administration may also adjust the maximum price of any person who resells the article in the same form, to the extent deemed necessary in the judgment of the Price Administrator or his duly authorized representative. To the extent that such an adjustment may be made, this section supersedes the appropriate provisions of the General Maximum Price Regulation.

(f) *Where to apply for an adjustment.* (1) A manufacturer whose total sales exceed \$200,000 for his most recently completed fiscal or calendar year, or whose total sales are estimated to exceed \$200,000 for his current fiscal or calendar year shall file an application for adjustment under this section with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C.

(2) A manufacturer whose total sales do not exceed the amount described above shall file an application for adjustment under this section with the Regional Office of the Office of Price Administration in the region in which is located his principal place of business.

(3) Each Regional Administrator, or any District Director so authorized by the appropriate Regional Administrator, is hereby authorized to act upon, and by order, grant or deny, in whole or in part, an application filed by an applicant whose principal place of business is located in his region or district, irrespective of the location of the applicant's producing facilities. Each Regional Administrator or District Director in grant-

ing an adjustment to a manufacturer is authorized to adjust the maximum prices of the resellers of the commodity, within all regions.

SEC. 17. *Local area adjustments*—(a) *When adjustments may be made.* The Office of Price Administration or any duly authorized representative may make adjustments in the maximum prices of any commodity listed in paragraph (b) of this section, applicable to all manufacturers of such commodity within a particular community or a defined area, where

(1) All the manufacturers affected by the adjustment order sell within a limited trading area at substantially the same selling prices; and

(2) It appears that in general the maximum prices of such manufacturers are such that their production is impeded or threatened and that it is not practicable to remove that impediment or threat by individual adjustment.

(b) *Commodities covered.* Adjustments under this section may be made for the following commodities:

(1) Concrete products.

(2) Ready-mixed concrete.

(3) Sand, gravel and crushed stone.

(4) Structural clay products.

(c) *Limitations on adjustments.* Adjustments under this section shall be made only when generally necessary to maintain supply in the particular community or defined area, and shall be limited to the amount necessary to enable manufacturers of that commodity in that community or area generally to supply the commodity. To the extent practicable, the factors and limitations set forth in section 16 shall be considered in making adjustments under this section. In appropriate cases, compensatory decreases in other maximum prices may be required where some maximum prices are increased.

(d) *Issuance of orders.* The Price Administrator, or any Regional Administrator in whose region the particular community or defined area is located, may issue orders under this section, and in connection with such adjustments for manufacturers, may in appropriate cases adjust maximum prices for resellers of the commodity in that community or area. Applications for area adjustments under this section shall be filed with the Regional Office of the Office of Price Administration for the Region in which the particular community or defined area is located.

SEC. 18. *Government contracts.* Any person who has entered into or proposes to enter into a government contract or a subcontract under any such contract, who believes that a maximum price established by this regulation impedes or threatens to impede production of a commodity which is essential to the war program and which is, or will be, the subject of such contract or subcontract, may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6, issued by the Office of Price Administration.

SEC. 19. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum

price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price. The authorization will be given by order.

ARTICLE IV—MISCELLANEOUS PROVISIONS

SEC. 20. Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after the effective date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 21. Records and statements. Every manufacturer making sales of any commodity covered by this regulation in an amount of \$200 or more in any one calendar month must comply with the following provisions for keeping price records and for maintaining statements of maximum prices.

(a) *Records.* Each such manufacturer must preserve for examination by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following:

(1) All his records regarding his prices and pricing methods for commodities delivered or offered for delivery during March 1942.

(2) Records relating to the prices he charged for such commodities as he sold after March 1942 showing as precisely as possible the basis upon which he determined maximum prices for those commodities, including copies of his correspondence with the Office of Price Administration and the letters and orders he received from the Office of Price Administration relating to such maximum prices.

(3) Records relating to sales made after the effective date of this regulation of commodities covered by this regulation, showing for each such sale, the date thereof, the name and address of the purchaser, the quantity sold and the price charged.

(b) *Statements of maximum prices.* (1) Each such manufacturer must prepare and keep for examination by any person during ordinary business hours, a statement showing:

(i) His maximum prices to purchasers of each class of every commodity covered by this regulation which he sells or offers for sale.

(ii) An adequate description of each such commodity.

(iii) All of his customary allowances, discounts and other price differentials.

(2) The manufacturer must prepare this statement within 30 days of the date that his maximum price for a commodity is first established under this regulation. If he has previously prepared a statement of maximum prices under the General Maximum Price Regulation or Maximum Price Regulation 188, and his maximum prices have not changed under this regulation, he need not prepare another statement. The manufacturer must also prepare an appropriate supplement to the statement within 10 days after any change in his maximum price is authorized by the Office of Price Administration.

(3) Any manufacturer who claims that substantial injury would result to him from making such statement available to any other person may file it with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this regulation.

SEC. 22. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 23. Regional pricing orders. (a) Each Regional Administrator of the Office of Price Administration is authorized to issue and put into effect orders establishing manufacturers' maximum prices for commodities covered by this regulation applicable to a particular community or a defined area. In connection with the issuance of such orders fixing maximum prices for manufacturers, each Regional Administrator may also fix the maximum prices for all resellers of such commodities in the particular community or defined area. Regional orders under this section shall supersede other sections of this regulation to the extent provided in such orders. Such orders shall have the same force and effect as if issued by the Price Administrator. To the extent that such orders fix maximum prices for resellers, this section supersedes the General Maximum Price Regulation.

(b) Regional Administrators shall observe the following standards in issuing orders under this section.

(1) Maximum prices shall be set forth in dollars-and-cents amounts unless this

shall clearly appear to be impractical or inappropriate.

(2) Maximum prices thus set forth shall not exceed the general level of prices as fixed by this regulation.

(c) Orders issued under this section shall be filed with the Division of the Federal Register.

SEC. 24. Enforcement. (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) If a manufacturer fails to keep the records required by Section 21 or if such records are incorrect, or if he fails to report proposed maximum prices where required to do so, the Office of Price Administration may issue an order establishing maximum prices for his sales of commodities covered by this regulation which are consistent with the level of prices fixed by this regulation. The issuance of any such order will not relieve the manufacturer of his obligations to comply with the record keeping and reporting requirements of this regulation, or of the various penalties for any failure to do so.

SEC. 25. Modification of provisions of this regulation. The provisions of Maximum Price Regulation No. 592, as applied to the commodities subject thereto may be modified by order under this section.

SEC. 26. Petitions for amendment. Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 27. Federal and State Taxes. Any tax upon, or incident to, the sale or delivery of any of the commodities covered by this regulation, imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That for purposes of determining the applicable maximum price of any product covered by this regulation, the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

ARTICLE V—LIST OF COMMODITIES; AND FORMS

SEC. 28. Commodities covered by this regulation.

- Acoustical products and accessories.
- Aggregates, concrete and masonry:
 - Sand.
 - Gravel.
 - Crushed stone.
 - Other; natural, by-product, and processed.
- Asbestos-cement products (except as covered by MPR 466):
 - Shingles and accessories.
 - Siding and accessories.
 - Flat sheets and accessories.
 - Corrugated sheets and accessories.
 - Wallboard and accessories.
 - Tileboard and accessories.
 - Insulating asbestos-cement board and accessories.
 - Asbestos-cement pipe.
 - Electrical.
- Asphaltic concrete and bituminous paving mixes.
- Asphaltic concrete products.
- Asphalt floor tiles (and accessories) (except as covered by MPR 276).
- Asphalt and tarred roofing products (except as covered by RPS 45):
 - Roll roofing.
 - Siding (asphalt felt base).
 - Shingles (asphalt).
 - Roof coatings and cement.
 - Emulsified asphalt (building materials).
 - Asphalt and tarred felts.
 - Slater's felts.
 - Asphalts and tarred saturated building papers.
- Bituminous coated steel sheets:
 - Flat.
 - Corrugated.
 - V-crimp.
- Chemical porcelain.
- Cinders.
- Clays, merchant: Fire, shale and common; crude and ground.
- Clay products, structural:
 - Building brick—common, face, floor, sewer and adobe; glazed, unglazed and vitrified.
 - Building tile—structural and facing; load-bearing and nonloadbearing; glazed and unglazed.
 - Clay mortar mix.
 - Conduit, filter block, liners, and underdrain.
 - Paving brick.
 - Structural terra cotta.
- Clay products, miscellaneous:
 - Drain tile.
 - Floor, quality, roofing and wall tile.
 - Chemical stoneware.
- Concrete products:
 - Masonry units—all size blocks, bricks, slabs and joists.
 - Precast—stone, terrazzo, art marble, and specialties.
 - Tile—floor, roofing and staves.
 - Tanks—septic, water, storage, laundry, and catch basins.
 - Pipe—sewer, water, culvert, drain and irrigation.
 - Posts—fence, piles, and cribbing.
 - Vaults—grave, mausoleum liners.
- Concrete, ready-mixed.

- Decorated tile board, synthetic fibre board:
 - Plain.
 - Tile.
 - Mouldings.
- Dimension and building stones:
 - Basalt and related stones.
 - Granite—building, ornamental and monumental.
 - Greenstone—interior, or exterior building, structural, ornamental, and monumental.
 - Limestone—building, ornamental, and monumental.
 - Marble—building, structural, and decorative slabs, grave vaults, ornamental and monumental.
 - Riprap.
 - Rough stone—rubble, cobble, field and flagging.
 - Sandstone—building, structural, ornamental, floor and flagging, (including blue-stone and brownstone).
 - Slate—structural, electrical, grave vaults, mausoleum, roofing, floor, and flagging.
 - Soapstone—interior or exterior building, structural, laboratory, chemical work, electrical, laundry, and kitchen sinks, ornamental and monumental.
- Glass products:
 - Plate (all types).
 - Window (all types).
 - Laminated.
 - Picture.
 - Rolled, figured, wired, and rolled heat absorbing (except as covered by MPR 175).
 - Colored sheet and opalescent.
 - Cathedral glass.
 - Structural and architectural.
 - Glass blocks.
 - Other glass insulation products.
- Gypsum:
 - Crude (except for agricultural purposes).
 - Calcined gypsum plasters (plain or formulated).
 - Calcined gypsum products.
 - Partition tile.
 - Partition tile mortar.
 - Structural shapes.
 - Metal bound roof plank.
 - Precast roof tile.
 - Poured gypsum roof deck materials.
- Gypsum board:
 - Wall board (Plain, decorated).
 - Lath:
 - Sheathing (plain, weatherproofed).
 - Liner board.
 - Tile board.
 - Joint systems.
 - Laminated (gypsum board only).
- Hard density synthetic fibre boards.
- Insulated brick or stone siding (and accessories).
- Insulation board (fibre and other):
 - Acoustical.
 - Industrial.
 - Plank and tile—natural and plain, colored and painted, textured, veneered.
 - Roof insulation.
 - Sheathing.
 - Wall board—natural and plain, colored and painted, textured, veneered.
- Laminated fibre boards.
- Laminated boards (combinations of any of the following products: Gypsum, fibre insulation, laminated fibre, hard-density, asbestos-cement and impregnated felt base products).

- Lime (except agricultural lime as covered by MPR 386):
 - Construction.
 - Metallurgical.
 - Chemical.
 - Plaster.
 - Ready-mixed mortar and putty.
- Metal lath and accessories.
- Magnesite floor materials.
- Monuments and memorials:
 - Granite.
 - Greenstone.
 - Limstone.
 - Marble.
 - Sandstone.
 - Soapstone.
- Mortar—Ready mixed.
- Pipe and boiler insulations:
 - Cellular.
 - Laminated.
 - Solid.
 - Asbestos rollboard.
 - Asbestos millboard.
 - Asbestos paper.
 - Mineral or glass wool.
 - 85% Magnesia, molded or cement.
 - High temperature, molded or cement.
- Pipe and Conduit Products (synthetic composition).
- Refractories:
 - Ganister rock.
 - Fireclay refractories.
 - Silica refractories.
 - Basic refractories (except as covered by MPR 416).
 - Special refractories.
 - High-temperature mortars.
- Sand, gravel, and crushed stone—industrial:
 - Sand: Raw, silica, glass and other melting sands, blasting, foundry, traction, grinding (except abrasive grain as covered by MPR 327), refractories and filter.
 - Gravel: Ballast, roofing and filter.
 - Crushed stone: Ballast, metallurgical and chemical.
- Sand lime brick.
- Slag.
- Stucco:
 - Exterior.
 - Interior.
- Talc (including steatite), pyrophyllite and ground soapstone:
 - Crude.
 - Ground.
- Talc crayons:
 - Natural sawed.
 - Pressed or extruded.
- Thermal insulations for buildings and industrial purposes (except as covered by MPR 544 and MPR 327):
 - Rigid.
 - Semi-rigid.
 - Loose.
 - Granulated.
- Vitrified clay sewer pipe and allied products (except as covered by RMPR 206):
 - Channel pipe, perforated and nonperforated.
 - Conduit, filter block, floor tile, liner plates, segment block, and underdrain.
 - Drain tile (pressed).
 - Flue lining, chimney pipe, and specials.
 - Meter boxes, septic tanks and wall copings.
 - Sewer pipe, perforated and non-perforated; bell spigot and butt joint.
 - Sewer pipe fittings and specials.

SEC. 29. Form for reporting maximum prices.

OPA Form Budget Bureau No. 08-R1284.1
678-2274

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

Report of Determination of Maximum
Prices for New Articles under sections 8, 9
and 10 of Maximum Price Regulation No. 592.

Name of firm.....
Address.....
Name of Article being priced.....

When this form should be used. Sections 7, 8, 9, and 10 of Maximum Price Regulation No. 592 provide maximum prices for new articles first offered for sale after the effective date of the regulation. Maximum prices must be determined in accordance with the first of the pricing methods specified which is applicable. Under the first pricing method (section 7), covering "minor changes" in an article, this form is not applicable. Reports shall be filed on this form for prices determined under the second, third, and fourth pricing methods (sections 8, 9, and 10). Note that under the second and third methods a price shall be deemed to be approved, unless contrary notification is received from the Office of Price Administration, within 20 days after the filing of the report or such additional information as may be required. A price shall not be in effect under the fourth method until an order prescribing a maximum price is issued by the Office of Price Administration.

Check pricing method to be used: Second method. Answer parts I and II.
 Third method. Answer parts I and III.
 Fourth method. Answer parts I and IV.

File this report in duplicate with the Building Materials Price Branch,
Office of Price Administration, Washington 25, D. C.

PART I—REQUESTED PRICES

Submit this information regardless of which method is used

(1) Describe article being priced.....

(2) If this article has been produced, indicate when production began.....

(3) Requested prices and discounts by class of customers to whom you wish to sell or by quantities sold. (Specify fully the prices, discounts, terms and charges requested for each class of customer to whom you intend to sell. If you will grant trade discounts supply the gross price and the trade discount. If cash discounts will be offered, specify the amount and terms. If quantity discounts are contemplated, specify the amount granted for each quantity. If you grant no discount write "None" in the applicable space. The price authorization will specify classes of customers and terms of sale in the light of information supplied in this section.)

Class or customer	Gross or list price	Trade discount	Cash discount		Quantity discount	
			Amount	Terms	Quantity	Discount
Jobber	\$				Less than	
Dealer					From	
					To	
Contractor					From	
					To	
Retailer					From	
					To	
Other (specify)					Unit of sale	

(4) Requested delivery practice (indicate whether f. o. b. plant, delivered, full freight allowed or partial freight allowance, if the latter specifying amounts).....

PART II—SECOND PRICING METHOD—LINE DIFFERENTIALS

A manufacturer who has established maximum prices for a line of commodities which reflect differentials in sizes, weight, mesh, specifications, or similar physical characteristics, in effect in March 1942, shall determine a maximum price to each class of purchaser for a new article on the basis of his established March 1942 method of calculating such price differentials. If additional space is needed, attach a supplementary sheet.

(1) Describe products in your line for which maximum prices have been established.....

(a).....	Maximum price of each product
(a).....	\$.....
(b).....
(c).....
(d).....

(2) Method under which differentials in your prices were computed in March 1942 and details of the application of this method to the computation of your requested price for your new item.....

(3) Conditions of sale applicable to your line (where the discounts and transportation practices heretofore established for sale of your line are identical with those listed in Part I in connection with your new article, write "same" in this space; where there are differences indicate in detail).....

PART III—THIRD PRICING METHOD—COMPETITIVE PRICE

If you cannot or need not price under the first or second pricing methods you shall use this method if you can price by comparison with similar articles sold by your closest competitor. The price to each class of purchaser shall be the maximum price, prior to any adjustment, of your most closely competitive seller of the same class for the same kind, grade, quality, and quantity of the commodity to a purchaser of the same class, f. o. b. the point of production. If comparison is made with articles sold by more than one competitor, submit information, identical with that requested below, for other sellers on a supplementary sheet.

Supply the following information for a similar article manufactured by your closest competitor of the same class:

- (1) Name of competitive manufacturer.....
- Address—Number and street.....
- City and State.....
- (2) Physical Description of Competitive Article.....

(3) Where available, the maximum price, f. o. b. plant, prior to any adjustment, and conditions of sale applicable to competitive article (set forth here the same kind of information relating to your competitor's price, discounts and transportation practices as is required in Part I in connection with your new article; note that the price reported should not include any adjustment which may have been permitted by the OPA).....

(4) Reasons why you consider competitive seller to be of the same class.....

(5) Your expected volume of production during first three months of operation.....

PART IV—FOURTH PRICING METHOD—COSTS

The fourth pricing method is usually applicable only when the first three pricing methods cannot be used. Check your reasons for not pricing under other pricing methods of this regulation:

New business started on....., 194.., and you cannot price on a competitive basis.

In business in March 1942 but you have no March 1942 method of calculating price differentials and you cannot price on a competitive basis.

Other (specify and explain).....

The OPA will try to establish a price for you by studying your unit direct labor and direct material costs. The following questions relate to unit cost data for your new article and for an article produced by you which is comparable to your new article, if you produce such an article. A comparable article is one which has the same general use as the article being priced and is recognized in the industry as being of the same general type of product even though different materials and construction are used. The comparable article used must be the one in your line whose unit direct material and direct labor cost is closest to that of the new article. Costs shall be computed for both the new article and the comparable article in accordance with current conditions as of the same time. Costs of material must be based upon prices which are not in excess of those permitted by the applicable OPA regulations. Wage rates must be approved by the War Labor Board, where such approval is necessary.

(1) Are current unit costs based upon: (Check one)

Actual production records—Unit production upon which costs are based.....

Estimates. If estimates are employed, explain basis.....

(2) Specify production unit used in this calculation (per 1,000, cubic yard, ton, etc.).....

(3) Current direct materials and direct labor cost (excluding overtime) on new article being priced:

Major materials used	Your cost		Quantity used per unit of product	Cost per unit of product
	Dollars	Unit		
(a).....	\$.....	\$.....
(b).....
(c).....
(d).....
(e).....
(f) All other direct materials in addition to those listed above.....
Total unit direct material cost.....
Total unit direct labor cost.....
Total unit direct material and labor cost.....

(4) Current direct material and direct labor cost (excluding overtime) on comparable article, if any:

Major materials used	Your cost		Quantity used per unit of product	Cost per unit of product
	Dollars	Unit		
(a).....	\$.....	\$.....
(b).....
(c).....
(d).....
(e).....
(f) All other direct materials in addition to those listed above.....
Total unit direct material cost.....
Total unit direct labor cost.....
Total unit direct material and labor cost.....
Maximum selling price prior to any adjustment of comparable article.....

(5) Indicate class of purchaser to which the above "comparable article" price applies and all discounts and allowances permitted and transportation practices followed on the sale of this commodity.....

(6) Indicate differentials from the "comparable article" price applicable in the sale to other classes of purchasers.....

(7) If an increase in the maximum selling price of this "comparable article" has been permitted by the Office of Price Administration, identify order granting increase.....

(8) Physical description of your comparable article.....

If you have a comparable article whose unit direct labor and direct material cost is within 25 percent of such cost on the new article and have furnished the information called for above, you may omit the following information. Otherwise, the following information should be supplied.

(9) Indirect cost per unit of new article.

Type of expense	Amount per unit	Explain basis of allocation
Factory overhead.....	\$.....
Selling.....
Administrative and General.....
Other (specify).....
Total.....

(10) Total unit cost to make and sell on your new article (summation of your unit direct material and labor cost and your indirect cost per unit) \$.....
 (11) Profit and loss statement. These data should cover your entire operations for your most recent annual period. If such data are no longer representative of current operations, a shorter period should also be submitted of at least three months duration. Indicate period used. If this information has been previously supplied to the Office of Price Administration check If so, you are not required to file again.

1. Gross sales..... \$.....
2. Less: Returns and allowances, including freight.....
3. Net sales.....
4. Cost of goods sold.....
 - A. Direct materials used..... \$.....
 - B. Direct labor.....
 - C. Factory overhead.....
 - D. Net change in work in process and finished inventories.....
 - E. Cost of goods sold.....
5. Gross profit.....
6. Selling expense..... \$.....
7. Administrative and general expenses.....
8. Total selling, administrative, and general expenses.....
9. Net operating profit.....
10. Other income and other expense—Net.....
11. Net profit before provision for income and excess profits taxes.....

I certify that the information contained herein is correct to the best of my knowledge.
 Sign here.....

Name Title Date

SEC. 30. Form for applications for adjustment.

OPA Form 678-2275	Approval waived by the Budget Bureau	Name of Firm..... Address.....
UNITED STATES OF AMERICA		
OFFICE OF PRICE ADMINISTRATION		
Application For Adjustment of Maximum Prices for Construction Materials and Refractories Under section 16 of Maximum Price Regulation No. 592.		
<p><i>Where to Apply:</i> If your total sales for all commodities for your most recently completed calendar or fiscal year exceed \$200,000 or if such total sales for your current fiscal or calendar year are estimated as likely to exceed \$200,000, your application must be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C. If your total sales on the same basis as above are less than \$200,000 you must file with the Regional Office of the Office of Price Administration in which is located your principal place of business.</p>		

Supply the following facts to the Office of Price Administration in support of your application:

PART I

1. General description of your company's business.
2. Designate and describe the commodities for which increases in price are requested.

Effective date. This regulation shall become effective July 30, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of sections 16 and 17 of this regulation are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13375; Filed, July 23, 1945; 11:41 a. m.]

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

[RPS 32, Amdt. 22]

A statement of the considerations involved in the issuance of this amendment

19 F.R. 3331, 5482, 7261, 8061, 9616, 11504, 13056; 10 F.R. 619, 1545.

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

Revised Price Schedule No. 32 is amended in the following respects:

1. In § 1347.61, Appendix A (a) the following items are added to the pricing table:

	Maximum price per ton		
	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
Greyback gypsum linerboard (filled news or news vat lined) hard sized, f. o. b. mill.....	\$58.00	\$58.00	\$58.00
Gypsum lathboard (filled news or news vat lined) hard sized, f. o. b. mill.....	55.50	55.50	55.50

2. In § 1347.61, Appendix A (b) the following item is added to the pricing table:

	Maximum price per ton		
	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
Cream faced gypsum linerboard (single Manila lined) hard sized, f. o. b. mill.....	\$68	\$66	\$68

3. Itemize the price increases requested, showing present and requested maximum prices, together with terms and conditions of sale.

4. Present any evidence you may possess showing either:
 (a) Your supply of the commodity could not be replaced if you discontinued production; or
 (b) Your supply could be replaced only at a price equal to or higher than the requested adjusted price.

5. Indicate whether products similar to that upon which adjustment is requested are manufactured by competitors in your region. If so, give names and addresses of competitors and, where available, their prices for such products.

6. If an increase in your maximum price is approved, indicate whether the increase will be absorbed by purchasers of your products. If not, describe subsequent distributive levels and such knowledge as you have of margins over cost in the resale of your product. Attach a list of 5 of your customers who purchase for resale the products upon which an increase is requested.

PART II

Important. If you have submitted any of the following information on OPA Financial Reporting Forms A and B for certain periods or have furnished same on any other OPA questionnaire, you may omit these periods in your present report.

1. Regularly prepared balance sheets, statements of profit and loss, and analysis of surplus reflecting total company operations for the fiscal years 1936-1939, inclusive. (NOTE: The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should you prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.)

2. Statements of profit and loss reflecting entire company operations for the fiscal years 1941, 1943, succeeding years, and for the latest available accounting period. These statements should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses.

3. Where you produce and sell products other than those upon which adjustments are requested: Statements of profit and loss for the fiscal years 1941, 1943, succeeding years, and for the latest available accounting period reflecting the operations of each plant of the company where the products for which adjustments are requested are produced. These statements must clearly indicate by segregation the production cost of such products and other operations conducted at the plant and should include a complete breakdown of the cost of goods produced and sold and of selling, administrative and general expenses. The basis used in all allocations made to the products under review should be explained.

4. A statement of the total volume of production and total volume of sales for the products for which adjustments are requested for each of the periods mentioned in (3) above. The volume should be stated in the units of measurement customarily used in your particular industry, and should show unit quantities applicable to all inventory adjustments with a complete reconciliation between units produced and units sold.

5. Balance sheets as of the close of the fiscal years 1941, 1943, succeeding years, and at the close of business for the latest available accounting period together with analyses of the changes in surplus.

6. Where measurable increases in costs (e. g. War Labor Board approval of increased wages or an advance in the price paid for fuel) have occurred during your latest accounting period or subsequent thereto, such increases may be given consideration. Compute in detail the additional increase in your costs, above the costs reported in the latest accounting period, which would have been incurred if the increase had been in effect since the first day of your latest accounting period.

I certify that the information contained herein is correct to the best of my knowledge.
 Sign here.....

Name Title Date

3. Section 1347.61, Appendix A (h) is amended to read as follows:

(h) **Delivered prices.** Unless otherwise indicated in this Section, all of the above maximum prices are for the respective grades or tonnages delivered to the purchaser's plant actually using the paperboard. The maximum prices set forth in this Appendix shall include all transportation costs involved, except as provided in paragraph (i) below, regardless of whether such transportation costs are paid by the seller, by the purchaser, or prorated between purchaser and seller. Billing may be f. o. b. point of shipment with freight allowed.

4. Section 1347.62, Appendix B (a) is amended to read as follows:

(a) Liners—0.016.	Price per M square feet
0.016—56-68 lb. Jute—100 lb. test and over.....	\$2.21
0.016—56-68 lb. Jute—85 lb. to less than 100 lb. test.....	2.11
0.016—56-68 lb. Jute—70 lb. to less than 85 lb. test.....	1.90
0.016—56-68 lb. Jute—Nontest per ton.....	59.50
0.016—42 lb. Fourdrinier Kraft—100 lb. test.....	\$1.32
0.016—47 lb. Fourdrinier Kraft—105 lb. test.....	1.48
0.016—50 lb. Fourdrinier Kraft—110 lb. test.....	1.58
0.016—52 lb. Fourdrinier Kraft—110 lb. test.....	1.64
0.016—52-58 lb. Cylinder Kraft—100 lb. test.....	1.82
0.016—56 lb. Fourdrinier Kraft—115 lb. test.....	1.90

5. Section 1347.62, Appendix B (b) is amended to read as follows:

(b) *Liners heavier than 0.016.*

	<i>Price per M square feet</i>
0.030—95—110 lb. Jute—135 lb. test and over	\$3.46
0.030—95—110 lb. Jute—less than 135 lb. test per ton	59.50
0.023—72 lb. Fourdrinier Kraft—135 lb. test	2.27
0.030—90 lb. Fourdrinier Kraft—140 lb. test	2.84
0.030—90—104 lb. Cylinder Kraft—135 lb. test	2.88
0.030—90—106 lb. Cylinder Kraft—150 lb. test	3.00
0.030—90—106 lb. Cylinder Kraft—170 lb. test	3.12

This amendment shall become effective July 24, 1945.

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

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13379; Filed, July 23, 1945; 11:48 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

STOVES

[RO 9A, Amdt. 24]

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order 9A is amended in the following respects:

1. Section 4.5 is added as follows:

SEC. 4.5 *Manufacturers may test stoves.* (a) A manufacturer who desires to make tests of stoves he has manufactured by placing them in the premises of consumers without requiring the surrender of certificates may do so under the following conditions:

(1) The application must be made in writing to the Washington Office and must state the number of stoves to be tested, describing them and giving the names and addresses of the consumers in whose premises the stoves are to be tested, the length of time each will be used and in the case of oil stoves that each such consumer in the area where fuel oil is rationed, has or is eligible for a fuel oil ration, under Revised Ration Order 11, for the purpose for which the stove he will test is to be used.

(2) The applicant must agree that the stoves will remain his property and that he will recover the stoves at the end of the agreed testing period and that, for the purpose of a subsequent transfer by him of any such stoves, the testing use by the consumers will not constitute the stoves used stoves even though the consumer's possession exceeds 60 days.

(3) If the stoves to be tested are oil stoves and they are to be tested in the area where fuel oil is rationed, only consumers who have oil rations for the purpose for which the stoves to be tested are

to be used (or who are eligible for such rations under Revised Ration Order 11) may be selected for testing such stoves.

(b) The Washington Office may authorize the applicant to transfer such number and types of stoves for testing as it may deem proper. Upon receipt of such authorization, the applicant may, subject to the conditions of paragraph (a) (2), transfer a stove of the type authorized to so many of the consumers specified in the application as the number of stoves authorized will permit. No certificate need be surrendered for such transfer; nor for the transfer from the consumer to the manufacturer when he repossesses the stove.

(c) The manufacturer shall report to the Washington Office, when he recovers possession of a stove placed for testing, the date of repossession and the name and address of the consumer from whom he repossessed the stove.

This amendment shall become effective on July 27, 1945.

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

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13380; Filed, July 23, 1945; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, 1 Incl. Amdts. 1-65]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMERS' GOODS OTHER THAN APPAREL^{1a}

This compilation of Maximum Price Regulation 188 includes Amendment 65, effective July 30, 1945. Text amended by Amendment 65 is underscored. Deletions and redesignations are indicated by notes.

The General Maximum Price Regulation² provides, in general, that commodities sold by a manufacturer shall be priced at the price of a same or similar article sold during March, 1942; and lacking the price of a same or similar article, at a price to be determined by the seller after specific authorization by the Office of Price Administration in advance of the offering of the commodity for sale.

In the case of a considerable list of consumers' goods at the manufacturers' level, so many new articles which are not "similar" to an already sold article within the meaning of the General Maximum Price Regulation are customarily offered for sale as unnecessarily to retard manufacturers in their pricing.

This Maximum Price Regulation No. 188, accordingly, sets forth for these manufacturers a different procedure than that used in the General Maximum Price Regulation, although the base date thereof is preserved. By eliminating pricing by the price of a similar

article, it limits the number of articles which may be priced at the maximum price of another article. But in the pricing of most new articles the manufacturer may follow self-executing pricing methods which obviate advance resort to this office.

In the judgment of the Price Administrator, the maximum prices established by this regulation are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942, and to adjust the provisions of the General Maximum Price Regulation to the particular circumstances of manufacturers of consumers' goods.

The statement of considerations involved in the issuance of this Maximum Price Regulation No. 188 is issued simultaneously herewith and has been filed with the Division of the Federal Register.³

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,⁴ issued by the Office of Price Administration, Maximum Price Regulation No. 188 is hereby issued.

Sec.	
1499.151	Applicability of the General Maximum Price Regulation.
1499.152	Prohibition against dealing in certain articles of consumers' goods above maximum prices.
1499.153	Maximum prices for articles of consumers' goods finally priced before August 1, 1942.
1499.154	Maximum prices for articles of consumers' goods not finally priced before August 1, 1942.
1499.155	First pricing method: minor changes.
1499.156	Second pricing method: changes necessitated by shortages of materials or parts.
1499.157	Third pricing method: pricing by comparable articles.
1499.158	Fourth pricing method: specific authorization by the Office of Price Administration.
1499.158a	Delegation of authority.
1499.159	Price differentials and economies effected by new or changed articles.
1499.159a	Classification of purchasers in sales to the United States Government and Allied Governments.
1499.159b	Modification of provisions of Maximum Price Regulation No. 188.
1499.159c	Revision of maximum prices reported or approved under the second and third pricing methods.
1499.159d	Catalogues, price lists, and notifications to the trade.
1499.160	Evasion.
1499.161	Applications for adjustment and petitions for amendment.
1499.162	Enforcement.
1499.162a	Licensing.
1499.163	Definitions.
1499.164	Geographical applicability.
1499.165	Effective date.
1499.166	Appendix A: Articles covered by the regulation.
1499.167	Appendix B.

AUTHORITY: §§ 1499.151 to 1499.167, inclusive, issued under 56 Stat. 23, 765; 57 Stat.

¹ Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

⁴ Revised: 9 F.R. 10476, 13715.

^{1a} 9 F.R. 8232.

² All references to building materials deleted by Am. 65.

³ 9 F.R. 1335, 5169, 6106, 8150, 10193, 11274.

⁴ 8 F.R. 11564.

566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1499.151 *Applicability of the General Maximum Price Regulation.* The provisions of §§ 1499.1 to 1499.3, inclusive, and § 1499.18, of the General Maximum Price Regulation shall not apply to sales or deliveries by manufacturers of certain consumers' goods set forth in § 1499.166, Appendix A, of this Maximum Price Regulation No. 188. All other sections of the General Maximum Price Regulation, together with existing and subsequent amendments and supplementary regulations, shall apply to sales and deliveries by such manufacturers, and are hereby incorporated by reference into this Maximum Price Regulation No. 188.

[§ 1499.151 amended by Am. 2, 7 F.R. 8943, effective 11-4-42]

§ 1499.152 *Prohibition against dealing in certain articles of consumers' goods above maximum prices.* (a) On and after August 1, 1942, regardless of any contract or other obligation:

(1) No manufacturer of an article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 shall sell or deliver such article at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188; and

[Subparagraph (1) amended by Am. 4, 8 F.R. 537, effective 1-18-43]

(2) No person in the course of trade or business shall buy or receive any such article from a manufacturer at a price higher than the maximum price permitted by this Maximum Price Regulation No. 188:

Provided, That in the case of articles for which a maximum price has been established under §§ 1499.156 or 1499.157 of this Maximum Price Regulation No. 188, if the purchaser shall receive from the seller a written affirmation that the seller has calculated the maximum price for the article in accordance with § 1499.156 or § 1499.157 and has filed a report with the Office of Price Administration and complied with the waiting provisions of § 1499.156 or § 1499.157 and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, and provided the price paid is not in excess of the maximum price as affirmed by the seller, the purchaser shall have complied with this section.

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 188 or by the Emergency Price Control Act of 1942.

(c) On and after August 1, 1942, no manufacturer shall sell (including an offer for sale) or deliver any article set forth in Appendix A (§ 1499.166) of this Maximum Price Regulation No. 188 for which a maximum price must be deter-

mined under §§ 1499.156, 1499.157, or 1499.158 until he has complied with the reporting and waiting provisions of the applicable one of those three sections.

§ 1499.153 *Maximum prices for articles of consumers' goods finally priced before August 1, 1942*—(a) *Articles priced in March 1942.* The maximum price for any article which was delivered or offered for delivery in March 1942, by the manufacturer, shall be the highest price charged by the manufacturer during March 1942 (as defined in § 1499.163), for the article.

(b) *Articles priced on and after April 1, 1942, and before August 1, 1942.* (1) The maximum price for any article listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 as originally issued on July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or No. 5 or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before August 1, 1942 (or which was offered for sale to the United States or an Allied government before September 1, 1942) shall be the price so determined.

(2) The maximum price for any article first listed in § 1499.166, Appendix A of this Maximum Price Regulation No. 188 by an amendment to Maximum Price Regulation No. 188, issued after July 29, 1942, which was not delivered or offered for delivery in March 1942 by the manufacturer but for which a maximum price was finally determined in accordance with the provisions of the General Maximum Price Regulation, Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration and which was offered for sale before the effective date of the amendment first listing such commodity shall be the price so determined.

(c) *Reports of maximum prices.* On or before August 20, 1942 (or in the case of sales to the United States Government on or before November 1, 1942), the manufacturer shall report to the Office of Price Administration, Washington, D. C., all maximum prices determined under paragraph (b) (1) of this section which have not already been reported in accordance with the provisions of the General Maximum Price Regulation or Temporary Maximum Price Regulation No. 3 or 5, or any other maximum price regulation issued by the Office of Price Administration. Such reports shall contain a description of the articles and shall indicate the method of determining the maximum prices. All such maximum prices shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

No reports need be filed with respect to maximum prices determined under paragraph (b) (2) of this section.

[Paragraphs (b) and (c) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 4, 8 F.R. 587, effective 1-18-43]

§ 1499.154 *Maximum prices for articles of consumers' goods not finally priced before August 1, 1942.* This section shall apply to articles first offered for sale before August 1, 1942, for which no maximum price was finally determined, and to all articles first offered for sale on or after August 1, 1942.

The maximum price for any such article shall be the price determined by the first one of the four methods set forth in §§ 1499.155, 1499.156, 1499.157, and 1499.158 which applies to the article.

§ 1499.155 *First pricing method: minor changes.* The maximum price of any article differing from any article for which a maximum price has already been established, only by reason of minor changes in material, design, or construction which do not reduce cost of materials or prevent its offering fairly equivalent serviceability shall be the maximum price of the article already priced.

§ 1499.156 *Second pricing method: changes necessitated by shortages of materials or parts*—(a) *Maximum prices.* The maximum price of any article which cannot be priced under § 1499.155 and which differs from an article for which a maximum price has already been established, only because of changes necessitated by shortage of materials or parts used in the original article, shall be the maximum price of the original article adjusted by adding or subtracting the increase or decrease in unit direct cost resulting from the changes.

In calculating unit direct cost for the original article, the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for comparable articles. In calculating unit direct cost for the changed article the manufacturer shall compute on the basis of the wage rates, material prices, and operating conditions provided in paragraph (b) of § 1499.157 for the article being priced.

(b) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the original and of the changed article, a detailed explanation of the changes made (including any innovation in manufacturing process) and the reasons therefor, details of the computation of unit direct cost and of the maximum price.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer

for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(2) *Articles first offered for sale during August 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5649, effective 5-21-45]

(3) *Articles first offered for sale on or after September 1, 1942.* Except as provided in the next paragraph of this subparagraph (3), in the case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in (1) prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price to such government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. The manufacturer shall submit the report required in (1) ten days after the formation of the contract. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration, the reported maximum price shall stand approved.

[Subparagraph (3) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 54, 10 F.R. 5649, effective 5-21-45]

§ 1499.157 *Third pricing method: pricing by comparable articles.* The maximum price of any article which cannot be priced under § 1499.155 or § 1499.156 and which is comparable to any article produced by the manufacturer for which a maximum price has already been established, shall be the price derived by the pricing formula set forth in this section.

[Above paragraph amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

NOTE. The meaning of certain terms used in this section is further explained in subse-

quent provisions of the section. The terms so explained are in quotation marks the first time that they appear in the text.

(a) *Pricing formula.* To establish a maximum price the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select from his line of "comparable articles" for which maximum prices have already been established, two comparable articles: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If a comparable article has the same unit direct cost as the article being priced, it shall

(Example of the above computation)

Unit direct cost of article being priced = \$9.00

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar mark-up for each such article	Average percentage mark-up for such articles
\$10.00 7.00	\$14.00 9.00	\$4.00 2.00	\$23.00 (Sum of maximum prices). -17.00 (Sum of unit direct costs).
17.00	23.00	6.00 ÷ 2 = \$3.00	6.00 ÷ \$17.00 = 35.3%

Unit direct cost + average percentage mark-up = \$9.00 + \$3.18 = \$12.18.

Unit direct cost + average dollar mark-up = \$9.00 + \$3.00 = \$12.00.

Maximum selling price of article being priced (the lower of above two sums) = \$12.00.

In applying the formula, the manufacturer shall determine the class of purchaser to which he expects to sell the largest volume of the article being priced. In calculating the mark-up over unit direct cost for the comparable articles selected he shall use the maximum prices for such articles applicable to the same class of purchaser as that determined for the article being priced. If a comparable article does not have such a maximum price, he shall make appropriate adjustments of his established maximum price for the comparable article to obtain such a maximum price. The maximum price derived by the formula for the article being priced shall be the maximum price applicable to such largest volume class of purchaser. It shall be adjusted for other classes of purchasers according to § 1499.159.

(b) *Computation of unit direct cost.* To establish the unit direct cost of the comparable articles and of the article being priced, the manufacturer shall compute the cost per unit of direct labor and materials on the basis of the following wage rates, material prices, and operating conditions:

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March 1942, for each class of labor involved in the production of the article. If the manufacturer did not employ a given class of labor in March 1942, he shall use the highest wage rate paid for any substantial portion of March 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(2) *Material prices — (i) Comparable articles.* If a comparable article was priced and offered for sale before August 1, 1942, the price of any material used in it shall be the highest price charged

be selected in addition to the comparable articles immediately above and below. If all comparable articles are either above or below, the one closest in unit direct cost shall be selected.

[Subparagraph (2) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(3) Determine both the average percentage and the average dollar mark-up over unit direct cost for the comparable articles selected.

(4) Apply to the unit direct cost of the article being priced either the average percentage or the average dollar mark-up, whichever will yield the lower price. The resulting price shall be the maximum price.

during March 1942 (as defined in § 1499.163) by the "manufacturer's supplier."

If the comparable article was priced and first offered for sale on or after August 1, 1942, the price of any material used in it shall be computed as above, unless (a) the Office of Price Administration has established a lower maximum price for the sale of the materials to the manufacturer by his supplier, and (b) such lower price was used in calculating the maximum selling price for the comparable article (under § 1499.156 or of this section); in that event such lower price shall be the price of the material.

(i) *Articles being priced.* The price of any material used in the article being priced shall be the highest price charged during March 1942 (as defined in § 1499.163) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of the material to the manufacturer by his supplier, such lower price shall govern. Material prices must be based on purchases in comparable quantities from the same or corresponding class of supplier as for the comparable articles.

[Subparagraph (ii) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(iii) *Manufacturer's supplier.* The manufacturer's supplier shall be (a) his March 1942, supplier of the material, or (b) lacking a March 1942 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier.

(3) *Operating conditions.* Using the wage rates and material prices determined under (1) and (2), the manufacturer shall compute the cost per unit of direct labor and materials for an article according to the methods customarily employed by him in computing his

cost. He shall compute this cost on the basis of the same productive techniques, the same labor efficiency and the same volume of production for the comparable articles as for the article being priced.

[Subparagraph (3) amended by Am. 53, 10 F.R. 4107, effective 4-21-45]

(c) *Computation of mark-up*—(1) *Percentage.* The average percentage mark-up over unit direct costs shall be calculated by computing the percentage mark-up between the sum of the unit direct costs and the sum of the maximum prices of the comparable articles selected.

(2) *Dollar mark-up.* The average dollar mark-up over unit direct cost shall be calculated by averaging the individual dollar mark-ups between the unit direct costs and the maximum prices of the comparable articles selected.

(d) *Comparable articles.* An article shall be deemed comparable to another article which although differing therefrom by more than minor changes within the meaning of § 1499.155 of this Maximum Price Regulation No. 188, has the same general use as the other article and is recognized by the industry as being the same general type of product, even though different materials and construction are used.

(e) *Reports of maximum prices*—(1) *Articles first offered for sale before August 1, 1942.* In the case of an article first offered for sale before August 1, 1942, for which a maximum price must be determined under this section, the manufacturer shall report the maximum price as computed by him to the Office of Price Administration, Washington, D. C., on or before August 20, 1942. The report shall contain a description of the article being priced and of any innovation in manufacturing process involved and an explanation of the computation of the cost and the maximum price. It shall also describe each of the comparable articles, giving for each the maximum prices for all classes of purchasers and, if practicable, the volume of production for the three calendar months immediately preceding the filing of the report.

At any time prior to September 4, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5049, effective 5-21-45]

(2) *Articles first offered for sale during August 1942.* In the case of articles first offered for sale during August 1942, the manufacturer shall submit the report required in (1) on or before September 10, 1942.

At any time prior to September 25, 1942, the manufacturer may offer for sale, sell, or deliver the article at a tentative price if he informs the purchaser

that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the maximum price so determined. Fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may offer for sale or complete the sale of the article at the price reported.

[Above paragraph amended by Am. 54, 10 F.R. 5049, effective 5-21-45]

(3) *Articles first offered for sale on or after September 1, 1942.* Except as provided in the next paragraph of this subparagraph (3), in the case of an article first offered for sale on or after September 1, 1942, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., the report required in prior to first offering the article for sale. Fifteen days after the mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported.

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price to such a government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case, he must refund any amounts collected in excess of the price so determined. The manufacturer shall submit the report required in ten days after the formation of the contract. Fifteen days after the mailing of the report, in the absence of a notification to the contrary from the Office of Price Administration, the reported maximum price shall stand approved.

[Subparagraph (3) amended by Am. 1, 7 F.R. 7937, effective 10-6-42; and Am. 54, 10 F.R. 5049, effective 5-21-45]

§ 1499.158 *Fourth pricing method; specific authorization by the Office of Price Administration*—(a) *Maximum prices.* The maximum price for any article which cannot be priced under any of the preceding pricing methods of this regulation shall be the price in line with the level of maximum prices established by this regulation fixed by the Price Administrator or his duly authorized representative. The maximum price will be fixed by an order establishing a maximum price or a method of determining maximum prices.

The order may also establish maximum prices for sales of the article by persons other than the manufacturer. Maximum prices so established for sales by persons other than the manufacturer supersede maximum prices fixed by other regulations for such sales.

(b) *Reports of maximum prices.* Prior to offering such an article for sale, the manufacturer shall submit a report in duplicate applying for the establishment of a maximum price or prices for his sales of the article. In the case of consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.166), the manufacturer shall submit the report to the District Office of the Office of

Price Administration having jurisdiction over the area in which his principal place of business is located.

The report shall contain a description in detail of the article (including the manufacturing process), a statement of the facts which make it necessary to price the article under this section, and the proposed maximum price together with the facts which support the proposed maximum price. If the manufacturer applies for approval of a pricing formula for a line or group of related articles, he shall also include a statement of the pricing formula he proposes for such articles and the reasons why such a pricing formula will establish maximum prices in line with the level of maximum prices established by this regulation.

The manufacturer shall also submit a sample of the article being priced, if practicable. The sample should not be forwarded, however, until the manufacturer has been advised where to send it. If it is not practicable to submit a sample, the manufacturer shall submit with his application in lieu of a sample, a photograph, blueprint, or other illustration of the article being priced. In addition, the manufacturer shall submit such other relevant information to supplement his report as the Office of Price Administration may require.

Upon issuance of the order by the Price Administrator or his duly authorized representative, the manufacturer may offer the article for sale in accordance with the terms of the order.

[Above two paragraphs amended by Am. 63, 10 F.R. 8659, effective 7-17-45]

In the case of an article for which a maximum price must be determined under this section for a sale to the United States Government or an Allied Government, the manufacturer shall submit the report required in the above paragraph of this paragraph (b) ten days after the formation of the contract. The manufacturer may at any time offer for sale, sell, or deliver the article at a tentative price, to such government or agency if he informs the purchaser that the maximum price must be determined under this section. In such case he must refund any amounts collected in excess of the price so determined. The price shall remain tentative until the maximum price has been determined in the manner provided in this regulation.

NOTE: Notwithstanding the above provisions, certain orders issued under § 1499.159b require the manufacturer to file a report with the National Office of the Office of Price Administration, Washington, D. C. These orders and the articles to which they apply are:

- Order No. 1470-- New Metal Cots and Double Deck Beds.
- Order No. 1509-- Upholstered Sofa Beds, Studio Couches and all Other Upholstered Dual Purpose Sleeping Equipment.
- Order No. 1849-- Inner Constructions for Sofa Beds, Studio Couches and all other Upholstered Dual Purpose Sleeping Equipment.
- Order No. 3145-- War Bicycles.
- Order No. 3261-- Upholstered Household Furniture Covered with a Fabric Not Furnished by the Manufacturer.

[§ 1499.158 amended by Am. 1, 7 F.R. 7967, effective 10-6-4; Am. 5, 8 F.R. 1815, effective 2-15-43; Am. 44, 9 F.R. 14108, effective 12-4-44; Am. 48, 10 F.R. 867, effective 1-27-45; Am. 54, 10 F.R. 5649, effective 5-21-45; Am. 55, 10 F.R. 5904, effective 6-2-45; and Am. 62, 10 F.R. 7812, effective 7-2-45]

§ 1499.158a *Delegation of authority.* Any Regional Administrator, or any District Director authorized by the appropriate Regional Administrator, may issue orders under § 1499.158, establishing maximum prices in accordance with the terms of that section.

[§ 1499.158a added by Am. 44, 9 F.R. 14108, effective 12-4-44; amended by Am. 48, 10 F.R. 867, effective 1-27-45]

§ 1499.159 *Price differentials and economies effected by new or changed articles—(a) Price differentials.* Every manufacturer shall continue all his allowances, discounts, and other price differentials in effect in March, 1942. In the case of articles priced under §§ 1499.155, 1499.156, 1499.157, or 1499.158 of this Maximum Price Regulation No. 188, every manufacturer shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one general class of purchaser to reflect all allowances, discounts, and other price differentials which he was accustomed to make on that type of article.

(b) *Economies effected by new or changed articles.* Wherever after the introduction of a new or changed article the manufacturer realizes savings in indirect costs and expenses because of its introduction, the Office of Price Administration will by order require that such economies be reflected in the maximum price for such new or changed article. Wherever possible, such savings should be indicated in the reports required by §§ 1499.156, 1499.157 and 1499.158.

§ 1499.159a *Classification of purchasers in sales to the United States Government and Allied Governments.* For a sale to the United States Government or an Allied Government of an article for which a maximum price has not been determined for sales to the class of purchasers to which such government belongs, but for which a maximum price has been determined under §§ 1499.153, 1499.155, 1499.156, 1499.157, or 1499.158 for sales to purchasers of a different class, if the manufacturer had no customary differential between the class of purchasers for which the maximum price has been determined and such government or the class to which it belongs, such government shall be regarded as belonging to the class of purchasers to whom the manufacturer customarily sold the article in quantities most nearly equal to the quantity of the article involved in the sale to such government. If the manufacturer customarily sells to more than one class of purchaser in such quantities, the lowest maximum price applicable to sales of the article to such classes of purchasers shall apply.

[§ 1499.159a added by Am. 1, 7 F.R. 7967, effective 10-6-42]

§ 1499.159b *Modification of provisions of Maximum Price Regulation No. 188.* The provisions of Maximum Price Regu-

lation No. 188 as applied to certain commodities subject thereto may be modified by order under this § 1499.159b.

[§ 1499.159b added by Am. 6, 8 F.R. 1980, effective 2-16-43]

§ 1499.159c *Revision of maximum prices reported or approved under the second and third pricing methods.* Any price reported or established under the second or third pricing methods may, at any time, be disapproved or revised downward by an order under this section so as to bring it into line with the general level of maximum prices otherwise established by this regulation.

Such a price may be revised upward, so as to bring it into line with the general level of maximum prices otherwise established by this regulation, by an order under this section if it appears that the maximum price is below the general level of maximum prices otherwise established by this regulation and results in undue hardship, caused only by the operation of the pricing method, and not because the manufacturer is subject to financial hardship with respect to the production and sale of the comparable articles.

[§ 1499.159c added by Am. 54, 10 F.R. 5649, effective 5-21-45]

§ 1499.159d *Catalogues, price lists, and notifications to the trade.* On or before July 15, 1945, every manufacturer of any consumers' durable goods listed in paragraph (b) of Appendix A (§ 1499.166) of this regulation must file with the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located, three copies of every catalogue and price list which was issued by him to the trade and is currently in effect. In addition every manufacturer must file three copies of every notification he issues to the trade on and after July 15, 1945 concerning new prices, changes in prices, changes in terms, discounts, allowances, and conditions of sale, and changes in the model designation of any article he manufactures. Copies of these notifications must be filed within ten days after they have been issued to the trade.

[§ 1499.159d added by Am. 58, 10 F.R. 6590, effective 6-7-45]

§ 1499.160 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 188 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, an article of building material or consumers' goods, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1499.161 *Applications for adjustment and petitions for amendment—(a) Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust any maximum price established under this Maximum Price Regulation No. 188 in the following cases:

(1) In the case of a manufacturer who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(ii) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this subparagraph (1) shall be filed in accordance with Revised Procedural Regulation No. 1. No application for adjustment filed after November 15, 1942, will be granted under this subparagraph (1).

(2) In the case of any manufacturer, when it appears with respect to an article set forth in Appendix B (§ 1499.167) of this Maximum Price Regulation No. 188:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such manufacturer and of like manufacturers for such commodity; and

(iii) That such adjustment will not create or tend to create a shortage, or need for increase in price, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustment under this subparagraph (2).

(3) In the case of any manufacturer who shows:

(i) That he is the sole manufacturer of an essential commodity such as one, the production and sale of which is affirmatively permitted by regulations or orders issued by the War Production Board.

(ii) That the maximum prices established by this regulation do not permit the recovery of total costs; and

(iii) That the operations of the company are currently being conducted at a loss.

Adjustment in price may be made to an extent sufficient to enable the manufacturer to recover total costs on the article, together with a profit. In a proper case, the manufacturer may charge a price equal to the price requested in the application, provided that he has received a letter from the Office of Price Administration stating that his is a proper case. Such price shall be tentative and refunds shall be made to each purchaser in the event that the application is denied in whole or in part. Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1.

[Paragraph (a) amended by Am. 2, 7 F.R. 8943, effective 11-4-42; Am. 7, 8 F.R. 3105, effective 3-11-43; and Am. 9, 8 F.R. 3850, effective 4-2-43]

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 188 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42; and Am. 9]

[NOTE: Procedural Regulation, No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[NOTE: 2d Revised Supplementary Order No. 34 (10 F.R. 2014) permits, under certain conditions, the addition of extra packing expenses on sales to procurement agencies of the United States.]

§ 1499.162 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 188 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 188 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1499.162a *Licensing.* The provisions of Licensing Order No. 1,⁸ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1499.162a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1499.163 *Definitions.* (a) When used in this Maximum Price Regulation No. 188, the term:

(1) "Article" means any consumer's good set forth in Appendix A (§ 1499.166) which is manufactured or sold as a distinct item.

(2) "Highest price charged during March 1942" means

(i) The highest price which the seller charged to a purchaser of the same class for delivery of the article or material during March 1942; or

(ii) If the seller made no such delivery during March 1942, such seller's highest offering price to a purchaser of the same class for delivery of the article or material during that month; or

(iii) If the seller made no such delivery and had no such offering price to a purchaser of the same class during March 1942, the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers: *Provided, however, That*

(a) If before April 1, 1942, the seller raised his prices for a commodity to all his classes of purchasers (or to all his classes of purchasers except those to which he was bound to make delivery during March 1942 under a firm commitment made before the price rise), and

(b) If during March 1942, he delivered the commodity at the increased price to at least one class of purchasers, then, in order to allow the seller to apply the price rise to any class of purchasers to which no delivery was made during that month after the price rise (except under a firm commitment made before the price rise), the highest price charged during March 1942 shall be deemed to be:

(1) The seller's increased offering price to such class of purchasers for delivery during March 1942, or

(2) If the seller had no such increased offering price to that particular class of purchasers, the highest price charged during March 1942 to a purchaser of a different class, adjusted to reflect

(i) The seller's customary differential in price between the two classes of purchasers; or

(ii) If the seller had no such customary differential, the actual percentage differential in price between the two classes of purchasers which existed at the time the seller last entered into a commitment, or, if he did not enter into such a commitment, last submitted an offering price for delivery to a purchaser of that particular class during March 1942.

[Subparagraph (2) amended by Am. 1, 7 F.R. 7967, effective 10-6-42; and Am. 3, 7 F.R. 10155, effective 12-10-42]

(3) "Manufacturer" means the person who makes the first sale of an article listed in Appendix A (§ 1499.166) of this regulation after the article has been completed to the point indicated by the terminology of the appendix.

[Subparagraph (3) amended by Am. 10, 8 F.R. 4140, effective 4-5-43]

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

(5) "The United States Government or an Allied Government" means the United States or any agency thereof, or the Government of any country whose defense the President deems vital to the defense

of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government.

[Subparagraph (5) added by Am. 1, 7 F.R. 7967, effective 10-6-42]

§ 1499.164 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 188 shall be applicable to the forty-eight states and the District of Columbia.

§ 1499.165 *Effective date.* This Maximum Price Regulation No. 188 (§§ 1499.151 to 1499.166, inclusive) shall become effective August 1, 1942, for all sales and deliveries except sales and deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government. For such sales and deliveries it shall become effective September 1, 1942. [MPR 188 originally issued July 29, 1942]

[Effective dates of amendments are shown in notes following parts affected.]

§ 1499.166 *Appendix A: Articles covered by the regulation.* The following articles of consumer goods shall be covered by this Maximum Price Regulation No. 188:

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter, (c) used, reconditioned, rebuilt, remodeled commodities or commodities made from any used materials, except commodities specifically described below as being made of used material, or (d) parts, except those specifically listed as such below. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before pricing their products in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

[Note amended by Am. 4, 8 F.R. 537, effective 1-18-43; and Am. 16, 8 F.R. 9836, effective 7-20-43]

(a) (1) Oil paints and varnishes:
Ready-mixed paints of all types (interior and exterior)
Paste and semipaste paints
Putty
Fillers
Oil, varnish, and spirit stains
Paint and varnish remover
Colors in oil
White lead in oil
Zinc white in oil
Marine paints
Artists' colors

⁸ 8 F.R. 13240.

Aqueous (water) paints

Paint and varnish brushes and applicators

Compounds:

Calking

Waterproofing (integral and hardeners)

Pipe

[Subparagraph (1), formerly (2), amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 36, 9 F.R. 7583, effective 7-11-44; Am. 46, 9 F.R. 14607, effective 12-18-44; redesignated and amended by Am. 65, effective 7-30-45. Former subparagraph (1) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 18, 8 F.R. 10907, effective 8-9-43; Am. 38, 9 F.R. 8232, effective 7-24-44; Am. 41, 9 F.R. 10591, effective 9-4-44; Am. 46, 9 F.R. 14607, effective 12-18-44 and revoked by Am. 65, effective 7-30-45]

(3) [Deleted]

[Subparagraph (3) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; Am. 23, 8 F.R. 12668, effective 9-20-43; and deleted by Am. 65, effective 7-30-45]

(b) Consumers' goods.

(1) Bedding, including:

Mattresses and mattress pads, made with new and used innerspring units or new and used filling materials.

Boxsprings, made with new and used coils or new and used filling materials.

Gatch bedsprings, made of all new materials.

Flat and coil bedsprings made as an integral part of a bed, with all new materials.

Bedspring covers, including padded or quilted covers designed to cover coil and flat bedsprings, made with new or used filling materials.

Double duty sleep equipment, made of new or used materials, including studio couches, sofa beds, lounges, chair beds, love seats, and sliding couches.

Cots, (including folding and rollaway), made of all new materials.

Double deck beds, made of all new materials.

Sisal pads, made with new or used materials.

Sleeping bags, made with new or used filling materials.

Innerspring units for upholstery and bedding purposes, made with all new materials.

Upholstery coils, made of all new materials.

Bedspring metal fabrics, made of all new materials.

Inner constructions for boxsprings, double duty sleeping equipment and upholstered furniture, made of all new materials.

Quilts and comforters, made with new and used filling materials.

High chair, play yard, basket and nursery seat pads, and other nursery pads, made with new or used filling materials.

Cotton wadding and batting, made from new and used materials.

Pillows, made with new or used filling material except pillows in whole or in part with new or second-hand feathers or down.

[Subparagraph (1) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 21, 8 F.R. 12479, effective 9-14-43; Am. 26, 8 F.R. 16298, effective 12-8-43; and Am. 35, 9 F.R. 5375, effective 12-8-43; Am. 35, 9 F.R. 5375, effective 5-23-44; and Am. 60, 10 F.R. 7404, effective 6-23-45]

(2) Equipment and supplies (except those covered by Maximum Price Regulation No. 136, as amended):

Artists' supplies.

Beauty parlor and barber shop furniture, fixtures and equipment.

Bulletin boards.

Commercial kitchen utensil.

Ecclesiastical ware.

Funeral supplies and appurtenances.

Laboratory, hospital and professional fixtures and equipment (except those covered by Maximum Price Regulation No. 136, as amended).

Office fixtures and safes.

Office machines and equipment (manual and electric).

Restaurant fixtures and equipment.

School and office supplies, including carbon paper, but no other paper.

Scientific and technical instruments—apparatus and supplies (except those covered by Maximum Price Regulation No. 136, as amended).

Store machines, fixtures and equipment, including:

Store displays and display fixtures.

Dispensers.

Vending machines (coin operated).

Time clocks.

Measuring devices for yard goods, screens, linoleums, etc.

Signs, electric, mechanical, etc.

Shelving.

Tool cases.

Name plates.

[Subparagraph (2) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 27, 8 F.R. 17415, effective 1-3-44; Am. 30, 9 F.R. 3095, effective 3-27-44; and Am. 45, 9 F.R. 14358, effective 12-11-44]

(3) Floor coverings. All floor coverings, except terry cloth bath mats, and wool floor coverings subject to Revised Price Schedule No. 57.^a

Carpet lining.

[Subparagraph (3) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(4) Furniture. All types of furniture manufactured from any new material or from new materials and used inner spring units, used filling materials, used upholstery frames, or used joinery hardware, for any purpose to be used in any location, and any other articles manufactured from new materials which are made to serve the functional purposes of furniture.

Furniture frames.

Assembled wood furniture parts.

Hammocks

[Subparagraph (4) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 28, 9 F.R. 1912, effective 2-23-44; Am. 35, 9 F.R. 5375, effective 5-23-44; Am. 40, 9 F.R. 10246, effective 8-28-44; Am. 49, 10 F.R. 2245, effective 3-1-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(5) Hardware, tools and appliances (except those covered by Maximum Price Regulation No. 136 as amended):

[Above paragraph amended by Am. 61, 10 F.R. 7260, effective 6-20-45]

(i) Carpenters' tools, including:

Saws.

Chisels.

Hammers.

Hatchets.

Planes.

Non-mechanical rules and tapes.

Auger bits and braces.

Hand drills.

Levels.

Squares.

Miter boxes.

Screw drivers.

Etc.

(ii) Mechanics' tools, including:

Crow bars.

Wrecking bars.

Pinch bars.

^a 7 F.R. 1314, 2000, 2132, 9053, 8948; 8 F.R. 1120, 6053; 9 F.R. 526.

Blow torches and fire pots.

Bench grinders.

Hammers.

Wrenches.

Snips.

Hacksaw frames.

Lanterns.

Oilers.

Pliers.

Punches.

Tackle blocks.

Trowels.

Handles (except wood handles)

Winches.

Etc.

[Subparagraph (ii) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 24, 8 F.R. 14622, effective 11-1-43; Am. 59, 10 F.R. 6843, effective 6-12-45; and Am. 61, 10 F.R. 7260, effective 6-20-45]

(iii) Farm and garden tools and supplies including:

Axes.

Corn planters.

Curry combs.

Grass hooks.

Brush hooks.

Corn and cane knives.

Machetes.

Wheelbarrows.

Couplings, clamps, and nozzles, for garden hose only.

Hog scrapers.

Hog and bull rings.

Huskers.

Post hole diggers and augers, hand operated.

Pruning equipment.

Scythes and snaths.

Hedge, grass, and pruning shears.

Shovels.

Forks, hoes, rakes, etc.

Lawnmowers and rollers (except horse and tractor drawn and garden tractors).

Sprayers and dusters of the simple pump type which are hand held and hand operated.

Garden hose nozzles

Lawn sprinklers

[Subparagraph (iii) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 38, 9 F.R. 8232, effective 7-24-44; and Am. 59, 10 F.R. 6843, effective 6-12-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(iv) Coal miners' tools, including:

Coal picks.

Pinch bars.

Augers.

Needles.

Tampers.

Wedges.

Carbide lamps.

Etc.

(v) Horseshoes and horseshoe nails.

(vi) Ice tools, including:

Saws.

Tongs.

Etc.

(vii) Logging tools, including:

Cant hooks.

Peavies.

Pike poles.

Etc.

(viii) Stove and furnace pipe and elbows.

(ix) Saddlery and parachute hardware, including:

Buckles.

Loops.

Rings.

Etc.

[Subparagraph (ix) amended by Am. 16, 8 F.R. 9836, effective 7-20-43]

(x) Heavy goods, including:

Sledges.

Wedges.

Picks.
Mattocks.
Mauls.
Etc.

- (xi) Game traps.
- (xii) Pushcarts.
- (xiii) Weather stripping.
- (xiv) Seafood harvesting tools.

[Subparagraph (xiv) added by Am. 45, 9 F.R. 14358, effective 10-11-44]

(6) Household appliances, electrical and other, including:

Household sewing machines.
Ice refrigerators.
Household dehydrators.
Air conditioning equipment (excluding built-in system).
Evaporative coolers.
Small electrical household appliances.
Heating appliances, including:
Bakers.
Boilers.
Broilers.
Buffet servers.
Casseroles.
Coffee makers.
Cookers.
Chafing dishes.
Driers (clothes and hair).
Heaters (space and immersion).
Hot plates, grills, and table stoves.
Irons (curling).
Irons (flat).
Irons (waffle).
Kettles.
Heating pads.
Lighters (cigarette, etc.).
Percolators.
Ovens (portable).
Pressers (trouser and tie).
Roasters.
Sterilizers.
Toasters.
Vaporizers.
Warmers (bottle and plate).
Etc.
Power appliances, including:
Freezers (ice cream, domestic).
Mixers and juice extractors.
Fans (ceiling, desk and bracket, pedestal).
Vibrators.
Vaporizers and humidifiers.
Electric shavers.
Mechanical refrigerator cabinets.
Etc.

[Subparagraph (6) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 51, 10 F.R. 3196, effective 3-28-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(7) Miscellaneous housewares, including:

Cooking utensils.
Cutlery.
Cleaning supplies (mops, brooms, etc.)
Cabinets.
Bathroom equipment.
Fireplace equipment.
Galvanized ware, tin, and painted tinware.
Kitchen tools and gadgets.
Woodenware and baskets (except shipping baskets).
Brushes (except industrial power-driven brushes).
Window shades.
Drapery hardware.
Scissors and shears.
Vacuum bottles and specialties.
Carpet sweepers.
Unfinished furniture.
Venetian blinds.
Awnings.
Wood slat shades.
Wood spoons, forks, etc.
Coffee makers and accessories.
Filter papers for coffee makers.
Etc.

[Subparagraph (7) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 61, 10 F.R.

7260, effective 6-20-45; and Am. 64, 10 F.R. 8937, effective 7-23-45]

(8) Commercial kitchen equipment. Commercial and institutional kitchen equipment, irrespective of the type of fuel used, for use in hotels, restaurants, schools, hospitals, industrial and public cafeterias, and similar establishments, including:

Ranges.
Broilers, including salamanders and combination types.
Automatic deep fat fryers.
Bain maries.
Roasting ovens.
Baking ovens (sectional and cabinet types).
Baker stoves.
Steam jacketed kettles.
Stock kettles (electric).
Vegetable steamers—commercial.
Steam tables.
Warming ovens.
Plate warmers.
Hot plates.
Griddles.
Automatic egg broilers.
Coffee urns and coffee-making systems.
Toasters—commercial (gas).
Toasters—commercial, over 2 slices (electric).
Dishwashers—commercial.
Glasswashers—commercial.
Silver burnishers.
Mixers.
Choppers.
Slicing machines.
Potato peelers.
Coffee grinders—commercial.
Chopping blocks.
Pot racks.
Pot sinks and vegetable sinks.
Canopies.
Etc.

(9) The following marine articles:

Life buoys and preservers not governed by MPR 403.⁷
Outboard motors (portable).
Boats and canoes, all boats and canoes under 25' except those with inboard motors.
Life-saving equipment except articles covered by Maximum Price Regulations Nos. 149,⁸ 157,⁹ 220,¹⁰ or 403.

[Subparagraph (9) amended by Am. 16, 8 F.R. 9836, effective 7-20-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(10) Personal and household accessories:

(i) Household accessories, decorations, and giftware, including:
Baskets.
Screens, decorative.
Etc.

[Subparagraph (i) amended by Am. 12, 8 F.R. 5759, effective 5-1-43]

(ii) Notions, including:

Buckles.
Buttons.
Clasps.
Fasteners, slide and snap.
Feathers and plumes.
Hooks and eyes.
Needles—hand, knitting, and crochet.
Pins—safety, straight, hat, bobby, and hair.
Thimbles.
Toilet Sets.
Combs.
Vanties.
Compacts.
Military insignia (except fabric).
Military buttons.
Barettes.

⁷ 8 F.R. 7408, 8837, 10434, 16506, 16743; 9 F.R. 1116, 1318.

⁸ 8 F.R. 10813, 13172, 15255; 9 F.R. 396.

⁹ 9 F.R. 11059; 10 F.R. 776, 1910, 3014, 6307.

¹⁰ 8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650; 10 F.R. 1747, 4599.

Buttonhooks.
Glove stretchers.
Hair curlers.
Hair nets.
Measuring tapes.
Sewing kits.
Sewing boxes.
Beads.
Shoetrees.
Etc.

[Subparagraph (ii) amended by Am. 12, 8 F.R. 5759, effective 5-1-43; and Am. 16, 8 F.R. 9836, effective 7-20-43]

(iii) Luggage, including:

Briefcases.
Club bags.
Dress trunks.
Finished cases made of wood, leather, fabricated canvas, etc., for carrying scientific, medical and other instruments.
Fitted cases.
Overnighters.
Gladstones.
Band trunks.
Hat and shoe boxes (except paper).
Sample cases.
Sample trunks.
Steamer trunks.
Suitcases.
Two suiters.
Wardrobe trunks.
Zipper bags.
Train boxes.
Etc.

(iv) Glassware including:

Artware and specialties.
Bar glassware.
Cooking glassware.
Cut glassware.
Decorated glassware.
Desk glassware.
Engraved glassware.
Etched glassware.
Glass novelties.
Heat-resisting glassware.
Hotel and institution glassware.
Household glassware.
Illuminating glassware.
Kitchen glassware.
Lamp chimneys and lantern globes except those covered by Maximum Price Regulation No. 136, as amended.
Private mould glassware.
Soda fountain glassware.
Table glassware.
Tumblers.
Glass bottles and containers including home canning jars and closures.

[Subparagraph (iv) amended by Am. 13, 8 F.R. 7107, effective 5-31-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(v) Mirrors.

(vi) Pottery (except those articles covered by Maximum Price Regulation No. 116¹¹ including:

Art pottery.
Stoneware.
Flower pots.
Etc.

[Subparagraph (vi) amended by Am. 64, 10 F.R. 8937, effective 7-23-45]

(vii) Decorative accessories.

(viii) Silverware, including:

Silverplated flatware.
Silverplated hollow-ware.
Sterling silver flatware.
Sterling silver hollow-ware.
Etc.

(ix) Miscellaneous plated ware (chrome plate, nickel plate, etc.).

¹¹ 7 F.R. 3036, 3858, 6474, 7203, 8939, 8948; 8 F.R. 16995; 9 F.R. 393, 13524, 14536; 10 F.R. 1547, 4265.

(x) Jewelry:

Precious (gold, platinum, silver, etc.).
Nonprecious (gold plate, gold filled, etc.),
(except jewelry exempted from the Gen-
eral Maximum Price Regulation by the
provisions of Amendment No. 9 thereto.)
Novelty.

Men's accessories, including:

Collar pins and buttons.
Cuff links.
Key chains.
Belt buckles.
Medals and badges.
Metal watch bands.
Etc.

Women's novelty jewelry, including:

Compacts and vanity cases.
Lockets.
Earrings.
Jewelry findings.
Etc.

[Subparagraph (x) amended by Am. 64, 10
F.R. 8937, effective 7-23-45]

(xi) Clocks and watches, except those
watches which have imported movements.
Clocks and watches include:

Clock cases, containers, guards.
Watch cases, containers, guards.
Electric clocks (except those covered by
Maximum Price Regulation No. 136, as
amended).
Spring clocks, including:
Alarm, Decorative, Etc.
Watch and clock parts, except jewels,
springs and printed dials.

[Subparagraph (xi) amended by Am. 22, 8
F.R. 12186, effective 9-2-43; and Am. 45,
9 F.R. 14358, effective 12-11-44]

(xii) Portable lamps and shades (other
than industrial lighting fixtures) including:

Boudoir lamps.
Desk lamps.
Floor lamps.
Table lamps.
Novelty lamps.
Wall lamps.
Oil lamps.
Torchiers.
Lamp shades.
Residential lighting fixtures, etc.

Parts (except electrical) for portable lamps,
lamp shades and residential lighting fix-
tures.

[Subparagraph (xii) amended by Am. 38, 9
F.R. 8232, effective 7-24-44; and Am. 50,
10 F.R. 2479, effective 3-7-45]

(xiii) Electric light bulbs (other than
radio tubes) including:

Arc.
Carbon.
Fluorescent.
Gaseous.
Incandescent.
Therapeutic.
Etc.

(xiv) Pictures and picture frames and mir-
ror frames, including:

Pictures, framed.
Frames—photograph, picture, and mirror.

(xv) Optical goods, including:

Finished and semi-finished lenses for optical,
ophthalmic, and scientific use.
Eye glass and spectacle cases.
Eye glass and spectacle frames and mount-
ings.
Lenses for eye glasses and spectacles, white
and colored.
Scientific optical instruments, including:
Microscopes and accessories.
Optical measuring instruments.
Scientific refracting instruments for oculists
and optometrists.

Ophthalmic chairs, stools, tables, etc.

Ophthalmic units.
Refracting units.
Sun glasses and goggles.
Artificial eyes.
Binoculars.
Field glasses.
Opera glasses.
Telescopes.
Shooting glasses.
Contact lenses.
Prisms.
Magnifying glasses.
Loupes.
Readers.
Etc.

[Subparagraph (xv) amended by Am. 25, 8
F.R. 14766, effective 11-3-43; and Am. 38,
9 F.R. 8232, effective 7-24-44]

(xvi) Meteorological instruments (for
household, office and advertising use only).

Barometers.
Hygrometers.
Thermometers.

(xvii) Compasses (except marine and air-
craft).

(xviii) Smokers' articles (except tobacco,
cigars, and cigarettes), including:

Cigarette cases.
Cigarette and cigar holders, pipes, pouches,
etc.
Pipe cleaners.
Cigarette lighters.
Etc.

(xix) Umbrellas and canes.

(xx) Hair goods, including:

Braids.
Etc.

[Subparagraph (xx) amended by Am. 12, 8
F.R. 5759, effective 5-1-43]

(xxi) Military type kits and bags made
of canvas, duck, imitation leather and
leather; unfitted and fitted, including drugs,
toiletries, notions, sewing and shoe shine
equipment.

Duffle bags
Money belts and pockets
Apron kits, fitted and unfitted

[Subparagraph (xxi) added by Am. 16, 8 F.R.
9836, effective 7-20-43]

(11) *Radio and Phonograph Equipment.*
Domestic radio receiving sets (except assem-
bled radios and phonographs under Maximum
Price Regulation No. 430;¹² and radio receivers
primarily designed for military police and
commercial use or for use in the Navy or Mer-
chant Marine, under Maximum Price Regula-
tion 136), including but not limited to home,
auto, portable, television, home recorder, com-
bination phono-radios, training kits, etc.

Domestic radio accessories (except parts
under Revised Price Schedule No. 84¹³) in-
cluding but not limited to cabinets and cases
for radios, phonographs, record players and
speakers; auto radio control devices, aeri-
als and radio hardware.

Phonographs, including nonelectric, elec-
tric, electric with or without amplifier units,
wired and wireless record players.

Phonograph Accessories (except records
under Maximum Price Regulation No. 263¹⁴),
including but not limited to recording style
play back needles, recording blanks, record
cabinets and record cleaning devices.

[Subparagraph (11) amended by Am. 39, 9
F.R. 9836, effective 8-16-44]

¹² 8 F.R. 9971; 9 F.R. 2020, 14287.

¹³ 7 F.R. 1362, 2000, 2132, 2169, 2303, 2512,
2543, 3821, 6771, 7902, 8948; 8 F.R. 3703, 5632,
15523; 9 F.R. 4349, 9616.

¹⁴ 7 F.R. 9191; 8 F.R. 165, 1812, 5631, 8600.

(12) Musical instruments, parts, and ac-
cessories, including toy and novelty musical
instruments.

(13) Photograph, photoengraving, and
photocopying equipment and allied supplies.

Cameras and photographic films, equip-
ment, accessories, and materials, except
chemicals.

Motion picture cameras, projectors, and ap-
paratus.

Photoengraving machines, apparatus, and
supplies.

Photocopying (including photostating and
micro-filming) machines, apparatus and
supplies.

(14) Sporting goods made of new materials
(except clothing and shoes) and reprocessed
golf balls with used centers.

[Subparagraph (14) amended by Am. 16, 8
F.R. 9836, effective 7-20-43]

(15) Toys and games.

(16) Wheel goods:

Baby carriages.
Bicycles.
Bicycle accessories and parts, except tires
and tubes.
Go-carts.
Motor bicycles, motor scooters, and power
cycles.
Wheel chairs.

[Subparagraph (16) amended by Am. 47, 9
F.R. 14725, effective 12-18-44]

(17) Health supplies, equipment and sub-
assemblies thereof (not including drugs,
chemicals and medicines except when packed
in and sold as a part of first aid kits) and
not including rubber drug sundries covered
by MPR No. 300.¹⁵

[Subparagraph (17) amended by Am. 16, 8
F.R. 9836, effective 7-20-43]

(i) Surgical instruments, equipment and
supplies.

(ii) Dental instruments, equipment and
supplies.

(iii) Veterinarian instruments, equip-
ment and supplies.

(iv) Hospital, examining room, and diag-
nostic equipment and supplies.

(v) Electro-medical equipment and sup-
plies (including x-ray and electric-thera-
peutic).

(vi) Anesthesia, oxygen and respiratory
equipment and supplies.

(vii) Hypodermic equipment.

(viii) Corrective equipment, including
knitted elastic corrective garments, trusses,
etc.

(ix) Fracture equipment and supplies.

(x) Prosthetic devices, appliances, and
supplies, except artificial limbs and ortho-
pedic appliances.

[Subparagraph (x) revoked; former (xi), (xii)
and (xiii) redesignated (x), (xi) and (xii)
by Am. 25, 8 F.R. 14766, effective 11-3-43.
New subparagraph (x) amended by Am. 25]

(xi) Other health supplies:

(a) Sutures and suture needles.

(b) Clinical thermometers.

(c) Surgical dressings and surgical dress-
ing materials.

(d) First aid kits.

(e) Exercise machines and devices. Etc.

(xii) Parts and sub-assemblies designed
especially for the foregoing items in this
subparagraph 17 except those covered by
Maximum Price Regulations Nos. 136 and
147.¹⁶

[Subparagraph (xii) amended by Am. 61, 10
F.R. 7260, effective 6-20-45]

¹⁵ Revised: 10 F.R. 4140, 7530.

¹⁶ Revised: 9 F.R. 7603.

[Subparagraph (18) revoked; former (19), (20) and (21) redesignated (18), (19) and (20) by Am. 25]

(18) Industrial safety equipment (not including shoes, and scientific instruments or safety guards covered by Maximum Price Regulation No. 136, as amended,) including:

Clothing designed for protection against specific industrial hazards: coats, pants, suits, aprons, sleeves, gloves, and like articles containing (1) metal or mineral insulation or reinforcement (such as asbestos); or (2) fabric or leather specially treated to resist extreme heat, extreme cold or chemical reagents.

Gloves, sleeves, aprons and like articles made of natural, synthetic and substitute rubber are not covered, but are under the jurisdiction of Maximum Price Regulation Nos. 220 or 330.¹⁷ Work clothes and work gloves (whether of fabric or leather) without the features enumerated are excluded.

Gas Masks.
Goggles, faceshields, goggle cases, etc.
Helmets, safety hats, etc.
Protective shields, sleeves, toe guards, etc.
Respirators.
Safety lamps.

[Subparagraph (18), formerly (19), amended by Am. 16, 8 F.R. 9336, effective 7-20-43; and Am. 38, 9 F.R. 8232, effective 7-24-44]

(19) Rope and cordage, etc.

Rope and cordage including grommets made from rope (except those manufactured from cotton and synthetic fibers).

Rope halters.
Wrapping twines (except cotton).

(20) Unclassified:

Ammunition for small arms, but not including tear gas equipment.
Amusement machines, coin operated.
Automobile seat coverings.
Bells, hand (except dinner bells).
Butcher saws.
Dry cell batteries.
Fire extinguishers.
Portable battery lights, including flashlights, hand lanterns, etc., and batteries and accessories used for such lights.
Hearing aids (electric), hearing aid batteries, and accessories.
Jewelers' tools.
Manually operated tire pumps.
Pocket knives.
Spittoons and cuspidors.
Razors.
Razor blades.
Water coolers.
Christmas tree ornaments.
Christmas trees, artificial.
Cork stoppers.
Finished flag poles and staffs.
Bird leg bands.
Poker chips.
Hand cuffs, billies, etc.
Manufactured chalk for billiard, bowling, carpenters, drawing, tailor, etc., use.
Candles.
Wire baskets for commercial use.
Wallets, coin purses, billfolds and small leather goods other than womens' and children's hand bags, pocketbooks and purses.
Gas mantle rings.
Automobile steering wheel covers.
Christmas tree holders and stands.
Ladders.

[Subparagraph (20), formerly (21), amended by Am. 8, 8 F.R. 3788, effective 3-31-43; Am. 12, 8 F.R. 5759, effective 5-1-43; Am. 16, 8 F.R. 9836, effective 7-20-43; Am. 38, 9 F.R. 8232, effective 7-24-44; Am. 43, 9 F.R. 13667, effective 11-20-44; Am. 49, 10 F.R.

¹⁷ Revised: 9 F.R. 11350; 10 F.R. 331.

2245, effective 3-1-45; and Am. 57, 10 F.R. 6309, effective 6-4-45]

[§ 1499.166 amended by Am. 4, 8 F.R. 537 and as otherwise noted]

§ 1499.167 *Appendix B*. The maximum prices for articles set forth below may be adjusted in accordance with provisions of § 1499.161 (a) (2) of Maximum Price Regulation No. 188.

NOTE: The articles listed below are not intended to include (a) any commodity subject to a specific maximum price regulation or price schedule in effect on August 1, 1942, or issued any time thereafter, or (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter. Since the designations of some articles are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable to the article or type of article have been indicated. Manufacturers selling articles listed below should, before seeking an adjustment of their maximum prices in accordance with this regulation, determine whether specific price regulations or regulations supplementary to the General Maximum Price Regulation have been issued subsequent to the date of this regulation with respect to the articles so listed.

Stoneware and stoneware specialties for farm use.

Prosthetic devices, appliances, and supplies except artificial limbs and orthopedic appliances.

Hardwood caskets and innercaskets.

Hardwood butcher chopping and meat blocks.

Laminated hardwood butcher cutting tops.

Wet mops, wet mop heads, and mopsticks.

Surgical, dental, and optical instruments.

Garment hangers.

Evaporative coolers.

Corrective eyeglass lenses.

Ladders for commercial, agricultural or industrial use.

Pumps exclusively for use with pear and weed burners.

[Appendix B added by Am. 9, 8 F.R. 3850, effective 4-2-43; amended by Am. 11, 8 F.R. 4931, effective 4-21-43; Am. 14, 8 F.R. 8751, effective 6-24-43; Am. 17, 8 F.R. 10433, effective 7-30-43; Am. 19, 8 F.R. 11037, effective 8-12-43; Am. 20, 8 F.R. 12406, effective 9-11-43; Am. 25, 8 F.R. 14766, effective 11-3-43; Am. 29, 9 F.R. 2556, effective 3-10-44; Am. 31, 9 F.R. 3858, effective 4-15-44; Am. 32, 9 F.R. 4396, effective 4-29-44; Am. 33, 9 F.R. 4506, effective 5-2-44; Am. 34, 9 F.R. 4882, effective 5-11-44; Am. 37, 9 F.R. 7858, effective 7-17-44; Am. 42, 9 F.R. 11760, effective 9-28-44; Am. 51, 10 F.R. 3196, effective 3-28-45; Am. 52, 10 F.R. 3224, effective 3-31-45; Am. 56, 10 F.R. 6309, effective 6-4-45; Am. 57, 10 F.R. 6309, effective 6-4-45; and Am. 65, effective 7-30-45]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13376; Filed, July 23, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 52 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (k) is added to read as follows:

(k) Notwithstanding any other provisions of this Supplement, commercial, utility, and cull grades of lamb have, through August 31, 1945, a zero point value in the following counties in the State of Oregon: Clatsop, Columbia, Multnomah, Hood River, Clackamas, Washington, Tillamook, Yamhill, Polk, Marion, Lincoln, Benton, Linn, Lane, Douglas, Coos, Curry, Josephine, and Jackson.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July, 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13339; Filed, July 21, 1945; 1:21 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 131]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 15, (Maximum Prices for Red Sour Cherries), footnote 3 is amended to read as follows:

³ Beginning July 21 until the end of the 1945 season, the Column 5 prices for red sour cherries grown in Washington and the counties of Boundary, Bonner and Kootenai in Idaho shall be 11½¢ for item 1 (with stems) and 10¼¢ for item 2 (without stems). During that period, the Column 5 prices for red sour cherries grown in Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming shall be 13¾¢ for item 1 and 12½¢ for item 2. During that period the Column 5 prices for red sour cherries grown in States east of those named shall be 16¼¢ for item 1 and 15¢ for item 2.

This amendment shall become effective at 12:01 a. m., July 21, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

Approved: July 21, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

¹ 10 F.R. 48, 521, 857, 293, 294.

² 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8238, 8467.

I find that the increase of 5¢ per pound in the maximum prices for red sour cherries grown in the eastern area described in the foregoing amendment is an appropriate allowance under section 3 (g) of the Emergency Price Control Act for reduction in merchantable crop yield.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13340; Filed, July 23, 1945; 8:57 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 132]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix K, Table 3 (Maximum Prices for Apples), the first footnote 4 (added by Amendment 108) is deleted and the second footnote 4 (added by Amendment 119) is amended to read as follows:

*During the period beginning July 21 and ending August 19, 1945, the Column 5 prices shall be as follows:

	For apples grown in Florida, Georgia, New York, North Carolina, Pennsylvania, South Carolina, Virginia, West Virginia, and States east of them.	For all other apples.
Item 1 (box or bushel).....	\$3.70	\$3.45
Item 12 (barrel).....	11.10	10.35
Item 23 (graded and packed in certain containers, per pound).....	0.0822	0.0767
Item 34 (graded in bulk, per pound).....	0.0737	0.0682
Item 45 (tree-run in containers, per pound).....	0.0682	0.0627
Item 54 (tree-run in bulk, per pound).....	0.0642	0.0537

This amendment shall become effective as of 12:01 a. m., July 21, 1945.

Issued this 21st day of July, 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

Approved: July 21, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

For the reasons given in the Statement of Considerations accompanying the foregoing amendment, I find that it makes appropriate adjustments in maximum prices for apples pursuant to section 3 (g) of the Emergency Price Control Act of 1942, as amended.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13341; Filed, July 23, 1945; 8:57 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 56, Amdt. 2]

PART 4003—SUPPORT PRICES; SUBSIDIES

LIVESTOCK SLAUGHTER PAYMENTS

Pursuant to the authority vested in me by the Act of October 2, 1942 entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation and Other Purposes," and by Executive Order No. 9250 of October 3, 1943, and Executive Order No. 9328 of April 8, 1943; *It is ordered:*

Directive 56, Livestock Slaughter Payments, issued June 9, 1945 (10 F. R. 7117, 8476) is amended in the following respects:

1. A new section to be designated section 4 is added to read as follows:

SEC. 4. Notwithstanding any provision of any other directive or regulation, a person who, during a representative portion of the period specified in section 2, actually slaughtered cattle owned by another at the time of slaughter but sold in his own name the beef thereby produced shall be held to have been the slaughterer of such cattle for the purposes of section 2 if the Director of Economic Stabilization determines that such a holding will effectuate the purposes of the stabilization and production programs with respect to livestock.

2. Section 4 is redesignated section 5 and is amended to read as follows:

SEC. 5. Reconstruction Finance Corporation is directed to amend Regulation No. 3 (Livestock Slaughter Payments) in accordance with this directive.

(E. O. 9250 and E. O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 11th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-13280; Filed, July 21, 1945; 11:02 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 7, Amdt. 1]

PART 8307—PREFERENCES FOR VETERANS

Surplus Property Board Regulation No. 7, May 29, 1945, entitled "Preferences for Veterans", (10 F. R. 6519) is hereby amended in the following respects:

1. The term "Secretary of Agriculture" is substituted for the term "War Food Administrator" wherever it appears.

2. The last sentence of § 8307.4 is amended to read as follows: "The Smaller War Plants Corporation shall report to the Surplus Property Board all instances in which the veteran's application is rejected in its entirety and the reasons for such rejection."

3. There is added a new section, numbered § 8307.13, to read as follows:

§ 8307.13 *Regulations and other material to be reported to the Surplus*

Property Board. The Secretary of Agriculture and the Smaller War Plants Corporation shall promptly file with the Surplus Property Board copies of all regulations, orders, forms, and instructions of general applicability which they, or either of them, may issue in furtherance of the provisions, or any of them, of this part.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD
By A. E. HOWSE,
Administrator.

JULY 17, 1945.

[F. R. Doc. 45-13346; Filed, July 23, 1945; 10:00 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 288]

COLORADO

POWER SITE RESTORATION; PARTIAL REVOCATION OF EXECUTIVE ORDERS

Power Site Restoration No. 498. Revoking in part Executive orders creating Power Site Reserves Nos. 124, 133, 143, 195, 253, 254, 335, 339, 356, and 427.

By virtue of the authority contained in the act of June 25, 1910 (36 Stat. 847), as amended by the act of August 24, 1912 (37 Stat. 497, 43 U. S. C. secs. 141-143), and pursuant to Executive Order No. 9337 of April 24, 1943; It is ordered, as follows:

1. The Executive order of July 2, 1910, creating Power Site Reserve No. 124, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 91 W.,
Sec. 2, lots 2, 3, 4, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 3, lots 1, and 2;
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 18, E $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 2 S., R. 91 W.,
Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, E $\frac{1}{2}$ E $\frac{1}{2}$.

2. The Executive order of July 2, 1910, creating Power Site Reserve No. 133, is hereby revoked as to the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 78 W.,
Sec. 18, NE $\frac{1}{4}$.

3. The Executive order of July 2, 1910, creating Power Site Reserve No. 143, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 2 S., R. 79 W.,
Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 2 S., R. 80 W.,
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

4. The Executive order of July 28, 1911, creating Power Site Reserve No. 195, is hereby revoked as to the following described lands:

¹10 F. R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8238, 8467, 8611, 8657.

SIXTH PRINCIPAL MERIDIAN

T. 15 S., R. 104 W.,
 Sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 21, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

5. The Executive order of March 23, 1912, creating Power Site Reserve No. 253, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 5 S., R. 81 W.,
 Sec. 11, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{2}$ SE $\frac{1}{4}$.

6. The Executive order of March 22, 1912, creating Power Site Reserve No. 254, is hereby revoked as to the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 46 N., R. 2 E.,
 Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$.

7. The Executive order of January 27, 1913, creating Power Site Reserve No. 335, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 12 S., R. 102 W.,
 Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$ SE $\frac{1}{4}$.

8. The Executive order of February 7, 1913, creating Power Site Reserve No. 339, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 15 S., R. 101 W.,
 Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

9. The Executive order of May 27, 1913, creating Power Site Reserve No. 356, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 3 N., R. 71 W.,
 Sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$.

10. The Executive order of March 21, 1914, creating Power Site Reserve No. 427, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 3 N., R. 71 W.,
 Sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 2 N., R. 72 W.,
 Sec. 15, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 3 N., R. 72 W.,
 Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 3,057.13 acres.

ABE FORTAS,
 Acting Secretary of the Interior.

JULY 12, 1945.

[F. R. Doc. 45-13278; Filed, July 21, 1945;
 9:39 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping
Administration

[G. O. 11, Supp. 10]

PART 302—CONTRACTS WITH VESSEL
OWNERS AND RATES OF COMPENSATION
RELATING THERETOUNIFORM TIME CHARTER FOR AMERICAN-FLAG
DRY CARGO VESSELS NOT HERETOFORE UN-
DER TIME CHARTER "WARSHIPTIME (REV.)
NEW VESSELS"

§ 302.51 *Uniform time charter for American-flag dry cargo vessels not heretofore under time charter "Warshiptime (Rev.) New Vessels."* The Administrator, War Shipping Administration, adopts the following standard form of time charter for American-flag dry cargo vessels not heretofore under time charter to the United States of America, acting by and through the Administrator, War Shipping Administration, to be known as "Warshiptime (Rev.) New Vessels":

Contract No. -----

Form No. 101 (Rev.) New Vessels
6/30/45

Warshiptime (Rev.) New Vessels

WAR SHIPPING ADMINISTRATION

TIME CHARTER
FOR DRY CARGO VESSELS

Time Charter, hereinafter sometimes referred to as the Charter, dated as of -----
 194., between -----

Address -----
 Owner of the SS/MS -----
 (herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

Deadweight capacity, as defined in Clause 5, Part II.

Classed -----
 Bale capacity of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer -----
 cubic feet -----
 Year built -----

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941; *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I,

hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be \$----- per calendar month or pro rata for any portion thereof, of which the sum of \$----- per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter, as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30 day period, as the case may be, Option II shall apply: *Provided, however,* That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate Revision (Option I only). Not more often than once every 120 days after the effective date of this charter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the de-

termination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. Valuation. The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 802 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, e. w. t., April 20, 1946, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of \$..... For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by, but any Owner who shall be dissatisfied with such reduction shall have the option, to be exercised on or before April 1, 1946, or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, e. w. t., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 802 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually

agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a valuation has not then been inserted in Opinion II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. Port of delivery.

CLAUSE F. Time and date of delivery.

CLAUSE G. Port of redelivery. Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. Notice of redelivery. The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. Uniform terms. This Charter consists of this Part I and Part II conforming to Part II of the Amended Time Charter for Dry Cargo Vessels, published in the FEDERAL REGISTER of April 8, 1944, as corrected and amended by Orders published in the FEDERAL REGISTER of May 11, 1944, June 6, 1944 and March 2, 1945, and as amended by the provisions contained in Clause K hereof. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. Reservation as to just compensation. Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however,* That all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE K. Special provisions.

1. Wherever in Part II of this Charter or in Schedule A the terms "Amended Time Charter" or "Amended Charter" are used, the word "Amended" shall be deemed to be deleted from such terms so that the reference will be to "Time Charter" and "Charter" respectively. Wherever the word "Addendum" is used following such terms it shall be deemed deleted.

2. Clause 11A, Part II, is hereby amended to read as follows:

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at

the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions, or changes, except as may be otherwise provided herein.

3. Clause 11B, Part II, is hereby amended to read as follows:

CLAUSE 11B. The Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peacetime standards, required by Subchapter O of Charter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by increases and changes in wartime Governmental requirements. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

4. Clause 32, Part II, is hereby amended to read as follows:

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 28, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other Warshiptime or Warship-overtime Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than \$100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 32 shall be applicable only from the effective date of this Charter.

5. Clause 36A, Part II, is hereby deleted.

6. Subdivision (d) of Section I (B) of Schedule A is hereby deleted.

7. The first paragraph of Section V of Schedule A is hereby amended to read as follows: "This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with delivery of the Vessel under this Charter."

8. The third paragraph of Section V of Schedule A is hereby amended by deleting the words "12:01 a. m. of the effective date

of this Amended Charter (Addendum)" and inserting in lieu thereof "the date and hour of the Vessel's delivery under this Charter".

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19____, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19____.

By _____
UNITED STATES OF AMERICA,
By E. S. LAND, Administrator,
War Shipping Administration.
By _____
For the Administrator.

As to execution for owner
Attest:

_____ or if not incorporated
In the presence of:

_____ Witness
and _____
_____ Witness

Approved as to form:
_____ Assistant General Counsel

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL] E. S. LAND,
Administrator.

JULY 20, 1945.

[F. R. Doc. 45-13245; Filed, July 20, 1945;
4:05 p. m.]

[G. O. 11, Supp. 11]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

UNIFORM TIME CHARTER FOR AMERICAN-FLAG TANK VESSELS NOT HERETOFORE UNDER TIME CHARTER "WARSHIPOILTIME (REV.) NEW VESSELS"

§ 302.52 *Uniform time charter for American-flag tank vessels not heretofore under time charter "Warshipoiltime (Rev.) New Vessels".* The Administrator, War Shipping Administration, adopts the following standard form of time charter for American-flag tank vessels not heretofore under time charter to the United States of America, acting by and through the Administrator, War Shipping Administration, to be known as "Warshipoiltime (Rev.) New Vessels":

Contract No. ____
Form No. 102 (Rev.) New Vessels
6/30 45
Warshipoiltime (Rev.) New Vessels

WAR SHIPPING ADMINISTRATION
TIME CHARTER
FOR TANK VESSELS

Time charter, hereinafter sometimes referred to as the Charter, dated as of _____, 194____, between _____ Address _____ Owner of the S.S. M. S. _____ (herein called the "Vessel"), and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer, the terms of the Charter being as follows:

PART I

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

Deadweight capacity, as defined in Clause 5, Part II.

Classed _____
Bale capacity of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer _____ cubic feet _____
Year built _____

CLAUSE A. *Period of charter.* From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. *Trading limits.* As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. *Hire.* The Owner is hereby given an election either (I) to accept the rate of hire hereinafter set forth in Option I, which states the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and the services required under the terms of this Charter; or (II) to decline to accept such rate of hire and to have the amount of just compensation judicially determined. If the Owner elects Option I, hire at the rate therein stated shall be paid by the Charterer to the Owner in the manner provided in Part II. If the Owner executes this Charter but does not accept the rate of hire set forth in Option I, the right of the Owner to pursue whatever legal remedy it may have to recover just compensation under the laws and Constitution of the United States shall not be impaired or prejudiced either by the execution and delivery of this Charter, or by the acceptance of 75 per centum of the rate of hire set forth in Option I, and this Charter, in any such event, shall then be deemed an agreement governing only the relations between the Owner and the Charterer in respect to matters other than the amount of just compensation for the use of the Vessel and the services required under the terms of this Charter. Where Option II applies the Charterer reserves all rights which it may have to readjust or redetermine the rate of hire at any time.

Option I. The hire shall be \$_____ per calendar month or pro rata for any portion thereof, of which the sum of \$_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

Option II. The Charterer shall pay to the Owner just compensation, to be judicially determined, for the use of the Vessel and the services required under the terms of this Charter, and, subject to the Charterer's reservations as to readjustment or redetermination of the rate of hire, the Charterer shall pay on account of just compensation a sum equal to 75 per centum of the hire otherwise payable under the terms of this Charter, as the same may from time to time be due under the terms of this Charter, and the Owner shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation. The term "just compensation" as used in this Clause C and elsewhere in this Charter shall be deemed to include interest, if any, to which the Owner would be entitled if it had not executed and delivered this Charter.

Time of election between options. The Owner shall elect between Option I and Option II at the time the Owner signs this Charter, unless a rate has not then been

inserted in Option I. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the rate to be so inserted. In the event of the Owner's failure to elect Option I at the time of signing, or within such 30 day period, as the case may be, Option II shall apply; *Provided, however,* That at any time after election has been made of either Option I or Option II, but before redelivery and before commencement of suit for just compensation, the Owner, subject to the approval of the Charterer, may, if it has elected Option I herein, change such election to Option II, effective as of the date of such change and notice thereof to the Charterer, or if it has elected Option II herein, change such election to Option I, effective as of the time of delivery under this Charter or such other mutually agreeable date as the Charterer may fix. Whenever Option II is applicable, it shall be deemed to have been elected for the purpose of this proviso.

Rate revision (Option I only) Not more often than once every 120 days after the effective date of this Charter, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (ewt) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire, as to which the provisions of Option II of this Clause C shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

CLAUSE D. *Valuation* The Owner shall elect between the following options, unless this is a Vessel subject to the provisions of Section 802 of the Merchant Marine Act 1936, as amended, in which event the Owner shall not have the right to elect Option I, and Option II shall apply.

Option I. In the event of loss or damage to the Vessel due to the operation of a risk assumed by the Charterer under the terms of this Charter, the Charterer shall pay to the Owner just compensation, to be judicially determined, for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage. In such event the amount of just compensation shall be determined and tendered by the Charterer as soon as practicable after the loss or damage, but if the amount of just compensation so determined is unsatisfactory to the person entitled thereto, the Charterer shall pay to such person 75 per centum of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum, will make up such amount as will be just compensation for such loss or damage.

Option II. For the period ending noon, e. w. t., April 20, 1946, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of \$_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____, but any Owner who shall be dissatisfied with such reduction

shall have the option, to be exercised on or before April 1, 1946, or on or before April 1st of any year thereafter, to elect Option I for the period commencing at noon, e. w. t., of the following April 20th, and effective for the balance of the term of this Charter. In event of such election, the provisions of Option I shall control for all purposes from such effective date.

The foregoing provisions of this Option II shall not be applicable to a Vessel subject to the provisions of Section 802 of the Merchant Marine Act, 1936, as amended. For the purposes of this Charter and any insurance undertaken by the Charterer, any such Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Option II may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Time of election between options. Except as otherwise provided in valuation Option II above, the Owner shall elect between Option I and Option II at the time the owner signs this Charter, unless a valuation has not then been inserted in Option II. In the latter case, such election shall be made by the Owner in writing within thirty (30) days after receipt of written notice from the Charterer of the valuation to be so inserted. In the event of the Owner's failure to elect Option II at the time of signing or within such 30-day period, as the case may be, Option I shall apply.

CLAUSE E. *Port of delivery.*

CLAUSE F. *Time and date of delivery.*

CLAUSE G. *Port of redelivery.* Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. *Notice of redelivery.* The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. *Uniform terms.* This Charter consists of this Part I and Part II conforming to Part II of the Amended Time Charter for Tank Vessels, published in the FEDERAL REGISTER of April 8, 1944, as corrected and amended by Orders published in the FEDERAL REGISTERS of May 11, 1944, June 6, 1944 and March 2, 1945, and as amended by the provisions contained in Clause K hereof. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. *Reservation as to just compensation.* Whenever the Owner hereunder is entitled to just compensation as provided under Option II Clause C or Option I Clause D or Plan I Schedule A hereof, the rights of such Owner as to the determination and payment of just compensation under the laws and Constitution of the United States shall not be prejudiced by reason of the execution and

delivery of this Charter by such Owner, and the rights of such Owner to just compensation shall be the same as though he had not executed and delivered this Charter: *Provided, however,* That all terms and conditions other than those relating to the determination and payment of just compensation shall not be impaired or affected by this reservation.

CLAUSE K. *Special Provisions.*

1. Wherever in Part II of this Charter or in Schedule A the terms "Amended Time Charter" or "Amended Charter" are used, the word "Amended" shall be deemed to be deleted from such terms so that the reference will be to "Time Charter" and "Charter" respectively. Wherever the word "Addendum" is used following such terms it shall be deemed deleted.

2. Clause 11A, Part II, is hereby amended to read as follows:

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions, or changes, except as may be otherwise provided herein.

3. Clause 11B, Part II, is hereby amended to read as follows:

CLAUSE 11B. The Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peacetime standards, required by subchapter O of Chapter II of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to life-boats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by increases and changes in wartime Governmental requirements. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

4. Clause 31, Part II, is hereby amended to read as follows:

CLAUSE 31. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive

profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 31 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the presence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other Warship-time or Warshipovertime Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than \$100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 31 shall be applicable only from the effective date of this Charter.

5. Clause 35A, Part II, is hereby deleted.

6. Subdivision (d) of Section I (B) of Schedule A is hereby deleted.

7. The first paragraph of Section V of Schedule A is hereby amended to read as follows: "This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with delivery of the Vessel under this Charter."

8. The third paragraph of Section V of Schedule A is hereby amended by deleting the words "12:01 a. m. of the effective date of this Amended Charter (Addendum)" and inserting in lieu thereof "the date and hour of the Vessel's delivery under this Charter."

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19____, and has elected Hire Option _____ and Valuation Option _____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19____.

By _____
UNITED STATES OF AMERICA,
By E. S. LAND, Administrator,
War Shipping Administration.
By _____
For the Administrator.

As to execution for Owner

Attest:

or if not incorporated

In the presence of:

Witness

and

Witness

Approved as to form:

Assistant General Counsel

(E.O. 9054, 3 CFR Cum. Supp.)

[SEAL]

E. S. LAND,
Administrator.

JULY 20, 1945.

[F. R. Doc. 45-13276; Filed, July 21, 1945;
9:40 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 10—RULES GOVERNING EMERGENCY RADIO SERVICES

STATION IDENTIFICATION

The Commission on July 17, 1945, effective immediately, adopted § 10.63 *Station identification*, which reads:

§ 10.63 *Station identification*. Every station in the emergency radio service, except those classes of stations covered by other station identification requirements of the Commission, shall transmit its call letters at the end of each transmission: *Provided, however*, That transmission of the call letters at the end of each transmission is not required during periods of communication requiring continuous, frequent, or extended use of the transmitting apparatus if, during such periods and in connection with such use, the call letters are transmitted at intervals of not more than 15 minutes.

(Sec. 4 (i), 48 Stat. 1068; sec. 303, 48 Stat. 1082; 47 U.S.C. 154 (i), 303 (f))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-13281; Filed, July 21, 1945; 11:02 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 330, Amdt. 2]

PART 95—CAR SERVICE

PREICING AND PRECOOLING POTATOES PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of July, A. D. 1945.

Upon further consideration of Service Order No. 330 (10 F.R. 8477), as amended (10 F.R. 8560), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 330 (10 F.R. 8477), as amended (10 F.R. 8560), be, and it is hereby, further amended by substituting the following paragraphs (a) and (b) for paragraphs (a) and (b) thereof:

(a) *Pricing potatoes prohibited in certain States*. No common carrier by railroad subject to the Interstate Commerce Act shall ice a refrigerator car, intended to be loaded with potatoes at any point in the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington, and Wyoming, prior to the actual complete loading of the refrigerator car with such potatoes. In the event such cars are priced and loaded, in violation of this provision, those priced cars shall not be transported.

(b) *Precooling potatoes originating in certain States prohibited*. Subject to the exception shown below, no common carrier by railroad subject to the Interstate Commerce Act shall accord, allow or per-

mit, the precooling of a refrigerator car intended to be loaded with potatoes at, or loaded with potatoes shipped from, any point in the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington, or Wyoming. In the event such cars are precooled in violation of this provision those precooled cars shall not be transported.

Exception. This order shall not apply to the precooling of potatoes at loading points by shippers with their own equipment, providing no additional switching by the railroads is required for the refrigerator cars so precooled by shippers.

It is further ordered, That this amendment shall become effective at 12:01 a. m., July 22, 1945; that copies of this order shall be served upon the State railroad regulatory bodies of the States of Colorado, Kansas, Missouri, Nebraska, Oregon, Texas, Washington and Wyoming, 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. 45-13320; Filed, July 21, 1945; 11:36 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 57]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

PASSENGER RESERVATIONS RESTRICTED

General outline. This General Order ODT 57 prohibits the sale of railway tickets or space to travel agencies. It also prohibits any travel agency from reserving, purchasing, or acquiring any such ticket or space. The term "travel agency" is so defined in the order as to include any person other than a carrier, or an employee or authorized agent of a carrier who, for compensation, purchases or procures any ticket for transportation on a passenger train, or procures or reserves seating or sleeping space on a passenger train, or who organizes or sponsors "all-expense" trips or tours.

The order also prohibits organized group travel. "Organized group travel" is defined in the order as including passenger train travel by any two or more persons traveling together in a group, when such travel has been arranged by a travel agency, or by any other person, who, for compensation, has made arrangements in advance of such travel for the obtaining by the persons in the group, of meals, lodging or recreation incident to such travel.

The order is designated to curtail civilian passenger train travel which is unrelated to the war effort in order that passenger train equipment may be made

available for troop movements with the least possible interference with travel on regularly scheduled passenger trains by men and women in the service who are on furlough and by civilians engaged in essential travel. Under present conditions, occupancy of space on passenger trains by persons engaged in organized group travel many times deprives service men and women of space which otherwise would be available to them. Service men and women are entitled to the space.

This general outline of the order shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act of 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars available for the preferential transportation of troops and material of war; to assure the orderly and expeditious movement of troops and material of war; and to expedite the movement of necessary domestic passenger traffic, the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered, that:

Sec.

502.244 Definitions.

502.245 Making tickets available to, or securing tickets by, travel agencies prohibited.

502.246 Organized group travel on passenger trains prohibited.

502.247 Applicability.

502.248 Communications.

AUTHORITY: §§ 502.244 to 502.248, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183.

§ 502.244 *Definitions*. As used in this order (§§ 502.244 to 502.248, inclusive), the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any political, governmental or legal entity.

(b) "Carrier" means any common carrier by railroad or sleeping car company which transports passengers for compensation.

(c) "Ticket" means the evidence issued by a carrier which, when presented to it or to another carrier, will be honored (1) for transportation on a passenger train, or (2) for reserved seating or sleeping space on a passenger train.

(d) "Travel agency" means any person other than a carrier, or an employee of a carrier, or an authorized agent of a carrier, who, directly or indirectly, for compensation, (1) purchases or procures any ticket for transportation on a passenger train, or procures or reserves seating or sleeping space on a passenger train, or (2) organizes or sponsors "all-expense" trips or tours. Any hotel which secures railway tickets or space on a passenger train for the accommodation of its guests only, shall not be considered to be a travel agency.

(e) "Authorized agent of a carrier" means a person who has been furnished a stock of tickets by a carrier for the

purpose of enabling such person to sell such tickets to the general public for the account of such carrier.

(f) "Organized group travel" means travel on a passenger train by any two or more persons traveling together in a group (whether accompanied by a guide or otherwise), (1) when the arrangements for such travel have been made by a travel agency, or (2) when any other person, for compensation, has made arrangements in advance of such travel for the obtaining by such persons traveling together in a group, of meals, lodging or recreation incident to such travel.

(g) "Continental United States" means the forty-eight States and the District of Columbia.

§ 502.245 *Making tickets available to, or securing tickets by, travel agencies prohibited.* No person, whether an employee of a carrier or otherwise, shall knowingly reserve for, sell to, or make available to, any travel agency any ticket for use on any passenger train; and no travel agency shall, directly or indirectly, reserve or cause to be reserved, purchase or cause to be purchased, acquire, or cause the issuance of, any such ticket.

§ 502.246 *Organized group travel on passenger trains prohibited.* No carrier shall knowingly permit any persons engaged in organized group travel to board or travel on any passenger train, and no person shall engage in organized group travel by boarding or traveling on any passenger train.

§ 502.247 *Applicability.* The provisions of this order shall be applicable only in the Continental United States.

§ 502.248 *Communications.* Communications concerning this order should refer to "General Order ODT 57" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 57 shall become effective on July 21, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of July, 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-13338; Filed, July 21, 1945; 1:09 p. m.]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

[General Order ODT 44A]

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This General Order ODT 44A revises and amends General Order ODT 44, as amended, and beginning August 1, 1945, regulates the transfer of new commercial motor vehicles within the continental United States and the territories and possessions of the United States.

The order provides that no person shall transfer or accept transfer of any new commercial motor vehicle unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation. Included within the scope of the order are sales, leases, trades, loans, gifts, and other methods by which title or possession of a new commercial motor vehicle is transferred from one person to another. The definition of the term "new commercial motor vehicle" includes vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load-carrying capacity of 10,000 pounds or more, bus chassis, carry-all suburbans, sedan deliveries, and cab pickups, but does not include station wagons, utility sedans, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type buses.

An application for a certificate of transfer is required to be in writing, on a form provided by the Office of Defense Transportation, and submitted to the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant. In the case of a department or agency of the United States, the application is to be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

The procedure that will be followed upon the filing of an application with the district office is set forth in Administrative Order ODT 27A.

A certificate of transfer for a new commercial motor vehicle will be issued only for a specific use included within a "Usage Classification List for New Commercial Motor Vehicles" contained in an appendix to the order, and when it appears that the transfer of the new vehicle is necessary to the war effort or to the maintenance of essential civilian economy and that the vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application. A certificate of transfer will not be issued unless it is found to be consistent with the available supply of new commercial motor vehicles.

Manufacturers, distributors, and dealers who acquire new commercial motor vehicles for the purpose of resale and not for use, are not required to have certificates of transfer for such acquisitions. Special provision is made for the issuance of certificates of transfer in respect of vehicles (local passenger transportation equipment) subject to General Order ODT 35 (8 F.R. 3451).

A manufacturer or sales agency which has in stock a new commercial motor vehicle of the type specified in a certificate is required to transfer such vehicle upon presentation of such certificate of transfer, provided certain stated conditions are met.

Notification to the Office of Defense Transportation of all transfers made pursuant to certificates of transfer is required.

The order also provides that a commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that for which the certificate of transfer was issued, without the written prior approval of the Office of Defense Transportation. This restriction does not apply to vehicles acquired by a department or agency of the United States, or to a transfer of possession of a vehicle for transporting property where possession under the transfer is for a period not in excess of 10 days.

Vehicles made available to the Foreign Economic Administration, or to the Motor Vehicle Controller of Canada, by the War Production Board are not subject to the order. Persons affected by the order are required to preserve, for a period of not less than 2 years, records concerning inventories and transfers of new commercial motor vehicles. Such records are to be made available for examination and inspection by accredited representatives of the Office of Defense Transportation.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 44A follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, and 9294, War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, material, and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of new commercial motor vehicles for defense, for private use and for export, and it being deemed necessary in the public interest and to promote the national defense, to ration or allocate new commercial motor vehicles, *It is hereby ordered, That General Order ODT 44, as amended (9 F.R. 7089, 10 F.R. 3877), be, and it hereby is, revised and amended to read as follows:*

Sec.	
501.420	Restrictions on transfers of new commercial motor vehicles.
501.421	Application for certificate of transfer; place of filing.
501.422	Certificate of transfer; when issued; period of validity.
501.423	Transfer from stock upon presentation of certificate of transfer.
501.424	Notification of transfer.
501.425	Subsequent transfers.
501.426	Issuance of certificates for vehicles subject to General Order ODT 35.
501.427	Exemptions.
501.428	Records and reports.
501.429	Applicability.
501.430	Definitions.
501.431	Communications.

AUTHORITY: §§ 501.420 to 501.431, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50

U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009.

§ 501.420 *Restrictions on transfers of new commercial motor vehicles.* Except as otherwise provided in this order and irrespective of the terms of any contract of sale or purchase, or of any other commitment, no person shall transfer and no person shall accept transfer of any new commercial motor vehicle, unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation.

§ 501.421 *Application for certificate of transfer; place of filing.* (a) An application for a certificate of transfer shall be made in writing by the person desiring to acquire a new commercial motor vehicle, on the form provided by the Office of Defense Transportation and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and shall contain the information requested therein. Additional data deemed requisite to support the application may be attached thereto.

(b) If the applicant is not a department or agency of the United States, the application shall be submitted to the Office of Defense Transportation at the place specified below, unless the applicant is directed to submit the application at another place:

(1) An applicant located within the continental United States shall file the application with the district manager of the Office of Defense Transportation whose office is nearest the home office or principal place of business of the applicant.

(2) An applicant located in the Territory of Alaska shall file the application with the Alaskan representative of the Office of Defense Transportation, Fairbanks, Alaska.

(3) An applicant located in the Territory of Hawaii shall file the application with the regional director of the Office of Defense Transportation, Honolulu, Hawaii.

(4) An applicant located in Puerto Rico shall file the application with the regional director of the Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico.

(5) An applicant located in a territory or possession of the United States other than Alaska, Hawaii, or Puerto Rico, shall file the application with the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(c) If the applicant is a department or agency of the United States, the application shall be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.422 *Certificate of transfer; when issued; period of validity.* (a) A certificate of transfer will be issued by the Office of Defense Transportation whenever it appears that the transfer of the new commercial motor vehicle for a specified use included in the Usage Classification List for New Commercial

Motor Vehicles, reproduced as Appendix 1 hereto, is necessary to the war effort or to the maintenance of essential civilian economy and that the new commercial motor vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application, and that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the available supply of such vehicles.

(b) A period of validity shall be stated in each certificate of transfer.

§ 501.423 *Transfer from stock upon presentation of certificate of transfer.* Any manufacturer or sales agency to which a valid certificate of transfer is presented, and which has in stock a new commercial motor vehicle of the type specified, shall transfer such vehicle to the person named in such certificate of transfer, irrespective of the terms of any contract of sale or any other commitment, provided the prospective purchaser who presents such certificate of transfer is legally capable of entering into a contract, and tenders in cash or by certified check the maximum price established for the vehicle by the Office of Price Administration, or is prepared to sign the security instruments and possesses the financial qualifications customarily required of a purchaser: *Provided*, That nothing in this § 501.423 shall be construed as precluding the transfer of a new commercial motor vehicle at less than the maximum price established for the vehicle by the Office of Price Administration.

§ 501.424 *Notification of transfer.* In each case of a transfer of a new commercial motor vehicle pursuant to a certificate of transfer the transferor and the transferee shall execute a notification of transfer on the form supplied by the Office of Defense Transportation. Such notification shall be filed forthwith with the district manager who handled the application, except that if the applicant is a department or agency of the United States, such notification shall be transmitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.425 *Subsequent transfers.* (a) A commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that stated in the application for such certificate of transfer, without the written prior approval of the Office of Defense Transportation. Such prior approval will not be given unless it appears that the vehicle will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy. Applications for such prior approval shall be in writing and submitted to the district manager with whom the original application for such certificate of transfer was filed. The written application shall be signed by the applicant and shall contain a statement of the facts upon which the applicant bases his request for approval.

(b) The restriction of paragraph (a) of this § 501.425 shall not apply to any vehicle acquired under a certificate of transfer by a department or agency of the United States, or to any transfer of possession of a commercial motor vehicle (property carrier) under an agreement, oral or written, for the purpose of transporting property in the regular course of business of a person as a motor carrier for hire, or in the furtherance of any commercial enterprise of a person, where possession under such transfer shall not continue under any conditions for a period in excess of 10 days from the date upon which such transfer is first made.

§ 501.426 *Issuance of certificates for vehicles subject to General Order ODT 35.* (a) Nothing in this General Order ODT 44A, except paragraph (c) of this § 501.426 shall be construed as altering or affecting any provision of General Order ODT 35 (8 F.R. 3451), or as such order may be hereafter amended, revised, or reissued.

(b) Where approval of the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment, as defined in General Order ODT 35, by any Federal department is required by § 501.303 of General Order ODT 35 or pursuant to the Act of December 1, 1942 (Pub. Law 779, 77th Cong., 56 Stat. 1024; 50 U. S. C. App. Supp., 841, 842), and a certificate of transfer for any such equipment is also required pursuant to the provisions of this General Order ODT 44A, a single application for approval shall be filed pursuant to the provisions of § 501.304 of General Order ODT 35 or the said Act of December 1, 1942. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring the submission of a separate application for such certificate of transfer.

(c) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment by any contractor, as defined in General Order ODT 35, is required by § 501.303 of General Order ODT 35, and a certificate of transfer for such equipment is also required by § 501.420 of this General Order ODT 44A, a single application shall be filed pursuant to the provisions of § 501.421 of this General Order ODT 44A. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring submission of the application for approval of the purchase, lease, requisition, or use of such equipment provided in General Order ODT 35.

§ 501.427 *Exemptions.* (a) The provisions of this General Order ODT 44A shall not be applicable to new commercial motor vehicles made available to the Foreign Economic Administration, or to the Motor Vehicle Controller of Canada, by the War Production Board.

(b) The following persons may acquire by transfer a new commercial motor vehicle without a certificate of transfer, but only for the purpose of resale and not for use:

(1) A manufacturer, distributor, or dealer;

(2) A person who in good faith lends money on the security of, or finances the sale of, a new commercial motor vehicle;

(3) A person distraining upon a new commercial motor vehicle under a writ of attachment, execution or similar form of judicial process, or any person repossessing a new commercial motor vehicle under the terms of a conditional sales contract, mortgage or similar instrument;

(4) A person acquiring title to a new commercial motor vehicle through or under the terms of a will, or by intestacy under any State or Federal law, or through bankruptcy or receivership proceedings.

§ 501.428 *Records and reports.* All persons affected by this order shall preserve, for not less than 2 years, accurate and complete records concerning inventories and transfers of new commercial motor vehicles, and shall prepare and maintain such other records and make such reports as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.429 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States.

§ 501.430 *Definitions.* As used herein, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "New commercial motor vehicle" means any light, medium or heavy motor-truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which:

(1) Was manufactured subsequently to July 31, 1941; and

(2) Was designed to be propelled or drawn by mechanical power; and

(3) Was designed for use on or off the highways for transportation of property or persons; and

(4) Was manufactured otherwise than under specifications of the United States Army or United States Navy; and

(5) Has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load-carrying capacity of 10,000 pounds or more, bus chassis, carry-all suburbans, sedan deliveries,

and cab pickups, but not including station wagons, utility sedans, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type buses.

(c) "Manufacturer" means any person who manufactures new commercial motor vehicles.

(d) "Dealer" means any person regularly engaged in the business of offering new commercial motor vehicles for sale at retail to the public.

(e) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling new commercial motor vehicles to dealers.

(f) "Sales agency" means any distributor or dealer, and includes any agency or branch of a manufacturer which sells new commercial motor vehicles: *Provided, however,* That the terms "manufacturer," "dealer," "distributor," and "sales agency," as defined in paragraphs (c), (d), (e), and (f) of this § 501.430 do not include manufacturers of bodies or other equipment for mounting on truck chassis produced by other manufacturers.

(g) "Transfer" means to sell, lease, trade, lend, give, deliver, ship or physically transfer in any other way which involves the use of the commercial motor vehicle after the transfer by a person other than the transferor; or to convert to use a commercial motor vehicle held by a manufacturer, distributor, or dealer; or to change the designation of the registered owner. Transfer does not include delivery to a carrier for shipment, nor delivery by a carrier to a consignee; nor does it include a lease or loan made in good faith by any person other than a dealer, distributor, or other sales agency; nor does it include a technical transfer of title for security purposes to a person financing a conditional sale or similar transaction made simultaneously with the transfer of the vehicle itself to the purchaser.

(h) "Certificate of transfer" means a nontransferable certificate, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle.

(i) "Transferor" means any manufacturer, dealer, distributor, sales agency or other person who transfers a new commercial motor vehicle.

(j) "Transferee" means any person who acquires possession of a new commercial motor vehicle pursuant to a certificate of transfer.

(k) "District" means a district of the Highway Transport Department of the Office of Defense Transportation as described in Administrative Order ODT 6B, as amended, or as it may be amended from time to time.

(l) "District manager" means the manager of a district, and, in the case of the territories and possessions of the United States, shall include the representatives of the Office of Defense Transportation referred to in § 501.421 of this order.

(m) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.431 *Communications.* Communications concerning this order should

refer to General Order ODT 44A and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This General Order ODT 44A shall become effective August 1, 1945.

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

Issued at Washington, D. C., this 23d day of July 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1—USAGE CLASSIFICATION LIST FOR NEW COMMERCIAL MOTOR VEHICLES

The following classification of new commercial motor vehicles on the basis of use applies to light, medium and heavy trucks, truck-tractors, trailers, and chassis thereof. It will serve as a broad general basis for the preferential allocation of the supply of such new vehicles. The various classes are arranged in the order of their importance from the standpoint of the national war effort. Individual groups within a given class are shown as illustrations of the coverage of the class and do not indicate preference groups within the class.

All vehicles are to be classified according to their predominant or principal use into five classes arranged in the order in which preference is to be granted. As a general rule, predominant or principal use means 50 percent or more of the applicant's operations.

The Usage Classification List is as follows:

CLASS I

Vehicles principally used in connection with military forces (in action or on maneuvers), public health or safety, or with essential channels of communications, such as:

In connection with military forces in the field (in action or on maneuvers).

To maintain public police services; fire-fighting services; services essential to protection of public health and safety, including the regulation of highway traffic and prevention of highway accidents.

To construct and maintain mail, telegraph, telephone and organized radio communication services.

To furnish and maintain water supply, sewage and garbage disposal and other sanitation services.

CLASS II

Vehicles principally used directly in connection with the war effort, such as:

In connection with fixed military and naval posts and establishments.

In the transportation of all materials, supplies and equipment of industry and business directly connected with the war effort, including farm, forest and mine products, and food.

In service operations connected with the construction, maintenance and supply of essential rail, highway, water, pipe line, and air transportation facilities.

In the transportation of material and equipment for the construction of defense housing facilities.

In the transportation of material and equipment for the construction and maintenance of public utilities other than those specified in Class I above.

In the transportation of persons engaged in business, industry, etc., directly connected with the war effort.

CLASS III

Vehicles principally used in connection with essential functions indirectly connected with the war effort, such as:

In the transportation of all materials, supplies and equipment of industry and business indirectly connected with the war effort, including farm, forest and mine products, and food.

For the transportation of ice and fuel for heating and power to the ultimate consumer for personal, family or household use.

For the rendering of essential roofing, plumbing, heating, electrical, building and vehicle repair services.

For the collection of waste and scrap material other than services performed in connection with Class I.

In the transportation of persons in business, industry, etc., indirectly connected with the war effort.

In the service of public and private schools and educational institutions.

CLASS IV

Vehicles used for the transportation of persons or goods, except as above classified, not connected with the war effort, and which are used in the less essential activities. This includes all essential forms of retail delivery, except that of ice and fuel (see Class III).

CLASS V

Vehicles used in connection with non-essential functions or so-called "luxury" uses and not connected with the war effort.

[F. R. Doc. 45-13403; Filed, July 23, 1945; 11:55 a. m.]

PART 503—ADMINISTRATION

[Administrative Order ODT 27A]

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This Administrative Order ODT 27A is a revision of Administrative Order ODT 27, as amended, and supplements General Order ODT 44A, which governs the allocation or rationing of new commercial motor vehicles and which prohibits, with certain exceptions, the transfer of a new commercial motor vehicle except under a certificate of transfer issued by the Office of Defense Transportation. This administrative order establishes the procedure that will be followed upon the filing of an application for a certificate of transfer with the district office of the Office of Defense Transportation nearest to the home office or principal place of business of applicant.

Where an application involves a vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or a semi-trailer), the district manager may, after making such investigation as is necessary, either issue a certificate of transfer or disapprove the application. Where an application involves a vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or semi-trailer, the district manager may, after making such investigation as is necessary, either disapprove the application or forward it to Washington with his recommendation for approval. The standards which govern a district manager in his determination are prescribed. An adverse decision on an application by a district manager is subject to appeal to a local

appeal board which may either affirm or reverse the decision of the district manager. The decision of the local appeal board is final except in the case where the local appeal board reverses the decision of the district manager disapproving an application in respect of a vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or a semi-trailer. In the latter case the local appeal board will forward the application to Washington with its recommendation of approval. The final decision on each application recommended for approval by either the district manager or the local appeal board is made by the Director, Highway Transport Department, Office of Defense Transportation, or by such member of his staff as he may designate.

Limitations upon the filing of a new application after disapproval of an original application are prescribed.

This administrative order also prescribes the procedure to be followed by a person who, having acquired a new commercial motor vehicle, pursuant to a certificate of transfer, for the purpose of transporting property, seeks the approval of the Office of Defense Transportation to transfer such vehicle within 6 months after its acquisition. Applications for such approval and appeals in connection therewith are to be handled under the terms of this administrative order in the same general manner as applications for certificates of transfer involving vehicles of less than 16,000 pounds gross vehicle weight.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of Administrative Order ODT 27A follows:

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directives 21 and 36, as amended, and in order to regulate transfers of new commercial motor vehicles for which prior authority is required by General Order ODT 44A, *It is hereby ordered*, That Administrative Order ODT 27, as amended (9 F.R. 7092, 10268, 15006), be, and it hereby is, revised and amended to read as follows:

Sec.

- 503.470 Application for certificate of transfer.
- 503.471 Consideration of application by district manager; issuance of certificate of transfer.
- 503.472 Appeal from decision of district manager; local appeal boards.
- 503.473 Issuance of certificate of transfer by director.
- 503.474 Filing of new application after disapproval of original application.
- 503.475 Approval of subsequent transfer; appeals.
- 503.476 Delegation of authority.
- 503.477 Applicability.
- 503.478 Definitions.
- 503.479 Communications.

AUTHORITY: §§ 503.470 to 503.479, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives

21 and 36, as amended, 8 F.R. 5834, 10 F.R. 8009.

§ 503.470 *Application for certificate of transfer.* (a) An application for a certificate of transfer shall be made on the form prescribed and provided by the Office of Defense Transportation, and approved by the Bureau of the Budget.

(b) An application shall consist of an original and 3 exact copies, including any supporting data; and a separate application must be filed for each vehicle.

(c) If the applicant is an individual, the application should be signed by him. If the applicant is a partnership, the names of all partners should be stated and the application should be signed by one partner. If an individual or a partnership does business under a trade name, such trade name should also be stated in the application. If the applicant is a corporation, the exact corporate name should be stated, and the application should be executed by an authorized official of the corporation.

§ 503.471 *Consideration of application by district manager; issuance of certificate of transfer.* (a) The district manager to whom an application is submitted may refer the application to another district manager for advice or handling.

(b) Except as hereinafter provided in paragraph (e) of this section, upon receipt of an application in respect of a new commercial motor vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or semi-trailer) the district manager, without undue delay, shall make any necessary investigation and shall either issue a certificate of transfer or disapprove the application. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(c) Except as hereinafter provided in paragraph (e) of this section, or paragraph (b) (1) of § 503.473 (applicable in Puerto Rico), upon receipt of an application in respect of a new commercial motor vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or semi-trailer, the district manager, without undue delay, shall make any necessary investigation and shall either recommend approval of the application or shall disapprove it. If the district manager recommends approval of the application, he shall forward it to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(d) The district manager shall issue a certificate of transfer pursuant to paragraph (b) of this section, and shall recommend approval of an application under paragraph (c) of this section, only upon a determination by him that the new commercial motor vehicle will be devoted, without undue delay, to the use or uses directly related and necessary

to the war effort or to the maintenance of essential civilian economy, in the business of the applicant and within the area, as indicated in the application. In making a determination under this § 503.471, the district manager shall be governed by the "Usage Classification List for New Commercial Motor Vehicles" as reproduced in Appendix 1 to General Order ODT 44A, or as it may be amended from time to time; shall consider the number of available new commercial motor vehicles of the type covered by the application; and shall be assured:

(1) That the applicant could not fill its needs by leasing available vehicles of others, by pooling its present vehicles with those of other operators, by purchasing a used vehicle, or by utilizing the services of other operators; and

(2) That the applicant could not transfer some of its present vehicles now being used for less essential purposes to the use for which it is now requesting the new vehicle; and

(3) That if the new vehicle is to be used for replacement, the vehicle to be replaced is incapable of being repaired to serve the applicant's purpose.

(e) In any case where it appears that the new commercial motor vehicle covered by the application is to be used in connection with an extension or inauguration of motor carrier service which requires the prior approval of the Office of Defense Transportation under General Order ODT 3, Revised, as amended, General Order ODT 6A, as amended, or General Order ODT 17, as amended, or which requires the issuance of a new or amended certificate of war necessity under General Order ODT 21A, and such prior approval or new or amended certificate of war necessity has not been obtained by the applicant, the district manager shall defer consideration of the application for a reasonable period. If, within a reasonable time, the applicant fails to request such prior approval in accordance with Administrative Order ODT 15, as amended, or fails to apply for such new or amended certificate in accordance with General Order ODT 21A, as amended, or, if having made such request, the request has been finally denied, the district manager shall dismiss the application for a certificate of transfer and return the original to the applicant, with a letter stating briefly the reason for the dismissal. The decision of the district manager under this paragraph (e) shall not be subject to the provisions of § 503.472 of this order.

§ 503.472 *Appeal from decision of district manager; local appeal boards.*

(a) Local appeal boards shall be established to consider appeals from decisions of district managers, as provided in this order. Each local appeal board will consist of three members appointed by the Office of Defense Transportation, no one of whom shall be a district manager or a member of a district manager's staff.

(b) Local appeal boards heretofore established by the Office of Defense Transportation to hear and determine appeals under Administrative Order ODT 27, as amended, are hereby established as local appeal boards under this Administrative Order ODT 27A, and are

authorized to consider appeals filed pursuant to this order.

(c) Any applicant who is aggrieved by the action of the district manager in disapproving an application for a certificate of transfer, or in disapproving an application for approval of a subsequent transfer made under § 503.475 of this order, may file an appeal from such decision with the local appeal board within 30 days after such decision is made. The appeal shall be in writing and shall state in full the facts upon which the appeal is based and the reasons why it is believed that the decision of the district manager is inconsistent with the provisions of this order. The applicant may submit to the local appeal board such additional data as are deemed requisite to support the appeal. The appeal and supporting data should be submitted in duplicate.

(d) The local appeal board will consider the appeal with or without hearing in the discretion of the local appeal board. If the local appeal board denies the appeal, the original application will be returned to the applicant accompanied by an appropriate notification from the local appeal board. No further appeal will be allowed.

(e) If the local appeal board allows an appeal involving an application in respect of a new commercial motor vehicle of less than 16,000 pounds gross vehicle weight (other than a full trailer or semi-trailer) the application and the appeal file shall be returned to the district manager together with notice of the allowance of the appeal and, upon receipt thereof, the district manager shall issue a certificate of transfer.

(f) If the local appeal board allows an appeal involving an application in respect of a new commercial motor vehicle of 16,000 pounds or more gross vehicle weight, or a full trailer or a semi-trailer, the application will be forwarded to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(g) Communications in regard to an appeal should be addressed to Local Appeal Board, Office of Defense Transportation, in care of the district manager with whom the original application was filed.

§ 503.473 *Issuance of certificate of transfer by director.* (a) Except as otherwise provided, a certificate of transfer will be issued by the Director, Highway Transport Department, Office of Defense Transportation, when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44A, including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Director shall be final.

(b) (1) Whenever a proper application is made to the regional director, Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico, for a certificate of transfer in respect of a full trailer or

semi-trailer held by any person for sale in Puerto Rico, and it appears that a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more will not be required by applicant to draw such trailer or semi-trailer, the regional director will issue a certificate of transfer if it further appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44A, including the available supply of such vehicles; otherwise, he will disapprove the application and so notify the applicant. Upon written request by the applicant, the disapproval of any such application by the regional director will be reviewed by the Director of the Division of Puerto Rican Transport, who may affirm or reverse the action of the regional director. The decision of the Division Director shall be final.

(2) In any case where it appears in connection with an application made to the regional director, Division of Puerto Rican Transport, for a certificate of transfer in respect of a full trailer or semi-trailer held by any person for sale in Puerto Rico that a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more will be required by the applicant to draw such trailer or semi-trailer, the regional director shall either recommend approval of, or shall disapprove, such application (and any application for a new truck or truck-tractor of a gross vehicle weight of 16,000 pounds or more filed by the applicant) in accordance with the provisions of § 503.471 of this order; and issuance of certificates of transfer in respect of such vehicles will be subject to paragraph (a) of this section.

§ 503.474 *Filing of new application after denial or disapproval of original application.* (a) After an application for a certificate of transfer has been denied or disapproved by a district manager, the applicant may file a new application for a new commercial motor vehicle for the same usage not earlier than 60 days after the date of the disapproval of the original application by the district manager.

(b) If the applicant has appealed to a local appeal board and the appeal has been denied, the applicant may file such new application not earlier than 60 days after the date of the notification of the denial by the local appeal board.

(c) If the district manager or local appeal board recommends approval of an application in respect of a new commercial motor vehicle of a gross vehicle weight of 16,000 pounds or more, or a full trailer or semi-trailer, but it is subsequently disapproved by the Director, the applicant may file such new application not earlier than 60 days after the date of the disapproval by the Director.

(d) Notwithstanding paragraphs (a), (b), and (c) of this section, an application may be reconsidered by the district manager, the local appeal board, or the Director, at any time prior to the expiration of such respective 60 days' periods, provided that additional data are submitted which have substantial bearing on the merits of the application,

and a reasonable explanation is given why such additional data were not previously submitted.

(e) In construing this section, an application shall be considered as being a new application for a new commercial motor vehicle for the same usage if it appears from an examination thereof that the proposed usage as stated therein is substantially the same as that stated in the original application; a change in the place where the vehicle is to be used or any change or substitution in the make, model, gross vehicle weight, or capacity of the vehicle will not of itself be considered to be a substantial change in usage.

§ 503.475 *Approval of subsequent transfer; appeals.* (a) Whenever written application for approval of a subsequent transfer is filed with a district manager pursuant to § 501.425 of General Order ODT 44A, the district manager may require the applicant to submit reasonable proof of statements made in support of the application, and may make such investigation as may be reasonably necessary for proper disposition of the application. The district manager will approve the application only when it appears that the vehicle sought to be transferred will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, and upon such showing will issue a written approval of the transfer. In the absence of such showing the district manager shall disapprove the application and so notify the applicant in writing and advise him of the appeal procedure.

(b) An appeal from a disapproval of a district manager of an application for approval of a subsequent transfer may be made to a local appeal board as provided in § 503.472 of this order. If the local appeal board allows the appeal, the application and the appeal file shall be returned to the district manager together with notice of the allowance of the appeal and upon receipt thereof, the district manager shall issue his approval of the subsequent transfer.

§ 503.476 *Delegation of authority.* The authority conferred by this administrative order upon the Director, Highway Transport Department, Office of Defense Transportation, may be delegated by him to such member or members of his staff as he may designate.

§ 503.477 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States.

§ 503.478 *Definitions.* As used herein, the term:

(a) "Director" means the Director, Highway Transport Department, Office of Defense Transportation.

(b) Any term used in this order and not otherwise defined, shall have the meaning specified therefor in § 501.430 (Definitions) of General Order ODT 44A.

§ 503.479 *Communications.* Communications concerning this order should

refer to Administrative Order ODT 27A, and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This Administrative Order ODT 27A shall become effective August 1, 1945.

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

Issued at Washington, D. C., this 23d day of July 1945.

J. M. JOHNSON, *Director,*
Office of Defense Transportation.

[F. R. Doc. 45-13402; Filed, July 23, 1945; 11:55 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

PUBLIC USE OF UPPER SOURIS NATIONAL WILDLIFE REFUGE

Under authority of §§ 12.2 and 12.7 of the General Regulations for the Administration of National Wildlife Refuges (5 F.R. 5284), as amended, the following is ordered:

§ 29.919b *Upper Souris National Wildlife Refuge, North Dakota; public use.* The following described area in the Upper Souris National Wildlife Refuge, North Dakota, is hereby designated as a recreational area for use of the public under the conditions hereinafter prescribed:

SE $\frac{1}{4}$, Sec. 29; T. 158 N., R. 84 W.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Persons entering the refuge for the purposes covered by this order must follow such routes of travel within the refuge as are designated by posting.

Picnicking, swimming, skating and other recreational uses except fishing may be conducted at any time without permit on the designated recreational area.

Boats (rowboats, sailboats, and canoes only) may be operated without permit during the daylight hours on Lake Darling between Dam No. 83 and the north line of Secs. 28, and 29, T. 158 N., R. 84 W., except that boating may be prohibited during the open waterfowl hunting season or during periods of waterfowl concentrations as, in the judgment of the officer in charge, such limitations and restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting. The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The launching or landing of any boat will be permitted only on the shoreline bounded by the designated recreational area.

No person shall engage in any business, erect or maintain a building, or operate a boat for hire, except under permit issued by the Director of the Fish and Wildlife Service.

Dated: July 14, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-13277; Filed, July 21, 1945; 9:38 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1945 Dept. Circ. 773]

$\frac{7}{8}$ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES F-1946

OFFERING OF CERTIFICATES

JULY 23, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated $\frac{7}{8}$ percent Treasury Certificates of Indebtedness of Series F-1946, in exchange for Treasury Certificates of Indebtedness of Series E-1945, maturing August 1, 1945.

II. *Description of certificates.* 1. The certificates will be dated August 1, 1945, and will bear interest from that date at the rate of $\frac{7}{8}$ percent per annum, payable semiannually on February 1 and August 1, 1946. They will mature August 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscrip-

tion, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before August 1, 1945, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series E-1945, maturing August 1, 1945, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 45-13367; Filed, July 23, 1945;
11:23 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2048945]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 9, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 51 N., R. 8 E.,
Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$
T. 50 N., R. 9 E.,
Sec. 16, All

The above lands contain 720 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World

War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-13279; Filed, July 21, 1945;
9:39 a. m.]

DEPARTMENT OF AGRICULTURE.

Office of Marketing Services.

FLORIDA SUGARCANE HARVESTING

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS TO DETERMINE FAIR AND REASONABLE WAGES

Pursuant to the authority contained in subsection (b) and (d) of section 301

and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that a public hearing will be held at Clewiston, Florida, in the High School Auditorium, on August 16, 1945 at 9:30 a. m.

The purpose of such hearing is to receive evidence likely to be of assistance to the Secretary in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in Florida in the harvesting of sugarcane during the period from September 1, 1945, to June 30, 1946, and the planting and cultivating of sugarcane during the calendar year 1946 on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1945 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who as producers apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

Joshua Bernhardt, C. R. Oviatt and Harry H. Simpson are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearing.

Issued this 23d day of July, 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13358; Filed, July 23, 1945;
11:12 a. m.]

Office of the Secretary.

MILK IN QUAD CITIES SALES AREA

TERMINATION OF LICENSE

On May 31, 1934, pursuant to the provisions of Public Act No. 10, 73d Congress as amended, a license was duly executed and issued by R. G. Tugwell, Acting Secretary of Agriculture, licensing certain persons therein described to engage in the distribution, marketing, or handling of milk or cream in the Quad Cities sales area, as therein bounded and described, subject to certain terms and conditions stated therein. The license became effective on June 1, 1934, and was thereafter amended by amendments effective September 1, 1934, October 22, 1934, and February 26, 1935. By order dated January 10, 1940, and effective January 31, 1940, such license, as amended, was suspended.

On January 10, 1940, pursuant to Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), a marketing order was duly issued by the Secretary of Agriculture, effective on and after February 1, 1940, regulating the handling of milk in the Quad Cities marketing area.

It is hereby found and determined that the said license issued on May 31, 1934,

as amended, is no longer required to effectuate the policy expressed in Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, such policy being more fully effectuated by the provisions of the said marketing order issued on January 10, 1940, as amended.

It further appears that E. H. McGuire, the market administrator appointed and acting pursuant to said license, under designation dated October 27, 1943, has fully and properly disposed of and accounted for all funds or property which came into his possession or under his control as such market administrator, and has no liability or outstanding obligation thereunder.

It is therefore ordered, That the said license issued on May 31, 1934, as amended, be, and the same hereby is, terminated, effective at 12:01 a. m., e. w. t., July 23, 1945; and

It is further ordered, That the appointment of E. H. McGuire, as market administrator thereunder, be, and such appointment hereby is, terminated, and the said E. H. McGuire is discharged and released from any and all liability and obligation under said license, such termination of designation, discharge, and release to become effective as of the time of termination of said license.

Issued at Washington, D. C., this 23d day of July 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-13357; Filed, July 23, 1945;
11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 354]

REGIONAL AND ACTING REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO ACT AS AUTHORIZED REPRESENTATIVES TO GRANT, DENY OR CANCEL SPECIAL HOME WORK CERTIFICATES AND TO HOLD HEARINGS

By virtue of, and pursuant to, the authority vested in me by the Fair Labor Standards Act of 1938 (52 Stat. 1060) and pursuant to regulations, §§ 605.100-112, 607.100-112, 617.100-112, 621.100-113, 625.100-112, 628.100-112, and 633.100-112, as amended, Title 29, Chapter V, Code of Federal Regulations, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby:

(a) Designate and appoint the directors and acting directors of the regional offices of the Wage and Hour Division as my authorized representatives with full power and authority to (1) grant or deny applications for special home work certificates, (2) sign, issue and cancel special home work certificates, and (3) hold and conduct hearings in connection therewith, and

(b) Ratify and approve action previously taken by the afore-mentioned of-

ficials with respect to the aforesaid activities.

Signed at New York, this 16th day of July 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-13275; Filed, July 20, 1945;
4:44 p. m.]

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890):

Boyd Garment Company, Whitehall, Illinois; ladies' outer washable apparel; 35 learners (E); effective July 13, 1945, expiring January 12, 1946.

Great Lakes Garment Manufacturing Company, Onaway, Michigan; cotton trousers and play suits; 8 learners (T); effective July 18, 1945, expiring July 17, 1946.

Lustberg, Nast & Company, Inc., First Street, Warwick, New York; men's rain jackets; 10 learners (T); effective July 14, 1945, expiring July 13, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

Phoenix Hosiery Company, 110 Rowell Street, Beaver Dam, Wisconsin; seamless hosiery; 10 learners (AT); effective July 15, 1945, expiring January 14, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125):

Public Utilities Company, Crossett, Arkansas; to employ learners as commercial switchboard operators at its Crossett, Arkansas exchange, located at Crossett, Arkansas; effective July 18, 1945, expiring July 17, 1946.

Textile learner regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079):

The Kendall Company—Wateree Plant, Camden, South Carolina; surgical gauze; 3 percent (T); effective July 18, 1945, expiring July 17, 1946.

Signed at New York, N. Y., this 19th day of July 1945.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 45-13345; Filed, July 23, 1945;
9:47 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 221 et al.]

TRANSCONTINENTAL & WESTERN AIR, INC.,
ET AL.; CINCINNATI-NEW YORK ADDI-
TIONAL SERVICE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Transcontinental & Western Air, Inc., et al. for certificates and amendments of certificates of public convenience and necessity 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 hearing in the above-entitled proceeding assigned to be heard on August 10, 1945, is hereby postponed to August 14, 1945 at 10 a. m. (eastern war time) in Conference Room A of the Departmental Auditorium, Washington, D. C., before Examiners F. A. Law, Jr., and H. Heinrich Spang.

Dated at Washington, D. C., July 19, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-13354; Filed, July 23, 1945;
11:06 a. m.]

[Docket No. 1967]

TRANS-MARINE AIRLINES, INC.

NOTICE OF HEARING

In the matter of the investigation of certain activities of Trans-Marine Airlines, Inc. under sections 205 (a), 401 (a), and 1002 (b) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that the above-entitled matter is assigned to be heard on July 27, 1945 at 10 a. m., (eastern war time) in the Hotel New Yorker, New York City, New York, before Examiner Charles J. Frederick.

Dated at Washington, D. C., July 20, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-13353; Filed, July 23, 1945;
11:06 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER,
OREG.-WASH.

ORDER DESIGNATING PLACE OF HEARING

JULY 20, 1945.

It appearing to the Commission that: On July 18, 1945, the Commission ordered that the public hearing in the above-entitled proceeding be held commencing at 10:00 a. m. (p. w. t.), on August 14, 1945, at Spokane, Washington, at a place to be thereafter designated;

The Commission orders that:

Said public hearing be held in Room 338, Federal Post Office Building, Spokane, Washington.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-13401; Filed, July 23, 1945;
11:50 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 21]

YAMANAKA & CO. INC.

Whereas, by Vesting Order No. 25, dated June 16, 1942 (7 F.R. 5207, July 9, 1942), as amended September 24, 1942 (7 F.R. 7818, October 2, 1942) and by Supplemental Vesting Order No. 3771, dated June 6, 1944 (9 F.R. 6474, June 13, 1944), the undersigned vested:

1. All of the issued and outstanding shares of the capital stock of Yamanaka & Co. Inc., an Illinois corporation, and undertook the direction, management, supervision and control of said corporation; and,

2. The claim of Yamanaka & Company, Ltd., Osaka, Japan, in the sum of \$69,974.54, and the claim of Kitchitaro Yamanaka in the sum of \$1,500., against Yamanaka & Co. Inc. (Chicago, Ill.), represented on the books and records of Yamanaka & Co. Inc., as accounts payable; and,

Whereas, Yamanaka & Co. Inc. (of Illinois), has been substantially liquidated under the supervision of the undersigned.

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, including the vested claims represented on the books and records as accounts owing to Yamanaka & Co. Ltd., Osaka, Japan, and to Kitchitaro Yamanaka, as described in said Supplemental Vesting Order No. 3771, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that the said corporation be dissolved and its assets distributed, and a Statement of Intent to Dissolve by Voluntary Action of The Corporation Pursuant to Section 76 of "The Business Corporation Act" of the State of Illinois, having been filed with the Secretary of State for the State of Illinois and recorded with the Recorder of Deeds of Cook County, Illinois,

hereby orders, that the officers and directors of Yamanaka & Co., Inc., (of Illinois), to wit: C. R. Bergherm, Chairman of the Board, President and Director, and Frank J. Garvey, Vice-President and Director, and George W. Zimmerman, Secretary and Treasurer, and their successors or any of them) continue the proceedings for the dissolution of Yamanaka & Co. Inc., (of Illinois), in accordance with the statutes of the State of Illinois in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further ordered, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of Illinois, of any persons who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of Illinois; and further orders, that all actions taken and acts done by the said officers and directors of Yamanaka & Co., Inc., (of Illinois), pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on hand pursuant to paragraph numbered (2) of subdivision (b) of Section B of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 16, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-13350; Filed, July 23, 1945;
10:58 a. m.]

[Supp. Vesting Order 5092]

ANTONIO CELLE

In re: Cash owned by Antonio Celle. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order No. 2251, dated September 22, 1943, that Antonio Celle is a national of a designated enemy country (Italy);

2. Finding that Antonio Celle is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

Cash presently in the possession of the Alien Property Custodian, representing the proceeds of that certain bank account formerly maintained with the Bank of America, National Trust & Savings Association, Stockton, California, identified as savings account No. 14989,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing

to, or which is evidence of ownership or control by, a national of a designated enemy country (Italy);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which such property was taken into the possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL]

FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-13351; Filed, July 23, 1945;
10:58 a. m.]

[Supplemental Vesting Order 5094]

WILHELM FRANZ VAHLE

In re: Interest in contract owned by Wilhelm Franz Vahle, also known as William Vahle.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 3698, dated May 19, 1944, that Wilhelm Franz Vahle, also known as William Vahle, is a national of a designated enemy country (Germany);

2. Finding that Wilhelm Franz Vahle, also known as William Vahle, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows: All right, title, interest and claim of

any kind or character whatsoever of Wilhelm Franz Vahle, also known as William Vahle, under an agreement, entered into by and between Henry Vahle and William Vahle, on December 15, 1932, evidenced by Agreement and Bill of Sale, both dated December 15, 1932, copies of which are identified as Exhibit A, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by, payable or delivered to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 16, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

ABSCHRIFT

This agreement, made this 15th day of December, A. D. 1932, by and between Henry Vahle, of the City of Philadelphia, State of Pennsylvania, hereinafter called the Party of the First Part, and William Vahle, of Wehrstedt, Halberstadt, Germany, hereinafter called the Party of the Second Part.

Whereas, the parties hereto are co-partners conducting a bird and pet importing business at number 319 Market Street, Philadelphia, Pennsylvania, under the firm name of E. C. Vahle Company, and

Whereas, the parties hereto each own a one-half interest in said business and are

likewise liable for one-half of the Accounts Payable and other obligations of said co-partnership, and

Whereas, each of the parties hereto is the owner in fee and of an undivided one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, and

Whereas, the party of the second part hereto is desirous of withdrawing from the said co-partnership and selling his one-half interest therein and his one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, hereinabove referred to, and the party of the first part is desirous of acquiring the same;

Now, this agreement witnesseth: That the parties hereto, for and in consideration of the premises, of the mutual covenants and agreements between them moving and of the sum of One Dollar by each party hereto unto the other paid, the receipt whereof is hereby acknowledged, do hereby agree to and with each other as follows:

1. The parties hereto hereby agree that the co-partnership now subsisting shall be and hereby is dissolved as of the Fifteenth day of December, A. D. 1932.

2. The party of the second part hereby agrees to sell to the party of the first part, who hereby agrees to purchase, all of the interest of the party of the second part in the stock, good will, fixtures, book accounts and other assets of the co-partnership now subsisting between the parties hereto, together with the one-half interest of the party of the second part in premises 319 Market Street, Philadelphia, Pennsylvania, for the price or sum of Twenty-two thousand five hundred (\$22,500) Dollars, upon the following terms and conditions, to wit:

The party of the first part hereby agrees to pay to the party of the second part, who hereby agrees to accept, the sum of Five hundred twenty (\$520) Dollars a year for the period of two years from the date hereof, said sum to be paid in monthly instalments of Forty-three and 33/100 (\$43.33) Dollars, together with interest at the rate of six per cent on the unpaid balances, said interest likewise to be paid in monthly instalments. From and after the expiration of two years from the date hereof, the party of the first part shall pay to the party of the second part on account of the balance then due the sum of Two thousand (\$2,000) Dollars a year, likewise payable in monthly instalments, together with interest on the unpaid balances at the rate of six per cent per annum. The party of the first part further agrees to pay to the party of the second part on January 15th, 1933, the sum of Three hundred forty (\$340) Dollars and on February 15, 1933, the further sum of Three hundred forty (\$340) Dollars, all of which payments shall be applied to the reduction of the total payment of Twenty-two thousand five hundred (\$22,500) Dollars hereby agreed to be paid by the party of the first part to the party of the second part.

3. The party of the first part hereby agrees to assume and become liable for all accounts payable and other obligations of the said co-partnership to creditors of the said co-partnership in the United States of America.

4. The party of the second part, in consideration of the payments by the party of the first part hereinabove stipulated, and in further consideration of the assumption by the party of the first part of all accounts payable and other obligations due by the said co-partnership to creditors in the United States of America, hereby agrees to become liable for and assume any and all obligations of the said co-partnership to creditors of the said co-partnership in Germany.

5. The party of the second part hereby agrees to execute and deliver forthwith to the party of the first part a Bill of Sale for all of his interest in the stock, good will,

fixtures, accounts receivable and other assets of the co-partnership now subsisting between the parties hereto, and further agrees, upon the payment in full to the party of the second part by the party of the first part of the sum of Twenty-two thousand five hundred (\$22,500) Dollars as hereinabove provided, to execute and deliver to the party of the first part, his heirs or assigns, a deed in fee simple for his one-half interest in premises 319 Market Street, Philadelphia, Pennsylvania, subject to any mortgage now thereagainst or which may hereafter be placed thereon.

6. Until title to the one-half interest of the party of the second part in premises 319 Market Street is transferred and conveyed to the party of the first part, all taxes, water rent, interest on mortgage, cost of repairs and other charges incident to the maintenance of said property shall be borne and paid by the party of the first part, it being understood that the said charges are in addition to the payments herein stipulated to be made by the party of the first part to the party of the second part.

7. This agreement shall be binding upon the parties hereto and upon their and each of their respective heirs, executors, administrators and assigns.

In witness whereof the parties hereto have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of us:

I. H. CAMPBELL,
R. GRUNDY
HENRY VAHLE, [SEAL]
WILLIAM VAHLE. [SEAL]

Fü die Richtigkeit der Abschrift: Wehrstedt, den 26, April 1938. Der Bürgermeister. A. A.

(Signed) (Illegible.)

[SEAL]

GEMEINDE,
WEHRSTEDT.

Know all men by these presents, That I, William Vahle, of Wehrstedt, Halberstadt, Germany, in consideration of the sum of One Dollar to me in hand paid by Henry Vahle, of the City of Philadelphia, State of Pennsylvania, at and before the ensembling and delivering of these presents, the receipt whereof I do hereby acknowledge, and in further consideration of the agreement this day executed by the said Henry Vahle, a copy of which is attached hereto and made a part hereof, have granted, bargained, sold, released and confirmed, and by these presents do grant, bargain, sell, release and confirm unto the said Henry Vahle all of my one-half interest in the goods, wares, merchandise, book accounts, good will, fixtures and stock in trade of the partnership business now subsisting between me, the undersigned, and the said Henry Vahle said partnership business being conducted under the firm name of E. C. Vahle Company at number 319 Market Street, Philadelphia, Pennsylvania; to have and to hold all and singular the said goods, wares, merchandise, book accounts, good will, fixtures and stock in trade, and every of them, by these presents bargained, sold, released, granted and confirmed unto the said Henry Vahle, to his own proper use and behoof, his heirs, executors, administrators and assigns, for and against all person and persons whomsoever shall and will warrant and forever defend by these presents.

In witness whereof I have hereunto set my hand and seal this Fifteenth day of December, A. D., One thousand Nine hundred and thirty-two (1932).

Signed, sealed and delivered in the presence of:

[SEAL]

I. H. CAMPBELL,

[F. R. Doc. 45-13352; Filed, July 23, 1945; 10:58 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[S. R. 15, Order 45]

TOBIN-HAMILTON CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 45 Under Section 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, Tobin-Hamilton Co., Inc., Docket No. 6064-SR 15.75 (a) (10)-30.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supple-

mentary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for manufacturer's sales of footwear by Tobin-Hamilton Co., Inc.* (1) *Maximum prices for sales to mail order houses and other retailers.* On and after July 21, 1945, the maximum prices at which Tobin-Hamilton Co., Inc., 2632-34 Palm Street, St. Louis, Missouri, may sell and deliver the footwear specified below to mail order houses and other retailers shall be as follows:

Style No.	Description	Sales to mail order houses		Sales to all other retailers	
		"OPA adjustment charge"	Adjusted maximum price	"OPA adjustment charge"	Adjusted maximum price
A O-A1, A4-A5.....	Infants' first step semi-soft sole, various colors, sizes 1-4.	\$0.04	\$0.94	\$0.04	\$0.94
120-121, 124-125.....	Infants' hi-bluecher, hard sole, various colors, sizes 2-5½.	.03	1.06	.03	1.06
120-121, 124-125.....	Infants' hi-bluecher, hard sole, various colors, sizes 6-8.	.17	1.09	.09	1.22
120-121, 124-125.....	Children's hi-bluecher, plain toe, sizes 8½-12.	.27	1.41	.03	1.53

(2) *Invoicing of "OPA adjustment charges.* The "OPA Adjustment Charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any shoe listed in subparagraph (1), above, may be billed at a gross price, *Provided,* That the net price, after discounts, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales by mail order houses and other retailers.* (1) *Sales subject to the General Maximum Price Regulation.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order. A retailer who has not previously established a maximum price for such shoe under the General Maximum Price Regulation may not, in determining his maximum price, consider the "OPA Adjustment Charge" specified in paragraph (a) as a part of his net unit replacement cost for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* Except as provided in subparagraph (3) of this paragraph, the maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA Adjustment Charge" specified in paragraph (a) the applicable pricing rule of section 7 of Maximum Price Regulation 580 and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order.

(3) *Maximum prices for sales of certain styles by mail order houses.* (i) *Sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of a shoe listed in paragraph (a), above, by a mail order house shall be the maximum

price previously established by the mail order house under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Tobin-Hamilton Co., Inc., under this order, except that, with respect to a shoe listed in subparagraph (ii) below, the amount specified in that subparagraph may be added to the maximum price otherwise determined. A mail order house which has not previously established a maximum price for a shoe, listed in paragraph (a), under the General Maximum Price Regulation, may not, in determining its maximum price, consider the "OPA adjustment charge" specified in paragraph (a) as a part of his net unit replacement cost for the shoe, but may add the amount specified in subparagraph (ii) to the maximum price otherwise determined for a shoe listed in that subparagraph.

(ii) *Sales subject to Maximum Price Regulation 580.* The maximum price for a sale or delivery at retail of a shoe listed in paragraph (a), above, by a mail order house shall be determined by applying to its net invoice cost, excluding the "OPA adjustment charge" specified in paragraph (a), the applicable pricing rule of section 7 of Maximum Price Regulation 580. To the price so determined for a shoe listed below, a mail order house may add the amount specified:

Style No.	Description	Amount of adjustment
120-121, 124-125.	Infants' hi-bluecher, hard sole, various colors, sizes 6-8.	\$0.07
120-121, 124-125.	Children's hi-bluecher, plain toe, sizes 8½-12.	.15

(c) *Notification.* At the time of (or prior to) the first delivery hereafter of each shoe listed in paragraph (a) (1), above, Tobin-Hamilton Co., Inc., shall notify the purchaser in writing of the applicable method established by paragraph (b), above, for determining his

maximum price at retail for sales of such shoe. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are denied.

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

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13230; Filed, July 20, 1945; 11:41 a. m.]

[MPR 120, Revocation of Order 1376]

ABNER FORK MINING CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICE

In accordance with the opinion issued simultaneously herewith and pursuant to § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Order No. 1376 under Maximum Price Regulation No. 120 is hereby revoked.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13231; Filed, July 20, 1945; 11:41 a. m.]

[RMPR 131, Order 28]

THE LOEWENTHAL CO.

AUTHORIZATION 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 5a (c) of Revised Maximum Price Regulation 131 for sales at wholesale and Revised Maximum Price Regulation 528 for sales at retail; It is ordered:

(a) *Applicability.* This order applies to the manufacturers', wholesalers' and retailers' sales of tractor tire reliners made from scrap tires by The Loewenthal Company of Chicago, Illinois.

(b) *Maximum prices.* The maximum prices for sales of the following tractor tire reliners made from scrap tires, and having the specifications noted below, shall be:

Size	Ply	Width	Length	Net maximum price	
				Sales to jobbers, dealers, and vulcanizers	Sales at retail
		Inches	Inches		
9.00 x 24.....	4	20	130	\$6.00	\$8.40
9.00 x 28.....	4	20	143	6.40	9.00
9.00 x 36.....	4	20	168	7.00	9.80
10.00 x 36.....	4	20	170	7.20	10.00
11.25 x 24.....	4	22	145	9.10	12.30
11.25 x 28.....	4	23	157	9.75	13.10
12.75 x 24.....	4	28	149	9.75	13.10
12.75 x 28.....	4	28	161	10.20	13.70
13.50 x 24.....	4	30	153	11.00	14.80
13.50 x 32.....	4	30	178	12.30	16.00

(c) *Notification of maximum prices.* With or prior to the first delivery of any repair material covered by this order to any retailer or jobber, the seller shall furnish such buyer a notification in writing setting forth the maximum prices established for sales to jobbers, retailers, and vulcanizers and the applicable maximum price for sales at retail; if the purchaser is a jobber, the notification shall include a statement that the jobber is required to furnish his buyer a notification in writing setting forth the maximum price of the commodity for sales at retail.

(d) All provisions of Revised Maximum Price Regulation 131 not inconsistent with this order shall apply to wholesale sales of the commodities covered by this order.

(e) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to all retail sales covered by this order.

(f) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13232; Filed, July 20, 1945; 11:41 a. m.]

[MPR 188, Order 4123]

JAYART CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Jayart Company, 132 Front Street, New York 5, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model Nos.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
4" paper parchment shades—handstipped, antiqued print decoration.	5, 10, 15, 20, 25, 30, and 35.	Each \$0.26	Each \$0.30	Each \$0.54
8".....		.34	.40	.72
10".....		.43	.50	.90
12".....		.64	.75	1.35
14".....		.72	.85	1.53
16".....		.72	.85	1.53
19".....		.81	.95	1.71

These maximum prices are for the articles described in the manufacturer's application dated April 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Reg-

ulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13234; Filed, July 20, 1945; 11:42 a. m.]

[MPR 188, Order 4124]

CHARLES BECKER

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Charles Becker, 287½ Bowery, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal vanity lamp.....	200	Each \$1.60	Each \$1.90	Each \$3.43
	815	1.83	2.15	3.87
	825	2.42	2.85	5.13
Crystal table lamp.....	850	3.61	4.25	7.65
China vanity lamp.....	1000	2.00	2.35	4.23

These maximum prices are for the articles described in the manufacturer's application dated May 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14-J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13235; Filed, July 20, 1945; 11:42 a. m.]

[MPR 188, Order 4125]

**SPECIAL ELECTRIC LABORATORIES
APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Special Electric Laboratories, 7657 South Central Avenue, Los Angeles 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Lucite lamp base with swirl column.....	51	Each \$4.10	Each \$4.82	Each \$8.68
Lucite lamp base with twisted effect.....	52	8.47	9.96	17.93

These maximum prices are for the articles described in the manufacturer's application dated January 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
CPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.
Acting Administrator.

[F. R. Doc. 45-13236; Filed, July 20, 1945; 11:43 a. m.]

[MPR 188, Order 4126]

**THE CHARLES CO.
APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Charles Company, 534½ South Spring Street, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
12" antique laequer finish paper parchment lamp shade.....	B-115	Each \$0.64	Each \$0.75	Each \$1.35
12" celanese lamp shade with braid trim top and bottom.....	B-600	1.91	2.25	4.05
19" desert cloth over paper parchment lamp shade with braid trim top and bottom.....	R-500	1.44	1.70	3.06
19" celanese lamp shade with braid trim top and bottom.....	R-600	2.97	3.50	6.30
13½" celanese lamp shade with rueling trim.....	T-200	4.25	5.00	9.00
14" desert cloth over paper parchment lamp shade with braid trim top and bottom.....	T-300	.98	1.15	2.07
14" celanese lamp shade with braid trim top and bottom.....	T-600	2.12	2.50	4.50

These maximum prices are for the articles described in the manufacturer's application dated January 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13237; Filed, July 20, 1945; 11:43 a. m.]

[MPR 188, Order 4129]

**M & J PRODUCTS
APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by M & J Products of 3238 North Clark Street, Chicago 13, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
2 burner hot plate, 20 gauge steel, 4 switches, white baked enamel and cord.....	102-A	Each \$4.95	Each \$5.85	Each \$6.20	Each \$9.46

These maximum prices are for the articles described in the manufacturer's application dated May 28, 1945, these prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

M & J Products
3238 North Clark Street
Chicago 13, Illinois
Model No. -----
OPA Retail Ceiling Price \$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Order No. 4129 Under M. P. R. 188
Model No. -----
OPA Retail Ceiling Price \$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13238; Filed, July 20, 1945;
11:43 a. m.]

[MPR 406, Amdt. 1 to Order 49]

MERRITT PRODUCTS Co.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sec. 10 of Maximum Price Regulation No. 406 and sec. 6.4 of Supple-

mentary Regulation 14F, It is ordered, That Order No. 49 under Maximum Price Regulation No. 406 is amended to read as follows:

(a) Maximum prices for sales of "Plasjoin" a synthetic resin adhesive, manufactured by Merritt Products Company, Cleveland, Ohio, are established as follows:

For sales by manufacturer:	Per set
1 to 50 sets.....	\$6.00
Over 50 sets.....	5.40
For sales by jobber:	
To wholesale distributor.....	6.35
To retailer.....	7.20
For sales by wholesale distributor to retailer.....	8.00
For sales by retailer to consumer.....	12.00
	25 cents each.

Prices f. o. b. seller's shipping point except manufacturer's sales f. o. b. Cleveland, Ohio freight equalized with competitive points. Manufacturer's sales 2% ten days.

(b) No additional charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber or wholesale distributor, the manufacturer shall furnish such jobber or wholesale distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been approved by the Office of Price Administration.

(d) Prior to making any delivery of Plasjoin after the effective date of this order, the manufacturer shall mark or cause to be marked on each package containing a set of Plasjoin substantially the following legends:

"Maximum retail price \$12.00 per set, 25 cents per jar."

(e) As used in this order:

(1) "Set" means 4 dozen 1½-ounce jars, namely one dozen jars for each of the following four bonding purposes: furniture, glass, paper and leather.

(2) "Jobber" means a person who buys from a manufacturer and resells to a wholesale distributor or retailer.

(3) "Wholesale distributor" means a person who buys from a jobber and resells to a retailer.

This amendment shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13239; Filed, July 20, 1945;
11:43 a. m.]

[MPR 478, Order 151]

HOOD RUBBER Co.

AUTHORIZATION 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 10 of Maximum Price Regulation 478; It is ordered:

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

Construction #521 Embossed Synthetic Resin Shoe Material (fabric backed) 36½" #S3625 Pacific Mills 10.40 ounce dyed tent twill spread and calender coated with approximately 12.8 dry ounces of synthetic resin compound, \$2.22 per linear yard.

(b) With or prior to the first delivery of the fabric covered by this order to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation No. 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13240; Filed, July 20, 1945;
11:44 a. m.]

[SR 15, Order 46]

EDMOR SHOE MFG. Co.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 46 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. Edmor Shoe Mfg. Co. Docket No. 6064-SR 15.75 (a) (10)-47.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) Maximum prices for manufacturer's sales of footwear by Edmor Shoe Mfg. Co.—(1) Maximum prices. On and after July 21, 1945, the maximum prices at which Edmor Shoe Mfg. Co., 1234 Carpenter Street, Philadelphia, Pennsylvania, may sell and deliver the footwear specified below shall be as follows:

Style No.	Description	Size run	"OPA adjustment charge" (cents per pair)	Adjusted maximum price (net)
101, 102, 130, 141..	Low oxford and strap.	2-6	6	\$0.91
101, 102, 130, 141..	do.....	6½-9	1	.96
100.....	Boot.....	2-6	5	.95
100.....	do.....	6½-9	7	1.07

(2) Invoicing of "OPA adjustment charges." The "OPA adjustment charges" listed in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) Discounts. Any shoe listed in subparagraph (1), above, may be billed at a gross price provided that the net price, after discounts, does not exceed the maximum price specified.

(b) Maximum prices for sales at wholesale. (1) The maximum price for a sale at wholesale of any shoe listed in para-

graph (a), above, shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation to which may be added the amount specified below. A wholesaler who has not previously established a maximum price therefor under the General Maximum Price Regulation may not, in determining his maximum price consider the "OPA adjustment charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe. To his maximum price otherwise determined he may add the amount specified below:

Style No.	Description	Size run	Amount of adjustment (cents per pair)
101, 102, 130, 141...	Low oxford and strap	2-6	4
100.....	Boot.....	2-6	4
100.....	do.....	6½-9	5

(2) *Invoicing of amounts of adjustment.* The amounts of adjustment listed in subparagraph (b) (1), above, may be made and collected only if separately stated in the invoice accompanying each sale and delivery.

(c) *Maximum prices for sales at retail*—(1) *Sales subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price previously established under the General Maximum Price Regulation and may not be increased by reason of the adjustment granted to Edmor Shoe Mfg. Co., or to a wholesaler under this order. If a retailer has not previously established a maximum price under the General Maximum Price Regulation, he may not, in determining his maximum price, consider either the "OPA adjustment charge" specified in subparagraph (a) (1), above, or the amount of adjustment specified in subparagraph (b) (1), above, as part of his net unit replacement charge for the shoe.

(2) *Sales subject to Maximum Price Regulation 580.* The maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above, shall be the retailer's maximum price determined by applying to his invoice net cost, exclusive of the "OPA adjustment charge" specified in subparagraph (a) (1), above, or the amount of adjustment specified in subparagraph (b) (1), above, the applicable pricing rule of section 7 of Maximum Price Regulation 580. Such maximum price may not be increased by reason of the adjustment granted to Edmor Shoe Mfg. Co. or to a wholesaler under this order.

(d) *Notification.* At the time of (or prior to) the first delivery of each shoe to a purchaser for resale on and after the effective date of this order, at a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b) or (c), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

(e) All requests not specifically granted by this order are hereby denied.

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

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13252; Filed, July 20, 1945; 4:33 p. m.]

[Order 54 Under 3 (e), Amdt. 1]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 54 under § 1499.3 (e) of the General Maximum Price Regulation is amended in the following respects:

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

The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers, and consumers of various parts and sub-assemblies purchased by it for which the maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(2) Section (b) is amended to read as follows:

The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies purchased by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(3) Section (c) is amended to read as follows:

The maximum prices for sales by dealers to consumers of parts and sub-assemblies purchased by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

This amendment shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13251; Filed, July 20, 1945; 4:33 p. m.]

[RPS 40, Order 20]

THE STANLEY WORKS

AUTHORIZATION 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 § 1346.1 (b) (3) of Revised Price Schedule No. 40, It is ordered:

(a) The maximum list price f. o. b. point of manufacture for sales by The Stanley Works of New Britain, Connecticut of the No. 1533 semi-concealed cabinet hinge shall be:

\$2.00 per dozen pair (including screws).

(b) The maximum list price established in (a) above shall be subject to the following discounts:

On sales to jobbers 50 percent.
On sales to retailers 33 1/3 percent.

(c) The maximum prices established in (a) and (b) above are subject to a cash discount of 2 percent, 10 days and are also subject to the freight provisions as set forth in section 7 (b) of Maximum Price Regulation No. 413.

(d) The maximum net price for sales by jobbers to any person of the No. 1533 semi-concealed cabinet hinge manufactured by The Stanley Works shall be \$1.35 per dozen pairs (including screws).

(e) The maximum net price for sales by retailers of the No. 1533 semi-concealed cabinet hinge manufactured by The Stanley Works shall be 20 cents per pair (including screws).

(f) The maximum prices established by this order shall be subject to such other discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941, for the manufacturer and jobbers, and March 1942 for retailers.

(g) The Stanley Works shall notify each of its purchasers at or before the time of the first invoice, of the maximum prices established by this Order for The Stanley Works on sales to such purchasers and the maximum prices established for such purchaser for resale.

(h) The Stanley Works shall print, in a conspicuous place on the box containing the No. 1533 semi-concealed cabinet hinges, the following:

Maximum retail price—20 cents per pair (including screws)

(i) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13253; Filed, July 20, 1945; 4:34 p. m.]

[MPR 120, Order 1425]

SANBRAC COAL CO., ET AL

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

SANBRAC COAL CO., 32 IRWIN DRIVE R. D. #11 PITTSBURGH, PA., NO. 2 MINE, D SEAM, MINE INDEX NO. 5422, FAYETTE COUNTY, PA., SUBDIST. 35, RAIL SHIPPING POINT, MAYER AND INDIAN HEAD, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	295
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

BURL SCHUCKERS, R. D. #1, REYNOLDSVILLE, PA., SCHUCKERS NO. 1 MINE, D SEAM, MINE INDEX NO. 5439, JEFFERSON COUNTY, PA., SUBDIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	E	E	E	E	E
Rail shipment.....	373	353	353	333	333
Railroad locomotive fuel.....	338	338	323	313	313
Truck shipment.....	383	358	358	348	338

L. B. SHARPLESS, KITZMILLER, MD., RAWLINGS MINE, B SEAM, MINE INDEX NO. 3960, GARRETT COUNTY, MD., SUBDIST. 44, RAIL SHIPPING POINT: BLAINE, W. VA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	*H	H	H
Rail shipment.....	348	348	328	303	303
Railroad locomotive fuel.....	338	338	323	313	313
Truck shipment.....	368	343	*343	333	323

*Previously established.

JOHN SHEMA, DELANCEY, PA., SHEMA MINE, D SEAM, MINE INDEX NO. 5353, JEFFERSON COUNTY, PA., SUBDIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	E	E	E	E	E
Rail shipment.....	373	353	353	333	333
Railroad locomotive fuel.....	338	338	323	313	313
Truck shipment.....	383	358	358	348	338

O. D. SHRECKENGOST, 711 E. PENN. ST., NEW BETHLEHEM, PA., YOUNG MINE, B SEAM, MINE INDEX NO. 5434, ARMSTRONG COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT, McWILLIAMS, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	G	G	G	H	H
Rail shipment.....	330	330	315	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	355	330	330	315	305

SUMMIT COAL MINING CO. BOX 421, INDIANA, PA., SUMMIT NO. 8-D MINE, D SEAM, MINE INDEX NO. 5408, INDIANA COUNTY, PA., SUBDISTRICT 25, RAIL SHIPPING POINT, HESHRON, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

TOMER COAL CO., 256 NORTH SIXTH ST., INDIANA, PA., HOMER CITY NO. 1 MINE, E SEAM, MINE INDEX NO. 5409, INDIANA COUNTY, PA., SUBDISTRICT 23, RAIL SHIPPING POINT, HOMER CITY, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	355	330	330	320	310

TOMER COAL CO., 256 NORTH SIXTH ST., INDIANA, PA., HOMER CITY NO. 2 MINE, B SEAM, MINE INDEX NO. 5410, INDIANA COUNTY, PA., SUBDISTRICT 23, RAIL SHIPPING POINT, HOMER CITY, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	H	H
Rail shipment.....	348	348	328	303	303
Railroad locomotive fuel.....	338	338	323	313	313
Truck shipment.....	368	343	343	333	323

F. B. WOOD COAL MINING CO., BARNESBORO, PA., BELL NO. 1 MINE, C SEAM, MINE INDEX NO. 5441, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT, EMEIGH AND ST. BENEDICT, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price Classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

F. B. WOOD, COAL MINING CO., BARNESBORO, PA., BELL NO. 2 MINE, D SEAM, MINE INDEX NO. 5442, CAMBRIA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT, EMEIGH AND ST. BENEDICT, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

This order shall become effective July 21, 1945.

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

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13254; Filed, July 20, 1945; 4:34 p. m.]

[MPR 136, Order 474]

KAY-BRUNNER STEEL PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 474 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Kay-Brunner Steel Products, Inc., Docket No. 6083-136.21-342.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The maximum prices of Kay-Brunner Steel Products, Inc., Los Angeles, California, for the following models of bulldozers and trailbuilders shall be determined by multiplying the maximum prices which it had in effect for such models on October 1, 1941, by the following percentages:

Machine	Percentage multiplier (per cent)
Model H bulldozer, cable controlled.....	130.5
Model G bulldozer, hydraulically controlled.....	121.0
Model H trailbuilder, cable controlled.....	124.5
Model G trailbuilder, hydraulically controlled.....	124.5

The maximum prices so determined shall be subject to the discounts, allowances and terms of delivery which Kay-Brunner Steel Products, Inc. had in effect on October 1, 1941 to its various classes of purchasers.

(b) The maximum price for the sale by a reseller of any bulldozer or trailbuilder listed in paragraph (a) shall be determined as follows: The reseller shall add to the maximum net price which he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased because of this order.

(c) Kay-Brunner Steel Products, Inc., shall give written notice to its customers who purchase for resale the equipment listed in paragraph (a) of the dollar-and-cents amount by which this order permits such resellers to increase their maximum net prices for the resale of their equipment. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C., wherein thirty days after the effective date of this order, and in the case of subsequent notification, within ten days after such subsequent notice has been given to a reseller.

(d) All reports not granted herein are denied.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13255; Filed, July 20, 1945; 4:35 p. m.]

[RMPR 169, Amdt. 1 to Order 53]

STEAK SPECIALTIES CO.

ESTABLISHMENT OF MAXIMUM PRICES

On October 12, 1944, Order No. 53 under Revised Maximum Price Regulation No. 163 was issued, authorizing Steak Specialties Company, Los Angeles, California, to sell its "Strato Beef Steaks" to purveyors of meals and to intermediate distributors for resale to purveyors of meals at a maximum price of 40 cents per pound, f. o. b. the seller's place of business. Steak Specialties Company, Los Angeles, California was further authorized to sell in specified 3-month periods, a maximum total volume by weight of "Strato Beef Steaks" in an amount not exceeding 85,000 pounds.

Due consideration has been given to the applicant's request for reconsideration of Order No. 53 and an opinion in support of this Amendment No. 1 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the accompanying opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, *It is hereby ordered:*

That Order No. 53 to Revised Maximum Price Regulation No. 169 be amended by deleting the figure "40 cents" wherever appearing in said order and substituting therefor "45 cents".

All prayers of the application not granted herein are denied.

This Amendment No. 1 to Order No. 53 may be amended by the Price Administrator at any time.

This Amendment No. 1 to Order No. 53 shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13256; Filed, July 20, 1945; 4:35 p. m.]

[RMPR 169, Amdt. 1 to Order 56]

CHIP STEAK CO.

ESTABLISHMENT OF MAXIMUM PRICES

On October 30, 1944, Order No. 56 under Revised Maximum Price Regulation No. 169 was issued, authorizing Chip Steak Company of Oregon to sell its "chip steaks" to purveyors of meals and to intermediate distributors for resale to purveyors of meals at a maximum price of 40 1/2 cents per pound f. o. b. the seller's place of business. Chip Steak Company of Oregon was further authorized to sell in specified 3-month periods, a maximum total volume by weight of "chip steaks" in an amount not exceeding 35,000 pounds.

Due consideration has been given to the applicant's request for reconsideration of Order No. 56 and an opinion in support of this Amendment No. 1, has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the accompanying opinion, under au-

thority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of § 1364.452 (r) of Revised Maximum Price Regulation No. 169, *It is hereby ordered:*

That Order No. 56 to Revised Maximum Price Regulation No. 169 be amended by striking the figure "40 1/2 cents" wherever appearing in said order and substituting therefor "45 cents."

All prayers of the application not granted herein are denied.

This Amendment No. 1 to Order No. 56 may be amended by the Price Administrator at any time.

This Amendment No. 1 to Order No. 56 shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13257; Filed, July 20, 1945; 4:35 p. m.]

[Rev. Supp. Order 99, Order 8]

P. H. HANES KNITTING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by P. H. Hanes Knitting Company.* (1) On and after July 20, 1945, P. H. Hanes Knitting Company, Winston-Salem, North Carolina, may sell and deliver, and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by P. H. Hanes Knitting Company, at prices not in excess of the following adjusted ceiling prices:

Style	Description	Adjusted ceiling price (per dozen)
958 LSA	Boys' union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 10.75 pounds per dozen (based on size 34), sizes 20-34, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	\$6.89 1/2
656 LSA	Boys' union suit, made of 16/1 and 12/1 carded yarn, gross knitting weight 9.10 pounds per dozen (based on size 34), sizes 20-34, long sleeve ankle length, elastic knit cuffs, set-in shoulder.	6.42
1658-X LSA	Men's union suit, made of 10 1/2/1 and 12/1 carded yarn, gross knitting weight 22.25 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	14.74
1658 LSA	Men's union suit, made of 10 1/2/1 and 12/1 carded yarn, gross knitting weight 17.90 pounds per dozen (based on size 42), sizes 38-46, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	12.20
1157 LSA	Men's union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 13.40 pounds per dozen (based on size 42), sizes 36-46, long	10.23 1/2

Style	Description	Adjusted ceiling price (per dozen)
1157-X LSA	sleeve, ankle length elastic knit cuffs, set-in shoulder. Men's union suit, made of 14/1 and 12/1 carded yarn, gross knitting weight 16.50 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	\$12.28
1356 LSA	Men's union suits made of 12/1 carded yarn, gross knitting weight 15.65 pounds per dozen (based on size 42), sizes 36-46, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	11.18 1/2
1356-X LSA	Men's union suit, made of 12/1 carded yarn, gross knitting weight 19.50 pounds per dozen, sizes 48-54, long sleeve, ankle length, elastic knit cuffs, set-in shoulder.	13.51
1056-X drawers	Men's drawers, made of 9 1/2/1 and 12/1 carded yarn, gross knitting weight 11.70 pounds per dozen, sizes 46-54.	8.58
1056 drawers	Men's drawers, made of 9 1/2/1 and 12/1 carded yarn, gross knitting weight 8.60 pounds per dozen, (based on size 36), sizes 30-44.	7.12 1/2
1656-X shirt	Men's shirt, made of 9 1/2/1, 12/1 and 10 1/2/1 carded yarn, gross knitting weight 16 pounds per dozen, sizes 48-54, long sleeve.	10.34
1656 shirt	Men's shirt, made of 9 1/2/1, 12/1 and 10 1/2/1 carded yarn, gross knitting weight 11.50 pounds per dozen (based on size 42), sizes 34-46, long sleeve.	7.86
1056 AN-X shirt	Men's shirt, made of 9 1/2/1, 12/1 and 10 1/2/1 carded yarn, gross knitting weight 16 pounds per dozen, sizes 48-54, Army neck, long sleeve.	9.62 1/2
1056 AN shirt	Men's shirt, made of 9 1/2/1, 12/1 and 10 1/2/1 carded yarn, gross knitting weight 11.50 pounds per dozen (based on size 42), sizes 34-46, Army neck, long sleeve.	7.14 1/2

(2) The adjusted ceiling prices set forth in (1) above are subject to terms of 2% 30 days, net 60 days and to all trade practices, including practices relating to shipping and the payment of shipping charges, customarily used by P. H. Hanes Knitting Company during the period from 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter underwear.

(b) *Ceiling prices for sales at wholesale.* (1) On and after July 20, 1945, the ceiling price for a sale at wholesale of any of the garments enumerated in paragraph (a) of this order, shipped to the seller by P. H. Hanes Knitting Company on or after that date, shall be determined in the following manner:

(i) The wholesaler shall first find his cost base for the garment being priced from the following table:

Style No:	Cost base (per dozen)
958 LSA	\$6.50
656 LA	5.87 1/2
1658-X LSA	11.50
1658 LSA	10.25
1157-LSA	9.50
1157-X LSA	10.75

Style No.:	Cost base (per dozen)
1356 LSA.....	\$9.25
1356X LSA.....	10.50
1056X Drawers.....	6.87½
1056 Drawers.....	6.12½
1056X Shirt.....	6.87½
1056 Shirt.....	6.12½
1056ANX Shirt.....	6.87½
1056AN Shirt.....	6.12½

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup", determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(iii) The wholesaler will then add to the amount found in (ii) immediately above the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price for the garment being priced.

Style No.:	Amount of adjustment (per dozen)
958 LSA.....	\$0.29
656 LSA.....	.41
1658-x LSA.....	2.59
1658 LSA.....	1.46
1157 LSA.....	.56
1157-x LSA.....	1.15
1356 LSA.....	1.45
1356-x LSA.....	2.41
1056-x Drawers.....	1.28
1056 Drawers.....	.75
1056-x Shirt.....	3.21
1056 Shirt.....	1.39
1056 AN-x Shirt.....	2.47
1056 AN Shirt.....	.77

(2) The ceiling prices established for sales at wholesale in this paragraph (b) are subject to all discounts, allowances, price differentials and other trade practices customarily used by the wholesaler during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) *Statement which P. H. Hanes Knitting Company must send to wholesalers.* (1) On and after July 20, 1945, P. H. Hanes Knitting Company shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO WHOLESALERS OF ADJUSTED CEILING PRICES

The OPA had adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 8, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210). You then

find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	Column A Hanes' adjusted ceiling price (Per dozen)	Column B "Cost base" to which wholesaler applies "initial percentage markup" (Per dozen)	Column C Amount of adjustment which wholesaler may add (Per dozen)
958 LSA.....	\$6.89½	\$6.50	\$0.29
656 LSA.....	6.42	5.87½	.41
1658-x LSA.....	14.74	11.50	2.59
1658 LSA.....	12.20	10.25	1.46
1157 LSA.....	10.23½	9.50	.56
1157-x LSA.....	12.28	10.75	1.15
1356 LSA.....	11.18½	9.25	1.45
1356-x LSA.....	13.51	10.50	2.41
1056-x Drawers.....	8.58	6.87½	1.28
1056 Drawers.....	7.12½	6.12½	.75
1056-x Shirt.....	10.34	6.87½	3.21
1056 Shirt.....	7.86	6.12½	1.39
1056 AN-x Shirt.....	9.62½	6.87½	2.47
1056 AN Shirt.....	7.14½	6.12½	.77

Please note that, as a wholesaler, you are required by the OPA to transmit to each retailer to whom you deliver any of the garments listed above on or after July 20, 1945 a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under MPR 210 prior to the date of this order. In Column B you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. In Column C you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice billing or other statement of price accompanying every shipment made by you to your retailer customers of the styles shipped to you by us.

WHOLESALE'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The OPA, pursuant to Order No. 8, issued under Revised Supplementary Order 99, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after July 20, 1945

Style No.	Column A Our old ceiling price (Per dozen)	Column B Our new ceiling price (Per dozen)	Column C Our OPA adjustment (difference between old and new ceiling price) (Per dozen)
958 LSA.....
656 LSA.....
1658-x LSA.....
1658 LSA.....
1157 LSA.....
1157-x LSA.....
1356 LSA.....
1356-x LSA.....
1056-x Drawers.....
1056 Drawers.....
1056-x Shirt.....
1056 Shirt.....
1056 AN-x Shirt.....
1056 AN Shirt.....

Please note that the OPA has ruled that you must price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost bases" under MPR 210, the amount set forth in Column A above. You may not, in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling prices for these garments under either of these regulations. The OPA has ruled that, after you have properly determined your ceiling price in accordance with the above instructions, you may then add to your ceiling price for any of the following styles, and these styles only, the amount set forth for that style below:

Style:	Amount of adjustment which retailer may add to his price (per garment)
1356x-LSA.....	\$0.05
1056x-Shirt.....	.21
1056-Shirt.....	.02
1056 AN-x Shirt.....	.13
1658x-LSA.....	.04

(2) The statement required to be sent by P. H. Hanes Knitting Company to its wholesalers, as provided in this paragraph (c) and containing the information applicable to the styles of garments included in the particular shipment shall be transmitted with, or be annexed to, the invoice, billing or other statement of price accompanying every shipment made by P. H. Hanes Knitting Company of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which P. H. Hanes Knitting Company is permitted an adjustment of its ceiling price under this order shall be sent by P. H. Hanes Knitting Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) *Statement which wholesalers must send to their retailers.* Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from P. H. Hanes Knitting Company on or after July 20, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these garments on or after July 20, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" contained in the "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to its wholesalers by P. H. Hanes Knitting Company under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjustment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after July 20, 1945 of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for the garments, determined in accordance with paragraph (b) of this order. In Column C he shall list the differences between the amounts in Column A and Column B for the respective styles.

(e) *Statement which P. H. Hanes Knitting Company must send to retailers.* On and after July 20, 1945, P. H. Hanes Knitting Company shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following statement:

STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The Office of Price Administration has permitted us to add the adjustment charges set forth below to our ceiling prices on the following garments:

Style	Old ceiling price	OPA adjustment charges under MPR 221 and RSO 99		Amount of adjustment which retailer may add to his ceiling price
		Per dozen	Per dozen	
955 LSA.....	\$6.50	\$0.39	None	None
656 LSA.....	6.87½	.54½	None	None
1658-x LSA.....	11.50	3.24	\$0.16	None
1658 LSA.....	10.25	1.95	.04	None
1157 LSA.....	9.50	.74	None	None
1157-x LSA.....	10.75	1.53	None	None
1356 LSA.....	9.25	1.94	.06	None
1356-x LSA.....	10.50	3.01	.15	None
1056-x Drawers.....	6.87½	1.71	.07	None
1056 Drawers.....	6.12½	1.00	None	None
1056-x Shirt.....	6.87½	3.47	.27	None
1056 Shirt.....	6.12½	1.74	.09	None
1056 AN-x Shirt.....	6.87½	2.75	.19	None
1056 AN Shirt.....	6.12½	1.02	None	None

Please note that the OPA requires you to price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost base" under MPR 210, the "old ceiling price" stated above for the garment being priced and you may not include the above stated OPA adjustment charge in computing your ceiling prices for these garments under either of these regulations. The OPA has ruled, however, that after you have properly determined your ceiling price under MPR 580 or MPR 210 in the foregoing manner, you may then add to your ceiling price so computed the adjustment charge set forth for the garment in the last column of the above table.

(2) The statement required to be sent to its retailers by P. H. Hanes Knitting Company, as provided in this paragraph (e), and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or amended to the invoice, billing or other statement of price accompanying every shipment made by P. H. Hanes Knitting Company of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which P. H. Hanes Knitting Company is permitted an adjustment of its ceiling price under this order shall be sent by P. H. Hanes Knitting Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(f) *Garments to which the provisions of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by P. H. Hanes Knitting Company on or after July 20, 1945, and before November 1, 1945.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 20, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13250; Filed, July 20, 1945; 4:33 p. m.]

Register, and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Kimpy Company of 791 East 15th Street, Los Angeles, California, may sell and deliver the Model No. 8473 Twilight Princess Boxspring which it manufactures and which is fully described in its application dated March 6, 1945, at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus an adjustment charge in the sum of \$0.82.

The adjustment charge, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the articles for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user may add to his properly established maximum prices for these articles in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March, 1942, on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish each purchaser for resale with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 102 under Order No. A-2 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to July 21, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on the invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13268; Filed, July 20, 1945; 4:37 p. m.]

and pursuant to paragraph (a) (16) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Barcalo Manufacturing Company, of 225 Louisiana Avenue, Buffalo 4, New York, may sell and deliver the articles listed below, which it manufactures and which are fully described in its application dated April 2, 1945, to jobbers at prices no higher than its maximum prices in effect immediately prior to the effective date of this order plus the appropriate one of the following adjustment charges:

Article and Adjustment Charge

Model No. 4467 7¼" lineman's plier: \$0.06 each.

Model No. 4468 8½" lineman's plier: \$0.13 each.

The adjustment charges, provided herein, may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are subject to its customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form may collect from his purchaser, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he does not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount. On all sales other than sales to ultimate consumers this additional adjustment charge may be made and collected only if it is separately stated on each invoice.

The adjusted maximum prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

[MPR 188, Order 102 Under Order A-2]

THE KIMPY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, No. 146—11

[MPR 188, Order 103 under Order A-2]

BARCALO MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 45-13269; Filed, July 20, 1945;
4:37 p. m.]

[MPR 188, Order 109, Under 2d Rev.
Order A-3]

CHURCH STATUARY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Church Statuary Company, 135 Leonard Street, Jersey City, New Jersey, may sell the four foot religious statues which it manufactures to dealers and churches at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of \$3.93 per article. This adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, allowances, discounts, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the permitted adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charge may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13270; Filed, July 20, 1945;
4:37 p. m.]

[MPR 188, 2d Rev. Order 2074]

JOHN WILLIAM CHAPMAN

APPROVAL OF MAXIMUM PRICES

Revised Order No. 2074 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by John William Chapman, of Kensington, Connecticut.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model No.	Maximum prices to—			
		Distributors	Jobbers	Retailers	Consumers
Midget Ratchet	CM-13...	Each \$0.30	Each \$0.375	Each \$0.50	Each \$0.75
1/4" square drive adaptor	CM-14...	.16	.20	.27	.40
3/32" square drive adaptor	CM-15...	.16	.20	.27	.40
1/4" hexagon drive adaptor	CM-16...	.10	.125	.17	.25
1/4" screw driver adaptor	CM-17...	.08	.10	.13	.20
3/8" screw driver adaptor	CM-19...	.14	.175	.23	.35
5/16" Allen adaptor	CMA-5...	.20	.25	.33	.50
3/32" Allen adaptor	CMA-6...	.20	.25	.33	.50
1/8" Allen adaptor	CMA-8...	.20	.25	.33	.50
5/32" Allen adaptor	CMA-10...	.20	.25	.33	.50
3/16" Allen adaptor	CMA-12...	.12	.15	.20	.30
5/32" Allen adaptor	CMA-14...	.12	.15	.20	.30
1/4" Allen adaptor	CMA-16...	.06	.075	.10	.15
0.050 Allen wrench	CAW-50	.02	.025	.033	.05
Case	None	.34	4.25	.57	.85
Complete set	CM 1400.	2.40	3.00	4.00	6.00

These maximum prices are for the articles described in the manufacturer's application dated June 10, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every complete set for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$6
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13261; Filed, July 20, 1945;
4:37 p. m.]

[MPR 188, Order 412]

THE AIRCRAFTSMEN CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Aircraftsmen Company, 223 Hindry Avenue, Inglewood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Distributor	Wholesaler (Jobber)	Chain and department store	Other retailer	Consumer
Aluminum fry pan, 10 3/4" diameter, 2" depth, buff polish finish, 3 S O aluminum	100	Doz. \$7.16	Doz. \$7.95	Doz. \$9.54	Doz. \$10.00	Each \$1.33

• These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in the application dated July 3, 1945. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.33
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13262; Filed, July 20, 1945;
4:38 p. m.]

[MPR 188, Order 4128]

SOLBRO MFG. CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Solbro Manufacturing Company, 235 East 94th Street, Brooklyn 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For Sales by the Manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal boudoir lamp with etched base, break and tube.....	111	Each \$2.21	Each \$2.60	Each \$4.68
Crystal boudoir lamp.....	107	1.32	1.55	2.80

These maximum prices are for the articles described in the manufacturer's application dated April 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13263; Filed, July 20, 1945;
4:38 p. m.]

[MPR 188, Order 4130]

COLUMBIA ASSOCIATES

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Columbia Associates, 141 West Seventy-Fourth Street, New York 11, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to			
		Jobber	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
One-burner hot plate, 1-beat, 1 switch and cord....	505	Each \$1.07	Each \$1.26	Each \$1.36	Each \$2.05
Two-burner hot plate, 2 switches, cord and plug, porcelain finish.....	505P	2.97	3.55	3.82	5.75
Two-burner hot plate, 2 switches, cord and plug, black crackle finish.....	503	2.88	3.41	3.67	5.50

These maximum prices are for the articles described in the manufacturer's application dated July 3, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which maximum price for sales to consumers is established by this order. That tag or label shall contain either of the follow-

ing statements with the correct order number, model number and retail price filled in:

Columbia Associates
141 W. 74th St.
New York 11, N. Y.
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included

OR
Order No. 4130 under MPR 188
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Article	Model	Distributor	Wholesaler, mill, electric motor, restaurant, and hotel or store equipment supplier	Industrial, commercial, institutional users (3 units or more)	Industrial, commercial, institutional users (less than 3 units)	Users other than industrial, commercial, or institutional
Exhaust attachment	E116-101	Each \$13.84	Each \$15.38	Each \$23.19	Each \$26.15	Each \$30.76
Ceiling hanger	C116-101	6.45	7.17	10.73	12.19	14.34
Intake ventilator attachment	I116-101	42.70	47.44	71.16	80.65	94.88
Head assembly	H116-100	48.04	53.38	80.07	90.75	106.76
Hanger attachment for attic ventilator	A120-101	9.20	10.25	15.38	17.43	20.50
Pedestal, 12" circulator	D112	42.35	47.06	70.59	80.90	94.92
Roomette, domestic, 12"	S112	28.34	31.49	47.25	53.43	62.93

These maximum prices are for the articles described in the manufacturers application dated June 20, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and are net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser

Issued this 20th day of July 1945.
JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13264; Filed, July 20, 1945; 4:38 p. m.]

[MPR 188, Order 4131]
A. O. SUTTON CORP.

APPROVAL 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 § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of electric fans and attachments manufactured by the Aircraft Welders, a Division of A. O. Sutton Corporation, Beacon Building, Wichita 2, Kansas.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Maximum prices for sales by any seller to—						
Wholesaler, mill, electric motor, restaurant, and hotel or store equipment supplier	Industrial, commercial, institutional users (3 units or more)	Industrial, commercial, institutional users (less than 3 units)	Users other than industrial, commercial, or institutional	Each	Each	Each
\$15.38	\$23.19	\$26.15	\$30.76	\$30.76	\$30.76	\$30.76
7.17	10.73	12.19	14.34	14.34	14.34	14.34
47.44	71.16	80.65	94.88	94.88	94.88	94.88
53.38	80.07	90.75	106.76	106.76	106.76	106.76
10.25	15.38	17.43	20.50	20.50	20.50	20.50
47.06	70.59	80.90	94.92	94.92	94.92	94.92
31.49	47.25	53.43	62.93	62.93	62.93	62.93

in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.
[F. R. Doc. 45-13265; Filed, July 20, 1945; 4:39 p. m.]

[MPR 188, Order 4132]
JAYART CO.

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

Article	Model No.	For sales by the manufacturer to—	For sales by any person to consumers
Jay-Delisea shades made of a fabric over parchment paper which primarily is a clothlike material manufactured from straw and rayon and produced in various pastel shades.	#3,000 Shades in sizes as follows: 4" 8" 10" 12" 14" (11" x 13" drum) 16" (12" x 15" drum)	Jobbers	Each \$1.00
		Retailers	Each \$1.00
		Each \$0.85	Each \$1.00
		1.49	1.75
		2.34	2.75
Metal pin-up lamp and parchment paper shade as per sample submitted with application.	#4,000	Each \$0.85	Each \$1.00
		1.70	2.00
		2.55	3.00
		3.40	4.00
		1.28	1.50

These maximum prices are for the articles described in the manufacturer's application dated April 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following state-

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Jayart Company, 132 Front Street, New York 5, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Model No.	For sales by the manufacturer to—		For sales by any person to consumers
	Jobbers	Retailers	
#3,000 Shades in sizes as follows: 4" 8" 10" 12" 14" (11" x 13" drum) 16" (12" x 15" drum)	Each \$0.85	Each \$1.00	Each \$1.00
	1.49	1.75	3.15
	2.34	2.75	3.60
	2.55	3.00	4.95
	3.40	4.00	5.40
#4,000	Each \$0.85	Each \$1.00	Each \$1.00
	1.70	2.00	3.15
	2.55	3.00	3.60
	3.40	4.00	4.95
	1.28	1.50	2.20

ment, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.
JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13266; Filed, July 20, 1945; 4:39 p. m.]

[MPR 188, Order 4133]

LUMIERE

APPROVAL 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lumiere, 135 East 58th Street, New York 22, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		
		Jobbers	Retailers	For sales by any person to consumers
15" Taffeta petticoat lamp shade with corded edge double ruffle top trim and seven row corded bottom trim.	101.....	Each \$8.50	Each 10.00	Each 18.00
15" Taffeta petticoat lamp shade with six row corded trim top and bottom.	102.....	8.50	10.00	18.00
17" Taffeta petticoat lamp shade with wide velvet bottom band and velvet collar.	103.....	11.70	13.75	24.75
15" Net over multi petticoat lamp shade with French ribbon bound double ruffle top trim and 5 row ribbon bottom trim.	105.....	10.60	12.50	22.50
15" Crepe Skinner lamp shade with double corded edge ruffle trim top and bottom.	501, 508.....	8.90	10.50	18.90
16" Taffeta lamp shade with corded edge double ruffle top trim.	502.....	6.80	8.00	14.40
16" Crepe Skinner lamp shade with velvet bound scalloped edges top and bottom.	503, 504, 505, 509, and 510.....	6.15	7.25	13.05
16" Crepe Skinner lamp shade with scalloped velvet bound edge and shirred velvet collar.	505-B.....	8.05	9.50	17.10
17 x 13" Crepe Skinner lamp shade with fringe cascade top to bottom corner trim.	506-O.....	12.30	14.50	26.10
16" Crepe Skinner lamp shade with fringe cascade top to bottom corner trim.	506-R.....	8.50	10.00	18.00
8" Multi lamp shade with double net ruffle top trim.	515.....	2.10	2.50	4.50

Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No.
OPA Retail Ceiling Price—\$.....
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13267; Filed, July 20, 1945; 4:39 p. m.]

[MPR 254, Order 5]

J. STEVENS ARMS CO.

APPROVAL 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 § 1379.4 of Maximum Price Regulation No. 254, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of Model 520, Model 521 and Model 520P Shotguns manufactured by J. Stevens Arms Company, Chicopee Falls, Massachusetts.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model	Maximum prices to—		
		Jobbers (Excl. tax)	Dealers (Incl. tax)	Consumers (Incl. tax)
Shotgun.....	520....	\$28.96	\$38.85	\$47.25
	521....	31.65	42.45	51.65
	520P..	32.83	44.05	53.60

These maximum prices are subject to a cash discount of 2% 10 days, and are f. o. b. factory.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regu-

lation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order.

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of, or prior to, the first invoice to a purchaser for resale, each seller shall notify the purchaser in writing of the maximum price, and conditions established by this revised order for resales by the purchaser. This notice may be given in any convenient form.

(c) All provisions of Maximum Price Regulation No. 254 not inconsistent with the provisions of this order are applicable to the sales of the article for which maximum prices are established by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of July 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, JR.
Acting Administrator.

[F. R. Doc. 45-13258; Filed, July 20, 1945; 4:35 p. m.]

[MPR 336, Order 2]

MARYSVILLE, DUNSMUIR, LAKE TAHOE,
YUBA CITY AND YUBA COUNTY, CALIF.

DESIGNATION AS DEFICIENCY AREAS WITH
RESPECT TO RETAIL CEILING PRICES FOR
PORK CUTS AND CERTAIN SAUSAGE PRO-
DUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 336, I find there exists in each of the areas hereinafter named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government. The areas are:

1. The City of Marysville, California—the total area within the corporate limits of said city.
2. Yuba County, California—the entire county except the City of Marysville.
3. Yuba City, Sutter County, California—the total area within the corporate limits of said city.
4. Dunsmuir, California—the total area within the corporate limits of the City of Dunsmuir and the adjacent area within a radius of 25 miles of the corporate limits of said city.
5. Lake Tahoe, California—that portion of Eldorado and Placerville Counties lying east of the crest of the Sierra Nevada Mountains and those communities, on California State

These maximum prices are for the articles described in the manufacturer's application dated March 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Highway No. 50 from Kyburz, California, to the crest of the Sierra Nevada Mountains.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 336, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary; *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to purveyors of meals; *And, provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 2 under said section 5 (b) (6) of Maximum Price Regulation No. 336, shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13259; Filed, July 20, 1945; 4:36 p. m.]

[MPR 355, Order 2]

MARYSVILLE, YUBA CITY, DUNSMUIR, LAKE TAHOE, YUBA CITY AND YUBA COUNTY, CALIF.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 355, I find there exists in each of the areas herein-after named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and con-

trol of the United States Government. The areas are:

1. The City of Marysville, California—the total area within the corporate limits of said city.
2. Yuba County, California—the entire county except the City of Marysville.
3. Yuba City, Sutter County, California—the total area within the corporate limits of said city.
4. Dunsmuir, California—the total area within the corporate limits of the City of Dunsmuir and the adjacent area within a radius of 25 miles of the corporate limits of said city.
5. Lake Tahoe, California—that portion of Eldorado and Placerville counties lying east of the crest of the Sierra Nevada Mountains and those communities on California State Highway No. 50 from Kyburz, California, to the crest of the Sierra Nevada Mountains.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 355, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary; *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to purveyors of meals; *And, provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 2 under said section 5 (b) (6) of Maximum Price Regulation No. 355 shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13260; Filed, July 20, 1945; 4:36 p. m.]

[RMPR 528, Order 50]

GOODYEAR TIRE & RUBBER CO., INC.

AUTHORIZATION 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 16 (d) of Revised Maximum Price Regulation 528, *It is ordered*:

(a) The maximum retail prices for Off-The-Road truck tires manufactured by the Goodyear Tire & Rubber Company, Inc., Akron, Ohio in the following sizes and types shall be:

Size	Ply	Type	Maximum retail price per tire
7.00-15	16	Hard rock lug.....	\$72.50
10.00-22	14	.....do.....	132.40
11.00-22	14	.....do.....	156.70
12.00-20	16	.....do.....	197.00
21.00-28	20	Earth mover.....	\$39.10
21.00-28	24	.....do.....	923.00
24.00-28	24	.....do.....	1,252.40
21.00-28	20	Sure Grip.....	842.40

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective July 21st, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13271; Filed, July 20, 1945; 4:40 p. m.]

[MPR 580, Order 87]

THE UNITEX MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 87. Establishing ceiling prices^a at retail for branded articles. Docket No. 6063-580-13-193.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered*:

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by The Unitex Manufacturing Co., Tiffin, Ohio, and described in the manufacturer's application dated May 7, 1945.

Article	Brand name	Style name	Manufacturer's price line, regular sizes (up to and including 46 inch hip measurement)	Manufacturer's price line, special sizes (47 to 58 inch hip measurement)	Ceiling price at retail
Pantees.....	Unitex.....	Svelte.....	Per dozen \$15.00	Per dozen	Each \$2.25
	.....do.....	.....do.....		\$19.00	2.75
	.....do.....	Wisp.....	10.50		2.95
	.....do.....	.....do.....		23.50	3.50
	Chafe-O-Tex.....	.....do.....	13.20		2.00
.....do.....	.....do.....	.....do.....		16.50	2.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, The Unitex Manufacturing Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13272; Filed, July 20, 1945; 4:40 p. m.]

[MPR 580, Order 88]

SEALY, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 88. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-70.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Sealy, Incorporated, 1047 Florida Street, Memphis 2, Tenn., and described in the manufacturer's application dated April 17, 1945.

Article	Brand name	Style name	Ceiling price at retail, except in states of Oregon, Idaho, and Washington	Ceiling price at retail in states of Oregon, Idaho, and Washington
Mattress.....	Sealy.....	No. 1 Texlan.....	\$22.50	\$22.50
		No. 2 Texlan.....	19.75	19.75
		Star.....	24.75	24.75
		Airlite.....	29.50	29.50
		Sealcrest.....	39.50	39.50
		Tuffless.....	39.50	42.50
		Cotton Boll.....	44.50	44.50
		Sun Spun.....	49.50	49.50
		Supreme.....	59.50	59.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Sealy, Incorporated, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 21, 1945.

Issued this 20th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13273; Filed, July 20, 1945; 4:40 p. m.]

SIMPLIFIED PRICING METHOD FOR RECONVERTING CERTAIN MANUFACTURERS

[Supp. Order 118, Reconversion Gen. Order 1]

Simplified pricing method for reconverting manufacturers having sales less than \$50,000 per year.

An opinion accompanying this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

SECTION 1. Purpose of this general order. This Reconversion General Order No. 1 is issued under section 7 of Supplementary Order No. 118 which authorizes the Administrator to establish "special rules or procedures" which "may modify or take the place of the rules or procedures established by" that order. In the

Administrator's opinion, the rules in Order No. 118 for reconversion pricing, while suitable for most small-volume manufacturers, might cause serious difficulty for many of the very small reconverting manufacturers whose sales are less than \$50,000 per year. To avoid this difficulty while aligning their reconversion ceilings as closely as practicable with the reconversion ceilings of other manufacturers, this general order simplifies the pricing rules of Order No. 118 in various respects. The principal change is to allow the use of current costs instead of adjusted 1941 costs in the calculation of new ceilings. Reconversion General Order No. 1 takes the place of sections 4 and 5 of Supplementary Order No. 118 and of OPA Form 611-2489A. The rest of the provisions of Order No. 118 apply to manufacturers pricing under this order.

SEC. 2. Who is eligible to price under this order. If you are eligible to set new maximum prices under Supplementary Order No. 118 with respect to any product, you may set new ceiling prices under this order for that product if:

(a) Your total sales (including all sales of goods and services for war purposes) were less than \$50,000 in 1941, and

(b) Your total sales (including all sales of goods and services for war purposes) cannot reasonably be expected to be \$50,000 or more in the twelve months following the date you report your new ceiling prices to OPA under this order. (In making this estimate, consider all relevant factors, including the size of your facilities, the number of your employees, and the demand for your products.)

SEC. 3. How to obtain new maximum prices under this order. If you wish to obtain new maximum prices for any product for which you are eligible under section 2 of Supplementary Order No. 118, fill in OPA Form 611-2489A and file it in duplicate with the OPA District Office for the district where your place of business is located.

OPA Form 611-2489A tells you how to calculate your new ceiling prices. It constitutes a part of this order.

Unless OPA notifies you not to do so, you may begin to sell and deliver articles at your new maximum prices fifteen days after you mail your report to OPA. However, if within the fifteen-day period OPA asks you to furnish additional information, you may not begin to sell and deliver at your new maximum prices until fifteen days after the day you mail the information which OPA has requested. OPA may later order any of the new maximum prices to be increased or decreased if it finds that you did not calculate them correctly.

This order shall become effective on the 23d day of July 1945.

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

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

PART II—CALCULATION OF YOUR NEW CEILING PRICES

To calculate your new maximum prices, two main steps are involved. First, you calculate your current total unit cost. Then you add a profit factor to this total cost figure.

- 1. Description of products: a. Name of product, b. Model No. or description, c. Present ceiling price, d. Most important class of purchaser.

- 2. Current costs per unit and calculation of ceiling prices of the above products: a. Direct materials used, b. Direct labor, c. Other factory costs, d. Selling and other costs, e. Total cost per unit, f. Profit (from 3e) below, g. Calculated ceiling price.

- 3. Profit margins: a. Find the net profit (before income taxes) of your business in the first of the following years, 1939, 1940, 1941, for which you have profit figures, b. Find your margin over cost by dividing that profit by the total cost of operating your business for that same year. Enter that margin in each column, c. Enter here the profit factors supplied by your OPA District Office for the products being priced (one-half each industry's average (1936-39 margin) from item 2c above, d. Enter here your total cost for each of the products from item 2e above, e. Multiply each total cost by the higher of the entries in b and c and enter the result here.

Carry this result to item 2f above, and enter it there. Carrying prices to other classes of purchasers. If you sold the same article to different classes of purchasers at different prices, you must figure new ceiling prices to each class of purchaser for each product, and report those ceilings in a list attached to this form. Find your ceilings to classes of purchasers other than your largest-buying class of purchaser as follows: a. If you already have ceiling prices to all classes of purchasers, find the percentage by which the new ceiling price you calculated for your largest-buying class of purchaser is higher than your old ceiling to that class. Then increase your old ceilings to all your other classes by that same percentage.

b. If you do not already have ceilings to all classes of purchasers, figure your ceiling prices to them by using the same discounts, differentials, and allowances you used in March 1942. An alternate method of computing new ceilings for articles in a product line. If you have two or more models, styles or designs of a product for each of which you already have a ceiling price, you may proceed as follows to revise these old ceilings: a. Calculate the revised ceiling price of the largest-selling model, style, or design as explained under item 2 above, b. Divide the revised ceiling price of this article (item 2a) by its old ceiling price (item 1c), c. Multiply the old ceiling price of each other model, style or design by the factor found in b and calculate ceiling prices for your other classes of purchasers under item 4 above.

11 If your accounts do not show costs per unit, you may use estimates based as closely as possible on your accounts' [F. R. Doc. 45-13165; Filed, July 19, 1945; 2:24 p. m.]

the word "costs" in line d, and by the addition of the following footnote at the end of item: 2 In calculating this cost, assume that you are producing the item at the same rate of production at which you made it in 1941. This amendment shall become effective July 23, 1945. Issued this 20th day of July 1945. JAMES G. ROGERS, Jr., Acting Administrator. [F. R. Doc. 45-13219; Filed, July 20, 1945; 4:32 p. m.]

OPA Form 611-2489A (7-45) Form Approved Budget Bureau No. 08-R1462 UNITED STATES OF AMERICA OFFICE OF PRICE ADMINISTRATION WASHINGTON 25, D. C. RECONVERSION FORM: COMPANIES HAVING LESS THAN \$50,000 SALES PER YEAR Report of new maximum prices by reconverting manufacturers having less than \$50,000 sales per year, under Reconstruction General Order No. 1 and Supplementary Order 118. File two copies of this report with the OPA District Office for the district where your principal place of business is located.

GENERAL INSTRUCTIONS The Office of Price Administration has provided in Reconstruction General Order No. 1 under Supplementary Order 118 a method which may be used to calculate new maximum prices for reconverting manufacturers who do less than \$50,000 business a year. This form (OPA Form 611-2489A) is a part of that general order and must be used to calculate new maximum prices under it. You may use this form only if you can meet the tests in Part I below for a "reconverting manufacturer" doing less than \$50,000 volume a year. If you do not meet these tests, you may not use this form, although you may be eligible to apply for price adjustments on OPA Form 611-2489, under Supplementary Order 118, which applies to firms with sales less than \$200,000 a year. In this form you will find outlined the exact information you are to use, and the calculations you are to make. In figuring your adjusted maximum prices under the order. If you go through these steps and fill in each entry as indicated, you must fill out two copies of this form and file them with the OPA District Office for the district where your place of business is located. Unless notified to the contrary, you may begin to sell and deliver articles at your new maximum prices 15 days after you mail this report to OPA, (or 15 days after you mail any additional information OPA requests from you). However, after this 15-day period, OPA may order you to raise or lower any of the new maximum prices if it finds that you did not calculate them correctly. PART I—ELIGIBILITY AS A RECONVERTING MANUFACTURER HAVING LESS THAN \$50,000 SALES PER YEAR (This part of the form corresponds to Section 2 of Supplementary Order 118 and Section 2 of Reconstruction General Order No. 2)

You are eligible to use this form to figure your adjusted maximum prices if you meet the requirements of item "1" and "2" of this part of the form.

1 To meet this requirement 1, you must be able to answer "yes" to both the following questions: a Were your total net sales of products made by you less than \$50,000 in 1941? Yes No b Can you reasonably expect your total net sales of products made by you to all types of purchasers to be less than \$50,000 in the twelve months after the date you file this report? Yes No If your sales of all products in any year since 1941 were more than \$75,000, or if your facilities have been expanded substantially since 1941, explain below why you can reasonably expect your sales to be less than \$50,000 in the twelve months after you file this report.

2 To meet this requirement 2 as a "reconverting manufacturer," with respect to each of the products for which you are calculating a new ceiling price by the use of this form, you must be able to answer "yes" to either the question in a or the question in b: a. Did you make the product in 1941 and is it a "reconversion product" which is listed in Appendix A of Supplementary Order 118? (Ask your OPA District Office for subsequent additions, if any, to the list in Appendix A). Or, are you able to answer "yes" to each of the following three questions about each product for which you wish to calculate a new ceiling price? i. Is each of these products either listed in Appendix B of Supplementary Order 118 or subject to one of that order? Yes No ii. Was your 1941 total sales volume of each such product or product line less than one-half your 1941 sales volume of that product or product line? Yes No iii. Was the reduction of volume because of government restrictions, or because of war business? Yes No

[RMPR 136, Amdt. 1 to Order 444]

GENERAL MOTORS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 1 to Order 444 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. General Motors Corporation; Docket No. 6083-136.25a-277.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

I. Order 444 under Revised Maximum Price Regulation 136 is amended in the following respects:

1. Paragraphs (a), (b) and (c) are amended by changing the number "13231" in each of those paragraphs to read "13517."

2. A new paragraph (a) 1 is added which reads as follows:

(a) 1 The Chevrolet Motor Division, General Motors Corporation, Detroit 2, Michigan, shall determine the maximum prices for its sales to resellers of trucks within its 1/2-ton commercial line, other than Model 3104, produced under the allocation described in paragraph (a), by adjusting the price in effect on March 31, 1942, of each such model less extra, special and optional equipment so that the same dollar differential shall exist between that adjusted price and the adjusted price in paragraph (a) (1) of the Model 3104 as existed between the March 31, 1942 prices of such models. The applicable charges in paragraph (a) (2) of Order No. 444, may be added to these adjusted prices.

3. A new paragraph (b) 1 is added which reads as follows:

(b) 1 The Chevrolet Motor Division, General Motors Corporation, Detroit 2, Michigan, shall determine the maximum prices for sales to the United States of models within its 1/2-ton commercial line, other than Model 3104, produced under the allocation described in paragraph (b) by adjusting the March 31, 1942, price of each such model less extra, special and optional equipment so that the same dollar differential shall exist between that adjusted price and the adjusted price of the Model 3104 in paragraph (b) (1) as existed between the March 31, 1942 prices of such models. The applicable charges in paragraph (a) (2) of Order No. 444, may be added to these adjusted prices.

4. A new paragraph (c) 1 is added which read as follows:

(c) 1 The resellers' maximum price for each of the models referred to in paragraph (a) 1 shall be the manufacturer's list price based on the applicable net wholesale price permitted by paragraph (a) 1 plus the applicable charges in paragraph (c) (2).

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5. The narrative in paragraph (d) preceding subparagraph (1) is amended to read as follows:

(d) A reseller that cannot establish a price under paragraph (c) or (c) 1 because it was not in business on March 31, 1942, shall determine its maximum price by adding to the retail list price stated in paragraph (c) or permitted by paragraph (c) 1, whichever is applicable, the following applicable charges:

6. Paragraph (e) is amended to read as follows:

(e) A reseller of Chevrolet trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (c) or referred to in paragraph (c) 1, whichever is applicable at a price not to exceed the maximum price established in paragraph (c), (c) 1 or (d), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

7. The note following paragraph (g) is amended to read as follows:

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) or (a) 1 because of a substantial change in design, specifications or equipment of the truck, the reseller may add to its price under paragraphs (c), (c) 1, (d), or (e) any increase in price to it over the price it would otherwise pay under paragraph (a) or (a) 1, plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) or (a) 1, the reseller must reduce its price under paragraph (c), (c) 1, (d), or (e) by the amount of the decrease and its customary markup on such an amount.

II. All requests not granted in this amendment are denied.

III. This amendment may be amended or revoked by the Administrator at any time.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13234; Filed, July 21, 1945; 11:17 a. m.]

[MPR 260, Amdt. 2 to 83]

A. SENSENBRENNER SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

The maximum prices for the "Santa Fe-Ambassador" cigars set forth in paragraph (a) of Order No. 83 under Maximum Price Regulation No. 260, are amended by the addition of a footnote to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Santa Fe.....	Ambassador 1.	50	Per M \$154	Cents 20

¹ Prices also apply to this brand and frontmark using Connecticut Shade (Type 61) wrappers of grades specified in amended application dated 5/5/45.

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13285; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 117]

N. RICE DRUG & CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260; *It is ordered, That:*

The maximum prices for the "H. Upmann-Lonsdales" cigars set forth in paragraph (a) of Order No. 117, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
H. Upmann.....	Lonsdales.....	25	Per M \$485	Cents 65

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13286; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 744]

ISIDOR HAFLICH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

The maximum prices for the "Park City-Bouquets" cigars set forth in paragraph (a) of Order No. 744 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Park City.....	Bouquets.....	50	Per M \$90	Cents 12

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13287; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 771]

FABER, COE & GREGG, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102a of Maximum Price Regulation No. 260, *It is ordered That:*

The maximum prices for the "H. Upmann-Lonsdales" cigars set forth in paragraph (a) of Order No. 771, under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
M. Upmann	Lonsdales	25	Per M \$485	Cents 05

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13288; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 1114]

MARTINEZ & Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

The maximum prices for the "Los Tres-Coronitas", "Los Tres-Blunts" and "Los Tres-Cigaros" cigars set forth in paragraph (a) of Order No. 1114 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Los Tres	Cigaros	50	Per M \$60	Cents 2 for 15
	Blunts	50	60	2 for 15
	Coronitas	50	75	10

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13289; Filed, July 21, 1945; 11:18 a. m.]

[MPR 260, Amdt. 1 to Order 1215]

GOTTFRIED SCHMOKER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

The maximum prices for the "Liberty-D 4 1/4" and "Shorpeg-E 4 3/4" cigars set forth in Paragraph (a) of Order

No. 1215 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Liberty	D. 4 1/4"	50	Per M \$60	Cents 2 for 15
Shorpeg	E. 4 3/4"	50	72	9

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13290; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1602]

PEDRO PEREZ CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Pedro Perez Cigar Co., 3426 15th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. V. C.	Selectos Straights	50	Per M \$78.75	Cents 2 for 21
Casa Leon	do.	50	78.75	2 for 21
Rosa Moro	do.	50	78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same price class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with re-

spect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13291; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1663]

SHEARER & Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Shearer & Company, 140 Orange Street, Reading, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Peace Eagle	Peace Eagle	50	Per M \$64	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the

same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13292; Filed, July 21, 1945; 11:19 a. m.]

[MPR 260, Order 1604]

MARCO POLO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Marco Polo Cigar Company, 1612 N. Howard Avenue, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appro-

priate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Rionda.....	5" Coronas....	50	Per M \$105	Cents 14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13293; Filed, July 21, 1945; 11:20 a. m.]

[MPR 260, Order 1605]

SALERNO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Salerno Cigar Factory, 2907 11th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Salerno.....	B. Panetelas..	50	Per M \$75.00	Cents 10
	Juniors.....	50	60.00	2 for 15
	Dukes.....	50	138.00	18
	Imperiales..	50	108.75	2 for 29
	Ensigns.....	50	134.00	2 for 35
	Coronas Especiales.	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by

this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13294; Filed, July 21, 1945; 11:20 a. m.]

[MPR 260, Order 1606]

SILVO LUFRIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Silvo Lufrin, 2604 10th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum	
			list price	retail price
Tampa Favorita Lord Vincent	Cigarillos	50	Per M \$48.00	Cents 6
	Londre Chico	50	56.00	7
	Coronas	50	90.00	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order

is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13295; Filed, July 21, 1945; 11:21 a. m.]

[MPR 260, Order 1607]

HERMINIO RAMOS RAMOS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Herminio Ramos Ramos, Igualdad St., Fajardo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum	
			list price	retail price
Parejo Punto Lanza.	5"	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to pur-

chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13296; Filed, July 21, 1945; 11:21 a. m.]

[MPR 260, Order 1608]

ELIZABETH M. BRENEMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Elizabeth M. Breneman, 90 East Main Street, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Hav-A-Lena.....	Corona.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13297; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1609]

COLONIAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Fred Feakes, d/b/a Colonial Cigar Co., Bethany Circle, Santa Cruz, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Havana Gold ¹ ...	Panatella.....	50	Per M \$75	Cents 10

¹ Tobacco composition of this brand and frontmark to be the same as that specified in your application for the Victoria Panatella.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The no-

tice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13298; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1611]

MANOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Manor Cigar Co., R. D. 2, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Herma.....	La Herma.....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13300; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1612]

J. OLDENBROOK

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. Oldenbrook, 260 Broadway, Lawrence, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
			Per M	Cents
Haven Special...	Hillside.....	50	\$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of

each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13301; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1613]

WEST END CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Samuel D. Shoff, d/b/a West End Cigar Co., Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
			Per M	Cents
WEC-CO.....	Invincible.....	50	\$48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13302; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1614]

PAUL ROSEMAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Paul Roseman Cigar Company, 520 Wallick Avenue, Red Lion, Pa. (here-

inafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vine-A-Cal Jr....	Vine-A-Cal Jr.	50	Per M \$36	Cents 2 for 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13303; Filed, July 21, 1945; 11:23 a. m.]

[MPR 260, Order 1615]

EARL E. TATE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Earl E. Tate, 1014 Mt. Rose Avenue, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Daily-Habit, Jr..	Daily-Habit, Jr.	50	\$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established

by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13204; Filed, July 21, 1945; 11:24 a. m.]

[MPR 260, Order 1616]

JOSE ALONSO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Alonso, 1719 Boston Road, Bronx, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia Freres....	Corona.....	50	Per M \$56	Cents 7
Coronites.....	Coronito.....	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars

priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13305; Filed, July 21, 1945; 11:25 a. m.]

[MPR 260, Order 1610]

STANLEY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Stanley Cigar Co., 1302 E. Broadway, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Apropo.....	Panetela Extra 4 1/2"	50	Per M \$75.00	Cent's 10
	Panetela Extra 5 1/4"	50	141.00	3 for 55
	Senators.....	50	105.00	14
	Beacon.....	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their

sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13299; Filed, July 21, 1945; 11:22 a. m.]

[MPR 260, Order 1617]

GRADIAZ-ANNIS & Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gradiaz-Annis & Co., Inc., 2311 18th St., Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or de-

liver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ignacio Haya....	Emperors.....	50	Per M \$173	Cent's 2100
	Albas.....	50	177	2
	Palmas.....	50	192	2
Rey Del Rey....	Corona.....	50	177	2

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13306; Filed, July 21, 1945;
11:25 a. m.]

[MPR 260, Order 1618]

BENSON & HEDGES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered, That:*

(a) Benson & Hedges, 435 Fifth Ave., New York 16, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Benson & Hedges.	Granadas.....	25	Per M \$212.25	Cents 28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order

for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13307; Filed, July 21, 1945;
11:26 a. m.]

[MPR 580, Amdt. 1 to Order 23]

PIONEER SUSPENDER CO.

AUTHORIZATION OF MAXIMUM PRICES

Maximum Price Regulation 580, Order 23, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-160, Pioneer Suspender Company.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. 23 under section 13 of Maximum Price Regulation 580 is amended as follows:

Paragraph (a) is amended by changing the ceiling price at retail from "\$0.50" to "\$0.55" per unit of those articles described as "belts" and having a price of "\$3.75" under the heading "Manufacturer's Selling Price (per dozen)."

This amendment shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13308; Filed, July 21, 1945;
11:26 a. m.]

[MPR 580, Order 89]

JACOB SIEGEL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 89. Establishing ceiling prices at retail for branded articles, Docket No. 6063-580-13-02.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Jacob Siegel Company, 317 North Broad Street, Philadelphia 7, Pa., and described in the manufacturer's application dated March 23, 1945,

Article	Brand name	Manu- fac- turer's price line	Ceiling price at retail
Men's topcoats.....	Alpacuna.....	\$26.00	\$42.50
Men's overcoats.....	.....do.....	28.50	47.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Jacob Siegel Company, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13309; Filed, July 21, 1945;
11:26 a. m.]

[MPR 580, Order 90]

HOLEPROOF HOSIERY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 90. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-77.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Holeproof Hosiery Co., Milwaukee 1, Wis., dated June 21, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Holeproof Hosiery Co. must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the follow form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13310; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 91]

DAVID D. DONIGER & Co.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 91. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-245.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by David D. Doniger & Co., Inc., 303 Fifth Avenue, New York, N. Y., dated June 7, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, David D. Doniger & Co., Inc., must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—\$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this

form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the purchaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13311; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 92]

HIRSCH-WEIS MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 92. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-159.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The price for sales at retail submitted in the application filed by Hirsch-Weis Manufacturing Co., Front and Burnside Streets, Portland, Ore., in reference to the brand name "White Stag" dated April 19, 1945, for each article described in the application, and covered by Maximum Price Regulation No. 580, is hereby established as the ceiling price of the article for sales at retail.

(b) The retail ceiling prices as established by paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Hirsch-Weis Manufacturing Co. must mark each article for which a price is established by paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—\$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a), the seller shall send the pur-

chaser a copy of this order and a statement showing the articles covered by this order and their retail ceiling prices as established by paragraph (a).

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13312; Filed, July 21, 1945; 11:27 a. m.]

[MPR 580, Order 93]

STRATBURY MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 93. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-74.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Stratbury Manufacturing Company, Galion, Ohio, and described in the manufacturer's application dated April 17, 1945.

Article	Brand name	Manufacturer's price line	Ceiling price at retail
Men's topcoats.....	Alpagora.....	\$18.75	\$32.50
Do.....	do.....	19.00	32.50
Men's overcoats.....	do.....	22.00	37.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Stratbury Manufacturing Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price—\$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13313; Filed, July 21, 1945; 11:28 a. m.]

[MPR 580, Order 94]

H. DAROFF & SONS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 94. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-181.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by H. Daroff & Sons, Inc., 23d & Walnut Streets, Philadelphia, Pa., and described in the manufacturer's application dated May 9, 1945.

Article	Brand name	Manu- fac- turer's price line	Ceiling price at retail
Men's non-tropical suits.	Botany.....	\$27.36	\$45.00
Men's tropical suits.	.....do.....	21.16	37.50
Men's topcoats.	.....do.....	27.36	45.00
Men's overcoats.	.....do.....	32.87	55.00

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, H. Daroff & Sons, Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)

OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price

Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13314; Filed, July 21, 1945; 11:28 a. m.]

[MPR 580, Order 95]

MANHATTAN UNDERGARMENT CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 95. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-110.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Manhattan Undergarment Co., Inc., 36 East 31st St., New York 16, N. Y., and described in the manufacturer's application dated April 16, 1945.

Article	Brand name	Manu- fac- turer's price line	Ceiling price at retail	
			Per dozen	Per unit
Slips.....	Newform.....		\$17.25	\$2.25
			24.00	2.95
			25.50	3.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Manhattan Undergarment Co. Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form.

(Section 13, MPR 580)

OPA Retail Ceiling Price—\$-----

Or and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales

for which retail ceiling prices are established by this order.

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

This order shall become effective July 23, 1945.

Issued this 21st day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13315; Filed, July 21, 1945; 11:28 a. m.]

[Max. Import Price Reg., Amdt. 1 to Rev. Order 51]

TAPIOCA FLOUR PRODUCED IN SANTO DOMINGO AND BRAZIL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That Revised Order No. 51 under the Maximum Import Price Regulation be amended in the following respects:

1. By changing subdivision (ii) of paragraph (c) (1) to read as follows:

(ii) *Sales by all other sellers.* The maximum price for sales ex dock U. S. port of arrival of imported Brazilian tapioca flour by sellers other than the U. S. C. C. shall be the U. S. C. C. maximum price established by subdivision (i) above for the particular material involved, plus \$.005 per pound, regardless of the number of resellers involved: for sales ex warehouse add \$.0025 per pound to the ex dock price.

2. By redesignating subdivision (iii) of paragraph (c) (1) as paragraph (c) (2) and by redesignating subdivisions (a), (b), (c) and (d) thereunder as subdivisions (i), (ii), (iii) and (iv).

This amendment shall become effective July 24, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13398; Filed, July 23, 1945; 11:48 a. m.]

[MPR 188, Revocation of Order B-1]

SPECIFIED BUILDING MATERIALS

ADJUSTMENT PROVISIONS FOR MANUFACTURERS

An opinion accompanying this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order B-1 under § 1499.159b of Maximum Price Regulation No. 188 is revoked.

This order of revocation shall become effective July 30, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13396; Filed, July 23, 1945; 11:49 a. m.]

[Supp. Order 94, Rev. Order 6]

BLITZ CANS AND JERRICANS
SALES BY GOVERNMENT AGENCIES AND REALES
BY CERTAIN BUYERS

Order No. 6 under Supplementary Order No. 94 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order No. 94, It is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of the "Blitz" cans and "Jerricans" hereinafter described which have been or may be purchased from the United States Government or any agency thereof.

(1) Description of "Blitz" cans manufactured for military use and conforming to the following specifications:

Steel—20 gauge.
Size— $13\frac{1}{2}$ " x $6\frac{3}{8}$ " x $18\frac{1}{2}$ ".
Opening— $2\frac{1}{2}$ " threaded, with plug.

(2) Description of "Jerricans" manufactured for military use and conforming to the following specifications:

Steel—20 gauge.
Size— $13\frac{1}{2}$ " x $6\frac{3}{8}$ " x $18\frac{1}{4}$ ".
Opening—pouring spout with level closure.

(b) *Maximum prices.* The maximum prices for the cans described in paragraph (a) shall be:

(1) For new or used cans, free from rust, leaks, dents and in all respects having serviceability equal to that of new cans.

(i) Wholesaler's or reconditioner's prices to retailers or industrial users, freight allowed to destination: In minimum carload quantities, \$1.25 per can; in less than carload quantities, \$1.35 per can.

(ii) Price for all sales at retail, \$2.10 per can at point of delivery.

(2) For new or used cans having serviceability less than that of new cans:

(i) Price for all sales at retail, \$1.50 per can at point of delivery.

(c) For the purposes of this order, a can has serviceability less than that of a new can when it leaks, is rusted or dented, cannot be closed, requires painting or other reconditioning, or possesses other similar defects.

(d) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(e) *Notification of maximum prices.* Any person who sells the cans described in paragraph (a) to a retailer shall furnish the retailer with an invoice setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each can before sale a tag or label stating the appropriate retail ceiling price.

(f) *Tagging.* Any person who sells the cans described in paragraph (a) at retail shall attach to each can before sale a tag or label which plainly states the retail ceiling price.

(g) *Relation to other regulations and orders.* This order with respect to the

commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(h) *Revocation and amendment.* This order may be revoked or amended by the Administrator at any time.

This order shall become effective July 26, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13399; Filed, July 23, 1945;
11:49 a. m.]

[Supp. Order 94, Order 70]

RECONSTRUCTION FINANCE CORP., ET AL.
SPECIAL MAXIMUM PRICES FOR GASOLINE-
ELECTRIC GENERATING UNITS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale and delivery by any reseller of the gasoline-electric generating units hereinafter described which have been or may be purchased from the Reconstruction Finance Corporation or any other United States Government agency.

(b) *Maximum prices.* The maximum prices for sales and deliveries by all resellers of the gasoline-electric generating units described herein, in the condition specified, to any class of purchaser shall be:

Description of Generating Unit. 1 Hercules 4 cyl. Model Z X B 9.4 h. p. gasoline engine, connected to one 3 KVA, 1200 RPM, 120 Volt, 3 phase 60 cycle generator (General Electric, Hobart, O'Keefe and Merritt or Westinghouse). Set is equipped with exciter and switchboard, is completely housed with weatherproof housing and mounted upon skids.

Price for unit new or used and in as good as new condition, or used but reconditioned and guaranteed, \$532.00.

Price for unit in any other condition than above specified, \$344.00.

These prices are f. o. b. point of shipment.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 26, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13400; Filed, July 23, 1945;
11:48 a. m.]

[MPR 188, Amdt. 89 to Order A-1]

**MANUFACTURERS' MAXIMUM PRICES FOR
SPECIFIED BUILDING MATERIALS AND CON-
SUMERS' GOODS OTHER THAN APPAREL**

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraphs (a) (1) to (a) (11) inclusive, are deleted.

2. Paragraph (a) (12) is redesignated paragraph (a) (1).

3. Paragraphs (a) (13) to (a) (24) inclusive, are deleted.

4. Paragraph (a) (25) is redesignated paragraph (a) (2).

5. Paragraphs (a) (26) to (a) (30) inclusive, are deleted.

6. Paragraph (a) (31) is redesignated paragraph (a) (3).

7. Paragraphs (a) (32) to (a) (57) are deleted.

8. Paragraph (a) (58) is redesignated (a) (4).

9. Paragraphs (a) (59) to (a) (62) are deleted.

This Amendment No. 89 shall become effective July 30, 1945.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13395; Filed, July 23, 1945;
11:42 a. m.]

[MPR 591, Order 1]

**SPECIFIED MECHANICAL BUILDING
EQUIPMENT**

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Order No. 1 under section 22 of Maximum Price Regulation No. 591 has been issued simultaneously herewith and filed with the Division of the Federal Register.

**ARTICLE I—EXPLANATION AND GENERAL
PROVISIONS**

SECTION 1.1 *Scope of this order.* Modifications of maximum prices of commodities covered by Maximum Price Regulation No. 591 pursuant to section 22 of that regulation, are set forth in this Order No. 1. This order brings together, restates and reclassifies the modifications of maximum prices (except those which have become obsolete) previously contained in Order A-1 under § 1499.159b of Maximum Price Regulation 188, insofar as they apply to commodities now covered by this regulation. This Order No. 1 does not, as of the date issued, terminate or otherwise change the operative effect of any such modification previously listed under Order A-1 under § 1499.159b of Maximum Price Regulation 188, but merely consolidates and continues them in effect under this Order No. 1 under Maximum Price Regulation No. 591. Other modifications may be added to this Order No. 1 whenever necessary by amendment.

SEC. 1.2 Provisions revoked. Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 is not revoked but is being amended simultaneously herewith so as to remove therefrom the paragraphs now incorporated herein.

ARTICLE II—COMMERCIAL REFRIGERATION

SEC. 2.1 Modification of maximum prices of commercial refrigeration and commercial refrigeration apparatus.

(a) On and after May 10, 1943, all manufacturers of commercial refrigeration and commercial refrigeration apparatus, shall reduce their presently established maximum prices for such commodities by an amount equal to the Federal excise tax previously paid on the sales of such commodities under the provisions of section 546, Title V, Part IV of the Revenue Act of 1941 and subsequently repealed by section 614, Title VI of the Revenue Act of 1942.

(b) Definitions. For the purpose of this section the term "commercial refrigeration and commercial refrigeration apparatus" means beverage coolers, ice cream cabinets, water coolers, food and beverage display cases, food and beverage storage cabinets, ice making machines, milk cooler cabinets, refrigerators having a net storage space of more than 20 cubic feet, which were primarily designed for use with a mechanical refrigeration unit; and compressors, condensers, evaporators, expansion units, absorbers and controls for, or suitable for use as a part of or with, a refrigerating plant, refrigerating system, refrigerating equipment or unit, or any of the articles enumerated above.

ARTICLE III—PIPE AND FITTINGS

SEC. 3.1 Modification of maximum prices of plastic pipe, plastic tubing, plastic pipe fittings, and plastic tubing fittings—(a) Scope of this section. This section sets maximum prices for sales and deliveries of plastic pipe, plastic tubing, plastic pipe fittings, and plastic tubing fittings manufactured from Co-Polymer Vinyl and Vinylidene chlorides commercially known as "Saran B 11."

(b) Maximum prices. The maximum prices computed under this section shall be subject to cash discounts, allowances, and price differentials at least as favorable as those established by the seller and in effect to his various classes of customers during the month of March 1942 for similar commodities such as brass pipe, copper tubing, brass fittings and/or copper fittings.

(1) Manufacturer's maximum prices—(i) Manufacturer to jobber. The maximum prices for sales by manufacturers to jobbers, f. o. b. point of manufacture, shall be the prices contained in paragraph (b) (4) subject to a discount of 50 percent. Upon shipments of 200 pounds and over, freight on the entire shipment shall be allowed to destination.

(ii) Manufacturer to all purchasers other than jobbers. (a) The maximum prices for sales by manufacturers to all purchasers other than jobbers on direct shipments of 200 pounds and over, from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 25 percent and 10 percent. Such maximum prices shall include free delivery

to point of destination designated by the purchaser.

(b) The maximum prices for sales by manufacturers to all purchasers other than jobbers out of warehouse stock or on direct shipments of less than 200 pounds from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 20 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(2) Jobber's maximum prices—(i) Jobber to installer or retailer (other than automotive). (a) The maximum prices for sales by jobbers to installer or retailers (other than automotive) on direct shipments of 200 pounds and over, from point of manufacture, shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 25 percent and 10 percent. Such maximum prices shall include free delivery to point of destination designated by the purchaser.

(b) The maximum prices for sales by jobbers to installers or retailers (other than automotive) out of stock or on direct shipments of less than 200 pounds from point of manufacture shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and 20 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(ii) Jobbers to industrial or commercial user. The maximum prices for all sales by jobbers to industrial or commercial users shall be the prices contained in paragraph (b) (4) subject to successive discounts of 17 percent and the customary differential discount allowed during the month of March 1942 to that particular class of purchaser for purchases of similar commodities.

(iii) Jobber to ultimate consumer (sales at retail). The maximum prices for all sales by jobbers to ultimate consumers (sales at retail) shall be the prices contained in paragraph (b) (4). Such maximum prices shall include free delivery within customary free delivery zones.

(3) Maximum prices for other sellers—(i) Retailer's and installer's maximum prices (on an uninstalled basis). The maximum prices for all sales by retailers and installers on an uninstalled basis shall be the prices contained in paragraph (b) (4). Such maximum prices shall include free delivery within customary free delivery zones.

(ii) Automotive installer's and automotive retailer's maximum buying and selling prices. (a) The maximum prices for all sales to automotive installers and automotive retailers by any person other than a manufacturer shall be the prices contained in paragraph (b) (4) subject to a discount of 25 percent. Such maximum prices shall include free delivery within customary free delivery zones.

(b) The maximum prices for all sales by automotive installers and automotive retailers, whether installed or uninstalled, shall be the prices contained in paragraph (b) (4). Such installation charges as are established by any applicable regulation issued by the Office of Price Administration may be added to the maximum prices listed herein, provided such installation charges are stated separately on the invoice.

(4) Tables of maximum list prices.

TABLE 1—MAXIMUM LIST PRICES FOR PLASTIC PIPE

[List prices are per foot]

Size	1/2"	3/4"	1"	1 1/4"	1 1/2"
List price	\$0.58	\$0.78	\$1.12	\$1.33	\$1.67

Size	2"	2 1/2"	3"	3 1/2"	4"
List price	\$2.24	\$3.53	\$4.68	\$5.62	\$7.22

TABLE 2—MAXIMUM LIST PRICES FOR PLASTIC PIPE FITTINGS

Size	1/2"	3/4"	1"	1 1/4"	1 1/2"	2"
90° elbow	\$1.25	\$1.50	\$1.75	\$2.00	\$2.25	\$2.50
Tee, straight	1.50	1.70	2.00	2.40	2.80	3.20
Coupling	.50	.60	.70	.80	.95	1.20
Reducer		.65	.75	.85	1.00	1.40
Cap	.50	.60	.70	.80	.95	1.20
Companion flange	1.35	1.55	1.75	2.00	2.40	3.00
Blind flange	1.35	1.55	1.75	2.00	2.40	3.00

TABLE 3—MAXIMUM LIST PRICES FOR PLASTIC TUBING FITTINGS

Half-union coupling size O. D. Tube to male I. P. thread, exclusive of coupling nut (size):

Size	List price
1/8 x 1/8 inch	\$0.09
3/16 x 1/8 inch	.09
1/4 x 1/8 inch	.09
1/4 x 1/4 inch	.10
5/16 x 1/8 inch	.11
5/16 x 1/4 inch	.11
3/8 x 1/4 inch	.13
3/8 x 3/8 inch	.14
7/16 x 1/4 inch	.15
1/2 x 3/8 inch	.16
1/2 x 1/2 inch	.17
5/8 x 1/2 inch	.36
3/4 x 3/4 inch	.42
3/8 x 3/8 inch	.23
1/2 x 1/2 inch	.26

Tube-pipe elbow size O. D. tube to I. P. thread, exclusive of coupling nut (size):

1/8 x 1/8 inch	.18
3/16 x 1/8 inch	.18
1/4 x 1/8 inch	.19
5/16 x 1/8 inch	.20
3/8 x 1/4 inch	.23
3/8 x 3/8 inch	.24
7/16 x 1/4 inch	.25
1/2 x 3/8 inch	.28
5/8 x 1/2 inch	.40
3/4 x 1/2 inch	.50

Tee, reducing size O. D. tube exclusive of coupling nuts (size):

1/2 inch	.28
3/4 inch	.41

Plug size male I. P. thread (size):

1/8 inch	.10
1/4 inch	.11
3/8 inch	.13
1/2 inch	.18
3/4 inch	.23

Union coupling size O. D. tube to O. D. tube, exclusive of coupling nuts (size):

1/8 x 1/8 inch	.09
3/16 x 3/16 inch	.09
1/4 x 1/4 inch	.09
5/16 x 5/16 inch	.11
3/8 x 3/8 inch	.13
7/16 x 7/16 inch	.15
1/2 x 1/2 inch	.16
5/8 x 5/8 inch	.36
3/4 x 3/4 inch	.42

TABLE 3—Continued

Coupling nut for flare fittings, size O. D. tube (size):	List price
1/8 inch.....	\$0.10
3/16 inch.....	.10
1/4 inch.....	.10
5/16 inch.....	.12
3/8 inch.....	.14
7/16 inch.....	.15
1/2 inch.....	.16
5/8 inch.....	.25
3/4 inch.....	.30

TABLE 3—Continued

Tee, straight size, O. D. tube, exclusive of coupling nuts (size):	List price
1/8 inch.....	\$0.18
3/16 inch.....	.18
1/4 inch.....	.20
5/16 inch.....	.21
3/8 inch.....	.25
7/16 inch.....	.28
1/2 inch.....	.32
5/8 inch.....	.45
3/4 inch.....	.59

TABLE 4—MAXIMUM LIST PRICES FOR PLASTIC TUBING

[List prices are per 100 feet]

O. D. size.....	1 1/4-inch	1 1/2-inch	1 3/4-inch	2-inch	2 1/2-inch	3-inch	3 1/2-inch	4-inch	4 1/2-inch	5-inch
0.015 wall thickness.....	\$1.50	\$2.30								
0.031 wall thickness.....	2.60	4.40	\$6.10	\$7.80	\$9.60	\$11.30	\$13.10	\$16.50	\$20.00	
0.045 wall thickness.....		5.70	8.30	10.80	13.30	15.80	18.30	23.40	28.40	
0.062 wall thickness.....		7.00	10.50	14.00	17.40	20.90	24.30	31.30	38.20	
0.083 wall thickness.....							33.90	44.30	54.70	
0.125 wall thickness.....									69.90	

For tubing, boxed, 25-feet per box, above list prices may be increased by \$0.75 per hundred lineal feet.

TABLE 5—MAXIMUM LIST PRICES FOR SARAN PIPE NIPPLES

Diameter of pipe	Size of nipple										Price per end for threading pipe over 1 foot long
	3-inch	4-inch	5-inch	6-inch	7-inch	8-inch	9-inch	10-inch	11-inch	12-inch	
1/2 inch.....	\$0.58	\$0.64	\$0.74	\$0.77	\$0.78	\$0.80	\$0.82	\$0.84	\$0.86	\$0.88	\$0.15
3/4 inch.....	.78	.88	.99	1.10	1.15	1.18	1.20	1.23	1.25	1.28	.25
1 inch.....	.92	1.04	1.20	1.35	1.42	1.45	1.50	1.54	1.58	1.62	.25
1 1/4 inches.....	1.08	1.27	1.44	1.63	1.67	1.70	1.74	1.77	1.80	1.83	.25
1 1/2 inches.....	1.33	1.55	1.79	2.02	2.06	2.10	2.15	2.19	2.23	2.27	.30
2 inches.....	1.65	1.96	2.25	2.58	2.69	2.74	2.79	2.84	2.89	2.94	.35

(c) *Notification to purchasers of existence of this section.* Every person selling plastic pipe, plastic tubing, plastic pipe fittings, or plastic tubing fittings subject to this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and, upon request of such purchaser, make available a copy of it for examination.

(d) *New products.* The maximum list price of any article of plastic pipe, plastic tubing, plastic pipe fittings, and/or plastic tubing fittings, for which prices are not established in paragraph (b) (4) of this section shall be the price determined in accordance with the appropriate method contained in Maximum Price Regulation No. 591.

(e) *Definitions.* For the purpose of this section, the term:

"Manufacturer" means a person who manufactures or extrudes synthetic organic thermoplastic into plastic pipe, plastic tubing, plastic pipe fittings or plastic tubing fittings.

"Jobber" means a person other than a "manufacturer" who purchases plastic pipe, plastic tubing, plastic pipe fittings, or plastic tubing fittings from a "manufacturer" for resale, customarily receives physical possession, and who sells primarily to an installer, industrial user or retailer.

"Installer" means any person customarily engaged in the installation of plumbing, heating, refrigeration, and/or air-conditioning systems and furnishes an installation service, but does not include automotive installers.

"Automotive installer" and "automotive retailer" means any person who is

engaged in the repair or maintenance of automotive vehicles or who sells automotive repair parts to ultimate consumers.

"Retailer" means any person who sells to the ultimate consumer.

"Industrial or commercial user" means any person who customarily purchases for use in an industrial plant or commercial enterprise, such as an oil or sugar refinery, a chemical plant, shipyard, or railroad.

"Ultimate consumer" means a person who purchases for use rather than resale, other than an industrial or commercial user.

ARTICLE IV—CAST-IRON PRESSURE PIPE

SEC. 4.1 *Modification of maximum prices of cast iron pressure pipe—(a) Scope of this section.* This section sets maximum prices for sales and deliveries of (1) cast iron pressure pipe manufactured in wall thickness based on the method described in detail in the publication "American Recommended Practice—Manual for the Computation of Strength and Thickness of Cast Iron Pipe, A. S. A. A21.1-1939," hereinafter called "New method" and (2) cast iron pressure pipe manufactured in the weights set forth in the Emergency Alternate Specification E-WW-P-421, Pipe; Water, Cast-Iron (Bell and Spigot) issued December 21, 1942, by the National Bureau of Standards.

(b) *Maximum prices.* The maximum prices computed under this section shall be subject to cash discounts, allowances, and price differentials at least as favorable as those established by the seller for cast iron pressure pipe and in effect to

the sellers' various classes of customers during the month of March 1942.

(1) The maximum price per lineal foot for cast iron pressure pipe manufactured of wall thickness based on the "New method" shall be the maximum price per lineal foot established for sales of cast iron pressure pipe of wall thickness customarily furnished prior to the use of the "New method", reduced by the following amount per lineal foot:

Zone 1. Where the point of delivery is located within the area served by \$0.00 to \$7.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0125 per pound.

Zone 2. Where the point of delivery is located within the area served by \$7.01 to \$12.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0150 per pound.

Zone 3. Where the point of delivery is located within the area served by \$12.01 to \$17.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0175 per pound.

Zone 4. Where the point of delivery is located within the area served by \$17.01 to \$22.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0200 per pound.

Zone 5. Where the point of delivery is located within the area served by \$22.01 to \$27.00 per ton freight rates from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0225 per pound.

Zone 6. Where the point of delivery is located within the area served by freight rates exceeding \$27.01 per ton from Birmingham, Alabama, the allowance for the reduction of metal in each lineal foot shall be computed at not less than \$0.0250 per pound.

(2) The maximum price per lineal foot for cast iron pressure pipe manufactured in the weights set forth in Emergency Alternate Federal Specifications E-WW-P-421, Pipe; Water, Cast-Iron (Bed and Spigot) issued December 21, 1942, by the National Bureau of Standards shall be the maximum price per lineal foot established for sales of cast iron pressure pipe manufactured in weights listed in Federal Specification WW-P-421; Pipe; Water, Cast-Iron (Bell and Spigot) reduced by an amount per lineal foot set forth below:

TYPE I—CAST IRON WATER PIPE (BASED ON TABLE E-II—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)
CLASS 150, 150-POUND WORKING PRESSURE, 240-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
4.....	Pound 0.9	\$0.01	\$0.01	\$0.02	\$0.02	\$0.02	\$0.02
6.....	1.6	.02	.02	.03	.03	.04	.04
8.....	3.9	.05	.06	.07	.08	.09	.09
10.....	6.0	.08	.09	.11	.12	.14	.14
12.....	7.3	.09	.11	.13	.15	.16	.16
14.....	6.3	.08	.09	.11	.13	.14	.14
16.....	9.9	.12	.15	.17	.20	.22	.22
18.....	13.2	.17	.20	.23	.26	.30	.30
20.....	13.2	.17	.20	.23	.26	.30	.30
24.....	8.3	.10	.12	.15	.17	.19	.21

TYPE I—CAST IRON WATER PIPE (BASED ON TABLE E-II—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)—Continued

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.9	\$0.04	\$0.04	\$0.05	\$0.06	\$0.07	\$0.07
6	4.6	.06	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
10	13.0	.16	.20	.23	.26	.29	.33
12	12.6	.16	.19	.22	.25	.28	.32
14	15.9	.20	.24	.28	.32	.36	.40
16	21.3	.27	.32	.37	.43	.48	.53
18	29.2	.37	.44	.51	.58	.66	.73
20	34.3	.43	.51	.60	.69	.77	.86
24	52.8	.66	.79	.92	1.06	1.19	1.32

TYPE II—CAST IRON WATER PIPE (BASED ON TABLE E-IV—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.8	\$0.01	\$0.01	\$0.01	\$0.02	\$0.02	\$0.02
6	1.6	.02	.02	.03	.03	.04	.04
8	3.9	.05	.06	.07	.08	.09	.10
10	6.0	.08	.09	.11	.12	.14	.15
12	7.0	.09	.11	.12	.14	.16	.18
14	6.0	.08	.09	.11	.12	.14	.15
16	10.3	.13	.15	.18	.21	.23	.26
18	12.9	.16	.19	.23	.26	.29	.32
20	12.9	.16	.19	.23	.26	.29	.32
24	8.2	.10	.12	.14	.16	.18	.21

CLASS 150, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	New allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.8	\$0.04	\$0.04	\$0.05	\$0.06	\$0.06	\$0.07
6	4.6	.06	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
10	13.2	.17	.20	.23	.26	.30	.33
12	12.7	.16	.19	.22	.25	.29	.32
14	15.8	.20	.21	.28	.32	.36	.40
16	21.4	.27	.32	.37	.43	.48	.54
18	29.3	.37	.44	.51	.59	.66	.73
20	34.2	.43	.51	.60	.68	.77	.86
24	52.7	.66	.79	.92	1.05	1.19	1.32

TYPE III—CAST IRON WATER PIPE (BASED ON TABLE E-VI—EMERGENCY ALTERNATE SPECIFICATION E-WW-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.8	\$0.01	\$0.01	\$0.01	\$0.02	\$0.02	\$0.02
6	1.6	.02	.02	.03	.03	.04	.04
8	3.9	.05	.06	.07	.08	.09	.10
10	6.0	.08	.09	.11	.12	.14	.15
12	7.0	.09	.11	.12	.14	.16	.18

TYPE III—CAST IRON WATER PIPE (BASED ON TABLE E-VI—EMERGENCY ALTERNATE SPECIFICATION E-WW-421)—Continued

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.8	\$0.04	\$0.04	\$0.05	\$0.06	\$0.06	\$0.07
6	4.6	.06	.07	.08	.09	.10	.12
8	9.9	.12	.15	.17	.20	.22	.25
10	13.2	.17	.20	.23	.26	.30	.33
12	12.7	.16	.19	.22	.25	.29	.32

TYPE IV—CAST IRON WATER PIPE (BASED ON TABLE E-VIII—EMERGENCY ALTERNATE SPECIFICATION E-WW-P-421)

CLASS 150, 150-POUND WORKING PRESSURE, 346-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	0.7	\$0.01	\$0.01	\$0.01	\$0.01	\$0.02	\$0.02
6	1.1	.01	.02	.02	.02	.02	.03
8	3.0	.04	.05	.05	.06	.07	.08
10	6.0	.08	.09	.11	.12	.14	.15
12	7.4	.09	.11	.13	.15	.17	.19
14	5.2	.07	.08	.09	.10	.12	.13
16	9.7	.12	.15	.17	.19	.22	.24
18	14.5	.18	.22	.25	.29	.33	.36
20	12.3	.15	.18	.22	.25	.28	.31
24	6.6	.08	.10	.12	.13	.15	.17

CLASS 250, 250-POUND WORKING PRESSURE, 576-FOOT HEAD

Size (inch)	Difference in weight per lineal foot	Net allowance in dollars and cents per lineal foot where the point of delivery falls within—					
		Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
	Pound						
4	2.3	\$0.03	\$0.03	\$0.04	\$0.05	\$0.05	\$0.06
6	4.6	.06	.07	.08	.09	.10	.12
8	9.3	.12	.14	.16	.19	.21	.23
10	12.8	.16	.19	.22	.26	.29	.32
12	10.9	.14	.16	.19	.22	.25	.27
14	11.2	.14	.17	.20	.22	.25	.28
16	16.5	.21	.25	.29	.33	.37	.41
18	26.8	.34	.40	.47	.54	.60	.67
20	27.8	.35	.42	.49	.56	.63	.70
24	46.8	.59	.70	.82	.94	1.05	1.17

Zone 1 is applicable where the point of delivery is located within the area served by \$0.00 to \$7.00 per ton freight rates from Birmingham, Alabama.

Zone 2 is applicable where the point of delivery is located within the area served by \$7.01 to \$12.00 per ton freight rates from Birmingham, Alabama.

Zone 3 is applicable where the point of delivery is located within the area served by \$12.01 to \$17.00 per ton freight rate from Birmingham, Alabama.

Zone 4 is applicable where the point of delivery is located within the area served by \$17.01 to \$22.00 per ton freight rates from Birmingham, Alabama.

Zone 5 is applicable where the point of delivery is located within the area served by \$22.01 to \$27.00 per ton freight rates from Birmingham, Alabama.

Zone 6 is applicable where the point of delivery is located within the area served by a freight rate that exceeds \$27.01 per ton from Birmingham, Alabama.

(c) Notification to purchasers of existence of this section. Every person

selling cast iron pressure pipe subject to this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and, upon request of such purchaser, make available a copy of this section for examination.

ARTICLE V—HEATING EQUIPMENT

SEC. 5.1 Modification of maximum prices for cast-iron warm-air furnaces and steel warm-air furnaces and repair parts for such furnaces—(a) Scope of this section. Maximum prices established by this section shall apply to cast-iron and steel warm-air furnaces and repair parts for such furnaces.

For the purpose of this section the term

“Cast-iron warm-air furnaces” means any direct coal-fired, gas-fired, oil-fired, or wood-fired central plant, warm-air heating unit made of cast-iron with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure; commonly known as a gravity or forced-warm-air furnace for use with or without air distribution pipes.

“Steel warm-air furnaces” means any direct coal-fired, gas-fired, oil-fired or wood-fired central plant, warm-air unit, the heating surface of which is wholly or partially made of steel, with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure, commonly known as a gravity or forced-warm-air furnace, for use with or without air distribution pipes.

The terms “cast-iron warm-air furnace” and “steel warm-air furnace” do not include portable or fixed space heaters, domestic heating stoves, or floor furnaces, nor do they include accessories and appurtenances for such furnaces. The terms do however, include trim for such furnaces.

“Accessories and appurtenances” include but are not limited to the following:

- All automatic controls including thermostats and humidifier.
- Cabinet blower unit complete, including—
 - Cabinet.
 - Filter.
 - Blower drive motor.
 - Blower fan and housing.
 - Blower pulleys and belt.
- Oil burner assembly complete, including controls.
- Gas burner assembly complete, including regulation.
- “Trim” includes but is not limited to—
 - The shaker.
 - The poker.
 - Hand controlled draft regulator.
 - Water pan.
 - Check damper.

(b) Maximum prices for manufacturers. The maximum prices for sales by a manufacturer of cast-iron or steel warm-air furnaces and repair parts for such furnaces shall be the prices determined in accordance with either of the methods set forth below:

(1) The lowest published list price for each type and size of cast-iron or steel warm-air furnace and type of repair part for such furnace in effect on August 3, 1943, plus 9 percent, or

(2) In the case of repair parts only, by retaining the lowest published list price in effect on August 3, 1943, and decreasing the discount or discounts extended to the various classes of purchasers by an amount which will result in an increase equivalent to that resulting from the use of method 1, above.

(c) *Notification to purchasers by manufacturers.* All manufacturers selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this section shall send the following notice to every purchaser of cast-iron or steel warm-air furnaces or repair parts for such furnaces at the time of the first billing:

Section 5.1 of Order No. 1 under section 22 of Maximum Price Regulation No. 591 granted us an increase in the maximum prices of cast-iron and steel warm-air furnaces and repair parts for such furnaces equal to 9 percent of our lowest established list price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace and any type of repair part for such furnaces. The prices charged you for cast-iron or steel warm-air furnaces or repair parts are not higher than the maximum prices which are permitted to be charged you under the provisions of that section. The section further provides that any person purchasing cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale in substantially the same form may increase his maximum price in effect on August 4, 1943, by the actual dollars-and-cents increase in cost to him resulting from the 9 percent increase.

This notice is given to you at the express direction of the Office of Price Administration.

(d) Every person selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this section shall forward to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after July 30, unless previously submitted, catalogues, price books and discount sheets issued prior to June 24, 1944, relative to cast-iron or steel warm-air furnaces and repair parts for such furnaces. Copies of such catalogues, price books, and discount sheets issued at any time subsequent to June 24, 1944, shall be forwarded to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., at least 5 days prior to the issuance thereof.

(e) *Maximum prices for persons other than manufacturers.* (1) On and after June 24, 1944, any person who purchases cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale may increase his maximum price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace or repair part for such furnaces purchased under the authority of this section by an amount equal to his actual dollars-and-cents increase in cost resulting from the 9 percent increase permitted under paragraph (b).

(2) The maximum prices fixed under paragraph (1) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services which the seller extended, absorbed, or rendered or would have extended, absorbed, or rendered on

comparable sales to purchasers of the same class during March 1942.

SEC. 5.2 Modification of maximum prices for cast iron warm-air furnaces and steel warm-air furnaces sold without certain parts, the manufacture of which is prohibited by War Production Board Limitation Order L-22, or any amendment thereto. "Cast iron warm-air furnaces" means a central plant warm-air heating unit, made of cast iron, which is designed for the purpose of heating, with any type of fuel, the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The term "cast iron warm-air furnaces" does not include space heaters, domestic heating stoves, or floor furnaces (either portable or fixed).

"Steel warm-air furnaces" means any central plant warm-air unit, the heating surface of which is wholly or partially made of steel which is designed for the purpose of heating, with any type of fuel, the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The term "steel warm-air furnaces" does not include any space heaters, domestic heating stoves, or floor furnaces (either portable or fixed).

(a) *Modification of maximum net prices for all sellers.* Every seller of cast iron warm-air furnaces or steel warm-air furnaces which do not include any of the parts listed below, shall reduce his present maximum net price for each such cast iron warm-air furnace or steel warm-air furnace by the amount for each such part as set forth below:

Feed door smoke curtain.....	\$0.10
Feed door lining.....	.20
Hot blast lift door.....	.05
Wire coil handle.....	.10
Water pan.....	.50
Inner lining for casing.....	.60
Upright shaker handle.....	.55
Poker.....	.15
Metal check damper.....	.20
Hand-control draft regulator.....	.40

SEC. 5.3. Modification of maximum prices of automatic controls for use in domestic hot water heaters.—(a) *Scope of this section.* This section establishes adjusted maximum prices for sales and deliveries of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such automatic controls to manufacturers of such heaters for use in the manufacture thereof.

This section does not establish adjusted maximum prices for sales of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such controls to persons other than manufacturers of such heaters or sales of such controls to manufacturers of such heaters where such controls are not used in the manufacture thereof.

For the purpose of this section the term "automatic controls for direct-fired domestic automatic hot water heaters" means any automatic device especially designed for (1) controlling and maintaining the temperature and

(2) the safe operation of a direct-fired domestic automatic hot water heater which uses natural or manufactured gas, kerosene, or oil, or any derivative thereof as fuel. The term includes but is not limited to safety pilots or shut-offs, thermostats and combination units embodying at least two of the following features: thermostat, safety pilot or shut-off, main gas cock, flow control valve, and pilot valve.

(b) *Maximum prices.* Any manufacturer of automatic controls for direct-fired domestic automatic hot water heaters may, on sales to manufacturers of direct-fired domestic automatic hot water heaters for use in the manufacture of such heaters only, increase his presently established maximum net price for such automatic controls by 9 percent.

(c) *Cash discounts, allowances and services.* The maximum prices established by this section shall be subject to the extension of cash discounts and other allowances, the rendition of services and the absorption of transportation charges at least as favorable to manufacturers of direct-fired domestic automatic hot water heaters as those which the manufacturer extended, rendered or absorbed or would have extended, rendered or absorbed during the month of March 1942.

(d) *Notification to purchasers.* Every person making sales under the authority of this section shall send a notice to every purchaser at the time of the first invoicing stating substantially as follows:

Section 5.3 of Order No. 1 under section 22 of Maximum Price Regulation No. 591 permits us to increase by 9 percent our present maximum net price of automatic controls for use in direct-fired domestic automatic hot water heaters when sold to a manufacturer of direct-fired domestic automatic hot water heaters for such use by the manufacturer. The prices charged you for automatic controls are not higher than the adjusted maximum net prices permitted under this section.

This notice is given to you at the express direction of the Office of Price Administration.

ARTICLE VI—PLUMBING FIXTURES AND SPECIALTIES

SEC. 6.1 Modification of maximum prices for certain brass fittings and trimmings for plumbing fixtures.—(a) *Scope of this section.* This section establishes maximum prices for sales and deliveries by manufacturers and others of the following commodities: *Provided*, That such person delivered or offered for delivery during March 1942 exposed chrome plated brass fittings and trimmings or partially built-in chrome plated brass fittings and trimmings for plumbing fixtures.

(1) Exposed chrome plated brass fittings and trimmings.

(2) Partially built-in chrome plated brass fittings and trimmings.

(3) Polished unplated chrome plated brass fittings and trimmings.

(b) *Maximum prices.* The maximum prices for sales of the commodities set forth in (a) by any person shall be determined as follows:

(1) If a seller during March 1942 delivered or offered for delivery any of the commodities set forth in (a), his maxi-

maximum price shall be the highest price for which each such commodity was delivered or offered for delivery during that month to each class of purchaser.

(2) If the seller did not deliver or offer for delivery during March 1942, polished unplated brass fittings and trimmings, his maximum prices for such items shall be the highest prices for which he delivered or offered for delivery the identical chrome plated brass fittings and trimmings during March 1942 to each class of purchaser.

(3) Any person who did not deliver or offer to deliver exposed chrome plated or partially built-in chrome plated fittings and trimmings during March 1942, shall, if such person is a manufacturer, determine his maximum prices for the items set forth in (a) in accordance with section 6 of Maximum Price Regulation No. 591, and if other than a manufacturer, shall determine his maximum prices in accordance with the applicable section of the General Maximum Price Regulation.

(c) Any maximum price established under the provisions of this subparagraph shall be subject to discounts, allowances, including transportation allowances, and price differentials at least as favorable as those in effect by each seller during March 1942 to each class of purchaser.

(d) Notification to purchasers of the existence of this section. Each person selling any of the commodities covered by this section shall, before making an initial sale to each purchaser, notify such purchaser of the existence of this section, and upon request of such purchaser, make available a copy of it for examination.

This Order No. 1 shall become effective July 30, 1945.

NOTE: All reporting requirements of this Order have been filed with the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13377; Filed, July 23, 1945;
11:42 a. m.]

[MPR 592, Order 1]

SPECIFIED CONSTRUCTION MATERIALS AND
REFRACTORIES

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—EXPLANATORY AND GENERAL
PROVISIONS

SECTION 1.1 *Scope of this order.* Modifications of maximum prices of commodities covered by Maximum Price Regulation 592 pursuant to section 25 of that regulation, are set forth in this Order No. 1. This Order No. 1 brings together, restates and reclassifies the

modifications of maximum prices (except those which have become obsolete) previously contained in Order A-1 under Maximum Price Regulation 188 insofar as they applied to commodities now covered by this regulation and insofar as they are intended to continue in effect under this regulation. This Order No. 1 does not, as of the date issued, change the operative effect of any such modification previously listed under Order A-1 under Maximum Price Regulation 188, but merely consolidates and continues them in effect under this Order No. 1 under Maximum Price Regulation 592. Other modifications may be added to this Order No. 1 whenever necessary by amendment.

SEC. 1.2 *Provisions revoked.* Order A-1 under Maximum Price Regulation 188 is not revoked but is being amended simultaneously herewith so as to remove therefrom the paragraphs now incorporated herein.

ARTICLE II—MODIFICATION OF MAXIMUM
PRICES FOR CLAY AND SHALE BUILDING
BRICK (COMMON AND FACE, EXCEPT CERAMIC
GLAZED), STRUCTURAL CLAY HOLLOW
BUILDING TILE (EXCEPT CERAMIC GLAZED
WARE), AND CLAY DRAIN TILE (GLAZED AND
UNGLAZED)

SEC. 2.1 *Maximum prices for manufacturers—*(a) *Maximum prices for manufacturers in the New England Area.*

(1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), manufactured in the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island, may be increased by adding an amount not in excess of \$3.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) Any price adjustments granted prior to December 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (1) above, and particularly Order G-31 under Maximum Price Regulation 188, issued by the Boston Regional Office on October 20, 1943, which permitted an increase in an amount not in excess of \$2.00 per M in the maximum prices of common sand-struck brick for any manufacturer in New England, are hereby revoked.

(b) *Maximum prices for manufacturers in the Hudson River Area.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed brick and "H" Grade Hudson River common brick) produced in that part of the State of New York within 10 air miles of the east and west banks of the Hudson River between the south line of the City of Albany and the south line of the City of Newburgh, may be increased by adding the following amounts to the f. o. b. plant or delivered prices:

(i) \$3.25 per thousand for standard size brick and \$4.00 per thousand for oversize brick when delivered in the Metropolitan New York City Area, which is defined to include that area of New

York State lying east of the Hudson River and west of a line directly connecting Ossining, New York, with Rye, New York, and that portion of Long Island and New York City which lies west of the boundary between Nassau and Suffolk Counties. It also includes Staten Island, the west bank of the Hudson River south of Haverstraw, New York, and the waters of the Passaic and Hackensack Rivers, and the tributary waters of such rivers, as far north as Passaic, New Jersey, and Hackensack, New Jersey, respectively.

(ii) \$2.25 per thousand for standard size and \$2.75 per thousand for oversize brick when delivered in areas other than the Metropolitan New York City Area.

(iii) The maximum prices for the above classification of brick shall be subject to an allowance of \$1.00 per M for unloading and \$0.50 per M for cash payment. The terms under which such allowances are given shall not be made more onerous to the purchaser than those in effect in March 1942.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for "H" Grade Hudson River common brick, which, for the purpose of this paragraph (b) means brick meeting Federal Specification Physical Requirements "E-2, H Grade" SS-B-656, issued June 28, 1932, produced by the Nassau Brick Company, Incorporated, Farmingdale, New York, may be increased by adding \$1.00 per thousand for standard size brick and \$1.25 per thousand for oversize brick to the f. o. b. plant or delivered prices.

(3) Any price adjustments granted prior to July 30, 1945, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (b) (1) and (2) above, and particularly Amendments 5, 28, and 37 to Order A-1 of Maximum Price Regulation 188, are hereby revoked.

(c) *Maximum prices for manufacturers in certain Middle Atlantic States.*

(1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Delaware and Maryland; the counties of New York west of and including Franklin, Hamilton, Fulton, Montgomery, Schcharie and Delaware; the counties of Pennsylvania east of and including Tioga, Lycoming, Clinton, Centre, Huntington and Fulton; and the District of Columbia, may be increased by adding an amount not in excess of \$1.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile (glazed and unglazed), produced in the area described in (c) (1) above, may be increased by adding thereto an amount not in excess of \$0.70 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to January 15, 1945, by the Price Administrator or any Regional Administrator for any seller of brick, building tile, or drain tile, covered by the provi-

sions set forth in (c) (1) and (2) above, are hereby revoked.

(d) *Maximum prices for manufacturers in New Jersey.* (1) The manufacturer's maximum prices for clay building brick (common and unglazed face) produced in the State of New Jersey established pursuant to Maximum Price Regulation No. 592, may be increased by adding an amount not in excess of \$3.00 per thousand for regular size brick to the f. o. b. plant price or the delivered price.

(2) Any price adjustments granted prior to August 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (d) (1) above, and particularly Amendments 27 and 50 to Order A-1 of Maximum Price Regulation 188, are hereby revoked.

(e) *Maximum prices for manufacturers in certain East North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for shale and clay building brick (smooth, sanded, or wire cut) produced in the States of Ohio, West Virginia, Michigan (except the Upper Peninsula), and in that part of Pennsylvania west of and including Potter, Cameron, Clearfield, Blair and Bedford Counties, may be increased by adding thereto an amount not in excess of \$3.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware) produced in the area described in (e) (1) above, may be increased by adding thereto an amount not in excess of \$1.51 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to September 11, 1944, by the Price Administrator or any Regional Administrator for any seller of brick and building tile covered by the provisions stated in (e) (1) and (2) above, are hereby revoked.

(4) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay or shale drain tile produced in the State of Ohio may be modified by adding an amount per thousand feet, not in excess of the amount set forth below opposite the following sizes and weights:

Size (inches)	Weight per foot		Adjustment per M feet
	Pounds		
3.....	4	\$3.20	
4.....	6	4.80	
5.....	9	7.20	
6.....	12	9.60	
8.....	18	14.40	
10.....	28	22.40	
12.....	36	28.80	
15.....	56	44.80	
18.....	78	62.40	
20.....	85	68.00	
22.....	107	85.60	
24.....	120	96.00	

(f) *Maximum prices for manufacturers in certain North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price

Regulation No. 592, for building brick (common and unglazed face), produced in the States of Illinois, Indiana, and Kentucky; that part of Missouri east of and including the counties of Putnam, Adair, Macon, Randolph, Howard, Cooper, Moniteau, Miller, Pulaski, Texas, and Howell; and that part of the State of Wisconsin east of and including the counties of Brown, Outagamie, Winnebago, Fond du Lac, Dodge, Jefferson, and Rock, may be increased by adding an amount not in excess of \$2.50 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592 for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (f) (1) above, may be increased by adding thereto an amount not in excess of \$0.97 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 13, 1944, by the Price Administrator or any Regional Administrator, for any seller of brick, building tile, or drain tile, covered by the provisions set forth in (f) (1) and (2) above, are hereby revoked.

(g) *Maximum prices for manufacturers in certain West North Central States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, the Upper Peninsula of Michigan, and Counties of Wisconsin lying north and west of and including Oconto, Shawano, Waupaca, Waushara, Green Lake, Columbia, Dane and Green, may be increased by adding an amount not in excess of \$2.00 per thousand to f. o. b. plant prices or delivered prices for standard size brick.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592 for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile produced in the area described in (g) (1) above, may be increased by adding an amount not in excess of \$0.80 per ton to the f. o. b. plant or delivered prices.

(3) Any price adjustments granted prior to October 7, 1944, by the Price Administrator or any Regional Administrator for any seller of brick and tile covered by the provisions set forth in (g) (1) and (2) above, are hereby revoked.

(h) *Maximum prices for manufacturers in certain Southern States.* (1) The manufacturers' maximum prices for clay building brick (common and unglazed face) produced in the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, established pursuant to Maximum Price Regulation No. 592, may be increased by adding an amount not in excess of \$2.00 per thousand to f. o. b. plant prices or delivered prices on standard size brick.

(2) The manufacturer's maximum prices established pursuant to Maximum

Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile produced in the area described in (h) (1) above, may be increased by adding thereto an amount not in excess of \$0.60 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to August 26, 1944, by the Price Administrator or any Regional Administrator for any seller of brick covered by the provisions set forth in (h) (1) above are hereby revoked.

Any price adjustments granted prior to November 25, 1944, for any seller of building tile covered by the provisions set forth in (h) (2) above, are hereby revoked.

(i) *Maximum prices for manufacturers in certain Southwestern States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Arkansas, Louisiana, Oklahoma, and Texas, may be increased by adding an amount not in excess of \$1.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (i) (1) above, may be increased by adding thereto an amount not in excess of \$0.72 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 11, 1944, by the Price Administrator or any Regional Administrator for any seller of brick, building tile, or drain tile, covered by the provisions set forth in (i) (1) and (2) above, are hereby revoked.

(j) *Maximum prices for manufacturers in certain Midwestern States.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for clay building brick (common and face, except ceramic glazed), produced in the States of Colorado, Kansas, and that part of Missouri west of and including the counties of Mercer, Sullivan, Linn, Chariton, Saline, Pettis, Morgan, Camden, Laclede, Wright, Douglas, and Ozark, may be increased by adding an amount not in excess of \$2.50 per thousand for standard size brick to the f. o. b. plant prices or delivered prices.

(2) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed), produced in the area described in (j) (1) above, may be increased by adding an amount not in excess of \$1.07 per ton to the f. o. b. plant prices or delivered prices.

(3) Any price adjustments granted prior to October 13, 1944, by the Price Administrator or any Regional Administrator, for any seller of brick, building tile, or drain tile, covered by the provi-

sions set forth in (j) (1) and (2) above, are hereby revoked.

SEC. 2.2 Non-standard sizes. If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment, unless special provision has been made in the applicable paragraph of section 2.1 above for non-standard sizes.

SEC. 2.3 Discounts and allowances. The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 2.4 Maximum prices for resellers. Any jobber or dealer purchasing clay or shale building brick, structural clay hollow building tile, and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with section 2.1 above may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation, by the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer under section 2.1 above.

ARTICLE III—MODIFICATION OF MAXIMUM PRICES FOR VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS, EXCEPT AS COVERED BY REVISED MAXIMUM PRICE REGULATION 206

SEC. 3.1 Maximum prices for manufacturers—(a) Maximum prices for manufacturers in the Eastern and East Central Areas. (1) A manufacturer's maximum price established pursuant to Maximum Price Regulation No. 592, for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, produced in the Eastern or East Central Area, as defined below, shall be increased in accordance with either of the following pricing methods:

(i) By adding an amount not in excess of 9 percent to the highest prices charged during the month of March 1942 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class, or

(ii) By adding amounts not in excess of such amounts as may be required to maintain differentials between prices established under this subdivision and those established by sections 5.4 and 7.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(2) When used in this paragraph (a), the term:

(i) "Eastern area" means the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that portion of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(ii) "East Central area" means the State of Indiana, all of the State of Kentucky not included within the Eastern Area, the Upper Peninsula of Michigan, Zones 1, 2, and 5 in the State of Illinois, and Zones 1, 2, and 5 in the State of Wisconsin. In the State of Illinois: Zone 1 comprises all points on and east of Third Principal Meridian south of Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola to the Indiana State Line; Zone 2 covers all points on and north of the Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the Baltimore and Ohio Railroad west of Decatur north to point of intersection with the Illinois Central Railroad near Mendota, on and east of the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, Du Page and Will counties; Zone 5 includes all of Lake, Cook, Kane, Du Page and Will Counties. In the State of Wisconsin: Zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Juneau, and Wood counties, excepting the counties of Kenosha, Racine, and Milwaukee; Zone 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron Counties; Zone 5 consisting of Kenosha, Racine, and Milwaukee Counties.

(b) **Maximum prices for manufacturers in the Southern Area.** (1) A manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592 for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, produced in the States of North Carolina, South Carolina, Georgia, Alabama, Florida, Tennessee, Mississippi, and Louisiana east of the Mississippi River may be increased by adding an amount not in excess of 12.3 percent per short ton to the f. o. b. plant prices or delivered prices.

(c) **Maximum prices for manufacturers in the West Central, South Central and Rocky Mountain Areas.** A manufacturer's maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, produced in the States of Arkansas, Kansas, Nebraska, Oklahoma, Missouri, Iowa, North Dakota, South Dakota, Minnesota; Zones 3 and 4 in Wisconsin; Zones 3 and 4 in Illinois; the State of Texas; that part of Louisiana west of the Mississippi River; the States of Colorado, Utah, New Mexico, Zones 1, 2 and 3 in Wyoming; Zones 2 and 3 in Montana; Zone 3 in Idaho; Zone 2 in Nevada; and Zone 2 in Arizona, shall be increased in accordance with either of the following pricing methods:

(1) By adding an amount not in excess of 10 percent to the highest prices charged during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class, or

(2) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this subdivision and those established by sections 8.4, 9.4 and 10.4 of Revised Maximum Price Regulation 206, as amended, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

SEC. 3.2 Discounts and allowances. The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

SEC. 3.3 Maximum prices for resellers. Any reseller purchasing vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, for resale from any manufacturer who has modified his maximum prices in accordance with section 3.1 above, may increase his maximum prices, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted manufacturers in section 3.1 above.

SEC. 3.4 Maximum prices for vitrified clay sewer pipe and allied products when sold for delivery outside a factory's normal market area. (a) The manufacturers' maximum prices for vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation 206, when sold for shipment from a factory to a destination which is outside the normal market area of such factory, to a Federal, State, county or municipal governmental agency, or to a drainage or sewerage district, or to a contractor or sub-contractor of any such agency or district, may be determined in the following manner:

(1) A price f. o. b. factory not in excess of 95 percent of the f. o. b. plant price for straight or mixed carload shipments. The following methods shall be

used in determining the f. o. b. plant price which shall apply to manufacturers who wish to use this subdivision;

(i) For those manufacturers who sell on an f. o. b. plant basis, the price so established in this Maximum Price Regulation 188.

(ii) For those manufacturers who sell at a delivered price based on geographical zones, the delivered price as established in this Maximum Price Regulation 188, for the zone within which the factory is located, less the weighted average freight paid by the manufacturer, during the calendar year 1941, for delivery in the zone in which the factory is located.

For those manufacturers who determine their price in accordance with (ii) the weighted average freight shall be determined in the following manner: From the total amount of freight paid during the year 1941 for rail delivery of sewer pipe products to the zone within which the factory is located, deduct that amount of freight applicable to dunnage only, that is, to crating, bracing, or other materials carried for the protection of the product. Divide the balance by the total amount of tons of sewer pipe products delivered by rail, during the calendar year 1941, in the zone in which the factory is located.

(iii) For manufacturers located in the Eastern Area, who sell at a delivered price based on freight rate zones, the delivered price as established in this Maximum Price Regulation 188, in the first or 10¢ zone, less the highest amount of freight from Akron, for delivery to the first, or 10¢ zone.

(2) A delivered price may be charged under this provision not higher than the maximum price established in this subparagraph, f. o. b. factory plus the actual freight charges incurred by the manufacturer in making delivery to the point of destination.

(3) Material purchased in accordance with the provisions of this subparagraph which is in excess of requirements, or which is rejected by the purchaser for cause, may be re-sold to any person at the prices established by the General Maximum Price Regulation, for the same grade or quality for the area in which the product is ultimately used.

(b) A manufacturer may sell vitrified clay sewer pipe and allied products to any person who resells to any of the purchasers specified in (a) above, at prices not in excess of the maximum prices established pursuant to (a) above.

(c) The manufacturer must compute transportation charges on the basis of rail carload quantities.

(d) The manufacturer must secure and retain for inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect a certificate signed by the purchaser in the following form:

CERTIFICATE FORM
(Form OPA 678-655a)

Place _____
Date _____

Project _____
(Identity; Number, location, etc.)

Purchaser _____
(Area engineer; purchasing agent; contractor; subcontractor)

Quantity and description of sewer pipe products required: _____

The quantity of sewer pipe products listed above are required for the construction of the project named above. Diligent effort has been made to secure the necessary products from the sources of supply normally servicing the area where the project is located. Such sources are unable to supply the required products within the time allotted for construction. Therefore, it becomes necessary to purchase the required products from _____ Company (indicate whether distributor or manufacturer), whose office is located at _____ The products so purchased will not be used on any project other than one controlled by a Federal, State, county, or municipal governmental agency, or by a Drainage or Sewerage District, or by a contractor or subcontractor of any such Agency or District, except products that have been rejected for cause.

By _____
(Name of purchaser)
(Title)

(4) The following form of endorsement shall be made by the seller if he is not the manufacturer of the sewer pipe products. Such endorsement may be made on the reverse side of purchaser's certificate.

ENDORSEMENT FORM
(Form OPA 678-656a)

The undersigned has received an order from _____ of _____ which is covered by the certificate on the reverse side, or attached hereto. The undersigned is unable and will be unable to supply the requirements of the purchaser from our own stock of vitrified clay sewer pipe, or allied products, in the time allotted for delivery. It is therefore necessary to order from _____ of _____ the requirements of purchaser as listed on the certificate. Prices charged the purchaser by the undersigned do not exceed the maximum prices established in Article IV, section 3 4 of Order No. 1 under Maximum Price Regulation No. _____

By _____
(Title)

(e) Every manufacturer who makes a sale pursuant to this subparagraph in any month shall make a report to the Office of Price Administration, Washington 25, D. C., on or before the 15th day of the following month, setting forth a list of all sales which resulted in sewer pipe products being shipped to points outside his normal market area during the preceding calendar month, showing the name and address of the purchaser, the point of shipment and the point of delivery, the quantity and classification of products sold, the price charged, and the method of computing such price.

When used in this subparagraph the term:

"Normal market area" for any factory means that area in which sewer pipe products were regularly offered for sale during the period January 1, 1940, to January 1, 1942; for the purposes of this definition, sewer pipe products will be deemed to have been "regularly offered for sale" only in that area in which the factory had salesmen travelling at regular intervals and/or customarily quoted for shipment during the above-mentioned period.

ARTICLE IV—MODIFICATION OF MAXIMUM PRICES FOR SAND, GRAVEL, CONCRETE PRODUCTS, AND READY-MIXED CONCRETE

SEC. 4.1 Modification of maximum prices of sand and gravel produced in Shelby County, Tennessee. (a) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by producers shall be as follows:

Description of commodity	Size	Maximum prices per ton of 2,000 pounds f. o. b. plant
Sand (all grades).....		\$0.70
Torpedo gravel.....	¾ inch down.	.70
Concrete gravel (sand and gravel mixed).....		1.40
Washed and screened gravel.....	1½ to ¾ inches.	1.40

(b) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by dealers f. o. b. producer's plant shall be as follows:

Description of commodity	Size	Maximum prices per ton of 2,000 pounds
Sand (all grades).....		\$0.80
Torpedo gravel.....	¾ inch down.	.80
Concrete gravel (sand and gravel mixed).....		1.50
Washed and screened gravel.....	1½ to ¾ inch.	1.50

(c) The maximum prices for washed sand and gravel produced in Shelby County, Tennessee, when sold by dealers delivered to job site by truck within the city limits of Memphis, shall be as follows:

Description of commodity	Size	Maximum prices per ton of 2,000 pounds
Sand (all grades).....		\$1.40
Torpedo gravel.....	¾ inch down.	1.40
Concrete gravel (sand and gravel mixed).....		2.20
Washed and screened gravel.....	1½ to ¾ inch.	2.20

¹ Plus 5¢ extra per ton for each ¼ mile beyond city limits. Terms—2% 30 days.

SEC. 4.2 Modification of maximum prices for silica sand produced in Tennessee. (a) The manufacturers' maximum price for silica sand produced in the State of Tennessee shall be \$2.00 per net ton f. o. b. producers' plant.

(b) For the purposes of this section 4.2 the term "silica sand" means a fine dry quartz sand, white in color, practically free from clay-like materials and other impurities, and having a percentage of not less than 98.5 percent silica.

SEC. 4.3 Modification of producers' maximum prices for certain crushed stone aggregates, concrete building blocks, and ready-mixed concrete produced in Southern Florida. (a) (1) The maximum prices for certain sizes of Miami Oolite Limestone, all of which are hereinafter specifically described, when produced within a radius of 50 air-miles of the Dade County (Florida) Court House and sold for use in the building of roads, railroad roadbeds, dams, build-

ings, and other structures, or for use as aggregates in ready-mixed concrete, job-mixed concrete, bituminous binder mixtures, concrete building blocks, and other cast concrete products, shall be as follows:

Grade "A" crushed stone, abrasion test required	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Sizes 1 to 9, inclusive.....	\$1.90	\$2.70
Sizes 10 to 16, inclusive.....	2.20	3.05
Sizes 17 and 18.....	2.60	3.45

Grade "B" crushed stone, abrasion test required	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Sizes 1 to 9, inclusive.....	\$1.50	\$2.30
Sizes 10 to 16, inclusive.....	1.80	2.65
Sizes 17 and 18 inclusive.....	2.20	3.05

Grade "C" crushed stone, no abrasion requirement	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami area
Ballast (minus 2½ inches plus ¾ inch).....	\$0.95	\$1.70
Concrete rock (minus 1½ inches plus ¾ inch).....	1.20	2.00
Pea rock (minus ¾ inch plus #4).....	1.50	2.35
Rice rock (or chats) (minus ¾ inch plus #4).....	1.90	2.75
<i>Rock screenings—No abrasion requirement</i>		
Minus ¾ inch.....	1.00	1.75
<i>Masons and or screenings—No abrasion requirement</i>		
Minus ½ inch.....	1.00	1.75
<i>Lime rock—Pit run</i>		
Grade #1.....	.90	1.65
Grade #2.....	.80	1.55

All of the above maximum prices are per cubic yard when sold for delivery by truck or barge, and are per net ton when sold aboard railroad cars, f. o. b. plant or nearest railroad siding.

(2) The abrasion tests and gradations of "Miami Oolite Limestone" specified in this section 4.3 refer to the Dade and Broward County "Standard Classification for Crushed Stone and Screenings" filed with the Office of Price Administration on July 29, 1944, and supplemented on November 9, 1944. This classification is as follows:

Grade "A" crushed stone: Abrasion test.—Maximum loss by Los Angeles Abrasion Test—35%.		
Gradation.—Sizes 1-18 inclusive as provided by Specifications for Materials for Road and Bridge Construction by the Florida State Road Department.		
Grade "B" Crushed Stone: Abrasion test.—Maximum loss by Los Angeles Abrasion Test—50%.		
Gradation.—Sizes 1-18 inclusive as provided by specifications for Materials for Road and Bridge Construction by the Florida State Road Department.		
Grade "C" Crushed Stone—No Abrasion Requirement.		
Ballast.....	Minus 2½"	Plus ¾"
Concrete rock.....	Minus 1½"	Plus ¼"
Pea rock.....	Minus ¾"	Plus #4
Rice rock (or chats).....	Minus ¾"	Plus #4

Rock Screenings:
Minus ¾ inch—No Abrasion Requirement.
Mason Sand or Screenings:
Minus ½ inch—No Abrasion Requirement.
Lime Rock—Pit Run:

Grade 1 } Specification for Materials for
Grade 2 } Road and Bridge Construction by
the Florida State Road Department.

(3) The following producers, namely, The Naranja Rock Company; E. Meekins; E. A. Pynchon; Seminole Rock Products Company; Maule Industries; Kelly Rock and Sand Company; all located in Dade and Broward Counties, Florida; selling aggregates subject to this subparagraph shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after March 31, 1945, and within 15 days after the close of each successive calendar quarter, thereafter, the following information covering the previous quarter:

1. Net Sales in dollars broken down between:

Class "A" crushed stone.
Class "B" crushed stone.
Class "C" crushed stone.

2. Cubic yards or tons sold broken down between:

Class "A" crushed stone.
Class "B" crushed stone.
Class "C" crushed stone.

(b) Any person producing an aggregate from Miami Oolite Limestone not comparable with any of the aggregates heretofore specified by reason of a gradation requiring extra or special screenings, or because such aggregate is from a deposit composed of stone having especially valuable properties, or for any other reason, provided such material is produced for commercial use in construction or for use as an aggregate and cannot be produced and sold at the maximum prices herein established without hardship to the producer, shall file an application for the establishment of a maximum price for such material under section 10 of Maximum Price Regulation No. 592. Such application shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall contain a description of the special aggregate, with a detailed statement showing:

(1) A comparison between the aggregate for which a maximum price is fixed herein and the aggregate for which a price is requested, with definite information showing the claimed superior qualities.

(2) The extra production process used in producing the special aggregate and the extra cost of such process.

(3) The need of a maximum price differing from the maximum prices fixed herein.

(c) The maximum prices for certain ready-mixed concrete, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Bags of cement per cubic yard of ready-mixed concrete:	Maximum prices, per cubic yard, delivered to job site within the Miami area	
4.....	\$6.60	
4½.....	6.95	
5.....	7.30	

Bags of cement per cubic yard of ready-mixed concrete—Continued.	Maximum prices, per cubic yard, delivered to job site within the Miami area	
5½.....	\$7.65	
6.....	8.00	
7.....	8.70	
8.....	9.40	
9.....	10.10	
10.....	10.80	

(d) The maximum prices for certain concrete building blocks, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Size	Maximum prices per block L. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16.....	\$0.0950	\$0.1150
8 x 12 x 16.....	.1650	.19
4 x 8 x 16.....	.0675	.0775
8 x 8 x 16 (corners and jams).....	.0950	.1150
8 x 12 x 16 (corners).....	.1650	.19
8 x 8 x 8 (single corners and half jams).....	.0675	.0775
8 x 4 x 16 or 8 x 3 x 16 partition tile.....	.0675	.0775

(e) Delivery areas for which no additional charges may be made and the conditions under which such charges may be made are to be determined according to the following methods:

(1) *Delivery within the Miami Area.* Maximum prices established by this section 4.3 for delivery "Within the Miami Area" include delivery by each producer within the area recognized by him during March 1942 as his normal delivery area or zone for the commodity to be delivered. No extra charge may be made for delivery within such area or zone. Any producer who did not have a normal delivery area or zone during March 1942, shall regard the delivery area or zone of his most comparable seller as his in-area territory covered by the term "within the Miami Area."

(2) *Delivery outside the Miami Area.* For delivery outside the Miami area, as described in subparagraph (1) above, each producer may add to the maximum prices established herein an amount not in excess of the charge in effect by him during March 1942 for each particular destination. If a producer does not have an established maximum delivery charge for delivery outside the Miami area because he was not in business during March 1942, or, if was then in business, because he did not deliver outside the Miami area, or for any other reason, he must file a schedule of proposed delivery charges to be added to the maximum prices established by this section 4.3 with the Jacksonville District Office of the Office of Price Administration. Such charges shall not exceed the charges established for other manufacturers for the same or similar service and shall be subject to approval or disapproval within 20 days of the date of filing.

The District Director of the Jacksonville District Office may approve, disapprove or revise the requested charges. In the absence of disapproval within the 20-day period, the reported delivery charges, if properly filed, shall be deemed to have been approved by that Office.

(f) *Discounts and other price differentials and services.* All cash, quantity, and other price differentials and services at least as great as those extended by each seller during March 1942 must be continued.

SEC. 4.4 *Modification of maximum prices of ready-mixed concrete.* The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592, for ready-mixed concrete may be increased by adding to the established maximum prices per cubic yard for each specification of that commodity an amount not to exceed the actual dollars-and-cents additional cost, rounded off to the nearest \$0.05 per cubic yard, resulting from the price increase for sales of cement permitted by Amendments Nos. 6, 7, 9, and 10 to Maximum Price Regulation No. 224. The term "manufacturer" as used here means any person who makes the first sale of ready-mixed concrete.

ARTICLE V—MODIFICATION OF MAXIMUM PRICES FOR REFRACTORY PRODUCTS

SEC. 5.1 *Maximum prices for manufacturers—(a) Maximum prices for manufacturers in the Eastern part of the United States.* (1) The manufacturers' f. o. b. plant or delivered maximum prices established pursuant to Maximum Price Regulation No. 592, for all qualities, sizes and shapes of fireclay and silica brick, including also ladle brick, sleeves and nozzles, runner brick and hot tops, superclay and high alumina, ground fire clay, silica cement, and other low temperature mortars, produced in the State of Missouri and in the United States west of the Mississippi River may be increased by 6 percent. This 6 percent increase does not apply to sales of glass house brick, insulating fire brick, high temperature bonding mortars, plastic firebrick and castables.

(2) Manufacturers of the commodities described in subparagraph (1) above, may round off to the nearest \$0.05 the adjusted maximum prices resulting from the increase as permitted in subparagraph (1) above.

(b) *Maximum prices for manufacturers in Colorado and Utah.* The manufacturers' maximum f. o. b. plant or delivered prices established pursuant to Maximum Price Regulation No. 592 for refractory products produced in the States of Colorado and Utah may be increased by 7.5 percent.

SEC. 5.2 *Maximum prices for resellers.* (a) Any reseller purchasing any refractory product for resale from any manufacturer who has modified his maximum prices in accordance with section 5.1 above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in section 5.1 above.

(b) Notwithstanding the provisions of paragraph (a) above, a reseller's maximum price for sales to a particular class of purchaser shall be the same as the manufacturer's maximum price for direct shipments from the manufacturer's plant to that class of purchaser, where:

(1) The sale is made by the reseller and shipment to the customer is made direct from the manufacturer's plant; and

(2) The manufacturer and the reseller customarily sold or if they did not sell they would have sold to purchasers of the same class in the same marketing area at the same price.

SEC. 5.3 *Discounts and allowances.* The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 5.4 *Formula for establishment of maximum prices for special refractory shapes.* (a) A manufacturer's maximum prices for special refractory shapes shall be determined in accordance with the pricing formula or formulae used by said manufacturer in March 1942 to determine the prices at that time of such special refractory shapes. The values given to the factors used in said formulae shall be no higher than the highest values given to the same factory in the determination of March 1942 prices under said formulae and the method used in computing said factors shall be the method used in March 1942.

(b) For the purposes of this section 5.4 the term "special refractory shapes" means refractory brick and specialties produced from highly refractory materials such as silicon carbide, fused aluminum oxide, electric furnace mullite and kyanite. They include heavy refractories consisting of bricks, plates, fabricated muffles, heavy tubes, batts, saggars, burner blocks and miscellaneous shapes for furnaces. Light refractories or laboratory ware consisting of tubes, cores, small muffles, pyrometer tubes, thermocouple tubes, small furnace parts and specials, thimbles, cones, filter and ignition crucibles, capsules, dishes and other purely laboratory articles; also porous mediums, plates, tubes and shapes, are included in the definition of special refractory shapes.

Special refractory shapes are so classified whenever they are made to the specifications of each individual order and are of sizes which are not considered standard by the "Special Refractories Institute" and are unable to be included in the manufacturer's published price lists.

(c) On or before the first time he determines a maximum price under this section 5.4, every manufacturer of special refractory shapes shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., unless previously submitted:

(1) A detailed explanation of the formula or formulae by which it priced its special shapes during March 1942.

(2) Calculations setting forth in detail the use of such formulae in determining prices charged for different types of special refractory shapes actually delivered by it during March 1942, or, if no such deliveries were made during that month, the application of such formulae to the prices that would have been charged had the delivery of such products made subsequently to March 1942

actually been delivered during March 1942 as a result of sales made during that month.

(3) The gross sales value realized from, and the percentage of total sales of special refractory shapes during the fourth calendar quarter of 1942.

SEC. 5.5 *Formula for establishment of maximum prices for fireclay, super-duty fireclay, high alumina, silica, or insulating refractory brick.* (a) A manufacturer's maximum piece price for any fireclay, super-duty fireclay, high alumina, silica, or insulating refractory brick produced by him and for which he has no established maximum price shall be determined in accordance with the following formula:

The producer's maximum price for each such brick shall be a net price (after adjustment for all applicable differentials, discounts or other allowances) not in excess of that at which he would have sold such a brick during March 1942 under the pricing formula or method of calculating price used by him in March 1942, employing the same cost factors (labor, cost of materials and overhead) and margins which were in effect for him in March 1942, even though his costs or margin may have increased since that date.

(b) For the purposes of this section 5.5 the term "brick" means a manufactured refractory object, of any size or shape, and includes standard sizes, standard 9-inch straights and series, special shapes, rectangular tile, and modified shapes. It applies to all fireclay refractories, including brick intended for super-duty service, as well as for high, intermediate, moderate, and low-heat duty service, high alumina, silica, and insulating refractories.

(c) Every producer of fireclay, super-duty fireclay, high alumina, silica, or refractory insulating brick shall keep on file at his principal office at all times for inspection by the Office of Price Administration:

(1) A detailed explanation of the formula or method of calculation by which he priced the brick covered by this section 5.5.

(2) Calculations setting forth in detail the use of such formula in determining prices charged for different brick actually delivered during March 1942, and calculations setting forth in detail the computation of maximum prices for all sales of brick covered by this section 5.5 made subsequent to the effective date of this order. For the purpose of this section 5.5, no recomputation of a previously calculated maximum price for any brick covered herein is required.

SEC. 5.6. *Modification of maximum prices for crude refractory flint clay.* (a) The maximum price for the sale and delivery of crude refractory flint clay produced in Carter and Greenup Counties, Kentucky, and not more than 35 miles away from the town of Taylor, Kentucky, shall be \$2.75 per net ton, delivered to purchasers in the town of Taylor, Kentucky.

(b) For the purposes of this section 5.6 the term "crude refractory flint clay" means a crude refractory flint clay which is a hard or flint-like fire clay with a very

low plasticity usually breaking with a smooth shell-like fracture.

SEC. 5.7 *Modification of maximum prices for calcined flint fire clay.* (a) The maximum price for the sale and delivery of calcined flint fire clay produced in the State of Colorado shall be \$7.35 per net ton f. o. b., producer's plant.

(b) For the purposes of this section 5.7 the term "calcined flint fire clay" means a flint fire clay which has been heat-treated to a temperature from 1500° to 2200° Fahrenheit.

ARTICLE VI—MODIFICATION OF MAXIMUM PRICES ON SALES BETWEEN MANUFACTURERS

SEC. 6.1 *Maximum prices for manufacturers.* Any manufacturer of any of the products listed in section 6.2 below may, subject to the filing provisions of paragraph (d) below, offer to sell, sell, and deliver any such products to any other manufacturer at a price agreed upon by the selling and buying manufacturers, when the price so agreed upon is in excess of the maximum price for the seller under Maximum Price Regulation No. 592, under the following conditions:

(a) Both the seller and the buyer must be manufacturers, as the term is defined in Maximum Price Regulation No. 592, of any product covered by the regulation;

(b) The buying manufacturer need not be a manufacturer of the particular commodity covered by this order but must purchase it from the selling manufacturer for resale in the same form, under his own name or trade brand, to the same trade classifications through which original producers usually distribute such commodities; and

(c) Any increase in price resulting from the agreement under this section 6.1 must be absorbed by the buying manufacturer and may not be reflected, directly or indirectly, in the resale price nor may such increase be used as a basis for a request for an increase in price by way of an application for adjustment or petition for amendment.

(d) Before any sale or delivery may be made upon the basis of the price arrived at pursuant to this section 6.1, the buying manufacturer must submit a statement to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., showing:

(1) The specific products involved in the sale;

(2) The names of the selling and buying manufacturers;

(3) A specific statement from the buyer that the increase in price will not be passed on in the resale of the commodity and that such increase resulting from the agreement will not be made the basis for an application for adjustment or petition for amendment.

SEC. 6.2 *The following commodities shall be subject to the provisions of section 6.1.* (a) Fiber Insulation Board Products, meaning insulation board and roof insulation, conforming to the specifications and standards set forth in "Commercial Standard CS42-43, Structural Fiber Insulating Board," issued by the Department of Commerce, July 24, 1943, and effective August 25, 1943.

(b) Gypsum and lime products.

(c) Insulated brick or stone siding.

ARTICLE VII—MODIFICATION OF MAXIMUM PRICES FOR MISCELLANEOUS COMMODITIES

SEC. 7.1 *Modification of maximum prices for slate burial vaults.* (a) Manufacturers' maximum prices for slate burial vaults produced in the counties of Lehigh, Northampton and York, in the State of Pennsylvania, established pursuant to Maximum Price Regulation No. 592, may be modified by adding an amount not in an excess of 7 cents per square foot.

(b) Discounts and other price differentials and other terms and conditions of sale shall be at least as favorable to purchasers as were in effect by each manufacturer to his several classes of purchasers during March 1942.

(c) On and after the 18th day of September 1943, any person who purchases slate burial vaults, for resale, from any manufacturer who has modified his maximum price in accordance with this order, may increase his presently established maximum price by an amount equal to his actual dollar increase in cost resulting from the increase permitted in (a) above, not to exceed 7 cents per square foot.

SEC. 7.2 *Authorization of maximum prices for crude talc produced in Esmeralda County, Nevada.* (a) The manufacturer's maximum prices for specified grades of crude talc produced in Esmeralda County, Nevada, shall be as follows:

Grades	Maximum net selling price, per ton, f. o. b. Zurich, California
#1—Selected Cosmetic Talc ¹	\$15.25
Maximum CaO.....	2%
Maximum Fe ₂ O ₃	1½%
Maximum Al ₂ O ₃	6%
#2—Mine-run White Talc ²	13.00
Maximum CaO.....	4%
Maximum Fe ₂ O ₃	2%
Maximum Al ₂ O ₃	6%
#3—Mine-run Talc (Blue or Blue & White Mix) ³	10.25
Combined lime (CaO) and alumina (Al ₂ O ₃) content less than..	11%
#4—Talc Filler (Blue Talc) ⁴	8.00
#5—Select Screened or Lump Talc	17.50
Maximum 10% fines ⁵ free of gang or gouge material in the fines.	
Maximum CaO.....	1%
Maximum Fe ₂ O ₃	1%
Maximum Al ₂ O ₃	4%
Maximum acid soluble ingredients	
8 milligrams	
Maximum water soluble ingredients	
4 milligrams	

¹ No blue talc or yellow stains, free from lime lumps.

² Maximum blue talc or yellow stains 25%.

³ Blue talc or yellow stains in excess of 25%.

⁴ Combined lime (CaO) and alumina (Al₂O₃) content in excess of 11%.

⁵ Originating from the talc lump itself when screened or sorted.

(b) The maximum price for any of the above grades of talc, f. o. b. mine, shall be the maximum price for that grade, f. o. b. Zurich, California, less the established ICC freight, and transportation tax, from Zurich to the particular mine.

(c) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to pur-

chasers of the same class during March 1942.

SEC. 7.3 *Modification of maximum prices for pyrophyllite.* (a) The manufacturers' maximum prices for pyrophyllite established pursuant to Maximum Price Regulation No. 592 may be increased by adding an amount not in excess of \$0.40 per net ton to the f. o. b. factory prices.

(b) Any reseller purchasing pyrophyllite for resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in paragraph (a) above.

SEC. 7.4 *Modification of maximum prices for asphalt and/or tar base roof coatings and cements in containers—(a) Explanation.* The purpose of the new method of pricing provided by this section 7.4 is to permit a manufacturer who is now packing asphalt and/or tar base roof coatings and cements in containers which have increased in cost to adjust his maximum prices and add the exact amount of the increase in the cost of the containers and in receiving delivery of them. The method permits him to account for differences in container costs without permitting him to increase the price per unit of the asphalt and/or tar base roof coatings and cement packed in the container. The method is formulated for low-price sellers of these products who are unable to sell them at their established maximum prices because of the increased cost of the containers. Paragraph (i) specifies the maximum prices in excess of which no manufacturer may sell asphalt or tar base roof coatings and cements if he adjusts his established maximum prices in accordance with this section. Any manufacturer whose established maximum prices for these commodities are higher than the prices itemized in paragraph (i) may continue to sell at his established maximum prices without any adjustment.

(b) *Pricing method.* To figure the adjusted maximum price to any class of purchasers for the commodity in containers, the manufacturer shall:

(1) *Determine the base container cost.* The manufacturer shall take as the "base container cost" his average direct cost of each type or size of container during March 1942. "Direct cost" means the net cost, at the manufacturer's plant, of the container and closure, but it does not include costs of filling, closing, labeling, or packing. If a manufacturer is unable to compute his base container cost because of lack of purchases during March 1942, he shall determine his base container cost by any purchase during the period December 1941 through February 1942, or if no purchases were made during this period, by the offering price during that period by the manufacturer's usual source of supply.

(2) *Determine the current container cost.* The manufacturer shall take as the "current container cost" his average direct cost of each type or size of container for any quarterly period subsequent to January 1, 1943. "Direct cost" means the net cost, at the manufactur-

er's plant, of the container and closure, but it does not include cost of filling, closing, labeling, or packing.

(3) *Determine the increased container cost.* Taking his "current container cost" the manufacturer shall then subtract the "base container cost." The difference, if any represents the "increased container cost."

(4) *Determine the adjusted maximum price.* The manufacturer shall next add the "increased container cost" to his established maximum price. If the result is less than the prices itemized in paragraph (i), such result shall be the adjusted maximum price. If the result is the same as or higher than the prices itemized in paragraph (i), the prices in paragraph (i) shall be his adjusted maximum prices. No manufacturer may sell in excess of the sum of his "increased container cost" plus his established maximum prices, even if such total does not equal the prices contained in paragraph (i).

(5) *Changes in current container cost.* Each manufacturer must determine his "current container cost" upon a quarterly basis. If the manufacturer has determined his "current container cost" in accordance with paragraph (b) (2), he may, if the redetermination of "current container cost" reflects an increase over his previous "current container cost", readjust his maximum prices for the ensuing quarterly period to include such increases provided such readjusted maximum prices do not exceed the prices contained in paragraph (i). If the redetermination reflects a decrease of his "increased container cost", the manufacturer must readjust his maximum prices and reduce his adjusted maximum prices by the amount of the decrease for the ensuing quarterly period.

(c) *Commodity and geographical coverage.* This section 7.4 applies to all sales of asphalt or tar base roof coatings and cements in containers in the forty-eight states of the United States and the District of Columbia. The only commodities covered by the section are plastic cement, asbestos roof coating and roof coating without asbestos fiber.

(d) *Container deposits.* If the container used by any manufacturer is one which is capable of reuse, and if the manufacturer made a deposit charge for containers during March 1942, he shall not be permitted to adjust his maximum prices. If any manufacturer made no deposit charge during March 1942, and now desires to do so, he must reduce his established maximum price of his product by an amount equal to 1/3 of his "base container cost". If a manufacturer adjusts his established maximum prices to recover his "increased container cost" and desires to charge a container deposit, he must reduce his adjusted maximum price in the amount of his "increased container cost" plus 1/3 of the "base container cost".

(e) *Wholesalers, jobbers and retailers.* This section 7.4 permits adjustments by manufacturers. Other levels of distribution

are permitted to adjust their maximum prices to the same extent as the manufacturer. Any purchaser who buys asphalt or tar base roof coatings and cement in containers for the purpose of resale, may increase his established maximum price by the exact amount which he is required to pay his supplier in excess of the maximum price previously charged by the said supplier. It is the purpose of this paragraph to permit wholesalers, jobbers and retailers to increase their maximum prices by the exact amount of the "increased container cost", provided such "increased container cost" is paid by them to their supplier.

(f) *Mode of pricing.* The amount of the increase may be reflected in the mode of pricing which each seller used during the month of March 1942.

(g) *Notification to purchasers by manufacturers.* All manufacturers selling asphalt or tar base roof coatings and cements in containers under the authority of this section shall send the following notice to every purchaser thereof at the time of the first sale:

We have increased our established maximum price for _____ from _____ to _____. The difference represents our increased container cost. This increase is permitted by section 7.4 of Order No. 1 under section 25 of Maximum Price Regulation No. 592, issued by the Office of Price Administration.

You may increase your established maximum price to the same extent, namely _____. Our increase and adjusted maximum price does not exceed the amount permitted by the order of the Office of Price Administration.

If our container cost decreases, you will be notified and must reduce your established maximum price accordingly on these commodities you purchase from us at the reduced prices.

(h) *Records and reports*—(1) *Records.* Manufacturers shall keep records showing how they compute their adjusted or readjusted maximum prices.

(2) *Reports.* Within 20 days after any adjustment or readjustment of maximum prices under this subparagraph, each manufacturer shall submit a report to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., showing:

- (i) The "base container cost";
- (ii) The "current container cost", including a description of the current containers, quantity purchased, and the name and address of the supplier or suppliers;
- (iii) The adjusted or readjusted maximum price and the method by which such price was established;
- (iv) Whether, in the case of a readjustment which results in a decrease, the manufacturer has notified his purchasers of the decreased prices applying on sales for the ensuing quarterly period, and the amount of the decrease.

(i) *Adjusted maximum prices.* The following table of prices are those prices in excess of which no manufacturer may sell or deliver his products after he had adjusted his established maximum prices.

	Freight equalized with competitive shipping points		F. o. b. shipping point. (No freight equalization)	
	LCL	CL	LCL	CL
<i>Plastic cement (prices in pounds)</i>				
Barrel (approximately 500 to 600 pounds) containers	0.027	0.024	0.025	0.022
1/2 barrel (approximately 300 pounds) up to barrel containers	.029	.026	.27	.024
100 pounds up to 1/2 barrel containers	.035	.032	.033	.030
50 pounds up to 100 pounds containers	.038	.035	.036	.033
25 pounds up to 50 pounds containers	.043	.04	.041	.038
10 pounds up to 25 pounds containers	.049	.045	.047	.043
5 pounds up to 10 pounds containers	.057	.052	.055	.050
1 pound up to 5 pounds containers	.077	.07	.073	.068
<i>Asbestos roof coating (prices per gallon)</i>				
Barrel (approximately 50 to 60 gallons) containers	.263	.235	.243	.215
1/2 barrel (approximately 30 gal.) up to barrel containers	.288	.262	.268	.242
5 gal. up to 1/2 barrel containers	.322	.289	.302	.269
1 gallon up to 5 gallon containers	.394	.356	.374	.336
<i>Roof coating without asbestos fiber (prices per gallon)</i>				
Barrel (approximately 50 to 60 gal.) containers	0.246	0.226	0.226	0.206
1/2 barrel (approximately 30 gal.) up to barrel containers	.28	.253	.26	.233
5 gallon up to 1/2 barrel containers	.314	.28	.294	.260
1 gallon up to 5 gallon containers	.382	.349	.362	.329

NOTE: The term "up to" does not mean inclusive of the next listed number following the word "to." For example, 1 gallon up to 5 gallon containers, does not include 5 gallon containers.

SEC. 7.5 *Modification of maximum prices for gypsum wall board, lath and sheathing*—(a) *Manufacturers' sales.* Manufacturers' sales of gypsum wall board, lath and sheathing or laminated gypsum board products may be made at prices not exceeding their maximum domestic prices f. o. b. mill as established for them under Maximum Price Regulation No. 592 plus freight to port of exit when the following conditions have been met:

(1) Shipment is made from a mill located within the States of Indiana, Iowa, Michigan, Ohio, New York, Massachusetts, Pennsylvania and Virginia.

(2) The sale must be made to the government of the United States or any agency thereof or to the government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(3) The gypsum wall board, lath or sheathing or laminated gypsum board products must be destined for export sale to be shipped from a port on the eastern U. S. Coast.

(b) *Reports.* Every manufacturer making sales subject to this section 7.5 shall submit on or before the 15th day of each month after February 15, 1945, to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a monthly report showing the following for each such sale:

- Purchasing agency.
- Point of origin of shipment and port of exit.
- Kind, quantity, and thickness sold.
- Destination of shipment if known.

SEC. 7.6 Modification of maximum prices for rough quarry limestone blocks.

(a) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for rough quarry limestone blocks produced in the United States, shall be their present maximum f. o. b. plant prices increased by 6½ percent.

(b) Any finishing cut stone mill purchasing rough quarry limestone blocks for processing into finished dimension limestone from any producer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices, established under Maximum Price Regulation No. 592 by dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in paragraph (a) above.

(c) The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.7 Modification of maximum prices for clay glass melting pots and rings. (a) The manufacturers' maximum f. o. b. plant or delivered prices established pursuant to Maximum Price Regulation No. 592, for clay glass melting pots and rings produced in the United States of America may be increased by 5.3 percent.

(b) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.8 Modification of maximum prices for gypsum lath for shipments into the Southeast Area. (a) A manufacturer's maximum price for sales of gypsum lath for shipment to points in the States of Florida, Georgia, Alabama, South Carolina, and that portion of North Carolina south and east of the northern boundaries of the counties of Richmond, Scotland, Robeson, Bladen, Pender, Onslow and Carteret, shall be his existing maximum price f. o. b. mill plus actual freight to destination, providing however, that the total freight charge shall not exceed what it would have been had the shipment originated at Plasterco, Virginia.

(b) Any reseller in the area described in (a) above purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in paragraph (a) above.

(c) The maximum prices established herein shall be subject to cash, quantity and other discounts, services and other terms and conditions of sale at least as favorable as the reseller extended or rendered on comparable sales to purchasers of the same class during March 1942.

SEC. 7.9 Modification of maximum prices for gypsum lath for shipments into the Northwest Area. (a) The manufacturers' maximum prices for sales of ¾" gypsum lath for shipment to points in the States of Oregon and Washington, when shipment is made from mills located in the States of California, Nevada and Montana, shall be \$13.95 per thousand square feet, f. o. b. mill plus actual freight to destination.

(b) Any reseller located in the States of Oregon and Washington, purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in subparagraph (a) above.

(c) On or before the first delivery to any reseller of ¾" gypsum lath for which the maximum price has been modified pursuant to (a) above, the manufacturer shall notify the reseller of the manufacturer's maximum price and the pricing method established by this section.

(d) Any reseller who has purchased ¾" gypsum lath from any manufacturer whose maximum prices have been modified pursuant to (a) above, shall conspicuously display at his place of business a poster listing his maximum selling prices opposite the various brands of ¾" gypsum lath sold by him, together with the address of the mill from which the manufacturer made the shipment of the particular brand of lath to him.

(e) The maximum prices established herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

ARTICLE VIII—MODIFICATION OF MAXIMUM PRICES FOR BUILDING, CHEMICAL AND INDUSTRIAL LIME (EXCLUDING AGRICULTURAL LIME)

SEC. 8.1 Maximum prices for manufacturers—(a) Maximum prices for

manufacturers in Southern Ohio. The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592 for building, chemical and industrial lime (excluding agricultural lime), produced in Clark, Delaware, Franklin, and Preble Counties in the State of Ohio, may be increased by adding an amount not in excess of \$0.45 per net ton to the f. o. b. plant or delivered prices.

(b) *Maximum prices for manufacturers in the Southeast Area, excluding Florida.* (1) The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 592, for building, chemical and industrial lime (excluding agricultural lime), produced in the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, and Louisiana, may be increased by adding an amount not in excess of \$0.65 per net ton to the f. o. b. plant or delivered prices.

(2) Any individual price adjustments granted prior to May 12, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime covered by the provisions set forth above, in an amount equal to or less than the increase permitted by this section, are hereby revoked.

(3) Any individual price adjustments granted prior to May 12, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime covered by the provisions set forth above, in an amount greater than the increase permitted by this section, are hereby continued in full force and effect; such individual adjustments shall not however, be further increased by the amount permitted under this section.

(c) *Maximum prices for manufacturers in the West South Central Area.* The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 592, for building, chemical and industrial lime (excluding agricultural lime) produced in the States of Arkansas, Kansas, Nebraska, Oklahoma and that portion of the State of Missouri west of the 93rd meridian, may be increased by adding an amount not in excess of \$0.75 per net ton to the f. o. b. plant or delivered prices.

SEC. 8.2 Discounts and allowances. The maximum prices established herein shall be subject to cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 1 shall become effective July 30, 1945.

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

Issued this 23d day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-13378; Filed, July 23, 1945; 11:43 a. m.]

Regional and District Office Orders.

[Region I Order G-5 Under RMPR 251]

PAINTING AND PAPER HANGING SERVICES IN
CARIBOU, MAINE, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 8 (c) of Revised Maximum Price Regulation No. 251; *It is ordered:*

(a) Any seller supplying paper hanging and/or painting services which are subject to Revised Maximum Price Regulation No. 251 may charge as his maximum customer's hourly rate an amount not to exceed \$1.20 per hour when the following conditions have been met:

(1) The seller performs the work described above, within the confines of the Caribou, Maine Area. The area so designated shall comprise the following towns: Presque Isle, Caribou, Connor (or North Caribou), Washburn, Perham, New Sweden, Stockholm and Fort Fairfield.

(2) Before any seller affected by this order may offer to supply or supply the above-described services at the prices established by this order, he shall file a report with the District Office of Price Administration in Augusta, Maine, containing:

(i) His name and address, and location of his place of business, if any;

(ii) His maximum customer's hourly rate for paper hanging and/or painting services prior to this order.

(b) Whenever a customer of any seller subject to this order shall request the performance of paper hanging and/or painting services for a period in excess of eight hours in any one day, and the seller is required to pay to any employee an hourly wage for such overtime on the basis of time and one half by reason of legally established wage rates, such seller may charge as his maximum customer's hourly wage rate an amount not to exceed \$1.70 per hour for painting and/or paper hanging services performed in excess of 8 hours in any given day.

(c) Whenever a customer of any seller subject to this order shall request the performance of either of the above-described services on a Sunday and the seller is required to pay to any employee an hourly Sunday wage on the basis of double time by reason of legally established wage rates, such seller may charge as his maximum customer's hourly rate an amount not to exceed \$2.20 per hour for painting and/or paperhanging services performed on a Sunday.

(d) No charge in addition to the maximum customer's hourly rates established herein shall be made for brushes, ladders, pails, drop cloths and other incidental equipment usually employed in this type of work.

(e) All individual orders previously issued by this Office to painters and paperhangers in this Area are hereby revoked and superseded by this Regional Order No. G-5.

(f) This Order No. G-5 may be amended, revised, or revoked at any time by the Office of Price Administration on its own motion.

(g) This Order No. G-5 shall become effective July 2, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of June 1945.

H. RUSSELL CORT,
Acting Regional Administrator.

[F. R. Doc. 45-13139; Filed, July 19, 1945;
12:34 p. m.]

[Region II Order G-2 Under 3 (e)]

STERN-BROWN, INC.

ESTABLISHMENT OF MAXIMUM PRICES

For the reason set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is ordered:*

(a) On and after the effective date of this order the maximum prices for the sales of the #6H Electric Broiler and the #1B Electric Hot Plate, manufactured by Stern-Brown, Inc., Long Island City, New York, at wholesale and at retail by sellers, other than the manufacturer, located in Region II shall be the prices set forth below. Lower prices than those listed may be charged.

AT WHOLESALE

Description	Maximum selling price (each)
#6H Electric Broiler, less cord.....	\$7.83
#1B Electric Hot Plate, less cord.....	2.68

The above prices are inclusive of Federal Excise Tax and are f. o. b. point of shipment.

AT RETAIL

Description	Maximum selling price (each)
#6H Electric Broiler, less cord.....	\$12.98
#1B Electric Hot Plate, less cord.....	3.98

The above prices are inclusive of Federal Excise Tax.

Each seller shall continue to maintain his customary allowances, discounts and other price differentials.

(b) *Notification of maximum prices.* Any person other than the manufacturer who sells the above described items to a retailer shall furnish the retailer with an invoice setting forth the retailer's maximum selling price, and state that the retailer is required by this order to attach a tag or label plainly stating the retail ceiling price.

(c) *Tagging.* Any person who sells the above described items at retail shall attach to the said items, before sale, a tag or label which plainly states the retail ceiling price.

(d) *Definitions.* (1) "Sale at wholesale" means a sale by a person who buys the above described items and resells them to any person other than the ultimate consumer. Sales to an industrial, commercial, or institutional user by such reseller shall also be considered a "sale at wholesale."

(2) "Sale at retail" means a sale by a person who buys the items and resells them to an ultimate consumer other than

an industrial or commercial user of the above described items.

(3) "Region II" comprises the territory lying within the geographical boundaries of the following States: New York, New Jersey, Maryland, Pennsylvania, Delaware, and also the District of Columbia.

(e) Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all the amendments which have heretofore or which may hereafter be issued.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective immediately.

Issued this 2d day of July 1945.

CHARLES T. ABERNETHY,
Acting Regional Administrator.

[F. R. Doc. 45-13138; Filed, July 19, 1945;
12:33 p. m.]

[Region II Order G-41 Under RMPR 122, Amdt. 5]

SOLID FUELS IN MARYLAND

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, Revised Order No. G-41 is amended in the following respect:

1. Paragraph (g) is amended by adding a new subparagraph (3) immediately after subparagraph (2) to read as follows:

(3) *Special provision for sales from yards located in Cockeysville, Maryland.* You shall determine the maximum prices for direct delivery sales and yard sales in accordance with schedules 1 and 2 of Revised Order No. G-15. However, you may add to the prices set out in said schedules 1 and 2 of Order No. G-15 fifty cents (50c) per net ton for sales in quantities of more than one-half ton and twenty-five cents (25c) for sales in quantities of one-half ton.

This Amendment No. 5 to Revised Order No. G-41 shall become effective as of June 19, 1945.

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

Issued this 22d day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-13137; Filed, July 19, 1945;
12:33 p. m.]

[Region IV 2d Rev. Order G-10 Under RMPR 122, Amdt. 2]

SOLID FUELS IN HENRICO, HANOVER, AND
CHESTERFIELD COUNTIES, AND RICHMOND,
VA.

For the reasons set forth in an opinion issued simultaneously herewith, and

under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945 is hereby amended in the following respects:

1. Subparagraph (e) (4) is amended to read as follows:

(4) PENNSYLVANIA ANTHRACITE COALS

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg, stove, and nut	\$16.90	\$8.95	\$4.98
Pea	14.90	7.95	4.48
Rice	12.60	6.80	3.90

2. Subparagraph (f) (1) is amended to read as follows:

(1) COAL SOLD IN 100 POUND BAGS

	Delivered price	Cash and carry at yard
Low volatile egg and stove	\$0.76	\$0.66
Semi-smokeless egg and stove and high volatile egg and stove	.61	.51
Pennsylvania anthracite (all sizes)	1.00	.90

(a) The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

Effective date. This amendment shall become effective as of June 18, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13136; Filed, July 19, 1945; 12:32 p. m.]

[Region IV 2d Rev. Order G-23 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MEMPHIS, TENN.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraphs (e) (2) and (e) (4) of Second Revised Order No. G-23 under Revised Maximum Price Regulation No. 122 issued by this office on June 5, 1945, are hereby amended to read as follows:

(2) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 9

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Lump	\$7.56	\$4.03
Sentry lump	7.91	4.20
No. 11 vein egg, and 6" x 3" egg	7.56	4.03
Nut	7.46	3.98
Stoker	7.26	3.88
No. 6 vein stoker from mine index 19	7.81	4.16
Pea and slack screenings	5.71	3.10

(4) HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 13

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Block, lump and double screened egg coal from: Mines in the Jagger and Mary Lee seams, identified by mine index No. 30-49, inclusive, and 41, 53, and 54, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	\$9.15	\$4.83
Mine Index 54—Debardeleben Coal Corp., Corona seam	10.15	5.33
Mines in the Black Creek and Clark seams, identified by mine index No. 1, 2, 7, 9, 10, 11, 12, 14, 15, and 17, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	10.90	5.70
Mines in the Black Creek seam and which are identified by mine index No. 16, 18, 20, 21, 23, and 1306, and from mines in this seam producing coal having the same maximum price at the mine, as of the date of this order	11.10	5.80
Mine index No. 22	11.20	5.85
Mines in the Montevallo and Thompson seams, identified by mine index No. 3, 4, 6, and 8, and from mines in these seams producing coal having the same maximum price at the mine, as of the date of this order	12.05	6.28
Stoker	8.85	4.68
Stoker, nut and chestnut, size groups 6, 8, and 10	9.15	4.83

Effective date. This amendment shall become effective as of June 15, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13135; Filed, July 19, 1945; 12:32 p. m.]

[Region IV Order G-38 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NORFOLK AND PRINCESS ANNE COUNTIES, AND NORFOLK, PORTSMOUTH AND SOUTH NORFOLK, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (4) of Order No. G-38 under Revised Maximum Price Regulation No. 122 issued by this office on April 14, 1945, is hereby amended to read as follows:

(4) PENNSYLVANIA ANTHRACITE

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.
Nut, stove, and egg	\$17.10	\$8.80
Pea	15.70	8.10

Effective date. This amendment shall become effective as of June 18, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13134; Filed July 19, 1945; 12:32 p. m.]

[Region IV Order G-54 Under RMPR 122]

SOLID FUELS IN TUSCALOOSA, ALA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) **What this order does.** This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (d) hereof.

(b) **Area covered.** This order covers all sales of specified solid fuels when trucked from a mine and when sold and delivered within the corporate limits of the City of Tuscaloosa Alabama and within the area lying within ten miles of said corporate limits, said distance measured by the actual mileage by the most direct highway route.

(c) **Applicability of Basic Order No. G-37.** All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this Order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect, all the provisions of such 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 said Order No. G-37.

(d) **Maximum prices.** Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

BITUMINOUS COAL FROM DISTRICT No. 13

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump and double-screened egg (size groups 1-5, inclusive):			
From mines in subdistrict No. 2 in price group 3	\$8.40	\$4.45	\$2.35
From mines in subdistrict No. 2 in price group 7	7.65	4.08	2.16
Nut and chestnut (raw) (size groups 7, 9, and 10)—From mines in subdistrict No. 2 in price group 3	7.35	3.93	2.09
Mine run and resultants over 3" (raw) (size groups 18, 19, 20, and 21):			
From mines in subdistrict No. 2 in price group 3	7.25	3.88	2.06
From mines in subdistrict No. 2 in price group 7	6.75	3.63	1.94
Resultants and screenings 3" and under (raw) (size groups 22 and 23):			
From mines in subdistrict No. 2 in price group 3	5.80	3.15	.70
From mines in subdistrict No. 2 in price group 7	5.15	2.83	1.54

(e) **Maximum authorized service charges and required deductions—(1) Treated coals.** If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to

prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated, but it is not necessary that this charge be separately stated thereon.

(2) *Quantity discounts.* When a buyer purchases coal in quantities of 20 tons or more (by a single order) and delivery is made in quantities of four tons or more per delivery (unless smaller units of delivery are used at the instance of, or because of equipment limitations of, the dealer), the dealer must reduce the Domestic Price at least 50¢ per ton.

(3) *Sales tax.* The Alabama State Sales Tax may be added to the prices named in this order.

(4) *Credit.* No additional charge may be made for extension of credit.

Effective date. This order shall become effective July 2, 1945.

Issued June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-13133; Filed, July 19, 1945;
12:32 p. m.]

[Region VII Order G-1 Under Supp. Reg. 15,
Amdt. 7]

FLUID MILK IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.75 (a) (9) (i) (a) (1) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 7 is issued.

1. Subparagraphs (1), (2), (3), and (4) of paragraph (e), as heretofore amended, are hereby further amended to read as follows:

(e) *Definitions.* (1) "District No. 1" means all that area in the State of Montana contained within the municipalities of Anaconda, Butte, Deer Lodge, East Helena, Forsyth, Great Falls, Helena, Miles City, and Plentywood, and that area contained within a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Seeley Lake and that area contained within a distance of five miles thereof at all points.

(2) "District No. 2" means all that area in the State of Montana contained within the municipalities of Belt, Cut Bank, Fairview, Havre, Libby, Phillipsburg, Shelby, and Sidney, and a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Hardin, and a distance of twelve miles beyond the corporate limits thereof at all points, and that portion of Chouteau County contained within the area composed of the municipality of Fort Benton and a distance of three miles beyond the corporate limits thereof at all points.

(3) "District No. 3" means all that area in the State of Montana contained

within the Counties of Beaverhead, Cascade (except that portion contained within the municipalities of Belt and Great Falls and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Custer (except that portion contained within the municipality of Miles City and a distance of five miles beyond the corporate limits thereof at all points), Deer Lodge (except that portion contained within the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier (except that portion contained within the municipality of Cut Bank and a distance of five miles beyond the corporate limits thereof at all points), Hill (except that portion contained within the municipality of Havre and a distance of five miles beyond the corporate limits thereof at all points), Lewis and Clark (except that portion contained within the municipalities of East Helena and Helena and a distance of five miles beyond the corporate limits of each of said municipalities at all points), Lincoln (except that portion contained within the municipality of Libby and a distance of five miles beyond the corporate limits thereof at all points), Musselshell, Pondera, Prairie, Sheridan (except the municipality of Plentywood and a distance of five miles beyond the corporate limits thereof at all points), Silver Bow (except that portion contained within the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole (except that portion contained within the municipality of Shelby and a distance of five miles beyond the corporate limits thereof at all points), and Valley, and the municipalities of Billings, Columbus, Laurel, Malta, Saco, and Scobey, and that area contained within a distance of twelve miles beyond the corporate limits of each of said municipalities at all points, and the municipalities of Bozeman, Circle, Glendive, Livingston, and Red Lodge, and that area contained within a distance of five miles beyond the corporate limits of each of said municipalities at all points, and the municipality of Wibaux and that area contained within a distance of three miles beyond the corporate limits thereof at all points.

(4) "District No. 4" means all of that area within the State of Montana contained within the Counties of Big Horn (except that portion contained within the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except that portion contained within the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points, and that portion contained in District No. 3), Carter, Chouteau (except that portion contained in the area composed of the municipality of Fort Benton and a distance of three miles beyond the corporate limits thereof at all points), Daniels (except that portion contained within the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson (except that portion contained

within the municipality of Glendive and a distance of five miles beyond the corporate limits thereof at all points), Fallon, Gallatin (except that portion contained within the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite (except that portion contained within the municipality of Phillipsburg and a distance of five miles beyond the corporate limits thereof at all points), Jefferson (except that portion contained in District No. 1), Judith Basin, Lake, Liberty, McCone (except that portion contained within the municipality of Circle and a distance of five miles beyond the corporate limits thereof at all points), Madison, Meagher, Mineral, Missoula (except that portion contained within the community of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except that portion contained within the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except that portion contained within the municipalities of Malta and Saco and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points), Powder River, Powell (except that portion contained within the municipality of Deer Lodge and a distance of five miles beyond the corporate limits thereof at all points, and that portion contained within District No. 1), Ravalli, Richland (except that portion contained within the municipalities of Fairview and Sidney and a distance of three miles beyond each of said municipalities at all points), Roosevelt, Rosebud (except that portion contained within the municipality of Forsyth and a distance of three miles beyond the corporate limits thereof at all points), Sanders, Stillwater (except that portion contained within the municipality of Columbus and a distance of twelve miles beyond the corporate limits thereof at all points), Sweet Grass, Teton, Treasure, Wheatland, Wibaux (except that portion contained within the municipality of Wibaux and a distance of three miles beyond the corporate limits thereof at all points), and Yellowstone (except that portion contained within the municipalities of Billings and Laurel and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points).

2. *Effective date.* This Amendment No. 7 shall become effective on June 30, 1945.

Issued this 30th day of June 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-13148; Filed, July 19, 1945;
1:31 p. m.]

[Region VI Rev. Order G-11 Under RMPR 122,
Amdt. 1]

SOLID FUELS IN CHICAGO, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Revised Order No. G-11 under

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) *Relationship to Revised Maximum Price Regulation No. 122 and to Regional Order Nos. G-19 and G-22.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122. In so far as any provision in this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, the provisions contained in this order shall be controlling. Except as herein otherwise provided the provisions of Revised Maximum Price Regulation No. 122 remain in full force and effect.

Dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) of Revised Maximum Price Regulation No. 122 for those solid fuels for which specific maximum prices are established herein. This order supersedes Order Nos. G-19 and G-22 as to dealers covered hereby.

2. Paragraph (d), VII in the Price Schedule is amended to read as follows:

	4 tons or more domestic delivered per ton	1, 2, 3 tons domestic delivered per ton	2 1/2 ton domestic delivered per 1/2 ton	1/4 ton domestic per 1/4 ton	Yard sales to dealers per ton
VII. A Pennsylvania anthracite					
1. Egg, stove, nut.....	\$17.55	\$18.05	\$9.55	\$5.30	\$15.75
2. Pea.....	15.85	16.35	8.68	4.86	14.10
3. Buckwheat.....	13.70	14.20	7.60	4.33	12.00
4. Rice.....	12.45	12.95	7.00	4.03	11.10

3. Paragraph (1), Definitions, is amended by adding a new paragraph (2) (a) following paragraph (2), "Outside Trim", to read as follows:

(2) (a) "Trim-Double-Inside Only" refers to jobs wherein coal is trimmed back and bin filled by pitching coal twice inside the basement.

This Amendment No. 1 to Revised Order No. G-11 shall be effective immediately.

Issued this 2d day of July 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-13147; Filed, July 19, 1945; 1:33 p. m.]

[Region VII Order G-33 Under MPR 188]

VOLNEY E. CAMPBELL ET AL.

AUTHORIZED MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-33 is issued.

(a) *What this order does.* This Order No. G-33 establishes maximum prices for a surgical appliance manufactured by Volney E. Campbell of 617 Greenwood,

Canon City, Colorado, and by him designated "Hernia or Post Operative Support, Model No. 300", when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-33, the maximum prices for the surgical appliance designated "Hernia or Post Operative Support, Model No. 300", manufactured by Volney E. Campbell of 617 Greenwood, Canon City, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Custom made	Made to individual measurement
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$2.50	Each
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	3.60	\$4.20
(3) When sold by the manufacturer, a jobber, a wholesaler, or a retailer, f. o. b. shipping point, to doctors, hospitals, or military agencies.....	4.75	5.60
(4) When sold by any seller to an ultimate consumer or user.....	6.00	7.00

NOTE: (1) The maximum prices authorized by the above paragraphs (1), (2), and (3) are subject to a discount of 2% for payment within 10 days from date of invoice.

(ii) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-33 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-33 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Hernia or Post Operative Support, Model No. 300, are:

	Custom made	Made to individual measurement
(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer.....	Each \$3.60	Each \$4.20
(2) When sold by the manufacturer, a jobber, a wholesaler, or a retailer, f. o. b. shipping point, to doctors, hospitals, or military agencies.....	4.75	5.60
(3) When sold by any seller to an ultimate consumer or user.....	6.00	7.00

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulations have no application to the prices established by this Order No. G-33 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-33 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of

Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-33 shall become effective on the 9th day of July 1945.

Issued this 9th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13150; Filed, July 19, 1945; 1:32 p. m.]

[Region VII Rev. Order G-54 Under 18 (c), Amdt. 1]

PULPWOOD IN MONTANA

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (b) is amended to read as follows:

(b) *Adjusted maximum prices.* On and after the effective date of this Revised Order No. G-54, the maximum prices for pulpwood sold by any person delivered at the loading-out rail shipping point or sold f. o. b. car at such point in the State of Montana to industrial consumers or dealers shall be as follows:

Kind of wood	Description of cuts	Price per cord	
		Delivered at loading-out point	Delivered f. o. b. car at loading-out point
(1) Spruce, white and true fir.	In 100-inch lengths or shorter.	\$9.50	\$11.50
(2) Larch, lodgepole pine, hemlock, or ponderosa pine.	In 100-inch lengths or shorter.	8.00	10.00
(3) Any species.	In lengths of 10 feet or longer, 2 cords to 1 M log scale.	8.50	10.25

2. Paragraph (c) is amended to read as follows:

(c) *Loading charge.* If the seller elects to deliver at the railroad loading-out point instead of f. o. b. car at such point, the purchaser can, at his option,

himself load the pulpwood on the car or pay any person performing that service for him a price not to exceed \$2.00 per cord for pulpwood in categories (1) and (2), and not to exceed a price of \$1.75 per cord for pulpwood in category (3), of the above paragraph (b).

Effective date. This Amendment No. 1 shall become effective on the 6th day of July 1945.

Issued this 6th day of July 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-13149; Filed, July 19, 1945;
1:32 p. m.]

[Region VIII Order G-1 Under Rev. Gen.
Order 32]

FROZEN FISH AND SEAFOOD IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by paragraph (c) (6) of Revised General Order No. 32; *It is hereby ordered:*

(a) The maximum price in Region VIII of frozen fish and seafood of a kind for which, when not frozen, a maximum price is provided by Revised Order No. G-6 under Maximum Price Regulation No. 418, shall be the price which would apply under that order were such fish or seafood not frozen, plus 1 cent per pound. This order, however, shall not apply to any sales for which maximum prices are provided by Maximum Price Regulations No. 364, 421, 422, or 423, or by Revised Maximum Price Regulation No. 507.

(b) "Region VIII" means the States of California, Arizona, (except those portions of Coconino and Mohave Counties lying north of the Colorado River), Nevada, Oregon (except Malheur County), Washington, and the Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone in the State of Idaho.

(c) This order may be amended or revoked at any time.

This order shall become effective June 30, 1945.

Issued this 26th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13140; Filed, July 19, 1945;
12:35 p. m.]

[Region VIII Rev. Order G-8 Under MPR
280, Amdt. 8]

MILK IN CALIFORNIA

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-8 under Maximum Price Regulation No. 280 is amended in the following respects:

1. Paragraph (g) is amended to read as follows:

Notwithstanding any of the foregoing provisions of this order, the maximum prices at which any "handler" located in the northern California area may sell fluid milk to another "handler" for resale for human consumption as fluid milk, which milk is transferred from one "handler" to another upon the specific written request of the Market Agent appointed by the Director of the War Food Administration, shall be as follows:

(1) For such sales of raw milk, f. o. b. seller's plant, the maximum prices shall be as follows:

Milk fat content (by percent):	Maximum price per cwt. f. o. b. seller's plant
3.0 and less than 3.1	\$3.50
3.1 and less than 3.2	3.57
3.2 and less than 3.3	3.64
3.3 and less than 3.4	3.71
3.4 and less than 3.5	3.78
3.5 and less than 3.6	3.85
3.6 and less than 3.7	3.92
3.7 and less than 3.8	3.99
3.8 and less than 3.9	4.07
3.9 and less than 4.0	4.14
4.0 and less than 4.1	4.21
4.1 and less than 4.2	4.28
4.2 and less than 4.3	4.36
4.3 and less than 4.4	4.43
4.4 and less than 4.5	4.50
4.5 and less than 4.6	4.58
4.6 and less than 4.7	4.65
4.7 and less than 4.8	4.72
4.8 and less than 4.9	4.79
4.9 and less than 5.0	4.87
5.0 and less than 5.1	4.94
5.1 and less than 5.2	5.01
5.2 and less than 5.3	5.08
5.3 and less than 5.4	5.15
5.4 and less than 5.5	5.22
5.5 and less than 5.6	5.29
5.6 and less than 5.7	5.36

This amendment to Revised Order No. G-8 shall become effective June 29, 1945.

Issued this 29th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13152; Filed, July 19, 1945;
1:31 p. m.]

[Region VIII Order G-10 Under Supp.
Order 94]

THREE PANEL WOODEN FOLDING SCREENS IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order 94, as amended, it is ordered as follows:

(a) The maximum prices for sales of three panel wooden folding screens purchased from the Procurement Division of the Treasury Department shall be as follows:

(i) Sales of screens in "as is" condition:	
To wholesalers	\$4.46
To retailers	5.56
To consumers	7.75
(ii) Sales of "re-conditioned" screens:	
To wholesalers	\$5.66
To retailers	7.16
To consumers	10.16
(iii) Sales of "new" screens:	
To wholesalers	\$7.16
To retailers	9.16
To consumers	13.16

(b) The terms are net 30 days, f. o. b. Los Angeles, with free delivery within twenty-five miles of the Los Angeles City Hall.

(c) For the purposes of this order, the words and phrases used herein shall have the following definitions:

(i) "As is" shall mean in the condition in which the article is purchased without repairs or alterations.

(ii) "Re-conditioned" shall mean re-finished and repaired to remove scratches and weathering and other damage, and replacement of broken or missing parts.

(d) Sellers at retail must post a notice at the place where the items are offered for sale stating whether the items are "as is", "re-conditioned", or "new", with the maximum prices for such items.

(e) This order shall apply to sales in the States of California, Nevada, Washington, Oregon, except Malheur County, and Arizona, except those portions of Coconino and Mohave County lying north of the Colorado River; and to the following Counties in the State of Idaho: Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Lewis and Idaho.

This order may be amended, revoked or corrected at any time.

This order shall become effective July 7, 1945.

Issued this 2d day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13141; Filed, July 19, 1945;
12:35 p. m.]

[Region VIII Order G-31 Under 3 (e)]

WESTERN STOVE CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by § 1499.3 (e) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum price for sales at retail of K-44 Western-Holly Gas Range with Thermostat (K-44T) manufactured by Western Stove Company of 8536 Hays Street, Culver City, California, by sellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation shall be as follows:

At retail: \$184.50, including excise tax, less discounts, allowances, and price differentials no less favorable than those customarily granted by the seller. This price shall include installation services and all services customarily furnished by the seller in sales of similar commodities during March, 1942.

(b) This order shall apply to sales of the above-described article in the States of California and Arizona.

(c) This order may be corrected, amended or revoked at any time.

(d) This order shall become effective July 10, 1945.

Issued this 5th day of July 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13143; Filed, July 19, 1945;
12:35 p. m.]

[Region VIII Rev. Order G-103 Under 18 (c),
Amtd. 2]

COOKED LOBSTER IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-103 under section 18 (c) of the General Maximum Price Regulation, as amended, is amended in the following respects:

1. Paragraphs (b) and (c) are redesignated (c) and (d) respectively, and a new paragraph (b) is added as follows:

(b) The maximum price of frozen cooked lobster in Region VIII shall be the price which would apply under paragraph (a) of this order were such lobster not frozen, plus 1c per pound.

This amendment to Revised Order No. G-103 shall become effective June 30, 1945.

Issued this 19th day of June 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-13151; Filed, July 19, 1945;
1: 31 p. m.]

[Miami Rev. Order G-1 Under Gen. Order 50]
MALT AND CEREAL BEVERAGES IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Miami District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. Purpose of order. Order No. G-1 under General Order No. 50, issued by the District Director of the Jacksonville District Office of the Office of Price Administration on the 22d day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draft when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is re-designated Revised Order No. G-1 under General Order No. 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on-premise sales, and is for the further purpose of clarifying and strengthening the order. Maximum

prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation 259.

SEC. 2. Geographical applicability. The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Florida: Dade, Monroe, Collier, Broward, Palm Beach, Hendry, Lee, Glades, Charlotte, Sarasota, Manatee, Hardee, De Soto, Highlands, Saint Lucie, Okeechobee, Martin, Indian River, Osceola, Polk, Pasco, Hernando, Hillsborough and Pinellas.

SEC. 3. Ceiling prices. (a) On and after July 1, 1945, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Miami District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Miami District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. How to figure your ceiling prices. (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may, but not later than the first day of August 1945, file an application with the Miami District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.
5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1B or Group 2B seller,

you may, within and not later than 30 days from the time you begin operating, file an application with the Miami District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3 B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. Filing with War Price and Rationing Board. (a) When you have figured your proper group under section 4 above, you must, on or before August 1, 1945, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3 B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3 B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. Modification of prices. After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. Exempt Sales. The following sales are exempt from the operation of

this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. Evasion. If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in

effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(b) Increase any cover minimum; bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. Records and menus. If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with references to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Reserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. Posting of prices. (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised or amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter

revised or amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. Posting of group number. (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. Receipts and sales slips. Regardless of whether or not receipts have been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. Operation of several places. If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. Enforcement. If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. Licensing. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. Relation to other maximum price regulations. This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the

meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout,

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draft" means dispensed by a seller at retail from any container of 1/8 barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service of beer for a consideration with a license to consume on the premises.

(f) "Eating or drinking establishment" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller or in the immediate vicinity thereof, and include curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. Transfers of business or stock in trade. If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be deter-

mined as provided in section 4 for a new seller.

SEC. 19. Changes in location. If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. Petitions for amendment. Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Miami District Office.

SEC. 21. Revocation and Amendment. This order may be revoked, amended, or corrected at any time.

SEC. 22. Effective date. This revised order under General Order 50 shall become effective July 1, 1945. (Order No. G-1 under General Order 50 was originally issued on June 22, 1944, effective July 1, 1944; Amendment Number 1 to Order No. G-1 under GO 50 was issued July 26, 1944, effective July 29, 1944; Amendment Number 2 to Order No. G-1 under GO 50 was issued October 1, 1944, effective October 5, 1944; Amendment Number 3 to Order No. G-1 under GO 50 was issued November 25, 1944, effective December 1, 1944.)

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

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.: E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Miami, Florida, this 15th day of June 1945.

JAMES S. THOMAS,
District Director.

APPENDIX A—BOTTLED BEERS AND ALES
GROUP 1B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	Cents	Cents
Ballantine.....	25	50
Budweiser.....	25	50
Canadian Ace.....	25	50
Dover.....	25	50
Down's Ark & Ark.....	25	50
Edelbrew Special.....	25	50
Ehret's Extra.....	25	50
Gem Pilsener.....	25	50
Gold Coast.....	25	50
Loewer.....	25	50
Namar.....	25	50
Pabst.....	25	50
Premo.....	25	50
Schlitz.....	25	50
Trim.....	25	50
Ziegler's 520.....	25	50
Ruppert.....	25	50
Van Merritt.....	30	55
Ale:		
Ballantine.....	25	50
Ballantine Porter.....	25	50
Buckingham Premium.....	25	50
Carling's Red Cap.....	25	50
Ballantine India Pale.....	30	55
Champ Ale.....	30	55

GROUP 1B—continued

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Imported beer and ale:		
Carta Blanca Beer.....	35	-----
All other brands of domestic or imported beer and ale not listed above, including unlabeled beer and ale.....	20	40
All unlisted beer and ale in bottles containing less than 12 ounces.....	10	-----
Draft beer and ale:		
Michelob.....	Cents	
6-oz. glass.....	12	
8-oz. glass.....	14	
10-oz. glass.....	18	
12-oz. glass.....	21	
All other quantities, 1 1/4¢ per ounce.....		
All other draft beer and ale:		
6-oz. glass.....	9	
8-oz. glass.....	10	
10-oz. glass.....	13	
12-oz. glass.....	15	
All other quantities, 1 1/4¢ per ounce.....		

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
 12 ounce bottles—2 1/4¢ per bottle.
 32 ounce bottles—4 1/4¢ per bottle.
 Bottles containing less than 12 ozs.—17¢ per gallon prorated to the amount in the bottles.
 Draft beer and ale:
 6 oz. glass—1 3/8¢ cents per glass. 8 oz. glass—1 7/8¢ cents per glass. 10 oz. glass—1 7/8¢ cents per glass. 12 oz. glass—1 3/4¢ cents per glass.
 All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds 1/2¢, the fraction may be increased to the next higher cent, but if it is less than 1/2¢, the fraction must be reduced to the next lower cent.
 All other taxes are included in above prices.

GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	Cents	Cents
Ballantine.....	20	42
Budweiser.....	20	42
Canadian Ace.....	20	42
Dover.....	20	42
Down's Ark & Ark.....	20	42
Edelbrew Special.....	20	42
Ehret's Extra.....	20	42
Gem Pilsner.....	20	42
Gold Coast.....	20	42
Loewer.....	20	42
Namar.....	20	42
Pabst.....	20	42
Premo.....	20	42
Schlitz.....	20	42
Trim.....	20	42
Ziegler's 520.....	20	42
Rupert.....	20	42
Van Merritt.....	25	50
Ale:		
Ballantine.....	20	42
Ballantine Porter.....	20	42
Buckingham Premium.....	20	42
Carling's Red Cap.....	20	42
Ballantine India Pale.....	25	50
Champ Ale.....	25	50
Imported beer and ale:		
Carta Blanca Beer.....	30	-----
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale.....	15	35
All unlisted beer and ale in bottles containing less than 12 ounces.....	10	-----
Draft beer and ale:		
Michelob.....	Cents	
6-oz. glass.....	12	
8-oz. glass.....	14	
10-oz. glass.....	16	
12-oz. glass.....	18	
All other quantities, 1 1/4¢ per ounce.....		

GROUP 2B—continued

	Cents
All other draft beer and ale:	
6-oz. glass.....	9
8-oz. glass.....	10
10-oz. glass.....	11
12-oz. glass.....	12
All other quantities.....	1¢ per ounce

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
 12 ounce bottles—2 1/4¢ per bottle.
 32 ounce bottles—4 1/4¢ per bottle.
 Bottles containing less than 12 ounces—17¢ per gallon prorated to the amount in the bottles.
 Draft beer and ale:
 6 oz. glass—1 3/8¢ per glass. 8 oz. glass—1 7/8¢ per glass.
 10 oz. glass—1 7/8¢ per glass. 12 oz. glass—1 3/4¢ per glass.
 All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds 1/2¢, the fraction may be increased to the next higher cent, but if it is less than 1/2¢, the fraction must be reduced to the next lower cent.
 All other taxes are included in above prices.

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	Cents	Cents
Ballantine.....	17	37
Budweiser.....	17	37
Canadian Ace.....	17	37
Dover.....	17	37
Down's Ark & Ark.....	17	37
Edelbrew Special.....	17	37
Ehret's Extra.....	17	37
Gem Pilsner.....	17	37
Gold Coast.....	17	37
Loewer.....	17	37
Namar.....	17	37
Pabst.....	17	37
Premo.....	17	37
Schlitz.....	17	37
Trim.....	17	37
Ziegler's 520.....	17	37
Atlas.....	17	37
Commander Pilsner.....	17	37
Dorquest.....	17	37
Dourchuek.....	17	37
D. R. Premier.....	17	37
E. M. S.....	17	37
Genesee.....	17	37
Goebel.....	17	37
Holland Premium.....	17	37
Horlacher's.....	17	37
Koenig's Special.....	17	37
Koenig Brau.....	17	37
Kuehler Premium.....	17	37
Lambic.....	17	37
Lion.....	17	37
Oxford.....	17	37
Pilsener.....	17	37
Red Fox.....	17	37
Rheingold.....	17	37
Ruppert.....	17	37
Schmidt's.....	17	37
Silver Fox DeLux.....	17	37
Trommer's White Label.....	17	37
Trophy Premium.....	17	37
Van Merritt.....	20	45
Ale:		
Ballantine.....	17	37
Ballantine Porter.....	17	37
Buckingham Premium.....	17	37
Carling's Red Cap.....	17	37
Ballantine India Pale.....	20	45
Champ Ale.....	20	45
Imported beer and ale:		
Carta Blanca Beer.....	25	-----
All other brands of domestic or imported beer and ale, including unlabeled beer and ale.....	12	30
All unlisted beer and ale in bottles containing less than 12 ounces.....	10	-----
Draft beer and ale:		
Michelob.....	Cents	
6-oz. glass.....	12	
8-oz. glass.....	14	
10-oz. glass.....	16	
12-oz. glass.....	18	
All other quantities.....	1 1/4¢ per ounce	

GROUP 3B—continued

	Cents
All other draft beer and ale:	
6-oz. glass.....	9
8-oz. glass.....	10
10-oz. glass.....	11
12-oz. glass.....	12
All other quantities.....	1¢ per ounce

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
 12 ounce bottles—2 1/4¢ per bottle.
 32 ounce bottles—4 1/4¢ per bottle.
 Bottles containing less than 12 ozs. 17¢ per gallon prorated to the amount in the bottles.
 Draft beer and ale:
 6 oz. glass—1 3/8¢ per glass. 8 oz. glass—1 7/8¢ per glass.
 10 oz. glass—1 7/8¢ per glass. 12 oz. glass—1 3/4¢ per glass.
 All other quantities 17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds 1/2¢, the fraction may be increased to the next higher cent, but if it is less than 1/2¢, the fraction must be reduced to the next lower cent.
 All other taxes are included in above prices.

APPENDIX B

NOTE: This Appendix B fixes maximum prices for Group 2-B sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of the prices given for other brands covered by Appendix A.

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	Cents	Cents
Atlas.....	18	40
Commander Pilsner.....	18	40
Dorquest.....	18	40
Dourchuek.....	18	40
D. R. Premier.....	18	40
E. M. S.....	18	40
Genesee.....	18	40
Goebel.....	18	40
Holland Premium.....	18	40
Horlacher's.....	18	40
Koenig's Special.....	18	40
Koenig Brau.....	18	40
Kuebler Premium.....	18	40
Lambic.....	18	40
Lion.....	18	40
Oxford.....	18	40
Pilsener.....	18	40
Red Fox.....	18	40
Rheingold.....	18	40
Ruppert.....	18	40
Schmidt's.....	18	40
Silver Fox DeLux.....	18	40
Trommer's White Label.....	18	40
Trophy Premium.....	18	40

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

Sellers who are required to pay the July 1, 1945 increase in the Florida Beverage Tax may add to above prices the following charges if same are separately stated and collected:

Bottled beer and ale:
 12 ounce bottles—2 1/4¢ per bottle.
 32 ounce bottles—4 1/4¢ per bottle.
 Bottles containing less than 12 ozs.—17¢ per gallon prorated to the amount in the bottles.
 Draft beer and ale:
 6 oz. glass—1 3/8¢ per glass. 8 oz. glass—1 7/8¢ per glass.
 10 oz. glass—1 7/8¢ per glass. 12 oz. glass—1 3/4¢ per glass.
 All other quantities—17¢ per gallon prorated to the amount in the container.

If the resulting sum as figured above equals or exceeds 1/2¢, the fraction may be increased to the next higher cent, but if it is less than 1/2¢, the fraction must be reduced to the next lower cent.
 All other taxes are included in above prices.

[Region V Order G-2 Under RMPR 122, Amdt. 7]

SOLID FUELS IN KANSAS CITY, MO.-KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-2 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

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

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 in the Greater Kansas City, Missouri, and Kansas City, Kansas, metropolitan area. These are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the following described boundary line:

Beginning at the junction of U. S. Highway 71 and U. S. Highway 69 in Clay County, Missouri; thence north and east along U. S. Highway 69 to junction with State Highway 33; thence straight south to the Missouri River and thence east along the north bank of the Missouri River to Highway 71 By-pass; thence south to Sugar Creek Road (4N); thence east along Sugar Creek Road (4N) to a common junction thereof with U. S. Highway 24 and an unnumbered highway; thence southeast over such unnumbered highway to its junction with Jones Road and south thereon and on Necessary Road to Holke Road; thence west thereon to Kiger Road; thence south thereon to Evans & Sheley Lane; thence west thereon to Noland Road (U. S. Highway 71 By-pass); thence south thereon to junction with U. S. Highway 40; thence west along U. S. Highway 40 and Alternate U. S. Highway 40 to Norfleet Road; thence south thereon to Smith Road (or an unnumbered highway representing an extension thereof); thence generally west thereon to Woodson Road; thence south on Woodson Road to junction with County Road (8E); thence west to Raytown South Road; thence south on Raytown South Road (5E) to Bannister Road; thence west on Bannister Road to Blue Ridge Boulevard Extension (County Road 4E); thence south on Blue Ridge Boulevard Extension to junction with U. S. Highway 71; thence south on U. S. Highway 71 to Outer Belt Road; thence west on Outer Belt Road to Missouri-Kansas State Line; thence south on Missouri-Kansas State Line to southern boundary of Johnson County, Kansas; thence west on southern boundary of Johnson County to western boundary of Johnson County; thence north on western boundary of Johnson County to the Kansas River; thence along the southern bank of the Kansas River to a point north of Morris; thence north to Muncie; thence northeast from Muncie on State Highway 32 to its junction with Francis Road; thence generally north along Francis Road to its

junction with U. S. Highway 40; thence east on U. S. Highway 40 to its junction with Brenner Heights Road; thence generally north on Brenner Heights Road to Parallel Avenue; thence west thereon to Mahan Road and north thereon to its junction with Dickenson Road; thence east on Dickenson Road to Nearman; thence north on an imaginary line across the Missouri River to State Highway 45 in Platte County, Missouri; thence east on State Highway 45 to State Highway 9; thence north on State Highway 9 to its junction with U. S. Highway 71; thence south and east on U. S. Highway 71 to its junction with U. S. Highway 69, the point of beginning (including all points and places within the limits of all points described as on said boundary). Boundary lines so described shall be construed as following the center of the public highways named.

2. Section (d), Price Schedule (1), is amended as follows:

(d) *Price schedule.* (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton		
	Produced at—		
	Strip mines	Underground mines	
		Solid shot	Machine cut
I. High volatile bituminous coal from machine loading mines in district 10 (Illinois)			
(A) Southern subdistrict (price groups 1 and 2):			
(1) Lump and egg (bottom size larger than 2")	\$9.74		
(B) Central subdistrict (price groups 12 and 20):			
(1) Lump and egg (bottom size larger than 2")	8.69		
(2) Nut (top size larger than 2"; bottom size 1½" or less)	7.74		
II. Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)			
(A) Production group 1:			
"Arkansas anthracite" from mines in Pope County and the Spadra field of Johnson County, Ark.:			
(1) Grate, furnace and egg, (double screened coal bottom size larger than 2")	\$12.40		\$13.00
(2) Stove (top size 3" to larger than 2½"; bottom size not larger than 1½")	12.60		13.50
(3) Nut (top size 2½" to larger than 1½"; bottom size 1½" to larger than ¾")	12.60		13.50
(4) Chestnut (top size 1½"; bottom size ¾" or less)	11.45		12.00
(B) Production groups 2 and 3:			
From mines in the Denning-Cool Hill and Altus fields and the Paris Basin of Logan and Franklin and Johnson Counties, all in the State of Arkansas:			
(1) Lump, machine cut (bottom size 2½" or larger)	11.25		13.25
(2) Chestnut, washed (top size 1½"; bottom size ¾" or less)			10.25
(3) Screenings, washed (¾" x 0)			8.25

Description of fuel	Maximum price per ton		
	Produced at—		
	Strip mines	Underground mines	
		Solid shot	Machine cut
II. Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)—Con.			
(C) Production Groups, 4, 5, 6, 7, 8, and 9:			
From mines in the Panama, Bokoshe, Milton, Poteau, Wister, and Howe-Henveyer fields of LeFlore County; and the McClinton field of Haskell County, Oklahoma; mines in the Bates field of Scott County, the Charleston field of Franklin County, and mines in Sebastian County, Arkansas, except those located in the Excelsior field:			
(1) Lump (bottom size 2½" or larger)	\$11.40	\$11.95	\$12.65
(2) Screenings (2½" x 0)	7.85	8.50	8.50
From mines in the Excelsior field:			
(3) Lump (bottom size 2½" or larger)			12.70
(4) Screenings (2½" x 0)	7.85	8.50	8.50

Description of fuel	Maximum price per ton		
	Produced at—		
	Strip mines	Underground mines	
		Solid shot	Machine cut
III. High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)			
(A) Production group 1:			
From mines in Cherokee, Crawford, Bourbon, and Labette Counties, Kansas; and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:			
(1) Lump; egg (top size larger than 3"; bottom size larger than 1½")	\$7.79		\$8.75
(2) Nut (top size 3" to larger than 2"; bottom size 1½" or larger)	7.29		8.00
(3) Household stoker (top size 1½"; bottom size ¾")	6.34		6.65
(4) Mill (1½" x 0)	5.69		6.69
(B) Production groups 2 and 3:			
From mines in Linn County, Kansas; Bates, Henry, and St. Clair Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri, and mines in Randolph, Macon, and Adair Counties, Missouri, with the exception of those in the Novinger field in Adair County, set forth below under (5) and (6):			
(1) Lump; egg (top size larger than 3"; bottom size larger than 1½")	7.14		
(2) Nut (top size 3" to larger than 2"; bottom size 1½" or larger)	6.69		
(3) Household stoker (top size 1½"; bottom size ¾")	6.14		
(4) Mill (1½" x 0)	6.44		
From mines in the Novinger field of Adair County, Missouri:			
(5) Lump; egg (top size larger than 3"; bottom size larger than 1½")			8.10
(6) Nut (top size 3" to larger than 2"; bottom size 1½" or larger)			7.65

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton	
	Produced at—	
	Strip mines	Underground mines
III. High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)—Con.		
(C) Production groups 4 and 5: From mines in Ray, Clay, and Lafayette Counties, Missouri, excepting those set forth under (2) and (3) below:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		\$7.35
Produced in Lafayette County by the Western Coal and Mining Company, Mine Index No. 149:		
(2) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		8.35
Produced in Ray County by the Fluira Coal Company, Mine Index No. 48:		
(3) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		8.95
(D) Production group 9: From mines in Coal County, Okla.:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	\$10.79	
(F) Production group 10: From mines in Okmulgee County, Okla.:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		10.79
(2) Household stoker, (top size 1 1/4"; bottom size 3/8")		7.81
(E) Production group 11: From mines in Craig, Roger, Tulsa, and Wagoner Counties, and that part of Muskogee County lying north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Permin, and in Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		8.79
(2) Household stoker, (top size 1 1/4"; bottom size 3/8")		7.24

3. Section (c) (1) is amended as follows:

(c) *Service charges.* (1) Below and as a part of this section (c) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under section (d). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

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

(f) *Transportation tax: Missouri and Kansas State sales tax*—(1) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order: *Provided*, The dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof. (See § 1340.265 (a), of Revised Maximum Price Regulation No. 122.) No part of

this tax may be collected in addition to maximum prices on sales of 1/4 ton or lesser quantities.

(2) *The Missouri and Kansas States sales tax.* The seller may add to the prices listed in the schedule in section (d) the sales tax required to be collected by the laws of the States of Missouri and Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

5. Section (k) is amended to read as follows:

(k) *Sales slips and receipts; records.*

(1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, showing the following information: the name and address of the seller and the purchaser, the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

6. The caption of section (1) is amended to read as follows:

(1) *Posting of maximum prices.*

7. Section (n) is amended to read as follows:

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible,

because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups," as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups" and "size groups," as used in this order, refer to the price groups and size groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, stove, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) "Strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cut-

ting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to anthracite produced in the Pennsylvania field.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

8. Supplementary Order No. 1, issued May 4, 1945, as amended, insofar as such order as amended affects Order No. G-2 under Revised Maximum Price Regulation No. 122, is revoked.

(56 Stat. 23, 765; Pub. Law 151, 73th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9323, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 12th day of July 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-13146; Filed, July 19, 1945; 1:33 p. m.]

[Region V Order G-5 Under RMPR 122, Amdt. 8]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-5 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

1. Section (c) Price Schedule (1), is amended to read as follows:

(c) Price schedule. (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE		
Description of fuel	Maximum price per ton	
	Produced at	
	Strip mines	Underground mines
1. High volatile bituminous coal from district 10 (Illinois)		
(A) From machine loading mines in the southern sub-district (price groups 1 and 2):		
(1) Lump; egg (bottom size larger than 2")		\$9.44
(2) Household stoker (bottom size larger than 1 millimeter; top size 2" or less)		7.79

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton		
	Produced at—		
	Strip mines	Underground mines	
		Machine cut	Solid shot
I. High volatile bituminous coal from district 10 (Illinois)—Continued.			
(B) Central subdistrict (price groups 12 and 20):			
(1) Lump; egg (bottom size larger than 2")			\$8.74
(2) Household stoker (bottom size larger than 1 millimeter; top size 2" or less)			6.94
(C) Belleville subdistrict (price group 19):			
(1) Lump; egg (bottom size larger than 2")	\$7.95		
II. Low volatile bituminous coal from district 14 (Arkansas and Oklahoma)			
(A) Production group 1: "Arkansas Anthracite" from mines in Pope County and the Spadra Field of Johnson County, Arkansas:			
(1) Grate or furnace, (double-screened coal—bottom size 2 1/2" or larger)	\$12.55	\$13.40	
(2) Stove (top size 3" to larger than 2 1/2"; bottom size 1 1/2" or less)	13.95	14.45	
(3) Range (top size 2 1/2" to larger than 1 1/2"; bottom size 7" or less)	13.40	13.95	
(B) Production groups 2 and 3: From mines in the Denning-Cool Hill and Altus Fields and the Paris Basin of Logan, Johnson and Franklin Counties, Arkansas:			
(1) Lump (bottom size 2 1/2" and larger)	11.80	13.50	
(C) Production groups 5, 6, 7 and 8: From mines in the Panama, Bokoshe, Milton, Poteau, and Wister fields of LeFlore County, the McCurtain Field of Haskell County, Oklahoma and mines in Sebastian County, Arkansas:			
(1) Lump (bottom size 2 1/2" and larger)		13.05	\$12.15
III. High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma)			
(A) Production Group 1: From mines in Cherokee, Crawford, Burlington and Labette Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:			
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	\$8.29		
(2) No. 2 nut; double-screened coal (top size 2" to larger than 1 1/4")	7.79		
(3) Household stoker (top size 1 1/2" and smaller; bottom size 3/8" to larger than 1/4")	6.74		

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton	
	Strip mines	Underground mines
III. High volatile bituminous coal from district 15 (Missouri, Kansas and Oklahoma)—Con.		
(B) Production group 2: From mines in Linn County, Kansas; Bates, Henry and St. Clair Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	\$7.84	
(2) Standard nut (top size 3" to larger than 2"; bottom size 1 1/4" and smaller)	7.44	
(C) Production group 3: From mines in Randolph, Macon, Linn and Adair Counties, Missouri, excepting those in the Novinger Field set forth below under (4) and (5), and the Bucklin Mine, Mine Index No. 24, set forth below under (6), (7), and (8):		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	7.19	
(2) Nut (top size 3"; bottom size 1 1/4" and smaller)	6.94	
(3) Household stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1")	5.19	
From mines in the Novinger Field of Adair County, Mo.:		
(4) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		\$8.45
(5) Nut (top size 3"; bottom size 1 1/4")		8.09
From the Bucklin Mine in Linn County, Missouri, Mine Index No. 24:		
(6) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		9.70
(7) Nut (top size 3"; bottom size 1 1/4")		9.00
(8) Household Stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1")		6.75
(D) Production group 4: From mines in Caldwell, Carroll, Clay, Clifton, Daviess, and Ray Counties, except that produced by the Elmira Coal Mining Company, Mine Index No. 48:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		8.35
From the Elmira Coal Mining Co., mine index No. 48; Ray County, Mo.:		
(2) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")		8.15
(E) Production group 11: From mines in Craig, Rogers, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County lying north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Porum, Oklahoma:		
(1) Lump; egg (top size larger than 3"; bottom size larger than 1 1/4")	8.74	
(2) Household stoker (top size 1 1/4" and smaller; bottom size 3/8" to larger than 1/4")	7.24	

2. Section (c) (3) is amended to read as follows:

(3) The prices set forth in the foregoing schedule are for untreated coal. The dealer may charge an amount not

to exceed 10¢ per ton in addition to the scheduled prices when the coal is thoroughly and adequately treated, chemically or with oil to allay dust or prevent freezing (See section (j)).

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

(d) *Service charges.* (1) Below and as a part of this section (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding section (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

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

(c) *Transportation tax: Missouri State sales tax.* (1) The Transportation Tax: Only the transportation tax imposed by section 629 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State Government or any political subdivision thereof (Sec. § 1340.265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of $\frac{1}{4}$ ton or lesser quantities.

(2) *The Missouri State sales tax.* The seller may add to the prices listed in the schedule in section (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

5. Section (j) is amended to read as follows:

(j) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition he shall separately state on each such invoice, sales slip or receipt the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices; *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated, and further provided that provisions of this section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

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

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operating as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups," as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups," as used in this order, refers to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-products foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc. sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division

of the United States Department of the Interior, and in effect (or established) as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the size of bituminous coal sold as such in the area subject to this order during December, 1941.

(12) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(13) A "strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(14) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(15) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "Cutting machine" before the coal is dislodged for loading.

(16) "Arkansas anthracite" as used in this order, is coal whose analysis and non-coking characteristics are similar to anthracite produced in the Pennsylvania Field.

(17) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

7. Supplementary Order No. 1 issued May 4, 1945, as amended, insofar as said order as amended affects Order No. G-5 under Revised Maximum Price Regulation No. 122, is revoked.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 12th day of July 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-13132; Filed, July 19, 1945; 12:30 p. m.]

[Seattle Rev. Order G-9 Under 18 (c)]

PRESTO-LOGS IN WASHINGTON

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, Order of Delegation No. 75 issued by the Regional Administrator of the Eighth Region, and under the authority to revise reserved in Order No. G-9; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries of presto-logs in the counties of King, Pierce, Whatcom, Island, Skagit, Kitsap and Snohomish, Washington by any seller whose place of business is

located in any of the named counties, as established by §§ 1499.2 and 1499.3 or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices set forth in the appropriate subdivision of this section for the type of seller and the type of sale involved:

(1) **Producers' sales.** The maximum prices for sales of presto-logs to retail dealers shall be \$5.52 per unit of 240 logs, f. o. b. producer's mill, Everett, Washington.

(2) **Retail sales.**

Dealer location	Cash prices to consumers f. o. b. dealers yards						
	1 unit 240 logs	1/2 unit 120 logs	1/4 unit 60 logs	1/8 unit 30 logs	1/10 unit 24 logs	1/12 unit 12 logs	
(i) Within Everett, Wash., and a 12-mile radius.....	\$8.00	\$4.10	\$2.10	\$1.05	\$0.85	\$0.45	
(ii) Dealers located in Snohomish County outside Everett and a 12-mile radius.....	8.75	4.50	2.30	1.17	.95	.50	
(iii) Dealers located in the following counties: Skagit, Island, Whatcom, King, Kitsap, and Pierce.....	9.75	5.00	2.50	1.27	1.02	.55	
	Delivered to the premises of the consumer						
(iv) Dealers located within Everett, Wash., and a 12-mile radius.....	\$9.00	\$5.00	\$2.75	\$1.50	\$1.30	\$0.70	
(v) Dealers located in Snohomish County outside Everett and a 12-mile radius thereof.....	9.75	5.40	2.95	1.60	1.40	.75	
(vi) Dealers located in the following counties: Skagit, Island, Whatcom, King, Kitsap and Pierce.....	10.75	5.90	3.20	1.70	1.50	.80	

Such copy shall be made available for inspection by the Office of Price Administration.

(d) No seller shall evade any of the provisions of the order by changing his discounts, allowances, or other price differentials, unless such change results in a lower price.

(e) This order may be revoked, amended or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective July 10, 1945.

Issued this 7th day of July 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13142; Filed, July 19, 1945; 12:35 p. m.]

[Seattle Order G-14 Under 18 (c)]

CERTAIN MILLWOOD IN TACOMA, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region; *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Tacoma area of the types and kinds of firewood specified in this Order No. G-14 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-14, *Provided, however,* That the area maximum prices established by this Order G-14 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) **Definitions.** When used in this order the following terms shall have the meanings set forth below: (1) "Tacoma Area" means the area within the corporate limits of the city of Tacoma, Washington, and the corporate limits of the city of Ruston, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order G-14 produced by mills located within the corporate limits of the cities of Tacoma and Ruston, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Order G-14 produced by mills located within the United States but outside of the corporate limits of the cities of Tacoma and Ruston, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(5) "Unit" means 200 cubic feet.

(6) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(7) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(8) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-14.

(c) **Maximum prices.** (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Tables I and II set forth below delivered to the premises of the consumer within the Tacoma area by any seller shall be the prices set forth in the appropriate column and line of the appropriate table stated below.

TABLE I—LOCALLY PRODUCED WOOD

	Per cord
Green slab, mixed mill, mill run, or veneer core, 24 inches or less in length.....	\$6.50
Dry slab, mixed mill or mill run, 24 inches or less.....	10.00
Green inside block or planer ends.....	7.50
Dry inside block or veneer core.....	10.50
Dry planer ends.....	8.25
Miscellaneous short cuts of wood including the following: Edgings, knots, nubbins, or light planer ends.....	6.00
	Per unit
Sawdust, hogged fuel or shavings.....	\$3.50

TABLE II—IMPORTED WOOD

	Per cord
Green slab, mixed mill or mill run, 24 inches or less.....	\$9.50
Green tie slab, 24 inches or less.....	12.50
Dry slab, mixed mill or mill run, 24 inches or less.....	12.00
Planer ends or inside block, green or dry.....	10.00
Dry tie slab, 24 inches or less.....	14.00

(2) The maximum prices for the kinds and types of firewood described in Tables I and II set forth above delivered to the premises of the consumer within the Tacoma area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(4) For sales delivered to the premises of the consumer outside the Tacoma area but within a radius of three miles from the corporate limits of the city of Tacoma, Washington, the maximum prices provided by paragraph (c) of Order G-14 may be increased by \$0.50 per cord or unit.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described

(b) **Definitions.** (1) "Retail sale" as used herein means a sale by a person who buys presto-logs from the producer for resale to an ultimate consumer other than an industrial or commercial user.

(2) "Unit" as used herein means 240 presto-logs.

(c) **Invoices and records.** Every person making a sale of firewood for which a maximum price is set by the order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of presto-logs sold.

(4) Place of sale (if the price is dependent on place of delivery, then the place of delivery shall be stated).

(5) The total price of the presto-logs.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect.

in Tables I and II of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under §§ 1499.2 or 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order No. G-14 in which situation the maximum price established by this Order G-14 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 23, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13153; Filed, July 19, 1945; 1:30 p. m.]

[Seattle Order G-16 Under 18 (c)]

CERTAIN MILLWOOD IN WHATCOM COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for all sales and deliveries at retail in the Whatcom County area of the types and kinds of firewood specified in this Order No. G-16 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices

provided in Order G-16, *Provided, however,* That the area maximum prices established by this Order G-16 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below: (1) "Whatcom County area" means the area within the boundaries of Whatcom County, Washington, except that portion within the corporate limits of the city of Bellingham, and except that portion within the area within one mile outside the corporate limits of the city of Bellingham, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Order G-16 produced by mills located in Whatcom County, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Order G-16 produced by mills located within the United States but outside Whatcom County, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(5) "Unit" means 200 cubic feet.

(6) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(7) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(8) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-16.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Tables I and II set forth below delivered to the premises of the consumer within the Whatcom County area by any seller shall be the prices set forth in the appropriate column and line of the appropriate table stated below.

TABLE I—LOCALLY PRODUCED WOOD

	<i>Per cord</i>
Green mill slab, mixed mill, mill run, 24 inches or less.....	\$7.50
Green veneer core, green or dry planer ends.....	8.00
Green tie slab, 24 inches or less.....	7.50
Dry mill slab, mixed mill, mill run, 24 inches or less.....	10.00
Dry tie slab, 24 inches or less.....	11.00

TABLE II—IMPORTED WOOD

	<i>Per cord</i>
Green mill slab, mixed mill, mill run, 24 inches or less.....	\$8.50
Dry mill slab, mixed mill, mill run, 24 inches or less.....	11.00
Green tie slab, 24 inches or less.....	10.00
Dry tie slab, 24 inches or less.....	12.50

(2) The maximum prices provided in Table I set forth above for "locally produced" green tie slabwood in lengths of 24 inches or less may be increased by \$1.00 per cord where the distance from

the tie mill where the wood fuel is produced to the premises of the consumer where delivery is to be made exceeds ten miles.

(3) The maximum prices for the kinds and types of firewood described in Tables I and II set forth above delivered to the premises of the consumer within the Whatcom County area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Tables I and II of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-16 in which situation the maximum price established by this Order G-16 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 24, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13154; Filed, July 19, 1945; 1:30 p. m.]

[Seattle Order G-17 Under 18 (c)]

MILLWOOD IN SKAGIT COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Skagit County area of the types and kinds of firewood specified in this Order No. G-17 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-17, *Provided, however,* That the area maximum prices established by this Order G-17 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Skagit area" means the area within the boundaries of Skagit County, Washington, except that portion within the corporate limits of the town of Anacortes, Washington, and the area within a radius of three miles from the corporate limits of the town of Anacortes, Washington.

(2) "Wood fuels" means all wood fuels of the types and kinds described in Order G-17 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried; *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order No. G-17.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Skagit area by any seller shall be the prices set forth in the appropriate column and line of the table stated below.

TABLE I

Green mill slab, mill run, mixed mill, 24 inches or less.....	\$8.50
Dry mill slab, mill run, mixed mill, 24 inches or less.....	11.00

(2) The maximum price provided above for green mill slab wood in lengths of 24 inches or less is applicable only to green mill slab wood in the designated lengths produced by mills located in

Skagit County and Everett, Washington. The maximum price provided above for green mill slab wood in lengths of 24 inches or less may be increased by \$0.50 per cord for green mill slab wood in the designated lengths produced by mills located elsewhere than in Skagit County or Everett, Washington.

(3) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Skagit area in fractional lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in the table of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order No. G-17 in which situation the maximum price established by this order supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 25, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13155; Filed, July 19, 1945; 1:30 p. m.]

[Seattle Order G-19 Under 18 (c)]

CERTAIN MILLWOOD IN EVERETT, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Everett, Washington, area of the types and kinds of firewood specified in this Order No. G-19 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-19 *Provided, however,* That the area maximum prices established by this Order G-19 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Everett area" means the area within the corporate limits of the city of Everett, Washington, and a radius of within four miles of the city of Everett, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G-19 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-19.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Everett area by any seller shall be the prices set forth in the appropriate column and line of the table stated below.

TABLE I

	Per cord
Light green mill run, mill slab, mixed mill, 24 inches or less (including wood from Weyerhaeuser mill C but not mill B).....	\$5.50
Heavy green mill run, mill slab, mixed mill, 24 inches or less (including wood from Weyerhaeuser mill B but not mill C).....	6.50
Green mill slab, mill run, mixed mill, 4-foot lengths.....	6.00
Green edgings.....	5.00
Green inside block, timber ends.....	6.50

TABLE I—Continued

	Per cord
Green short blocks.....	\$5.60
Planer ends, green or dry.....	7.00
Dry light or heavy mill run, mill slab, mixed mill, 24 inches or less in length.....	8.50
Dry inside block, timber ends.....	8.60
	Per unit
Sawdust, hogged fuel.....	\$3.75

(2) The maximum prices provided in Table I set forth above delivered to the premises of the consumer within the Everett area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942, including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-19 in which situation the maximum price established by this Order G-19 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

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

Issued this 26th day of January 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13156; Filed, July 19, 1945; 1:29 p. m.]

[Seattle order G-20 Under 18 (c)]

CERTAIN MILLWOOD IN OLYMPIA, WASH.,
AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Olympia area of the kinds and types of firewood specified in this Order G-20 as established by § 1499.2 and § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-20, *Provided, however*, That the area maximum prices established by this Order G-20 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof:

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Olympia area" means the area within the corporate limits of the city of Olympia, Wash., and the area within a radius of 5 miles from the corporate limits of the city of Olympia Wash.

(2) "Wood fuel" means wood fuels of the types and kinds described in Order G-20 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stack wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried, *Provided*, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-20.

(c) *Maximum Prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Olympia area by any seller shall be the

prices set forth in the appropriate column and line of the table stated below:

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less.....	\$8.25
Green veneer core, veneer log nibs, veneer core nubbins.....	8.25
Veneer logs buzzed, 24 inches or less.....	13.00
Veneer logs buzzed, 4-foot lengths.....	12.50
Green tie slab, 24 inches or less.....	11.75
Dry mill slab, mixed mill, mill run, 24 inches or less.....	12.00
Dry veneer core.....	9.00
Dry tie slab, 24 inches or less.....	14.00
	Per unit
Sawdust.....	\$5.00

(2) The maximum price provided in Table I set forth above for the green mill slab in 24-inch lengths or less shall not be applicable to sales at retail of green mill slab in lengths of 24 inches or less which is shipped into the Olympia, Washington, area by rail. The maximum price for sales at retail of green mill slab in lengths of 24 inches or less shipped into the Olympia area by rail delivered to the premises of the consumer within the Olympia area shall be \$9.25 per cord.

(3) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Olympia area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(4) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-20 in which situation the maximum price established by this Order G-20 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for

so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 24, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13157; Filed, July 19, 1945; 1:28 p. m.]

[Seattle Order G-21 Under 18 (c)]

CERTAIN MILLWOOD IN RAYMOND-SOUTH BEND, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region; *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Raymond-South Bend, Washington area of the types of firewood specified in this Order No. G-21 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-21: *Provided, however,* That the area maximum prices established by this Order G-21 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Raymond-South Bend area" means the area within the corporate limits of the town of Raymond, Washington, and the area within a radius of seven miles from the corporate limits of the town of Raymond, Washington, including the town of South Bend, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G-21 produced by mills located in the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air dried wood may not be sold as

dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-21.

(8) "Zone 1" means that portion of the Raymond-South Bend area as described above within the corporate limits of the town of Raymond, Washington, and within a radius of one mile from the corporate limits of the town of Raymond, Washington.

(9) "Zone 2" means that portion of the Raymond-South Bend area lying outside the area within a radius of one mile from the corporate limits of the city of Raymond, Washington, but within a radius of five miles from the corporate limits of the town of Raymond, Washington, and includes the entire communities of Baylesville, Elk Creek, East Raymond, and Willapa, Washington. It shall also include those areas in the community of South Bend, Washington, beyond the area within a radius of five miles from the corporate limits of the town of Raymond, Washington, customarily referred to by retail fuel dealers as "flat hauls" in South Bend.

(10) "Zone 3" means that portion of the Raymond-South Bend area lying beyond the area within a radius of five miles from the corporate limits of the town of Raymond, Washington but within a radius of seven miles from the corporate limits of the town of Raymond, Washington, and includes the entire communities of Old Willapa and Menlo, Washington. It shall also include those portions of the community of South Bend customarily referred to by retail fuel dealers in the area as "hill hauls" in South Bend, Washington.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Raymond-South Bend area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	Zone 1	Zone 2	Zone 3
Green mill slab, mixed mill, millrun, green inside block, green or dry planer ends, all 24 inches in length or less, per cord.....	\$5.50	\$6.25	\$6.75
Green edgings, per cord.....	4.50	5.25	5.75
Green mill slab, mixed mill, mill run, 4-foot lengths, per cord.....	4.00	4.75	5.25
Green tie slab, 24 inches or less, per cord.....	5.50	6.25	6.75

(2) The maximum prices for the kinds and type of firewood described in Table I set forth above delivered to the premises of the consumer within the Raymond-South Bend area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the

table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-21 in which situation the maximum price established by this Order G-21 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) That date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

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

Issued this 26th day of January 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13158; Filed, July 19, 1945; 1:28 p. m.]

[Seattle Order G-22 Under 18 (c)]

CERTAIN MILLWOOD IN CENTRALIA-CHEHALIS AREA, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32, and Order

of Delegation No. 34, issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the Centralia-Chehalis area of the types and kinds of firewood specified in this Order No. G-22 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-22, *Provided, however,* That the area maximum prices established by this Order G-22 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Centralia-Chehalis area" means the area within the corporate limits of the cities of Centralia and Chehalis, Washington, and the area within a radius of four miles from the corporate limits of the cities of Centralia and Chehalis, Washington.

(2) "Wood fuel" means all wood fuels of the types and kinds described in Order G-22 produced by mills located within the United States.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Unit" means 200 cubic feet.

(5) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(6) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(7) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-22.

(c) *Maximum prices.* (1) Except as provided in paragraph (d) hereof, the maximum prices for sales at retail of the kinds and types of wood fuel described in Table I set forth below delivered to the premises of the consumer within the Centralia-Chehalis area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

	Per cord
Green mill slab, mixed mill, mill run, 24 inches or less.....	\$6.00
Green mill slab, mixed mill, mill run, 4-foot lengths.....	5.75
Green inside block, green or dry planer ends.....	7.00
Green tie slab, 24 inches or less.....	8.00
Green tie slab, 4-foot or 8-foot lengths.....	7.00
Dry mill slab, mixed mill, mill run, 24 inches or less.....	8.50
Dry mill slab, mixed mill, mill run, 4-foot lengths.....	8.00
Dry inside block.....	8.50
Dry tie slab, 24 inches or less.....	11.50
Dry tie slab, 4-foot or 8-foot lengths.....	9.00

(2) Where a retail fuel dealer whose place of business is located in Chehalis,

Washington, makes deliveries of the kinds and types of wood described in Table I set forth above to the premises of the consumer in that portion of the Centralia-Chehalis area within the corporate limits of the city of Centralia, Washington, or east of the corporate limits of the city of Centralia, Washington, the maximum price provided in Table I may be increased by \$0.50 per cord.

(3) Where a retail fuel dealer whose place of business is located in Centralia, Washington, makes deliveries of the kinds and types of wood fuel described in Table I set forth above to the premises of the consumer in that portion of the Centralia-Chehalis area within the corporate limits of the city of Chehalis, Washington, or west of the corporate limits of the city of Chehalis, Washington, the maximum price provided in Table I may be increased by \$0.50 per cord.

(4) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Centralia-Chehalis area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(5) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-22 in which situation the maximum price established by this Order G-22 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 25, 1945.

ARTHUR J. KRAUSS,
District Director.

[F.R. Doc. 45-13159; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-23 Under 18 (c)]

CERTAIN MILLWOOD IN KENT-AUBURN-PUYALLUP-SUMNER, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the area referred to as the Kent-Auburn-Puyallup-Sumner area of the kinds and types of firewood specified in this Order No. G-23 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-23: *Provided, however,* That the area maximum prices established by this Order G-23 shall be applicable to sales or deliveries at retail of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (d) hereof.

(b) *Definitions.* When used in this order the following terms shall have the meaning set forth below:

(1) "Kent-Auburn-Puyallup - Sumner area" means the area within the following boundaries: The area within the corporate limits of the city of Kent, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Kent, Washington; the area within the corporate limits of the city of Auburn, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Auburn, Washington; the area within the corporate limits of the town of Sumner, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Sumner, Washington; and the area within the corporate limits of the city of Puyallup, Washington, and the area lying within a radius of four miles from the corporate limits of the city of Puyallup, Washington, except that portion of the area lying within a radius of four miles from the corporate limits of the city of Puyallup, Washington, which is within the area lying

within a radius of three miles from the corporate limits of the city of Tacoma, Washington.

(2) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(3) "Unit" means 200 cubic feet.

(4) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried wood may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(5) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(6) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-23.

(c) *Maximum prices.* (1) The maximum prices provided by this order shall be applicable only to millwood of the types and kinds of wood fuel described in the following table which is produced in the United States and shipped to the retail dealer by rail or which is hauled by the retail dealer by truck from a source of supply located more than 10 miles distant from the premises of the consumer. Except as provided in paragraph (d) hereof the maximum prices for sales at retail of the kinds and types of wood fuel subject to this order delivered to the premises of the consumer within the Kent-Auburn-Puyallup-Sumner area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I

	<i>Per cord</i>
Green mill slab, mixed mill, mill run, 24 inches or less.....	\$9.50
Green inside block, green or dry planer ends	10.00
Green tie mill slab, 24 inches or less...	10.00
Dry mill slab, mixed mill, mill run, 24 inches or less.....	12.00
Dry tie mill slab, 24 inches or less....	12.50
<i>Per unit</i>	
Sawdust, hogged fuel.....	\$4.50
Sawdust, hogged fuel, shoveled into the buyer's bin.....	5.50

(2) The maximum prices for the kinds and types of firewood described in Table I set forth above delivered to the premises of the consumer within the Kent-Auburn-Puyallup-Sumner area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the table set forth, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) The maximum prices provided in Paragraph (c) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Table I of paragraph (c) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or

§ 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-23 in which situation the maximum price established by this Order G-23 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

(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 January 27, 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13160; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-24 Under 18 (c)]

CERTAIN MILLWOOD IN GRAYS HARBOR COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum price for all sales and deliveries at retail in the area within Grays Harbor County, Washington, designated below of the types and kinds of firewood specified in this Order G-24 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in Order G-24: *Provided, however*, That the area maximum prices established by this Order G-24 shall be applicable to sales or deliveries at retail

of the types and kinds of firewood by the producing mill only to the extent provided in paragraph (e) hereof.

(b) Area covered: The area within Grays Harbor County, Washington, subject to this order shall be as follows:

(1) "Elma and McCleary trading area" meaning the area within the corporate limits of the towns of Elma and McCleary, Washington, and the area within a radius of two miles from the corporate limits of either town and the area within two miles of either side of State Highway No. 9 lying between the towns of Elma and McCleary, Washington.

(2) "Satsop trading area" meaning the area within the corporate limits of the town of Satsop, Washington, and the area within a radius of two miles of the corporate limits of Satsop, Washington.

(3) "Montesano trading area" meaning the area within the corporate limits of the town of Montesano, Washington, and the area lying within a radius of two miles from the town of Montesano.

(4) "Malone and Porter trading area" meaning the area within the corporate limits of the towns of Malone and Porter, Washington, and the area lying within a radius of two miles of the corporate limits of either town.

(5) "Oakville trading area" meaning the area within the corporate limits of the town of Oakville, Washington, and the area within a radius of two miles of the town of Oakville, Washington.

(6) "Southwest Grays Harbor trading area" meaning the area within the corporate limits of each of the following towns: Markham, Ocosta, Bay City, Grayland, Westport, and Cohasset, Washington, and the area lying within a radius of two miles from the corporate limits of each of the towns mentioned above and the area within two miles on either side of State Highway No. 13-A running between the towns mentioned above.

(c) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Wood fuel" means all wood fuels of the types and kinds described in Order G-24 produced by mills located within the United States.

(2) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(3) "Unit" means 200 cubic feet.

(4) "Dry or seasoned wood fuel" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided*, That air dried may not be sold as dry or seasoned wood unless it has been seasoned for a period of not less than 90 days.

(5) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(6) "Producing mill" means a mill engaged in producing any of the types and kinds of wood fuel described in Order G-24.

(d) *Maximum prices.* (1) Except as provided in paragraph (e) hereof the maximum prices for sales at retail of the kinds and types of wood fuels described in the tables set forth below delivered to the premises of the consumer in the area specified in each of the tables

set forth below shall be the prices set forth in the appropriate column and line of the appropriate table.

TABLE I—ELMA AND McCLEARY TRADING AREA

Per cord	
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$6.00
Green inside block, dry planer ends	7.00
Green tie slab, 24 inches or less	6.00
Dry mill slab, mill run, mixed mill, 24 inches or less	7.50
Dry tie slab, 24 inches or less	7.50
Dry core block edgings	9.00
Per unit	
Sawdust	\$4.00

TABLE II—SATSOP TRADING AREA

Per cord	
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$6.50
Green inside block, dry planer ends	7.50
Green tie slab, 24 inches or less	6.50
Dry mill slab, mill run, mixed mill, 24 inches or less	8.00
Dry core block edgings	9.50
Dry tie slab, 24 inches or less	8.00
Per unit	
Sawdust	\$4.50

TABLE III—MONTESANO TRADING AREA

	Wood from whites (per cord)	Wood from any other source (per cord)
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$7.00	\$6.00
Green inside block, dry planer ends	8.00	7.00
Green tie slab, 24 inches or less	7.00	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	8.50	7.50
Dry core block edgings	10.00	9.00
Dry tie slab, 24 inches or less	8.50	8.50
Per unit		
Sawdust	\$5.00	\$4.00

TABLE IV—MALONE AND PORTER TRADING AREA

Per cord	
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$7.00
Green inside block, dry planer ends	8.00
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	8.50
Dry core block edgings	10.00
Dry tie slab, 24 inches or less	8.50
Per unit	
Sawdust	\$5.00

TABLE V—OAKVILLE TRADING AREA

Per cord	
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$7.50
Green inside block, dry planer ends	8.50
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	9.00
Dry core block edgings	10.50
Dry tie slab, 24 inches or less	8.50
Per unit	
Sawdust	\$5.50

TABLE VI—SOUTHWEST GRAYS HARBOR COUNTY AREA

Per cord	
Green mill slab, mill run, mixed mill, green planer ends, 24 inches or less	\$7.50
Green inside block, dry planer ends	8.50
Green tie slab, 24 inches or less	7.00
Dry mill slab, mill run, mixed mill, 24 inches or less	9.00
Dry tie slab, 24 inches or less	8.50
Per unit	
Sawdust	\$5.50

(2) The maximum prices for the kinds and types of firewood described in Tables I through VI, inclusive, set forth above

delivered to the premises of the consumer within the areas described, in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate table set forth above, plus \$0.50 per half cord for sales in half cord lots, \$0.35 per third cord for sales in third cord lots, or \$0.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this order are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(e) The maximum prices provided in paragraph (d) hereof shall be applicable to retail sales and deliveries of the kinds and types of wood fuel described in Tables I through VI of paragraph (d) by the producing mills only in the situation in which the maximum price established for the producing mill under § 1499.2 or § 1499.3 of the General Maximum Price Regulation exceeds the maximum price provided by this Order G-24 in which situation the maximum price established by this Order G-24 supersedes the maximum price established by the producing mill under §§ 1499.2 and 1499.3 of the General Maximum Price Regulation.

(f) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoices or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(g) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945. (56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of January, 1945.

IRVIN A. HOFF,
Acting District Director.

[F. R. Doc. 45-13161; Filed, July 19, 1945; 1:27 p. m.]

[Seattle Order G-25 Under 18 (c)]

MILLWOOD IN SNOHOMISH, SKAGIT, WHATCOM, ISLAND COUNTY, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price

Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for all sales and deliveries at wholesale in the Snohomish, Skagit, Whatcom, Island County Area of the types and kinds of firewood specified in this Order G-25 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation issued thereto are hereby adjusted to the maximum prices provided in Order G-25.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "Snohomish, Skagit, Whatcom, Island County area" means the area within the boundaries of Snohomish, Skagit, Whatcom, and Island Counties, all in the state of Washington.

(2) "Sale at wholesale" means a sale or selling by producing mills, wholesalers and wholesaler-processors to retail fuel dealers who purchase for resale at retail.

(3) "Sale at retail" means a sale or selling to an ultimate user.

(4) "Producing mill" means a mill engaged in producing any of the types or kinds of wood fuel described in Order G-25.

(5) "Wholesaler" means a dealer in the types and kinds of wood fuel described in Order G-25 who purchases such wood fuel from producing mills for purposes of resale to retail fuel dealers.

(6) "Wholesaler-processor" means a dealer in wood fuel of the types and kinds described in Order G-25, who purchase such wood fuel in 4-foot or 8-foot lengths from a producing mill and who processes it to the lengths provided by Order G-25 or who segregates such wood into the types and kinds provided by Order G-25 for sale to retail fuel dealers.

(7) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(8) "Wood fuel" means all wood fuels of the types and kinds described in Order G-25 produced by mills located within the United States.

(c) *Maximum prices.* (1) The maximum prices for sales at wholesale of the kinds and types of wood fuel described in Table I set forth below in the bunker f. o. b. rail car or loaded on the purchaser's truck within the Snohomish-Skagit-Whatcom-Island County area by any seller shall be the prices set forth in the appropriate column and line of the table stated below:

TABLE I		Per cord
Green light mill run (including wood from Weyerhaeuser Mill C) 24 inches or less in length		\$2.75
Green heavy or regular mill run, mill slab, mixed mill (including wood from Weyerhaeuser Mill B) 24 inches or less		3.00
Green edgings, 24 inches or less		2.50
Planer ends, green or dry		3.50

(2) The maximum prices for sales of the types and kinds of wood fuel de-

scribed in Table I set forth above by producing mills to wholesalers or wholesaler-processors shall be the prices set forth in the appropriate column and line of Table I set forth above less the producing-mills discounts and differentials in effect in March 1942 for sales to wholesalers or wholesaler-processors.

(3) The maximum prices provided by this order are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for multiple cords or units.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 1, 1945.

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

Issued this 31st day of January 1945.

IRVIN A. HOFF,
Acting District Director.

[F. R. Doc. 45-13145; Filed, July 19, 1945; 12:36 p. m.]

[Seattle Order G-29 Under 18 (c)]

SAWDUST IN SEATTLE, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 75 issued by the Regional Administrator of the Eighth Region, *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the Seattle, Washington, Area of the types and kinds of wood fuel specified in this Order No. G-29 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplemental regulation thereto are hereby adjusted to the maximum prices provided in this Order G-29.

(b) *Definition.* When used in this order the following terms shall have the meanings set forth below:

(1) "Seattle, Washington area" means the area within the corporate limits of Seattle, Washington and the area within a radius of five miles north and south of the corporate limits of the city of Seattle, Washington and the area within the corporate limits of the town of Des Moines, and the area within a radius of three miles of the corporate limits of the town of Des Moines.

(2) "Half and half" means screened hog fuel and sawdust mixed in a one to one proportion.

(3) "Unit" means 200 cubic feet.

(c) *Maximum prices.* (1) The maximum prices for sawdust and half and half delivered to the premises of the consumer within the area defined as the Seattle, Washington area shall be the prices set forth for the appropriate quantity shown below:

1 unit.....	\$6.00
1½ units.....	9.00
2 units.....	11.50
2½ units.....	14.25

(2) The maximum prices provided by this Order No. G-29 are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment.

(d) *Invoices and records.* Every person making a sale of wood fuel for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of wood fuel sold.
- (4) Description of wood fuel sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-29 shall become effective June 27, 1945. Issued this 25th day of June 1945.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 45-13144; Filed, July 19, 1945; 12:36 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 18, 1945.

REGION VII

Denver Order F-2, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 1, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 2, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:15 p. m.

Denver Order F-2, Amendment 3, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:15 p. m.

Denver Order F-2, Amendment 5, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 7, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 8, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 9, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 10, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 11, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:16 p. m.

Denver Order F-2, Amendment 12, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 13, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:17 p. m.

Denver Order F-2, Amendment 14, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 15, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 16, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 17, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:18 p. m.

Denver Order F-2, Amendment 18, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 19, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 20, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 21, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 22, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 23, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 24, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:19 p. m.

Denver Order F-2, Amendment 25, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 26, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 27, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 28, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:20 p. m.

Denver Order F-2, Amendment 29, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 30, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 31, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:21 p. m.

Denver Order F-2, Amendment 32, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 33, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 34, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 35, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 36, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 37, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 38, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:22 p. m.

Denver Order F-2, Amendment 39, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:23 p. m.

Denver Order F-2, Amendment 40, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:23 p. m.

Denver Order F-2, Amendment 41, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:24 p. m.

Denver Order F-2, Amendment 42, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 43, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 44, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 45, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-2, Amendment 46, covering fresh fruits and vegetables in the Pueblo Area. Filed 2:25 p. m.

Denver Order F-3, Amendment 21, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 22, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 23, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 24, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:31 p. m.

Denver Order F-3, Amendment 25, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:13 p. m.

Denver Order F-3, Amendment 26, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 27, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 28, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 29, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 30, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 31, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

Denver Order F-3, Amendment 32, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 2:14 p. m.

REGION VIII

San Francisco District Order 14-F, Amendment 5, covering fresh fruits and vegetables in certain counties in California. Filed 2:15 p. m.

San Francisco District Order 15-F, Amendment 5, covering fresh fruits and vegetables in certain counties in California. Filed 2:15 p. m.

San Francisco District Order 16-F, Amendment 5, covering fresh fruits and vegeta-

bles in certain counties in California. Filed 2:15 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. 45-13274; Filed, July 20, 1945; 4:32 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register July 18, 1945.

REGION I

Boston Order 1-C, Amendment 9, covering poultry in the Nantucket Counties, Massachusetts. Filed 9:54 a. m.

Boston Order F-2, Amendment 11, covering poultry in all of Connecticut, New Hampshire and Vermont and certain areas in Massachusetts. Filed 10:10 a. m.

Boston Order 7-F, Amendment 7, covering fresh fruits and vegetables in the Boston Area. Filed 9:53 a. m.

Boston Order 8-F, Amendment 6, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:53 a. m.

Boston Order 9-F, Amendment 7, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:54 a. m.

Boston Order 11-F, Amendment 6, covering fresh fruits and vegetables in the certain areas in Massachusetts. Filed 9:53 a. m.

REGION III

Charleston Order 7-F, Amendment 20, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:54 a. m.

Charleston Order 9-F, Amendment 20, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:54 a. m.

Charleston Order 10-F, Amendment 20, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:54 a. m.

Charleston Order 11-F, Amendment 20, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:54 a. m.

Charleston Order 14-F, Amendment 5, covering fresh fruits and vegetables in certain counties in West Virginia. Filed, 9:55 a. m.

Charleston Order 15-F, Amendment 17, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:55 a. m.

Charleston Order 16-F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:55 a. m.

Charleston Order 17-F, Amendment 16, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:56 a. m.

REGION V

Tulsa Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:56 a. m.

Tulsa Order 8-F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oklahoma. Filed 9:56 a. m.

REGION VI

Duluth-Superior Order 5-W, covering dry groceries in certain cities in Minnesota and Wisconsin. Filed 10:10 a. m.

REGION VII

Denver Order F-3, Amendment 17, covering fresh fruits and vegetables in the Manitou Area, Colorado Springs. Filed 10:11 a. m.

Denver Order F-3, Amendment 18, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:11 a. m.

Denver Order F-3, Amendment 19, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:11 a. m.

Denver Order F-3, Amendment 20, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:02 a. m.

REGION VIII

Los Angeles Order 1-0, Amendment 4, covering eggs in certain counties in California. Filed 10:02 a. m.

Los Angeles Order 2-0, Amendment 4, covering eggs in the San Luis Obispo Area. Filed 10:03 a. m.

Los Angeles Order 15, Amendment 4, covering dry groceries in the San Luis Obispo Area. Filed 10:01 a. m.

Los Angeles Order 16, Amendment 3, covering dry groceries. Filed 10:01 a. m.

Los Angeles Order 16, Amendment 4, covering dry groceries. Filed 10:02 a. m.

Los Angeles Order 17, Amendment 3, covering dry groceries in the San Luis Obispo Area. Filed 10:02 a. m.

Los Angeles Order 17, Amendment 4, covering dry groceries. Filed 10:02 a. m.

Nevada Order 5-0, Amendment 1, covering eggs in Clark County. Filed 10:03 a. m.

Nevada Order 6-0, Amendment 1, covering eggs in certain counties in Nevada. Filed 10:04 a. m.

Nevada Order 6-F, Amendment 18-A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 10:03 a. m.

Nevada Order 7-0, covering eggs in certain areas in Nevada. Filed 10:04 a. m.

Phoenix District Order 1-C, Amendment 4, covering poultry in certain counties in Arizona. Filed 9:58 a. m.

Phoenix Adopting Order 1-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Arizona. Filed 10:05 a. m.

Phoenix District Order 3-F, Amendment 79, covering fresh fruits and vegetables in Phoenix, Arizona. Filed 10:05 a. m.

Phoenix Adopting Order 8-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Arizona. Filed 10:05 a. m.

Phoenix Adopting Order 15, Amendment 3, covering dry groceries in the Gila Valley Area. Filed 9:56 a. m.

Phoenix Adopting Order 16, Amendment 2, covering dry groceries in the Eastern Arizona Area. Filed 9:57 a. m.

Phoenix Adopting Order 17, Amendment 1, covering dry groceries in the Cochise Area. Filed 9:57 a. m.

Phoenix Adopting Order 20-W under Basic Order 2-B, Amendment 2, covering dry groceries in the Gila Valley Area. Filed 9:58 a. m.

Portland Order 1-W, Amendment 3, covering dry groceries in certain counties in Oregon and Washington. Filed 9:59 a. m.

Portland Order 1-W, Amendment 4, covering dry groceries in certain areas in Washington and Oregon. Filed 9:59 a. m.

Portland Order 1-W, Amendment 5, covering dry groceries in certain counties in Washington and Oregon. Filed 10:00 a. m.

Portland Order 1-W, Amendment 6, covering dry groceries in certain counties in Washington and Oregon. Filed 10:00 a. m.

Portland Order 1-W, Amendment 7, covering dry groceries in certain areas in Washington and Oregon. Filed 10:00 a. m.

Portland Order 2-W, Amendment 3, covering dry groceries in certain areas in Washington and Oregon. Filed 10:01 a. m.

Portland Order 3-W, Amendment 2, covering dry groceries in certain areas in Washington and Oregon. Filed 10:01 a. m.

Portland Order 2-P, Amendment 11, covering fresh fish and seafood in Portland, Vancouver, Oregon and Vancouver, Washington. Filed 10:01 a. m.

Portland Order 5-F, Amendment 29, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:05 a. m.

Portland Order 6-F, Amendment 29, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:05 a. m.

Portland Order 7-F, Amendment 28, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 8-F, Amendment 28, covering fresh fruits and vegetables in Medford, Oregon. Filed 10:06 a. m.

Portland Order 9-F, Amendment 28, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 10-F, amendment 27, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 10:06 a. m.

Portland Order 12-F, Amendment 25, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 10:06 a. m.

Portland Order 13-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 14-F, Amendment 24 covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:06 a. m.

Portland Order 19-F, Amendment 16, covering fresh fruits and vegetables in Dalles, Oregon. Filed 10:06 a. m.

Portland Order 20, Amendment 12, covering dry groceries in certain cities in Oregon. Filed 9:59 a. m.

Portland Order 20-F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 21-F, Amendment 15, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 10:07 a. m.

Portland Order 22-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 27-F, Amendment 14, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 10:07 a. m.

Portland Order 28, Amendment 9, covering dry groceries in certain areas in Oregon. Filed 9:59 a. m.

Portland Order 28-F, Amendment 14, covering fresh fruits and vegetables in the Haines, Enterprize, Willowa, Oregon Area. Filed 10:07 a. m.

Portland Order 29-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon. Filed 10:07 a. m.

Portland Order 30-F, Amendment 5, covering fresh fruits and vegetables in certain cities in Washington and Oregon. Filed 10:07 a. m.

Portland Order 31-F, Amendment 2, covering fresh fruits and vegetables in the River-Hood-Clatskanie-McMinnville, Oregon and Camas, Wash. Filed 10:08 a. m.

Sacramento Adopting Order 18, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 19, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 20, Amendment 3, covering dry groceries. Filed 10:09 a. m.

Sacramento Adopting Order 21 under Basic Order 1-B, Amendment 3, covering Dairy products in certain areas in California. Filed 10:09 a. m.

Sacramento Order 29-F, Amendment 20, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 21, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 22, covering fresh fruits and vegetables in certain cities in California. Filed 10:08 a. m.

Sacramento Adopting Order 30-F under Basic Order 3-B, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 30-F under Basic Order 3-B, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 30-F under Basic Order 3-B, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. m.

Sacramento Adopting Order 30-F under Basic Order 3-B, Amendment 4, covering fresh fruits and vegetables in certain areas in California. Filed 10:08 a. 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. 45-13373; Filed, July 23, 1945; 11:40 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-20, 59-8, 54-75]

COMMONWEALTH & SOUTHERN CORP., ET AL.

ORDER DENYING PETITIONS FOR REHEARING FOR LEAVE TO PRESENT FURTHER EVIDENCE, AND FOR STAY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of July, A. D. 1945.

In the matter of The Commonwealth & Southern Corporation (Delaware), respondent, File No. 59-20; The Commonwealth & Southern Corporation (Delaware) and its subsidiary companies, respondents, File No. 59-8; The Commonwealth & Southern Corporation (Delaware), File No. 54-75.

The Commission having on June 30, 1945, issued its order herein approving the amended plan dated June 14, 1945, filed by The Commonwealth & Southern Corporation under section 11 of the Public Utility Holding Company Act of 1935;

Certain holders of common stock represented by William H. Brantley, Jr., Elizabeth C. Lownsbury, and Alfred J. Snyder having filed a petition for rehearing on July 5, 1945; and Edward Hopkinson, Jr., James E. Gowen, Marshall S. Morgan and Clarence A. Warden, as a committee for the Commonwealth & Southern Corporation cumulative preferred stock \$6 Series, having filed an answer in opposition thereto;

Albert Shassol, a holder of common stock, having on July 12, 1945, filed a request for rehearing and for leave to present further evidence;

The Commission having considered the foregoing, and being of the opinion that the petition and request for rehearing and for leave to present further evidence raise no substantial question not previously considered by the Commission in the course of the proceedings on the plan and in the related proceeding entitled Edward Hopkinson, Jr., et al., File No. 68-23, decided May 27, 1943 (Holding Company Act Release No. 4321); *It is ordered*, That said petition and request for rehearing and for leave to present further evidence be and hereby are denied.

William H. Brantley, Jr., Elizabeth C. Lownsbury and Alfred J. Snyder having on July 13, 1945, filed a "Petition to Withhold Enforcement and Stay Proceedings Toward Compliance Pending Exercise of Right of Review," in which they state that if rehearing is denied they intend to file a petition in a United States Circuit Court of Appeals for re-

view of the Commission's order approving the amended plan, and request the Commission meanwhile to defer making application to a United States District Court for approval and enforcement of the amended plan;

The Commission being of the opinion that petitioners' right of review lies in the District Court upon the Commission's application for approval and enforcement of the amended plan pursuant to section 11 (e) of the act, and not directly in the Circuit Court of Appeals pursuant to section 24 (a);

It is ordered, That said petition for a stay of the proceedings be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-13317; Filed, July 21, 1945; 11:30 a. m.]

[File No. 70-973]

MISSOURI GENERAL UTILITIES CO., AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of July 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, Missouri General Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the proposed sale by Aelec of its entire interest in Utilities, the proposed acquisition by Aelec of certain assets of Utilities, and related matters; and

The Commission having, on November 27, 1944, after notice and hearing, made and filed its findings and opinion and order (Holding Company Act Release No. 5449) granting the application and permitting the declaration to become effective; and

The Commission having, on January 25, March 27 and May 29, 1945, upon the request of applicants-declarants, extended the time for consummating said transactions to and including July 31, 1945; and

Applicants-declarants having, on July 18, 1945, advised the Commission that the parties have been unable to consummate the transactions proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including September 30, 1945; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said request;

It is ordered, That the time for consummating said transactions be, and hereby is, extended to and including September 30, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-13318; Filed, July 21, 1945; 11:30 a. m.]

[File Nos. 54-106, 31-524; 54-107, 31-523; 59-52]

**BUFFALO, NIAGARA AND EASTERN POWER
CORP., ET AL.**

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of July 1945.

In the matter of Buffalo, Niagara and Eastern Power Corporation, File Nos. 54-106, 31-524; Niagara Hudson Power Corporation, File Nos. 54-107, 31-523; Niagara Hudson Power Corporation and its subsidiary companies, File No. 59-52, Respondents.

The Commission having by order dated June 19, 1944, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed that Buffalo, Niagara and Eastern Power Corporation, a subsidiary of Niagara Hudson Power Corporation, change its capitalization by substituting for its presently outstanding \$1.60 Cumulative Preferred Stock, Class A Stock and Common Stock, one class of stock, namely, Common Stock, and that appropriate voting power be extended to the \$5 First preferred stock of Buffalo, Niagara and Eastern Power Corporation;

Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation having filed a joint application requesting an extension of time for six months within which to comply with said order of June 19, 1944; and

The Commission having found that Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation have been unable in the exercise of due diligence to comply with the provisions of said order within the initial statutory period of one year from the date thereof, and that an extension of time is necessary and appropriate in the public interest and for the protection investors and consumers; and that under the circumstances an extension shall be granted for a period of six months from June 19, 1945;

It is ordered, That Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation be, and they are hereby, granted an additional period of six months from June 19, 1945 within which to comply with said provisions of said order of June 19, 1944; such extension to be without prejudice to the applicants to apply for an additional extension if the circumstances warrant.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-13319; Filed, July 21, 1945; 11:30 a. m.]

[File No. 70-1111]

NIAGARA HUDSON POWER CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of July 1945.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Niagara Hudson Power Corporation ("Niagara Hudson"), a subsidiary of The United Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Niagara Hudson, on July 16, 1945, filed an application for approval of a plan pursuant to section 11 (e) of the act regarding the reorganization of its subsidiary, Buffalo, Niagara and Eastern Power Corporation, and regarding certain related transactions by Niagara Hudson. These involve, among other things, the sale by Niagara Hudson of 41,515¹⁷/₂₀ shares of the Preferred Stock, 5% Series, of Central New York Power Corporation in order to provide part of the funds to be contributed to Buffalo, Niagara and Eastern Power Corporation for use by the latter in the retirement of its \$1.60 Preferred Stock (Holding Company Act Release No. 5940).

Niagara Hudson now requests that the Commission issues an order exempting the proposed sale of its holdings of the Preferred Stock of Central New York Power Corporation from the competitive bidding requirements of Rule U-50. Applicant states that no commitment or arrangement for the sale of such securities has been made, but that in the event that an exemption is granted, it will endeavor to negotiate a contract of sale and will file an amendment regarding same with the Commission.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on August 3, 1945, at 10 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any persons desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before July 31, 1945 an appropriate request therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at such hearing to the following questions:

(1) Whether the proposed sale of the Preferred Stock of Central New York Power Corporation by Niagara Hudson shall be exempted from the competitive bidding requirements of Rule U-50;

(2) What terms and conditions, if any, with respect to the proposed transaction should be prescribed in the public interest or for the protection of investors and consumers;

(3) Generally, whether the proposed transaction complies in all respects with the applicable provisions of the act and the rules thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-13344; Filed, July 23, 1945; 9:32 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 14]

ALUMINUM SCRAP

**AUTHORIZATION TO RECONSTRUCTION FINANCE
CORP. TO SELL**

Regulation No. 5 of the Surplus War Property Administration (9 F.R. 12098) provided generally that government-owned aluminum scrap and aluminum scrap included in termination inventories shall not be sold below certain specified minimum prices, that aluminum scrap which is not sold because of inability to obtain the minimum price shall be delivered to storage locations operated by Metals Reserve Company (now Reconstruction Finance Corporation), and that aluminum scrap which has been delivered to such storage locations "will not be sold at any price until the issuance of further instructions or regulations on the subject."

On January 17, 1945, the Surplus Property Board by Temporary Order No. 1 (10 F.R. 767) authorized the sale for war production purposes of aluminum scrap held in such storage locations, subject to the approval of the War Production Board. The War Production Board has now advised the Surplus Property Board that this procedure should be revised so that it will not be necessary either to restrict sales of aluminum scrap to those for war production purposes or to require the approval of the War Production Board of sales of aluminum scrap.

Pending the issuance of a regulation by the Surplus Property Board to replace Regulation No. 5 of the Surplus War Property Administration, and pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. IV, 1611), *It is hereby ordered*, That:

1. The Reconstruction Finance Corporation is authorized to sell or otherwise dispose of any and all aluminum scrap held by it in storage locations under Regulation No. 5 of the Surplus War Property Administration.

2. The price obtained by the Reconstruction Finance Corporation shall not be less than the minimum price specified in paragraph 1 of Regulation No. 5 of the Surplus War Property Administration for the particular grade, plus such amount as may be determined by the Reconstruction Finance Corporation to compensate, in whole or in part, for the expense to the government of transporting and storing the scrap.

3. Sales or dispositions of aluminum scrap under this order shall be handled by the Reconstruction Finance Corporation and reported by it to the Surplus Property Board in the same manner that it handles and reports other sales and dispositions of surplus property for which it acts as the disposal agency.

4. Surplus Property Board Temporary Order No. 1 (10 F.R. 767) is hereby superseded and rescinded, but Regulation No. 5 of the Surplus War Property Administration (9 F.R. 12098) is not rescinded or superseded hereby and is modified only to the extent of substituting the Reconstruction Finance Corporation for the Metals Reserve Company.

This order shall become effective immediately.

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

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JULY 17, 1945.

[F. R. Doc. 45-13347; Filed, July 23, 1945;
10:00 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 367, 375, 391a, 404, 474, 481, 489, and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

LIFEBOATS

24' x 8' x 3.73' metallic oar-propelled lifeboat, (40-person peacetime capacity, 29-person wartime capacity) (General Arrangement Dwg. No. 2436, revised 4 April, 1945), submitted by Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, New York.

Dated: July 21, 1945.

R. R. WAESCHE,
Admiral, U. S. C. G., Commandant.

[F. R. Doc. 45-13349; Filed, July 23, 1945;
10:44 a. m.]

WAR PRODUCTION BOARD.

[Certificate 18, Revocation]

PLAN FOR ORGANIZATION OF AN IMPORTERS' GROUP

THE ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated October 2, 1942, concerning a plan of the Board of Economic Warfare for the organization of an importers' group, to be known as Emergency Group for Foreign Vegetable Oils, Fats and Oil Bearing Materials, to handle and service foreign purchases of such fats, oils and materials by the Commodity Credit Corporation.

Dated: July 19, 1945.

J. D. SMALL,
Acting Chairman.

[F. R. Doc. 45-13348; Filed, July 23, 1945;
10:22 a. m.]