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Washington, Friday, September 22, 1944

## The President

### PROCLAMATION 2621

EMERGENCY BOARD, UNION RAILWAY COMPANY (MEMPHIS, TENN.)—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Union Railway Company (Memphis, Tenn.), a carrier, and certain of its employees represented by the following labor organizations:

Brotherhood of Locomotive Firemen and Enginemen.  
Brotherhood of Railroad Trainmen.

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Tennessee to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not peculiarly or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to ex-

ceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

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

DONE at the City of Washington this nineteenth day of September in the year of our Lord one thousand nine hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
Secretary of State.

[F. R. Doc. 44-14572; Filed Sept. 21, 1944;  
11:40 a. m.]

### PROCLAMATION 2622

EMERGENCY BOARD, CHICAGO, NORTH SHORE AND MILWAUKEE RAILROAD COMPANY AND CHICAGO, AURORA & ELGIN RAILROAD COMPANY—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that disputes between the Chicago, North Shore and Milwaukee Railroad Company, the Chicago, Aurora & Elgin Railroad Company, carriers, and certain of their employees represented by the following labor organizations:

Brotherhood of Locomotive Firemen and Enginemen.  
Brotherhood of Railroad Trainmen.

which disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the States of Illinois and Wisconsin to a degree such

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#### NOTICE

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

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

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as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not peculiarly or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to exceed six dollars (\$6) per diem in lieu of subsistence while so employed.

All expenditures of the board shall be allowed and paid for out of appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

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

Done at the City of Washington this nineteenth day of September in the year of our Lord one thousand [SEAL] nine hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
Secretary of State.

[F. R. Doc. 44-14573; Filed, Sept. 21, 1944; 11:40 a. m.]

#### Regulations

#### TITLE 6—AGRICULTURAL CREDIT Chapter I—Farm Credit Administration PART 22—THE FEDERAL LAND BANK OF BALTIMORE

##### NEW LOAN FEES

Section 22.2 (a) of Title 6, Code of Federal Regulations, is amended by changing the first paragraph thereof to read as follows:

§ 22.2 *Loan fees.* (a) Each application for a new loan shall be accompanied by an initial fee in the amount of \$10.00. If the application for loan is approved, an additional initial fee of \$15.00 must be paid prior to the examination of title.

If the application results in a Federal Land Bank loan in excess of \$2,000.00, there shall be deducted from the proceeds of the loan an additional fee equal to 1¼% of each \$100.00 or fraction thereof in excess of \$2,000.00. If the application results in a joint Land Bank and Land Bank Commissioner loan, no fee shall be charged or collected from the applicant or borrower in connection with any loan made by the Land Bank Commissioner. If the application results in a single Commissioner loan, the initial fees totaling \$25.00 shall be the only fees charged and collected from the applicant or borrower.

(Sec. 4, 39 Stat. 362; sec. 13 "Ninth", 39 Stat. 372; sec. 26, 48 Stat. 44; sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 674, 781 "Ninth", 723 (e), 1016 (e) and Supp.; 6 CFR 19.326 and 19.330) [Res. Bd. of Dir. May 16, 1944, July 19, 1944 and August 22, 1944]

[SEAL] THE FEDERAL LAND BANK  
OF BALTIMORE,  
E. W. MCSPARRAN,  
Treasurer.

[F. R. Doc. 44-14551; Filed, Sept. 21, 1944;  
10:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 255]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

DUTY TO REGISTER IN VIRGIN ISLANDS

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

Amend paragraph (b) and add paragraph (c) to § 618.2 to read as follows:

§ 618.2 *Duty to register at District of Columbia Local Board No. 1 (Foreign) or in the Virgin Islands.* \* \* \*

(b) Unless he is a person excepted by section 5 (a) of the Selective Training and Service Act of 1940, as amended, or by section 208 of the Coast Guard Auxiliary and Reserve Act of 1941, as amended, every male alien and person, other than a citizen of the United States, residing in the Virgin Islands of the United States who has not been registered and who on October 31, 1944, shall have attained or thereafter shall attain the eighteenth anniversary of the day of his birth and who on October 31, 1944, shall not have attained the forty-fifth anniversary of the day of his birth, shall, on the day or days fixed by Proclamation of the President, present himself for and submit to registration before a registrar in the Virgin Islands of the United States.

(c) Any person subject to registration under paragraph (a) or (b) of this section who, because of circumstances over which he has no control, is prevented from presenting himself for and submitting to registration at the time and in the manner required by the Proclamation of the President, shall present himself

for and submit to registration immediately upon it becoming possible for him to do so.

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

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14530; Filed, Sept. 20, 1944;  
2:36 p. m.]

[Amdt. 256]

PART 626—REOPENING AND CONSIDERING ANEW REGISTRANT'S CLASSIFICATION CIRCUMSTANCES GOVERNING RECONSIDERATION

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

1. Amend § 626.2 to read as follows:

§ 626.2 *When registrant's classification may be reopened and considered anew.* (a) The local board may reopen and consider anew the classification of a registrant (1) upon the written request of the registrant, the government appeal agent, any person who claims to be a dependent of the registrant, or any interested party in a case involving occupational deferment, if such request is accompanied by written information presenting facts not considered when the registrant was classified which, if true, would justify a change in the registrant's classification; or (2) upon its own motion if such action is based upon facts not considered when the registrant was classified which, if true, would justify a change in the registrant's classification; *Provided*, In either event, the classification of a registrant shall not be reopened after the local board has mailed to such registrant an Order to Report for Induction (Form 150) or an Order to Report for Work of National Importance (Form 50) unless the local board first specifically finds there has been a change in the registrant's status resulting from circumstances over which the registrant had no control.

(b) At any time before the induction of a registrant, the local board shall reopen and consider anew such registrant's classification upon the written request of the State Director of Selective Service or the Director of Selective Service; *Provided*, That after a registrant has left the local board for delivery pursuant to an Order to Report for Work of National Importance (Form 50) the local board shall reopen and consider anew the classification of such registrant only upon the written request of the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United

States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14531; Filed, Sept. 20, 1944;  
2:36 p. m.]

[Amdt. 257]

PART 652—ASSIGNMENT AND DELIVERY OF PERSONS TO WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

PREPARATION AND DISTRIBUTION OF ORDER TO REPORT

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

1. Amend paragraph (b) of § 652.11 to read as follows:

§ 652.11 *Preparation and distribution of order to report; delinquency of IV-E registrants.* \* \* \*

(b) The issuance of an Order to Report for Work of National Importance (Form 50) may be delayed or delivery under such an order may be postponed to the same extent and in the same manner as provided in § 633.2 with reference to an Order to Report for Induction (Form 150).

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

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14532; Filed, Sept. 20, 1944;  
2:36 p. m.]

[Amdt. 258]

PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

RELEASE FOR INDUCTION INTO LAND OR NAVAL FORCES

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

1. Amend § 653.15 to read as follows:

§ 653.15 *Release for induction into the land or naval forces.* (a) The Director of Selective Service may release an assignee from active participation in work of national importance under civilian direction prior to the completion of his period of service for the purpose of permitting him to be inducted into the land or naval forces.

(b) When an assignee makes an application to the Director of Selective Service to volunteer for induction into the land or naval forces for either combatant service or noncombatant service, the local board, upon the written request of the Director of Selective Service, without changing the classification of the assignee, shall (1) mail to such assignee an Order to Report—Preinduction Physical Examination (Form 215), or (2) accomplish the transfer for preinduction physical examination of the assignee to a local board designated by the Director of Selective Service in accordance with § 629.12. The Director of Selective Service will make arrangements for such assignee to be delivered to his local board or to a local board designated by the Director of Selective Service for preinduction physical examination.

(c) When an assignee has been given a preinduction physical examination pursuant to paragraph (b) of this section and has been found acceptable for general military service, the local board, upon the written request of the Director of Selective Service, shall reopen the classification of such assignee and classify him anew in accordance with the provisions of § 623.21.

(d) If an assignee is classified in Class I-A or Class I-A-O pursuant to the provisions of paragraph (c) of this section, the local board shall (1) mail to such assignee an Order to Report for Induction (Form 150), or (2) accomplish the transfer for induction of the assignee to a local board designated by the Director of Selective Service in accordance with § 633.12. The Director of Selective Service will make arrangements for such assignee to be delivered to his local board or to a local board designated by the Director of Selective Service for induction into the land or naval forces.

(e) Whenever an assignee is ordered to report for preinduction physical examination or for induction in accordance with the foregoing paragraphs of this section, he shall retain his status as an assignee until released by the Director of Selective Service and shall remain in camp except as otherwise directed by proper authority. Such assignee shall be furnished necessary Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) for travel between camp and his local board or the local board to which he is transferred for preinduction physical examination or for induction. Provision for transportation and meals of such assignee between the local board and the induction station shall be made in the usual manner.

(f) An assignee's application to volunteer for induction into the land or naval forces either for combatant or noncombatant service shall be submitted to the Director of Selective Service through his camp director. Such appli-

cation need not be in any particular form but shall contain the following information: The assignee's name, his residence address at the time of assignment, the name of the camp to which he is assigned, his order number, the number and location of his local board, a request for immediate induction, and a statement that he desires induction into the land or naval forces for combatant service or for noncombatant service, specifying which type of service he desires. The camp director is not required to approve or disapprove such request but, if he sees fit, he may submit a report concerning the assignee to the Director of Selective Service.

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

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14533; Filed, Sept. 20, 1944; 2:36 p. m.]

## Chapter IX—War Production Board

### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

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

[Priorities Reg. 1, Interpretation 10]

### EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

The following interpretation is issued with respect to Priorities Regulation 1:

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled.

Issued this 21st day of September 1944.

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

[F. R. Doc. 44-14564; Filed, Sept. 21, 1944; 11:21 a. m.]

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

[Priorities Reg. 9, as Amended Sept. 21, 1944]

### PRIORITIES ASSISTANCE FOR THE FOREIGN PETROLEUM INDUSTRY

Section 944.30 *Priorities Regulation 9* is hereby amended to read as follows:

§ 944.30 *Priorities Regulation 9—(a) Scope of this regulation.* This regulation tells how an operator in the petroleum industry may obtain and use priorities assistance for the delivery of material which is to be exported. The forms which are prescribed by this regulation to secure that assistance may be filed by an operator or in his name by any person desiring the export of the material involved. Any such person will be known in this regulation as the applicant. This term shall also include any agency authorized to place delivery orders for such person.

For the purpose of this regulation the terms "MRO material", "construction operation", "natural gasoline production", "transportation", "refining", and "marketing" have the same meaning as in Form WPB-743.

(b) *Requesting priorities assistance for projects.* Form WPB-3649.1 shall be used to request priorities assistance for construction operations (having a total material cost of more than \$10,000 for any one complete operation) if the operation is in connection with natural gasoline production, transportation, refining, marketing, or the following special production operations:

Gas cycling operations for condensate recovery,  
Gas desulfurization operations,  
Pressure maintenance operations, or  
Any gas lift compression plant or field gas booster plant.

(c) *Requesting priorities assistance for materials used in other operations.*

(1) Form WPB-743 shall be used to request priorities assistance for materials to be used in all operations not covered by Form WPB-3649.1. Specifically, Form WPB-743 shall be used to request priorities assistance for: (i) All MRO material; (ii) all material for use in production except for special production and natural gasoline production operations; and (iii) all other construction operations, including special production and natural gasoline production operations, if the total material cost for any one complete operation is \$10,000 or less.

(2) Certain preference ratings and allotment symbols are authorized below for use in securing materials used for the operations covered by Form WPB-743. However, these preference ratings and allotment symbols may not be used to secure the items listed in Schedule I of this regulation. Schedule I items must be applied for specifically on Form WPB-743 and priorities assistance to get

them will be assigned where necessary by specific authorization after approval of the application.

Form WPB-743 must also be used to list, in accordance with instructions from the Petroleum Administration for War, all items for which a preference rating assigned below has been applied.

(3) Except for the items listed on Schedule I of this regulation, an applicant may use the following preference ratings and allotment symbols to get necessary material for the operations covered by Form WPB-743. These ratings and symbols may be used, however, only after the applicant has received specific instructions from the Petroleum Administration for War as to the programs in which the material is to be used. Such instructions will be in accordance with programs approved by the Foreign Petroleum Requirements Committee or the War Production Board.

(i) To obtain MRO material or other material having a cost of no more than \$500 for use in any single operation, the applicant may use the preference rating AA-1 and the appropriate allotment symbol.

This subparagraph does not apply to materials for service stations or retail outlets.

(ii) To obtain material for use in production (except in natural gasoline production or special production operations), the applicant may use the preference rating AA-2X and the appropriate allotment symbol.

(iii) To obtain material for use in a special production operation, or in natural gasoline production, transportation, refining, marketing, or to obtain MRO material for use in a service station or retail outlet, the applicant may use the preference rating AA-3 and the appropriate allotment symbol.

When using the preference rating assigned above, the applicant shall also include the appropriate allotment symbol (E or L) as directed.

(d) *Priorities assistance specifically assigned.* Where an applicant is not entitled to use the priorities assistance authorized in this regulation, one copy of Form WPB-743, Form WPB-3649.1 or other prescribed form will be returned to the applicant accompanied or followed by an authorization indicating the appropriate allotment number or symbol or the preference rating to be used by the applicant in securing delivery of those quantities of material approved on the form. Before using an allotment number or symbol or a preference rating so authorized, the applicant must first have received an export license, a statement of export clearance, or a statement of authority to export (or a copy of such document, as authorized by the issuing agency).

(e) *Use of priorities assistance.* (1) In order to use any allotment number or symbol or preference rating authorized pursuant to this regulation, the applicant must endorse upon or attach to each delivery order the allotment number or symbol and the preference

rating so authorized, as well as a certification in substantially the following form signed manually or as provided in Priorities-Regulation No. 7:

The undersigned purchaser certifies, subject to the penalties of section 35A 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 item(s) 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.

(2) In ordering Class A products, where the supplier requires an allotment, the applicant must make an allotment as explained in CMP Regulation No. 1.

(f) *Effect of revocation of export authority.* If the export license, statement of export clearance, or statement of authority to export any material is revoked or denied, any allotment, allotment number or symbol, or preference rating authorized pursuant to this regulation shall be considered automatically revoked as regards delivery of such material to the applicant. The applicant shall then follow the rules of Priorities Regulation 1 and CMP Regulation 1 applicable to the cancellation or revocation of priorities assistance.

(g) *Limitation on other forms of priorities assistance.* No person to the extent that he is entitled to obtain an allotment, allotment number or symbol or a preference rating pursuant to this regulation or to apply for such on forms prescribed under this regulation shall use any form of priorities assistance otherwise granted. However, this provision shall not prevent the rerating of any delivery pursuant to applicable regulations or procedures or the use of priorities assistance otherwise granted, where specific directions to this effect have been issued.

(h) *Applicability of other regulations.* None of the provisions of CMP Regulation Nos. 2, 5, 5A, 6 or 7 (or the limitations incorporated in any CMP Regulation which otherwise would subject an applicant to the provisions of CMP Regulation Nos. 2, 5, 5A, 6 or 7) shall apply to an applicant to the extent that he is entitled to use Form WPB-743, Form WPB-3649.1, or other form prescribed pursuant to this regulation and no such applicant shall obtain any material under or be limited by the provisions of such regulations or limitations.

Issued this 21st day of September 1944.

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

#### SCHEDULE I

MATERIAL TO BE LISTED ON FORM WPB-743 OR 743-C (SPECIAL INSTRUCTIONS AS TO LISTING MAY FROM TIME TO TIME BE GIVEN BY THE PETROLEUM ADMINISTRATION FOR WAR)

1. Controlled materials as defined in CMP Regulation No. 1 in the following categories:  
Carbon Steel (including wrought iron)  
Alloy Steel

Copper base alloy, sheet and strip  
Copper base alloy rods, bars and wires including extruded shapes  
Copper base alloy tubing and pipe  
Brass mill unalloyed copper products  
Wire mill copper products  
Foundry copper and copper-base alloy products  
Aluminum

NOTE: A listing of these materials may be found in "Products and Priorities" published monthly by the War Production Board.

2. Items on Schedule A of M-328.

3. Lumber.

4. Materials on List B of Priorities Regulation No. 3.

5. Materials covered by Tables 4, 6 and 8 of Order M-293.

[F. R. Doc. 44-14560; Filed, Sept. 21, 1944; 11:21 a. m.]

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

[Priorities Reg. 9, Direction 1]

##### PRIORITIES ASSISTANCE FOR THE FOREIGN PETROLEUM INDUSTRY

The following direction is issued pursuant to Priorities Regulation 9:

(a) *Purpose of this direction.* This direction covers the validity of priorities assistance which has been authorized to get material to be exported and used in petroleum operations outside of the United States, its territories or possessions, or the Dominion of Canada. These petroleum operations are known as the foreign petroleum industry.

(b) *Validity of priorities assistance.* Where priorities assistance to get material to be used in the foreign petroleum industry has been authorized pursuant to Priorities Regulation 9 or any other order or regulation of the War Production Board, but has not been used on a delivery order accepted or made the subject of a War Production Board scheduling direction at the end of six months from the date of issuance of the license or release certificate covering such material, such assistance shall be deemed revoked.

(c) *Special provisions.* The provisions of this direction do not apply to priorities assistance used on delivery orders accepted or made the subject of War Production Board scheduling directions at any time before September 25, 1944. Nothing in this direction is to be construed as invalidating any other limitations on the duration of priorities assistance contained in any other order, regulation or authorization issued by the War Production Board.

Issued this 21st day of September 1944.

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

[F. R. Doc. 44-14561; Filed, Sept. 21, 1944; 11:20 a. m.]

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

[Priorities Reg. 13, as Amended Sept. 21, 1944]

§ 944.34 *Priorities Regulation 13—(a) Purpose of this regulation.* This regulation describes the rules under which materials may be sold by persons who are

not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed or who cannot use the material for the purpose for which he got it, may sell off the idle or excess materials only under the rules of this regulation. If he follows this regulation he does not have to look at any other order or regulation. This regulation also controls all sales by Government Agencies, liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1). Transfers of materials from one plant or operating unit to another which is owned by the same person but which normally purchases separately are considered to be special sales.

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "materials". As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind in finished, semi-finished or raw material form.

(3) "Used materials" means any materials or products which have been put into actual use.

(4) Sales not covered by this regulation. There are six types of sales which are not covered by this regulation. They are the following:

(i) Sales of plant generated scrap meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication.

(ii) Sales of rationed products which are controlled by another Government Agency.

(iii) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(iv) Sales of controlled materials acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(v) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(vi) A sale made by a utility producer under Order U-1 or a petroleum operator under Order P-98-C.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. He need not look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The types of special sales which may be made are the following:

(1) *Materials and products not on List A.* A holder may make a special sale of any material or product not on List A to any producer who makes such a product in the form in which the holder has it, or to a reprocessor, or to a wholesaler or retailer whose regular business is selling that sort of product. He may also sell it to a user, but the user may not use it for a purpose prohibited by War Production Board orders and regulations or he may sell it to a user who has been authorized by the War Production Board to use it for a particular purpose. Such sales may be made without requiring the buyer to apply or extend any preference rating.

(2) *Materials and products on List A.* If the material or product that the holder wants to sell is one of the materials or products listed on List A, the following are the only kinds of special sales that can be made.

(i) Special sales may be made in accordance with List A. That list has two columns showing classes of buyers who might want to buy. Opposite each item on the list in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell any listed item freely to a producer or to a reprocessor unless a note in Column 4 states otherwise. A producer means any person who makes or produces the type of material or product which is being sold, and a reprocessor means any person who remakes, repairs or reworks new, rejected or second grade materials or products.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (PD-470) should be used in applying for permission. It

shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board. If a note in List A states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than \$100 worth of the particular material or product to be sold, unless it is one of the few materials or products for which special rules and amounts are stated in Column 4 of List A. In deciding how much he has and whether he may sell, a holder must count all he has of the same kind or type of material or product. In other words, the right to sell under this subparagraph depends upon the total value (at cost to holder) of the material or product the holder has, not on the quantity he may want to sell at any one time. A holder may treat the inventory of each of his separate plants and operating units separately under this subparagraph.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

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Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph against his CMP allotment account unless Direction 1 to this regulation excuses him from doing so. If the material which the holder wants to sell is steel, he may also sell it to steel warehouses, dealers or distributors as defined in M-21-b-1 and M-21-b-2 on orders bearing the endorsements described in those orders.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. The seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the

size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the regional office of the War Production Board for the region in which the material is located or to the appropriate materials division.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they may do so.

(4) *Sales to Government agencies.* For the purpose of making a settlement of a Government contract surplus materials or products may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if such material is later withdrawn from the contract settlement, its disposition is controlled by this regulation. A person may also sell freely to one of the following Government Corporations or to anyone buying as agent for one of them, even if the surplus materials or products are not involved in a contract settlement: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve or Rubber Reserve Company.

(5) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A restricting the sale of the particular used material which the holder wants to sell.

(6) *Sales of materials or products as scrap.* Unless a note in List A states to the contrary or that another order governs the sale, this paragraph permits the sale as scrap of obsolete, unusable, or not readily salable materials or products which will be used or consumed principally as scrap, although some part of the material or product may possibly be salvaged by the scrap buyer. However, if a contract between the seller and the buyer specifies that the particular material or product being sold as scrap must be used or disposed of as scrap, this regulation does not relieve the buyer from compliance with that condition.

(i) Unless a note in List A states to the contrary or that another order governs the sale, a holder may sell any such material or product as scrap without stripping, disassembling or breaking it up before sale. Such sales may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any War Production Board orders or regulations which apply to the distribution of the particular material.

(ii) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap

and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to sales of the particular materials or products.

(d) *Transfers of surplus Government owned materials or products.* (1) May be made freely to the Government Disposal Agencies, and

(2) May be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, and the Defense Plant Corporation, and from the Government Disposal Agencies to any of the above, unless a note in Column 4 of List "A" indicates otherwise.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.*

(1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material, a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulation which say that this regulation does not apply may be disregarded. To find the rules for making a special sale there is no need to refer to any orders or regulations other than Priorities Regulation 13.

(3) (i) The buyer may not violate any regulation or order controlling the quantity of material which he may buy or the amount of any product he may make or the use or disposition that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) *Inventories.* A person buying for use may receive any item of surplus materials or products if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding six months' requirements. This permits a person to exceed applicable inventory limits only if he acquires such excess under this regulation. This limitation does not apply to receipts of capital equipment. It also does not apply to persons buying for resale.

(iii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iv) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show

that the sale was permitted under this regulation.

(h) *Letters and questions.* Any letters or questions about this regulation should be sent either to the War Production Board in Washington, marked "Ref: P. R. 13", or to any of the field offices of the War Production Board.

(i) *Revisions of List A.* List A attached to this regulation will be revised from time to time. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 21st day of September 1944.

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

LIST A

NOTE: List A Amended September 21, 1944.

*Explanation of List A.* Column (1) of List A lists the materials or products that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Columns (2) and (3) each apply to a type of possible sale. Opposite each material or product in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) refers to persons buying for uses permitted by War Production Board orders and regulations or for uses authorized by the War Production Board.

Column (3) refers to persons who are regularly engaged in distributing the material the holder has, like a dealer in chemicals or textiles. A dealer means any wholesaler or retailer whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products either to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such persons are not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by them.

Column (4). The provisions in Column (4) applicable to the particular material or product must be followed.

If the list shows "No," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in Column (4) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5", it means that the holder can sell to anyone who has an AA-5 or higher priority rating which he has extended to the holder for the particular sale. This regulation does not in any way assign priority ratings.

If the list shows "W. O. P.", it means the holder can sell to the class of buyer listed at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X", it means that for the particular material or product the column in which it appears is not applicable.

List A is divided into four parts as follows:  
Part I—Metals and Metallic Ores.  
Part II—Chemicals.  
Part III—Miscellaneous Materials.  
Part IV—Products.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)	Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
<b>PART I—METALS AND METALLIC ORES</b>				<b>PART I—METALS, ETC.—continued</b>			
Aluminum (new and used)*:			*Sales as scrap governed by M-1-d.	Inconel (see Nickel).			
In controlled material form.	No**	WOP	**Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation.	Monel (see Nickel).	No	WOP	
Not in controlled material form.	WOP	WOP		Nickel (new and used):			
Babbitt (see Tin).				Nickel pig, ingot, cathode, pellet, shot and anode.	PR-AA5	WOP	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Beryllium*	No	WOP	*Includes ores, concentrates, and metal beryllium.	Other nickel* (including monel and inconel).			
Bismuth	No	WOP		Chemicals (see Chemicals).			
Brass (see Copper).				Platinum:	WOP	WOP	*May not be used for jewelry.
Brass mill and wire mill products (see Copper).				Platinum	WOP	WOP	*Certification required (see Schedule II, M-43).
Bronze (see Copper).				Solder*	WOP	WOP	*Pursuant to paragraph (c) (2) (iv), a holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him does not exceed \$50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment (hot rolled or cold finished) chemistry, specifications, finish and size.
Cadmium:				Steel, alloy and carbon (including wrought iron)*			**Sales as scrap are governed by the following applicable orders: Direction 4 to M-21-a, M-24, M-24-b, and M-24-c.
Cadmium* (new and used).	No	WOP	*Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material.	***			
Chemicals (see Chemicals)			**Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.	In Controlled material form:			
Chromium	No	No		Alloy steel castings	WOP	WOP	
Copper*			*Sales of copper as scrap are governed by Order M-9.	Axles (railway)	WOP	WOP	
In controlled material form (new and used) 1, 2.			1 A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in paragraph (c) (2) (iv) of this regulation) does not exceed \$25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.	Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	WOP	WOP	
			2 Only to fill orders under paragraph (c) (2) (v) and (vi) of this regulation.	Sheet piling	WOP	WOP	
			3 Only to warehouses as defined in CMP Regulation 4, paragraph (e) (3) or to fill orders under paragraph (c) (2) (v) of this regulation.	Tin plate,terne plate, and tin mill black plate.	WOP	No**	**Only to fill orders under paragraph (c) (2) (v) and (vi) of the regulation.
			4 Only to persons, including producers and reproducers, authorized to accept delivery pursuant to Copper Order M-9 as amended.	Tires	WOP	WOP	
			5 For the purpose of this order the only reproducers of copper controlled materials are re-roll, redraw or insulating mills. Material may be sold only to such mills as have been authorized to accept delivery of intermediate shapes pursuant to Copper Order M-9 as amended.	Wheels	WOP	WOP	
			6 Copper base alloy rod (.0907" diameter and over) and copper and copper base alloy tube (4" O. D. and over) may not be transferred pursuant to paragraph (d) (2) of this order.	All other controlled material forms of steel (including wrought iron)*	No**	No**	*See CMP Regulation 1 for list of controlled material forms.
			7 Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat.	Not in controlled material form.	WOP	WOP	
				Tantalum*	No	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
				Tin:	No	No	*Certification required (see Schedule III, M-43).
				Tin	WOP	WOP	
				Babbitt or other high tin alloys (containing more than 12% tin)*			
				Tin solder (see Solder).	PR-AA5	WOP	
				Welding rods and electrodes.			
				Wrought iron (see Steel).			
				<b>PART II—CHEMICALS, CHEMICALS LISTED HEREIN WHEN SOLD UNDER TRADE NAMES MAY BE SOLD AS PROVIDED FOR THE PARTICULAR CHEMICAL</b>			
				<b>ALLOCATED CHEMICALS*</b>			
							*Any of the following allocated chemicals may be sold freely to a user. However, if the buyers' aggregate purchases exceed the small order exemption for the particular chemical as described in the applicable order, the buyer must make application on form WPB-2945 or by letter to the Chemical Bureau, War Production Board, Washington, D. C., for permission to use the particular chemical.
Electrical resistance material.*	PR-AA5	WOP		Acetaldehyde	WOP	WOP	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.
				Acetic anhydride*	WOP	WOP	



LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)	Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART II—CHEMICALS, ETC.—continued				PART II—CHEMICALS, ETC.—continued			
Allocated Chemicals—Con.				Chloride of lime*	WOP	WOP	*Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Acetone	WOP	WOP		Chlorine	WOP	WOP	
Acetylene black	WOP	WOP		Chlorinated hydrocarbon solvents	WOP	WOP	
Acids:				Chlorinated Rubber (see Rubber, Part III)			
Acetic	WOP	WOP	*Includes all derivatives except nylon.	Chrome pigments:			
Adipic*	WOP	WOP		Class A*	WOP	WOP	*Class A products, subject to quota (see M-370).
Anhydrous hydrofluoric	WOP	WOP		Class B	WOP	WOP	
Arsenous*	WOP	WOP	*Also called arsenic trioxide and white arsenic.	Chromolium Chemicals:			
Citric	WOP	WOP		Ammonium bichromate	WOP	WOP	
Lactic	WOP	WOP		Chromic acid	WOP	WOP	
Maleic	WOP	WOP		Chromium tanning compounds:			
Naphthenic	WOP	WOP		Sodium bichromate	WOP	WOP	
Nicotinic	WOP	WOP		Sodium chromate	WOP	WOP	
Phosphoric (by-product)	WOP	WOP		Potassium bichromate	WOP	WOP	
Sulfuric	WOP	WOP		Potassium chromate	WOP	WOP	
Alcohols:				Cobalt oxide	WOP	WOP	
Butyl*	WOP	WOP	*Includes isobutyl, secondary butyl and tertiary butyl.	Copper carbonate	WOP	WOP	
Ethyl	WOP	WOP		Copper chloride	WOP	WOP	
Hexahydric alcohols:				Copper cyanide	WOP	WOP	
d-Sorbitol	WOP	WOP		Copper oxide (except cuprous oxide)	WOP	WOP	
Technical grade:				Copper sulphate	WOP	WOP	
d-Sorbitol	WOP	WOP		Cotton pulp, chemical	WOP	WOP	
Mannitol-crystalline	WOP	WOP		Cresols: ortho, meta, and para	WOP	WOP	
Higher Aliphatic Alcohols:				Cuprous oxide	WOP	WOP	
Capryl*	WOP	WOP	*Also called methyl hexyl carbinol or 2-Octanol.	Cyanamid	WOP	WOP	
Normal octanol	WOP	WOP		Cyanide (sodium)	WOP	WOP	
Normal decanol	WOP	WOP		DDT	WOP	WOP	
Lauryl alcohol	WOP	WOP		Diacetone	WOP	WOP	
Mixed aliphatic alcohols	WOP	WOP		Diamyl phthalate	WOP	WOP	
Octanol	WOP	WOP		Di-butoxy ethyl phthalate	WOP	WOP	
2-ethyl hexanol	WOP	WOP		Dihutyl phthalate	WOP	WOP	
Isopropyl	WOP	WOP		Dicapryl phthalate	WOP	WOP	
Methyl (methanol)	WOP	WOP		Dichloroethyl ether	WOP	WOP	
Alkanolamines	WOP	WOP		Dichlorodifluoromethane	WOP	WOP	
Allyl Alcohol	WOP	WOP		Dichlorostyrene	WOP	WOP	
Allyl Chloride	WOP	WOP		Dicyandiamide	WOP	WOP	
Aluminum hydrate	WOP	WOP		Di-cyclohexyl phthalate	WOP	WOP	
Aluminum chloride, anhydrous	WOP	WOP		Diethanolamine	WOP	WOP	
Ammonia:				Diethyl ethanolamine	WOP	WOP	
By-product ammonia*	WOP	WOP	*Including salts and solutions.	Diethyl phthalate	WOP	WOP	
Sulphate of ammonia*	WOP	WOP	*Containing 20.6% nitrogen or less.	Di-2-ethyl hexyl phthalate	WOP	WOP	
Synthetic ammonia*	WOP	WOP	*Including salts and solutions.	Di-ethoxy ethyl phthalate	WOP	WOP	
Ammonium silicofluoride	WOP	WOP		D1-methyl cyclohexyl phthalate	WOP	WOP	
Aniline, aniline oil	WOP	WOP		Dimethyl amines	WOP	WOP	
Aromatic solvents*	WOP	WOP	*Holder must notify purchaser whether class A or B solvent as defined in Order M-150.	Dimethyl phthalate	WOP	WOP	
Barbasco root	WOP	WOP		Dipentene	WOP	WOP	
Barium carbonate	WOP	WOP		Diphenylamine*	WOP	WOP	*Also called phenylaniline.
Barium chloride	WOP	WOP		Dyestuffs and organic pigments	WOP	WOP	
Benzaldehyde	WOP	WOP		E. W. naphtha	WOP	WOP	
Benzene	WOP	WOP		Ethyl acetate	WOP	WOP	
Benzene containing oils	WOP	WOP		Ethyl phthalyl ethyl glycolate	WOP	WOP	
Beryllium chemicals	WOP	WOP		Ferro-Ferri-Cyanides:			
Butadiene	WOP	WOP		Sodium Ferro-cyanide	WOP	WOP	
2-butanol	WOP	WOP		Potassium Ferro-cyanide	WOP	WOP	
Butyl phthalyl butyl glycolate	WOP	WOP		Potassium Ferri-cyanide	WOP	WOP	
Cadmium pigment	WOP	WOP		Potassium-Sodium-ferri-cyanide	WOP	WOP	
Caffeine	WOP	WOP		Formaldehyde	WOP	WOP	
Calcium carbide	WOP	WOP		Furfural	WOP	WOP	
Calcium hypochlorite, high test.*	WOP	WOP	*Available chlorine content 65% or more by weight.	Gasoline Gum Inhibitors	WOP	WOP	
Calcium metal	WOP	WOP		Glycols:			
Other forms	WOP	WOP		Ethylene glycol	WOP	WOP	
Carbolates, containing 10% or more of phenols (see Phenols)	WOP	WOP		Triethylene glycol	WOP	WOP	
Carbon black	WOP	WOP		Mixed glycols	WOP	WOP	
Carbon tetrachloride	WOP	WOP		Glycol ethers:			
Castor oil phthalate	WOP	WOP		Monobutyl ether of ethylene glycol	WOP	WOP	
Castor oil phthalate hydro-generated	WOP	WOP		Monomethyl ether of ethylene glycol	WOP	WOP	
Charcoal	WOP	WOP		Monoethyl ether of ethylene glycol	WOP	WOP	
Chlorate and perchlorate chemicals.*	WOP	WOP	*Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates, perchloric acid, and any other chlorate or perchlorate chemical.	Monoethyl ether of diethylene glycol	WOP	WOP	
				Guanidine	WOP	WOP	
				Hexamethylenetetramine	WOP	WOP	
				Hydrogen peroxide	WOP	WOP	
				Isobutyl castor oil phthalate	WOP	WOP	
				Isopropyl acetate	WOP	WOP	
				Lacquer, lacquer thinners (see protective coatings)			
				Lithium chemicals*	WOP	WOP	*Excluding crude lithium sodium phosphate.
				Maleic anhydride	WOP	WOP	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
<b>PART II—CHEMICALS—CON.</b>				<b>PART II—CHEMICALS—CON.</b>			
Methanol.....	WOP.....	WOP.....		Plastics, Etc.—Continued.			
Methyl ethyl ketone.....	WOP.....	WOP.....		Acrylic Monomers, Etc.—Continued.			
Methyl isobutyl ketone.....	WOP.....	WOP.....		Cast sheet—odd szs.....	WOP.....	WOP.....	
Methyl phthalyl ethyl glycolate.....	WOP.....	WOP.....		Molding sheet.....	WOP.....	WOP.....	
Monochlorodifluoromethane.....	WOP.....	WOP.....		Molding powder.....	WOP.....	WOP.....	
Monoethanol amine.....	WOP.....	WOP.....		Cast shapes.....	WOP.....	WOP.....	
Monomethyl amines.....	WOP.....	WOP.....		Tube.....	WOP.....	WOP.....	
Naphthalene.....	WOP.....	WOP.....		Rod.....	WOP.....	WOP.....	
Naphthenates.....	WOP.....	WOP.....		Solution.....	WOP.....	WOP.....	
Naphtha, high flash.....	WOP.....	WOP.....		Emulsion.....	WOP.....	WOP.....	
Nickel chemicals (salts, oxides and carbonates).....	WOP.....	WOP.....		Monomer.....	WOP.....	WOP.....	
Oleum.....	WOP.....	WOP.....		Granular polymers.....	WOP.....	WOP.....	
Oxidized petrolatum.....	WOP.....	WOP.....		Acrylonitrile.....	WOP.....	X.....	
Parafornaldehyde.....	WOP.....	WOP.....		Casein*.....	WOP.....	WOP.....	*May not be scrapped.
Pentacrythritol.....	WOP.....	WOP.....		Cellulose acetate: Sheet, rod and tube*.....	WOP.....	WOP.....	*In primary unfabricated forms.
Perchlorate chemicals.....	WOP.....	WOP.....		Molding powder*.....	WOP.....	WOP.....	*May not be scrapped.
Perchloroethylene.....	WOP.....	WOP.....		Cellulose acetate butyrate: Sheet, rod and tube*.....	WOP.....	WOP.....	*In primary unfabricated forms.
Perchloric acid.....	WOP.....	WOP.....		Molding powder*.....	WOP.....	X.....	*May not be scrapped.
Phenols**.....	WOP.....	WOP.....	*Includes: phenol, cresols and Xylenols and mixtures thereof.	Cellulose ester flake.....	WOP.....	WOP.....	
Phosphorus (yellow and white).....	WOP.....	WOP.....		Ethyl cellulose.....	WOP.....	No.....	
Phthalic anhydride.....	WOP.....	WOP.....		Glue, hide, and extracted green bone*.....	WOP.....	WOP.....	*May not be scrapped.
Pine oil.....	WOP.....	WOP.....		Laminated plastics.....	WOP.....	WOP.....	
Pine tar.....	WOP.....	WOP.....		Melamine molding compounds*.....	WOP.....	X.....	*May not be scrapped.
Plasticizers:				Melamine resins.....	WOP.....	WOP.....	
Phosphate.....	WOP.....	WOP.....		Nitro-cellulose.....	WOP.....	WOP.....	
Phthalate.....	WOP.....	WOP.....		Phenolic molding compounds*.....	WOP.....	X.....	*May not be scrapped.
Polydichlorostyrene.....	WOP.....	WOP.....		Phenolic resins*.....	WOP.....	X.....	*May not be scrapped.
Potas*.....	WOP.....	WOP.....	*Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia and run-of-the-mine potash.	Phthalic alkyd resins.....	WOP.....	WOP.....	
Potassium tantalum fluoride.....	WOP.....	WOP.....		Polyethylene.....	WOP.....	X.....	
Pyrethrum.....	WOP.....	WOP.....		Polystyrene.....	WOP.....	X.....	*May not be scrapped.
Pyridine.....	WOP.....	WOP.....		Tapioca*.....	WOP.....	WOP.....	*May not be scrapped.
Pyronate.....	WOP.....	WOP.....		Urea molding compounds*.....	WOP.....	X.....	*May not be scrapped.
Rhodium chemicals.....	WOP.....	WOP.....		Urea resins.....	WOP.....	WOP.....	
Rotenone.....	WOP.....	WOP.....		Vinyl polymers.....	WOP.....	X.....	
Rubber, synthetic (see Rubber, Part III).....	WOP.....	WOP.....		Vinyl acetate*.....	WOP.....	X.....	*May not be scrapped.
Sodium metasilicate.....	WOP.....	WOP.....		Vulcanized fibre, sheet.....	WOP.....	X.....	
Sodium nitrate.....	WOP.....	WOP.....		Vulcanized fibre, tube.....	WOP.....	X.....	
Sodium perborate.....	WOP.....	WOP.....					
Sodium phosphate.....	WOP.....	WOP.....		<b>PROTECTIVE COATINGS:</b>			
Stabilized rosin.....	WOP.....	WOP.....		Paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, and stain containing any of the ingredients listed in Column 4.**	WOP*.....	WOP.....	*A holder may sell 275 gallons monthly (aggregate of all types) to anyone for any purpose. He may also sell any quantity to anyone for the same use for which the item was originally acquired. Otherwise he may apply (on WPB-1161) for permission to sell, giving required information in full including buyer's intended use.
Thiamine hydrochloride.....	WOP.....	WOP.....					**Acetone or diacetone, benzol, butyl alcohols or butyl acetates, cadmium pigments, chromium oxide pigment, cuprous oxide pigment, zinc chromate pigment, ethyl or isopropyl acetates, ethyl cellulose, E. W. naphtha, isopropyl alcohol, methyl isobutyl ketone, methyl ethyl ketone, paraphenyl or butyl phenol resins, phosphate plasticizers, phthalate plasticizers, phthalic alkyd resins, toluene, vinyl polymers, and xylene.
Tin chemicals.....	WOP.....	WOP.....					
Toluene (toluol).....	WOP.....	WOP.....					
Tributyl glycerol triphthalate.....	WOP.....	WOP.....					
Trichlorethylene.....	WOP.....	WOP.....					
Tungsten chemicals.....	WOP.....	WOP.....					
Ultramarine blue.....	WOP.....	WOP.....					
Uranium chemicals.....	WOP.....	WOP.....					
Vanadium chemicals.....	WOP.....	WOP.....					
Varnishes.....	WOP.....	WOP.....					
Xylenols.....	WOP.....	WOP.....					
Xylol.....	WOP.....	WOP.....					
Zinc oxide.....	WOP.....	WOP.....					
<b>PLASTICS, ADHESIVES AND SYNTHETIC RESINS:</b> *							
Acrylic Monomers and Acrylic Resins: Cast sheet—std. szs.....	WOP**.....	WOP.....	*Any of the following plastics, adhesives or synthetic resins (except phthalic alkyd resins) may be sold freely to a user. However, if the buyers' aggregate purchases exceed the small order exemption for the particular chemical as described in the applicable order, the buyer must make application on form WPB-2045 or by letter to the Chemicals Bureau, War Production Board, Washington, D. C., for permission to use the particular chemical.	Paints, other.....	WOP.....	WOP.....	
				Tantalum chemicals*.....	No.....	No.....	*Potassium tantalum fluoride, tantalum oxide, tantalum carbide.
				<b>PART III—MISCELLANEOUS MATERIALS</b>			
				Agave cordage*.....	WOP.....	WOP.....	*See footnote.
				Agave fibre:			
				Suitable for cordage.....	No.....	No.....	
				Not suitable for cordage*.....	WOP.....	No.....	*See footnote.
				Burlap*.....	WOP.....	WOP.....	*See footnote.
				Cantaia (see Agave fibre).....			

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (e) (1).

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
<b>PART III—MISCELLANEOUS—continued</b>				<b>PART III—MISCELLANEOUS—continued</b>			
Cattlehides, calf and kip skins (raw)*.	No.....	WOP.....	*This includes the whole skins or portions thereof other than spits or glue stocks.	Slide fasteners **	No *.....	No.....	*Sales of slide fasteners may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission, or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the slide fasteners in a product being manufactured by him. Otherwise may be sold only on WPB authorization.
Coir fibre*.	WOP.....	WOP.....	*See footnote.				
Cordage (see Rope).							
Cotton duck (see Duck).							
Cotton linters* (chemical grade).	No.....	WOP.....	*Produced after July 31, 1943.				
Duck cotton.	No.....	No.....	*May not be sold to a producer or a reprocessor.				
(Width 15" or wider)*.							
Feathers: Waterfowl (new or used).	No*.....	WOP.....	*Only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.				
Flax fibre products*.	WOP.....	WOP.....	*See footnote.				
Flax fibre*.	WOP.....	WOP.....	*See footnote.	Sole leather (see Leather). Tanning material, vegetable.*	No.....	No.....	*Only to Defense Supplies Corp. or any other agency designated by WPB.
Graphite, strategic grades.	No.....	No.....					
Hemp sunn*.	WOP.....	WOP.....	*See footnote.				
Hennequen (see agave fibre).							
Istic raw* (unprocessed).	WOP.....	WOP.....	*See footnote.	Wood pulp.....	No.....	No.....	
Jute*.				Woods:			
Raw jute.	WOP.....	WOP.....	*See footnote.	Lumber:			
Jute products.	WOP.....	WOP.....		Softwood lumber.....	PR-AA5**	WOP.....	**Buyers must give certificate stated in paragraph (q) (1) of Order L-335 or holder may sell without rating if buyer gives certificate stated in paragraph (q) (2) of that order.
Kapok*.	No.....	No.....	*May be sold only to Defense Supplies Corporation.	Hardwoods except mahogany.	PR-AA5**	WOP.....	
Lacquer, lacquer thinners (see Protective Coatings, Part II).							
Leather (Purchased to fill a military order). Includes leather made from cattle hides, calf, kip skins, horse-hide fronts, goat-skins, cabretta and deer-skins.	No.....	No.....		Plywood:			
Logs (see Woods).				Softwood.....	PR-AA2X..	WOP.....	
Loofa sponges*.	PR-AA5....	WOP.....	*Suitable for military use.	Zippers (see Slide fasteners).			
Manuey (see Agave fibre).			*See footnote.				
Manila fibre and cordage*.				<b>PART IV—PRODUCTS</b>			
Cordage.....	WOP.....	WOP.....		<b>Automotive Equipment: 1</b>			
Fibre.....	No**.....	No.....	**May be sold WOP to the U. S. Navy.	Axles.....	WOP.....	WOP.....	
				Brakes.....	WOP.....	WOP.....	
Nylon, includes fibers, yarn, thread and fabrics made of nylon*.	No.....	No.....	*See footnote.	Clutches.....	WOP.....	WOP.....	
Nylon waste.....	No.....	No.....		Propeller shafts.....	WOP.....	WOP.....	
Paints (see Protective Coatings, Part II).				Rims.....	WOP.....	WOP.....	
Plywood (see Woods).				Transfer cases.....	WOP.....	WOP.....	
Rayon yarn, high tenacity*.	No.....	No.....	*See footnote.	Transmissions.....	WOP.....	WOP.....	
Rayon yarn reserved*.	No.....	No.....	*See footnote.	Wheels.....	WOP.....	WOP.....	
Rope*.	WOP.....	WOP.....	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns. May not be sold to a reprocessor.	<b>Engines:</b>			
				Air-cooled gasoline engines (except aircraft propulsion).	WOP.....	WOP.....	
Rubber:				Diesel and gas (not gasoline) (non-marine only) over 750 revolutions per minute.	WOP.....	WOP.....	
Latex and crude.....	No.....	No.....		Liquid-cooled gasoline engines (except aircraft propulsion).	WOP.....	WOP.....	
Balata.....	No.....	No.....		Internal combustion engine components except those used on aircraft propulsion engines.	WOP.....	WOP.....	
Compounded latex.....	No.....	No.....		Camshafts, finished.....	WOP.....	WOP.....	
Chlorinated.....	No.....	WOP.....		Carburetors, gasoline.....	WOP.....	WOP.....	
Synthetic, except GR-S (Buna-S).	No.....	WOP.....		Connecting rods, internal combustion engine.	WOP.....	WOP.....	
Buna-S.....	WOP.....	WOP.....		<b>Crankshafts: finished drop-forged crankshafts for internal combustion engines and finished cast crankshafts for internal combustion engines of 750 revolutions per minute and up.</b>	WOP.....	WOP.....	
Reclaimed.....	WOP.....	WOP.....		Electric starting motors engine mounted only.	WOP.....	WOP.....	
Rubber products:				Exhaust and intake valves and seats, internal combustion engine.	WOP.....	WOP.....	
Cement.....	WOP.....	WOP.....					
Elastic thread.....	No.....	No.....					
Elastic fabrics.....	No.....	No.....					
Yarn.....	No.....	No.....					
Other products.....	WOP.....	WOP.....					
Silk:							
Raw.....	No.....	No.....					
Waste, noils, etc.	WOP*.....	WOP.....	*Use certificate required.				
Sisal (see Agave fibre).							

\*May not be sold to a reprocessor.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)	Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—PRODUCTS—con.				PART IV—PRODUCTS—con.			
Automotive Equipment—Continued.				Construction Machinery—Continued.			
Friction bearings, excluding lineshaft, pillow block vertical step, water lubricated ship stern, tube, strut, rudder shaft or railroad type.	WOP.....	WOP.....		Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those intermediate sizes as indicated in Schedule D (Ref. L-217), and except those sizes of a type designed exclusively for mining and smelting.	No*.....	WOP.....	
Fuel injection equipment.	WOP.....	WOP.....		Crushers, roll, construction aggregates, portable types except those sizes and types as indicated in Schedule D (Ref: L-217).	No*.....	WOP.....	
Generators, internal combustion engine mounted.	WOP.....	WOP.....		Crushing plants, portable type.	No*.....	WOP.....	
Magnetic starting switches internal combustion engine.	WOP.....	WOP.....		Distributors, bituminous.	No*.....	WOP.....	
Magnetos.....	WOP.....	WOP.....		Distributors, water (street sprinklers and flushers).	No*.....	WOP.....	
Mechanical governors.	WOP.....	WOP.....		Ditchers, ladder and wheel types.	No*.....	WOP.....	
Piston rings.....	WOP.....	WOP.....		Draglines, slack line and walking types (other types—see Cranes).	No*.....	WOP.....	
Radiators.....	WOP.....	WOP.....		Dredges and dredge equipment, except mining.	No*.....	WOP.....	
Voltage regulators, internal combustion engine.	WOP.....	WOP.....		Drilling machines, portable water well and blast hole drills, churn drill type.	No*.....	WOP.....	
Bearings, anti-friction, including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	No <sup>1</sup> .....	No <sup>1</sup> .....	<sup>1</sup> Sales of excess bearings are limited to the following: 1. To any producer of bearings, but not to a reprocessor unless the sale is specifically authorized by the War Production Board; or 2. To the original supplier; or 3. On any AAA order; or 4. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 5. If the quantity to be sold in any month costs less than \$250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 6. Specific sales authorized by the War Production Board.	Dryers, construction aggregates.	No*.....	WOP.....	
				Earth boring machines, vertical auger type (except post hole diggers).	No*.....	WOP.....	
				Finishers, paving (concrete or bituminous).	No*.....	WOP.....	
				Graders, earth moving (motor blade and elevating types).	No*.....	WOP.....	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any lend-lease country otherwise may be sold only on WPB authorization (Form WPB-1319).
				Heaters and circulators, tank car.	No*.....	WOP.....	
				Holsts, contractors and material handling exceeding 6,000 lbs. line pull at 250 FPM line speed or exceeding 1,300,000 foot lbs. effort based on second wrap of cable.	No*.....	WOP.....	
				Jacks, mud.....	No*.....	WOP.....	
				Loaders, portable bucket (other than drag, flight or scraper type coal conveyors).	No*.....	WOP.....	
				Loaders, portable snow.....	No*.....	WOP.....	
				Logging arches, tractor drawn.	No*.....	WOP.....	
				Maintainers, road (complete machines).	No*.....	WOP.....	
				Mixers, concrete construction above 7 cubic ft. except those sizes and types as indicated in Schedule D (Ref: L-217).	No*.....	WOP.....	
Construction Machinery (new):				Mixers, concrete truck or agitator type (with or without elevating towers) except those sizes and types as indicated in Schedule D (Ref: L-217).	No*.....	WOP.....	
Angledozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).	No*.....	WOP.....	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any lend-lease country; otherwise may be sold only on WPB authorization (Form WPB-1319).	Pavers, concrete.....	No*.....	WOP.....	
Batchers, construction material.	No*.....	WOP.....		Plants, asphalt, including travel mix type.	No*.....	WOP.....	
Batching plants, construction type.	No*.....	WOP.....		Plants, bituminous patch, hot or cold mixer type (more than 10 tons per hour capacity).	No*.....	WOP.....	
Bins, construction material, portable and stationary types.	No*.....	WOP.....		Plants soil stabilizing.....	No*.....	WOP.....	
Bulk cement handling plants.	No*.....	WOP.....		Plows, snow (rotary and blower types).	No*.....	WOP.....	
Bulldozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).	No*.....	WOP.....		Plows, snow (V and blade types) truck, grader or railroad mounted or mounted on tractors of more than 25 horse power, including wings.	No*.....	WOP.....	
Cranes, attachments for tractor mounting.	No*.....	WOP.....					
Cranes, crawler and rubber tired mounted power, and modifications thereof, except freight handling lift trucks.	No*.....	WOP.....					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)	Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—PRODUCTS—con.				PART IV—PRODUCTS—con.			
Construction Machinery—Con.				Construction Machinery—Con.			
Power control units for tractors (both cable and hydraulic).	No.*	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any lend-lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).	Tractors, crawler or track-laying type, all gauges, bare and including tractor mounted equipment, such as bulldozers, angle-dozers, cranes, loaders, power control units, etc. (all Diesel and semi-Diesel powered models) and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No.*	WOP	ery for the purpose of resale.
Pumps, concrete, except for well cementing.	No.*	WOP		2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer.			
Pumps, portable engine or electric motor driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, except those sizes and types as indicated in Schedule D, (Ref: L-217).	No.*	WOP		3. Sales by any Governmental agency to any other Governmental agency.			
Rollers, road (pneumatic tired, portable, tandem and three wheeled types).	No.*	WOP		4. Sales by Farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.			
Scrapers, carrying and hauling both drawn and self-propelled, except sizes listed in Schedule D and those under 2 cubic yards truck capacity.	No.*	WOP		4. A holder may only sell to a user who requires V-boxes to fill an order for the military or Lend-Lease specifying such boxes.			
Shovels, attachments for tractor mounting.	No.*	WOP		5. Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-86.			
Shovels, crawler and rubber tired mounted power, and modifications thereof.	No.*	WOP		6. With hole diameter of 0.0015 and smaller. Rejected components.			
Sprayers (maintenance units) bituminous material (over 300 gallon capacity).	No.*	WOP		7. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction, provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any person making a special sale of such components must secure and retain a written statement of Army or Navy Inspectors that the components are military rejects and must maintain records of such sales in accordance with Paragraph (g) of this regulation.			
Spreaders, concrete paving.	No.*	WOP		7. Electronic parts or equipments may not be sold as scrap if operable or saleable as electronic parts or units.			
Sweepers: motor pick-up, traction driven or engine driven.	No.*	WOP					
Wagons, crawler trailer (contractors', logging, cane, etc.).	No.*	WOP					
Washing and screening plants, portable type.	No.*	WOP					
Wheels, crawler trailer (complete assemblies).	No.*	WOP					
Winches, tractor mounted.	No.*	WOP					
Construction Machinery (used):							
Backhoes, power crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No.*	WOP	1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machin-	Containers: V-boxes (corrugated and solid fibre).	WOP	WOP	
Cranes, power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No.*	WOP		Compressed gas cylinders.	PR-AA5	PR-AA5	
Draglines, power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No.*	WOP		Diamond dies (small)*	No.	No.	
Motorgraders, self-propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four-wheel drive types.	No.*	WOP		Electronic parts and equipment	PR-AA5	PR-AA5	
Shovels, power, crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930).	No.*	WOP		Electronic equipments	PR-AA5	PR-AA5	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (e) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)	Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—PRODUCTS—CON. Electronic parts and equipment—Continued.				PART IV—PRODUCTS—CON. Engines etc.—Continued.			
Capacitors (variable).....	PR-AA5.....	PR-AA5.....					
Capacitors (fixed):	PR-AA5.....	PR-AA5.....					
Exceptions:							
Molded mica capacitors and ceramic capacitors may be sold freely.	WOP.....	WOP.....					
Coaxial cable.....	PR-AA5.....	PR-AA5.....					
Crystal Assemblies.....	PR-AA5.....	PR-AA5.....					
Instruments, electrical indicating, combat type. <sup>8</sup>	PR-AA5.....	PR-AA5.....	<sup>8</sup> Except fire control equipment, and navigation instruments.				
Insulators.....	PR-AA5.....	PR-AA5.....	<sup>9</sup> Ceramic, malleable, plastic.				
Loudspeakers.....	PR-AA5.....	PR-AA5.....					
Microphones.....	PR-AA5.....	PR-AA5.....					
Relays, other than motor control relays, as used in radio communication equipment.	PR-AA5.....	PR-AA5.....					
Resistors (radio and radar).	PR-AA5.....	PR-AA5.....					
Exceptions: Non-insulated fixed composition resistors and attenuators (not including standard type rheostats and potentiometers when used as attenuators) may be sold freely.							
Sockets, tube (radio and radar).	WOP.....	WOP.....					
Test equipment (new and used). <sup>10</sup>	PR-AA5.....	PR-AA5.....	<sup>10</sup> All items cleared as recognized B-1 items (standard) electronic.	Mining equipment and machinery <sup>11</sup> (new and used).	No.....	No.....	<sup>11</sup> Any equipment or machinery (whether mining construction, industrial, or otherwise) acquired by a producer as defined in P-56 or which was in use in, or held in connection with a nonessential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in P-56, who holds a serial number under P-56, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Transformers and reactors. <sup>11</sup>	No.....	No.....	<sup>11</sup> Radio and Radar including coils and chokes other than R. F. and J. F.	Paper mill machinery (new and used).	No <sup>12</sup> .....	WOP.....	<sup>12</sup> May be sold only on WPB authorization on Form WPB-1319.
Tubes (radio and radar).	PR-AA5.....	PR-AA5.....		Refrigerators, domestic mechanical. <sup>13</sup>	No <sup>13</sup> .....	No <sup>13</sup> .....	<sup>13</sup> May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only, otherwise WPB Form 867 is required.
Vibrator <sup>12</sup> .....	PR-AA5.....	PR-AA5.....	<sup>12</sup> A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.				<sup>14</sup> WPB Form 869 required.
Engines, marine Diesel.....	No <sup>13</sup> .....	No <sup>14</sup> .....	<sup>13</sup> Does not apply to the sale, exchange or other transfer of marine Diesel engines between the Army, Navy, Maritime Commission, War Shipping Administration,	Slide fasteners (See Part III).			<sup>15</sup> No new refrigerators may be sold as scrap without WPB authorization (Apply on Form WPB-869).

DIRECTION 1

SPOT AUTHORIZATIONS UNDER PRIORITIES  
REGULATION NO. 25

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA-5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit

the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board. (Issued Aug. 30, 1944.)

[F. R. Doc. 44-14559; Filed, Sept. 21, 1944; 11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO  
THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Sept. 21, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4—(a) Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one dis-

tributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who,

in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order bearing a specific allotment number which requires a quarterly identification after the end of the quarter for which the allotment was issued, and he must not deliver any steel on such an order earlier than 15 days before the beginning of such period. However, he may deliver steel on an order properly accepted at any time during such quarter or any following quarter. For example, a distributor may accept an order bearing the allotment number N-1-4Q44 any time prior to January 1, 1945, but he may not deliver any material on such an order earlier than September 16, 1944. Orders bearing symbols which do not require a quarterly identification, such as MRO (see Interpretation 25 to CMP Regulation No. 1) are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders except as provided in paragraph (m) (1).

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of \$25 or less. No endorsement is required on such orders.

(ii) Orders identified by the symbol Z-1E as explained in paragraph (m).

[Note: Subdivision III formerly II, redesignated Sept. 21, 1944.]

(iii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod.....	300	.....	300
Mechanical tubing.....	1,000*	100*	300*
Wire rope and strand.....	300*	.....	.....
Music wire.....	300	.....	.....
All other steel products.....	20,000	1,000	4,000

\*Feet per quarter.

Each order placed under this paragraph (d) (4) (iii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (iii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (iii) is to permit persons using small quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (iii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

**Copper**

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad

steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products—*(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In addition, a warehouse may fill orders identified by the symbol Z-1E as explained in paragraph (m). In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) Beginning May 15, 1944 no person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any calendar week which aggregates more than 500 pounds gross weight, or, effective immediately, for delivery, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of these amounts. However, the 500 pound limitation does not apply to a single continuous length of rod, tube, pipe, sheet or strip and

neither the 500 pound nor the 2,000 pound limitation applies to condenser tubes or to the resale of brass mill products obtained by brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, Washington 25, D. C.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination, during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, Washington 25, D. C.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to fill under paragraphs (f) (1) and (f) (2) above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

#### Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill, and he may fill orders identified by the symbol Z-1E as explained in paragraph

(m) (i) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

#### General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by

any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Special treatment of "Z" orders—*  
(1) *Authorized controlled material orders.* A distributor or warehouse must not fill any order identified by a CMP allotment symbol whose initial letter is "Z" until he has filled all other orders which he has received which he is required to fill under this regulation and which call for delivery of the same items within the next 30 days. In addition, a copper wire mill warehouse may not deliver in any month on "Z" orders more pounds of copper wire than 10% of the amount he delivered during the previous month on all orders.

(2) *Treatment of Z-1 orders identified by the letter "E".* Orders bearing the allotment symbol Z-1E (which are not authorized controlled material orders) may be placed with distributors and warehouses for certain controlled materials in their stocks. A distributor or warehouse who receives such orders may fill them, but he is not required to do so. If he elects to fill such orders he may do so only in accordance with the following:



(i) A steel or aluminum distributor or brass mill warehouse, acting as agent for the Metals Reserve Company, may deliver on Z-1E orders without limit any controlled materials owned by the Metals Reserve Company which he receives into his stock, and

(ii) A steel distributor may deliver any steel products from his stock on Z-1E orders, but he may not use such a delivery to support a stock replacement order placed with a producer or another distributor, and

(iii) A copper warehouse or aluminum distributor may sell in any three-month period a quantity of controlled materials equal to the poundage purchased by him in the preceding three-month period from consumers under the provisions of Priorities Regulation 13, or a quantity equal to the quantity purchased in the current month, whichever is greater, and

(iv) An aluminum distributor may sell items which have been in his stock for 45 days and which he has not been able to deliver on other orders permitted by this regulation.

(3) *How a consumer places a Z-1E order.* A consumer with an authorized production schedule identified by a CMP allotment symbol Z-1 who does not have an allotment or who does not wish to use it, may place orders on a distributor or warehouse for the type of controlled material described above, but must not use the symbol Z-1 without adding the letter "E". The letter "E" is added to identify the purchase as being made out of "excess" stock in a warehouse, and thus to indicate that the purchaser's allotment account does not need to be charged. If he places only the symbol "Z-1" on his order without adding the "E", it is an authorized controlled material order, and must be charged against his allotment account in accordance with CMP Regulation No. 1. A consumer may also obtain steel without using his allotment in accordance with paragraph (d) (4) (i) and (d) (4) (iii), but if he does so, he must not use either the symbol Z-1 or Z-1E on his order.

[Note: Paragraph (n) formerly (m) redesignated Sept. 21, 1944.]

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 21st day of September 1944.

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

#### INTERPRETATION 1

#### DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and

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(e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders (Issued Feb. 27, 1943).

[F. R. Doc. 44-14562; Filed, Sept. 21, 1944; 11:21 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, as Amended Sept. 21, 1944]

#### DISTRIBUTION OF PLUMBING, HEATING AND COOKING EQUIPMENT

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

§ 3288.31 *General Limitation Order L-79—(a) What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items, the production of which is restricted, and which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders.<sup>1</sup> The order supersedes the previous version of L-79, as well as General Preference Order P-84.

(b) *Assignment of preference ratings.* Preference rating AA-3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.  
(2) Repair parts only for items on List B.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food (except as ex-

<sup>1</sup> Other orders of the War Production Board and of the Petroleum Administration for War restrict deliveries of gas and fuel oil for newly installed equipment using those fuels. These orders should be consulted before any installation of equipment is made.

cluded below), to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings (except as excluded below), including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment, other than water heaters, using electricity as fuel; heat exchangers subject to L-123; domestic water systems as covered by L-257 domestic cooking appliances and domestic heating stoves as defined in L-23-c; liquefied petroleum gas equipment as defined in L-86; fans, blowers and exhausters as covered by L-123 except those on List A of this order (L-79); steel or wrought iron pipe or steel sheets; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.*

(1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. 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.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L-63.

(e) *Up-rating.* In the case of ratings applied or extended by sellers under Order P-84 prior to its revocation, deliveries may be re-rated in accordance with the provisions of Priorities Regulation No. 12. However, any person with whom such an order was placed is authorized to treat it as re-rated without requiring any notice or certificate to be furnished to him by the seller: *Provided*, That any manufacturer or seller who re-rates any orders placed with him under this paragraph must so re-rate all orders placed with him which can be re-rated.

(f) *Restrictions on deliveries of items on List A.* No seller may sell or deliver to a consumer any equipment included on List A except:

(1) [Deleted July 26, 1944.]  
(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace exist-

ing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged or destroyed.

(g) *Restrictions on sale and delivery of equipment using gas as fuel.* In those areas where the use of gas is restricted by War Production Board orders, no seller may sell or deliver to a consumer any equipment using gas as fuel when the installation of such equipment will increase the potential demand for gas (manufacturer's hourly input rating) unless a letter has first been obtained from the Utility Company which will deliver the gas to the consumer stating that it is authorized to provide the gas necessary to operate the equipment. However, the restrictions of this paragraph do not apply to gas fired domestic water heating equipment for a residence.

(h) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made as follows:

(1) *For residential use.* If the equipment is to be used for residential purposes, construction or otherwise, Form WPB-2896 should be filed with the nearest Federal Housing Administration field office.

(2) *For commercial and industrial use.* If the equipment is to be used for commercial or industrial purposes and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the nearest War Production Board field office. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(3) *For farm use.* If the equipment is to be used for farm purposes (including farm dwellings), and is construction of a type which is restricted under Limitation Order L-41, Form WPB-617 should be filed with the County Agricultural Conservation Committee. If not restricted under Limitation Order L-41, then Form WPB-1319 should be filed with the nearest War Production Board field office.

(4) *For utilities use.* If the equipment is to be used by a utility furnishing telephone, telegraph, electric, gas, water or central steam heating service for use by the public, Form WPB-2774 should be filed with the War Production Board, Washington 25, D. C. (For utility MRO and minor plant additions applicable utilities orders should be followed).

(i) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it

to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation.....  
Consumer's signature.....  
Address .....

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(j) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement. This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

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

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

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

(n) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the production, delivery or use of any plumbing, heating or cooking equipment to a greater extent than the restrictions imposed by this order, the restrictions of such other orders shall govern.

(p) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD-500) with a field office of the War Production Board.

(q) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall

be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

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

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 21st day of September 1944.

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

#### LIST A

The following items of plumbing and heating equipment, when new:

1. Furnaces, heating (as defined in Order L-22), and cast iron boilers, heating (as defined in Order L-187), but excluding furnace-burner and boiler-burner units in which the boiler or furnace is designed for use of oil or gas only as a fuel.

2. Water heaters (direct fired and indirect types as defined in Order L-185), but excluding industrial and direct hand fired (solid fuel) hot water heaters of the following types: Bucket-a-day stoves, dome-type water heaters, and service water tank heaters.

3. [Deleted July 26, 1944.]

4. Cast iron radiators and cast iron convectors.

5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use, and also excluding boiler burner units in which the boiler is designed for use of oil or gas only as a fuel.

6. Furnace fans 16" diameter and under, less electric motors.

7. Forced draft blowers for warm air, hot water and low pressure steam systems.

#### LIST B

1. Commercial cooking and food and plate warming equipment as defined in Limitation Order L-182, as amended; all not electric.

Bakers.

Broilers.

Fryers.

Food warmers.

Griddles: commercial cooking.

Grills.

Hot plates: commercial.

Ovens: bake, except industrial type.

Ranges.

Roasters: commercial.

Steamers: oven.

Toasters: commercial.

Urns.

Warmers: food-plate.

2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L-248 as amended.

3. Coal Stokers: grate area 36 square feet or less, as defined in Limitation Order L-75 as amended.

4. Class B oil burners: not designed specifically for shipboard use or heat processing; as defined in Limitation Order L-74 as amended.

5. Extended surface heating equipment as defined in Limitation Order L-107, as amended.

Unit heaters: steam or hot water.

Unit ventilators, heating: steam or hot water.

Convectors.

Blast heating coils: steam or hot water.  
 Special heating coils: steam or hot water.  
 Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.  
 6. Steel boilers of types listed in Order M-293, Table 14, excluding low pressure boilers on List A of this order.

## INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

## INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9-A.

The words "without restriction" as used in L-79 refer only to restrictions placed by the War Production Board, and Order L-79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

## INTERPRETATION 3

## SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L-79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 44-14563; Filed, Sept. 21, 1944; 11:21 a. m.]

## Subchapter C—Utilities, Office of the Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

## PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-a, as Amended Sept. 21, 1944]

## CERTAIN GOVERNMENT AGENCIES

§ 4500.2 *Supplementary Utilities Order U-1-a*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve facilities of the Army, Navy, Maritime Commission, War Shipping Administration, Civil Aeronautics Authority or Veterans' Administration, upon the direct order of such agencies when all of the following conditions are satisfied.

(1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed \$10,000. No job or project may be subdivided to come within these limits.

(2) [Revoked Aug. 31, 1944]

(3) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

(b) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the re-

strictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 21st day of September 1944.

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

[F. R. Doc. 44-14565; Filed, Sept. 21, 1944; 11:21 a. m.]

## Chapter XI—Office of Price Administration

## PART 1385—NAVAL STORES

[MPR 561]

## GUM ROSIN

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.\*

## MAXIMUM PRICE REGULATION 561—GUM ROSIN

Sec.

1. Prohibition against buying and selling gum rosin at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability and relation to other price regulations.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Petitions for amendment.
10. Definitions.
11. Maximum prices for gum rosin.

AUTHORITY: Secs. 1 to 11, inclusive (§ 1385.54), issued under 56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against buying and selling gum rosin at higher than maximum prices.* On and after September 20, 1944, regardless of any contract or other obligation:

(a) No person shall sell or deliver gum rosin at prices higher than those established by this regulation.

(b) No person in the course of trade or business shall buy or receive gum rosin at prices higher than those established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(d) If, prior to payment, a buyer of gum rosin receives from the seller a written statement that to the best of the seller's knowledge the price charged therefor does not exceed the maximum price fixed by this regulation, and if the buyer has no reason to doubt the truth of the statement, the buyer shall be deemed to have complied with this section.

SEC. 2. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 3. *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 Price Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Applicability and relation to other price regulations*—(a) *Geographical applicability.* This regulation applies in the 48 states of the United States and the District of Columbia.

(b) *Imports (Maximum Import Price Regulation<sup>1</sup> applicable).* The provisions of this regulation shall not apply and the Maximum Import Price Regulation shall apply to the purchases, sales or deliveries of gum rosin, if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.

(c) *Exports (Second Revised Maximum Export Price Regulation<sup>2</sup> applicable).* The maximum prices at which a person may export gum rosin shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 5. *Records and reports.* (a) Every person making sales of gum rosin shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices which he charged for sales of such gum rosin during the period January 1, 1944, to June 30, 1944, inclusive, as well as all his existing records relating to contracts for the sale of rosin which he made firm during this period or under which he made deliveries during this period.

(b) Every person selling gum rosin shall keep records which will show the name and address of the buyer, the date of the sale, the containers in which the sale was made, the grade and quantity sold, and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Customary records, such as invoices showing the above information will constitute compliance with this paragraph (b).

(c) Every person selling gum rosin other than on the Savannah, Georgia,

<sup>1</sup> 9 F.R. 2350.

<sup>2</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

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

Cotton and Naval Stores Exchange shall:

(1) *Records.* Keep records showing as precisely as possible the basis upon which he determined maximum prices for his sales of gum rosin and shall preserve such records for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) *Reports.* File on or before October 20, 1944, with the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a statement containing:

(i) A short description of his gum rosin business including the classes of persons from whom he buys and the classes of persons to whom he sells; the extent he is currently processing oleoresin into gum rosin, and the proportion of oleoresin processed which he produces himself.

(ii) His maximum prices for sales of each grade of gum rosin to each class of purchasers for sales to whom he can establish a maximum price under section 11 (b) (1). For each maximum price listed, the sale on which it is based should be given, including the name of the purchaser, the date of the sale, the grade and quantity sold, and the conditions of sale.

(iii) All his customary allowances, discounts, and other price differentials.

(d) Such persons shall submit such other reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a), (b) and (c) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

**SEC. 6. Evasion.** Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to gum rosin, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates or otherwise.

**SEC. 7. Enforcement.** Persons violating any provision 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.

**SEC. 8. Licensing.** The provisions of Licensing Order No. 1<sup>3</sup> 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 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.

<sup>3</sup> 8 F.R. 13240.

**SEC. 9. Petitions for amendment.** Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>4</sup>

**SEC. 10. Definitions.** (a) As used in this regulation, the term:

"Base period" means the period January 1, 1944, to June 30, 1944, inclusive.

"Gum rosin" means the vitreous transparent or translucent brittle mass congealed from the molten condition remaining after the extraction of gum spirits of turpentine in the distillation of oleoresin exuded from the living pine tree.

"Grade" refers to the grade as established by the Naval Stores Act of 1923 (42 Stat. 1435; 7 USC. secs. 91-99) and the regulations of the Secretary of Agriculture issued thereunder.

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for gum rosin 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 in different containers or under different conditions of sale.

"Closest competitor" means that seller selling gum rosin under substantially the same conditions who is in close competition with you and is located nearest to you.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

**SEC. 11. Maximum prices for gum rosin—(a) Sales on the Savannah, Georgia, Cotton and Naval Stores Exchange.** Maximum prices for sales of gum rosin on the Savannah, Georgia, Cotton and Naval Stores Exchange shall be:

Grade:	Per 100 pounds net in drums on yard, Savannah, Ga.
X	\$6.31
WW	6.31
WG	6.04
N	5.79
M	5.63
K	5.61
I	5.57
H	5.57
G	5.55
F	5.51
E	5.41
D	4.88
B	4.81

(b) *Sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange.* For sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange you are to determine your maximum price by reference to the maximum prices for sales on that Exchange. To find your maximum price per 100 pounds net for sale of any grade to any class of purchasers you proceed as explained below. This maximum price applies at a point in accordance with your customary practice. As used

<sup>4</sup> 9 F.R. 5791.

in this paragraph (b), "differential" means a dollar and cent difference.

(1) If, during the base period, January 1, 1944, to June 30, 1944, inclusive, you made a sale of the same grade of gum rosin to the same class of purchasers, you find your maximum price by adding to or subtracting from the maximum price per 100 pounds net established in (a) above for sales of the same grade on the Savannah Exchange your base period differential. This differential is the most favorable differential from the price for that grade listed on the Savannah Exchange which you received on any sale of the same grade to a purchaser of the same class during the base period.

You are considered to have made a sale during the base period only if:

(i) During that period you entered into a firm contract for a sale at a price specified in the contract and have actually made delivery (whether in the base period or later) under the contract since the contract was made firm. In such a case, the differential from the price on the Savannah Exchange which is applicable to the transaction is the difference between the price specified in the contract and the price listed for the same grade on the Savannah Exchange on the day on which the Exchange was open for business next preceding the day on which the contract of sale was made firm.

(ii) During the base period you made a delivery under a contract of sale entered into during or prior to the base period which provided that the price should be based on a specified differential from the Savannah Exchange price. In such a case, the differential from the Savannah price which is to be used is the differential specified in the contract of sale.

*Examples:* During the base period you made firm a contract of sale for K grade rosin at \$3.30 per 100 pounds net which was 3 cents per 100 pounds net below the price per 100 pounds net listed on the Savannah Exchange for K grade on the day preceding that on which the contract was made firm. During the base period you also made firm a contract of sale for K grade to a purchaser of the same class at \$3.25 per 100 pounds net which was 2 cents per 100 pounds net higher than the price per 100 pounds net listed on the Savannah Exchange for K grade on the preceding day. Your base period differential to be applied to a sale of K grade to a purchaser of the same class is, therefore, 2 cents per 100 pounds net premium and your maximum price for K grade to that class of purchaser is \$5.61 + .02 or \$5.63 per 100 pounds net.

During the base period you made deliveries of K grade rosin to the same class of purchasers under two contracts providing that the price should be a specified differential from the Savannah Exchange price. On deliveries during the base period under the first contract you received the specified differential of 5 cents under the Savannah Exchange price; on deliveries during the base period under the second contract you received the specified differential of 2 cents under the Savannah price. Your base period differential to that class of purchaser for K grade is, therefore, 2 cents per 100 pounds net discount and your maximum price for K grade to that class of purchaser is \$5.61 - .02 or \$5.59 per 100 pounds net.

(2) If during the base period your only sales of the same grade of rosin were made to a different class of purchasers,

you find your maximum price by first determining your maximum price according to (1) above for sales to the different class of purchasers, and then adding to or subtracting from that maximum price your customary differential between the two classes of purchasers.

*Example:* In the base period your only sales of K grade were in bags, less than carload. For such sales your maximum price determined according to (1) above is \$5.41 per 100 pounds net. You now wish to find your maximum price for sales in drum carloads. Customarily you charge 10 cents per 100 pounds net more for sales in drums than for sales in bags, and 5 cents per 100 pounds net less for carload than for less than carload sales. Your maximum price for drum carload sales of K grade is \$5.41+.10-.05 or \$5.46 per 100 pounds net.

(3) If during the base period you did not make a sale of the same grade of rosin, you find your maximum price by first determining your maximum price according to (1) and (2) above for sales to the same class of purchasers of the most nearly similar grade which you delivered during the base period and adding to or subtracting from this maximum price the differential between the Savannah Exchange maximum prices for these grades in paragraph (a) above.

*Example:* During the base period you made sales of only N and K grades. You now wish to make a sale of WW. The most nearly similar grade of which you made a sale in the base period is N. Your maximum price to a particular class of purchasers for N grade according to (1) and (2) above is \$5.59. The maximum price for N in paragraph (a) is \$5.79, for WW is \$6.31. The differential is a premium of \$.52 and your maximum price for WW is \$5.59+\$.52 or \$6.11 per 100 pounds net.

(4) If you cannot determine your maximum price according to (1), (2) or (3) above, your maximum price for sales of any grade to any class of purchasers shall be the maximum price determined under (1), (2) or (3) above by your closest competitor for sales of the same grade of rosin to the same class of purchasers.

(5) If you cannot determine your maximum price according to (1), (2), (3) or (4) above, your maximum price shall be the maximum price authorized by the Office of Price Administration in response to an application therefor filed by you and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such a maximum price shall be submitted by registered mail to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., prior to sale, and shall be accompanied by the following information:

(i) A statement of the reasons why a maximum price cannot be established under (1), (2), (3) or (4) above.

(ii) A short description of the applicant's gum rosin business including the classes of persons from whom he buys and the classes of person to whom he sells; the extent he is currently processing oleoresin into gum rosin, and the pro-

portion of oleoresin processed which he produces himself.

(iii) A short description of the transactions for which and class of purchasers for sales to whom a maximum price is proposed.

(iv) The proposed maximum price.

(v) An explanation of how the proposed price was determined.

Sales may be made at such proposed price after the date of mailing such application subject, however, to approval by the Office of Price Administration. If, at the expiration of 20 days from the date of mailing the application (or all additional information which may have been requested), the seller has not been advised by the Office of Price Administration of its disapproval of the proposed maximum price, such proposed price may be considered as authorized. In the event of any modification of a proposed price within the 20-day period, refund shall be made accordingly.

The Price Administrator may, at any time, by order, disapprove or modify any maximum price established under this regulation; and may, either in connection with applications under this subparagraph (5) or otherwise, issue orders establishing maximum prices or pricing methods for sales or resales of gum rosin subject to this regulation.

*Effective date.* This regulation shall become effective September 20, 1944.

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

Issued this 20th day of September 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

Approved: SEPTEMBER 18, 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-14536; Filed, Sept. 20, 1944;  
3:10 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,<sup>1</sup> Amdt. 34]

CERTAIN PACKED FOOD PRODUCTS

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

Section 1341.586 is amended to read as follows:

§ 1341.586 *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

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

<sup>1</sup> 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237, 4349, 5075, 6109, 7503, 7833, 8144.

no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order and any delivery or agreement to deliver entered into pursuant to such authorization shall be made at a price no greater than the price finally established by the Office of Price Administration whether such price is greater or less than the maximum price in effect at the time of delivery.

This amendment shall become effective September 20, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14534; Filed, Sept. 20, 1944;  
3:13 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 409,<sup>2</sup> Amdt. 12]

FROZEN FRUITS, BERRIES AND VEGETABLES  
(1943 PACK AND AFTER)

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

Section 9 is amended to read as follows:

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authori-

<sup>2</sup> 9 F.R. 97, 1596, 9832.

zation will be given by order and any delivery or agreement to deliver entered into pursuant to such authorization shall be made at a price no greater than the price finally established by the Office of Price Administration whether such price is greater or less than the maximum price in effect at the time of delivery.

This amendment shall become effective September 20, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14535; Filed, Sept. 20, 1944;  
3:13 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>1</sup> Amdt. 152]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. In § 1394.8112 the expression "paragraph (b)" in the second sentence of paragraph (a) is deleted and the expression "paragraph (c)" is inserted in lieu thereof and paragraph (b) of such section is redesignated paragraph (c) and a new paragraph (b) is added to read as follows:

(b) Every consumer who has in his possession or control any Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such ration or, upon good cause shown, to any Board. If such a ration is surrendered before it has expired, the Board shall issue to the consumer, in exchange for such coupons valid ration evidences of any appropriate class having the same expiration date or earliest renewal date as the rations surrendered and having a gallonage value to be determined in accordance with paragraph (c) of this section.

2. Section 1394.8153 (a) (10) is added to read as follows:

(10) On and after October 1, 1944, no transfer may be made in exchange for any Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E.

3. Section 1394.8206b (a) (19) is added to read as follows:

(19) After October 20, 1944, any Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E.

4. Section 1394.8207 (j) is added to read as follows:

(j) On and after October 11, 1944, no distributor shall transfer or offer to

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

<sup>1</sup> 8 F.R. 15937.

transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline from any distributor in exchange for any Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E.

5. Section 1394.8215 (m) is added to read as follows:

(m) (1) Immediately upon the close of business on September 30, 1944 each dealer who has in his possession or control Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E which he acquired before October 1, 1944, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (OPA R-120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (OPA R-541) on which no other coupons are listed. On or before October 10, 1944, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After October 10, 1944, no distributor shall accept from any dealer or distributor any Class B-3 or C-3 coupons issued on Forms OPA R-527E or R-528E nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before October 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such coupons received by him in exchange for any lawful transfer of gasoline made on or before October 10, 1944.

This amendment shall become effective September 25, 1944.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14579; Filed, Sept. 21, 1944;  
11:54 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,<sup>1</sup> Amdt. 77]

SHOES

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

<sup>1</sup> 8 F.R. 15839, 16605, 16996, 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8354, 8339, 8340, 8921, 9355, 9901, 10589, 10984, 10985.

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (4) is deleted.
2. Section 2.11 (a) (6) is deleted.
3. Section 2.11 (a) (7) is deleted.
4. Section 2.11 (a) (16) is amended by deleting the words "do not have a rubber sole and which" in the first line.
5. Section 2.11 (a) (19) is amended by deleting the words "which do not have a rubber sole and".
6. The definition of house slippers in section 3.13 is amended to read as follows:

"House slippers" means any footwear constructed exclusively for indoor or house wear other than athletic, sport, or gymnasium use. However, the term does not include footwear made with any cattle hide leather in the upper, or with cattle hide grain leather outsoles (other than heads, bellies, shins, and shanks of five iron or less), if such footwear was shipped from the factory in the United States after August 31, 1943, or imported into the United States after August 31, 1943.

7. The definition of shoes in section 3.13 is amended to read as follows:

"Shoes" means any footwear made in whole or in part of leather.

8. The definition of "rubber" in section 3.13 is deleted.

9. The definition of "rubber sole" in section 3.13 is deleted.

This amendment shall become effective September 25, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14578; Filed, Sept. 21, 1944;  
11:54 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[3d Rev. MPR 216]

EASTERN RAILROAD TIES

Second Revised Maximum Price Regulation No. 216 is redesignated Third Revised Maximum Price Regulation 216 and is revised and amended to read as follows:

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.\*

3D REVISED MAXIMUM PRICE REGULATION 216—  
EASTERN RAILROAD TIES

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. Tie contractor's addition.
7. Special pricing.
8. Adjustable pricing.
9. Exports and imports.
10. Records.
11. Petitions for amendment and adjustment.
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.; 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 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. Where the buyer requires 8 inches through the body of the tie in size 1 or 2, these sizes must be furnished at no increase over maximum prices listed.

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.

(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 or cross ties manufactured in accordance with the specifications of the American Railway Engineering Association. It is expected that switch or cross ties not meeting these specifications in every detail will be priced correspondingly lower.

The maximum producer's 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.

**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. 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.

(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.<sup>1</sup>

<sup>1</sup> 8 F.R. 15594, 9 F.R. 8182, 9955.

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

(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 Regulation<sup>3</sup> 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. Tie contractor's addition.** (a) An addition of \$0.20 per tie may be made to the maximum prices specified in section 15 by all persons who have registered as tie contractors.

(b) *Registered contractors.* Any person who has been authorized to act as a tie contractor prior to August 1, 1944, must file a request for registration with the Lumber Branch of the Office of Price Administration, Washington, D. C., before November 1, 1944.

(c) The Lumber Branch of the Office of Price Administration, Washington, D. C., may by letter or telegram authorize any person not registered as a tie contractor upon presentation of proof that the granting of the authorization will supply a service needed by tie users by increasing production and availability of railroad ties in the area covered by this regulation.

**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 changes 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 prices;

(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.

<sup>3</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(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.

**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.<sup>5</sup>

(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.<sup>4</sup>

<sup>4</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201, 9834, 11273.

<sup>5</sup> 9 F.R. 10996.

**SEC. 10. Records.** All sellers of Eastern Railroad ties must keep records which will show a complete description of the item sold, the names 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 seller. 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. 6<sup>7</sup> 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,<sup>8</sup> 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."

(c) *Purchasing commissions.* No commission on Eastern railroad cross ties

<sup>7</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256, 10628.

<sup>8</sup> 9 F.R. 5791, 10476.



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 (c)				Group U ties 85% or more heart (for use untreated)					
	Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
	5.....	\$1.55	\$1.45	\$1.40	\$1.45	\$1.35	\$1.30	\$1.55	\$1.45	\$1.55
4.....	1.40	1.30	1.25	1.30	1.20	1.15	1.40	1.30	1.40	1.30
3A.....	1.25	1.15	1.10	1.15	1.05	1.00	1.35	1.25	1.35	1.25
3.....	1.20	1.10	1.05	1.10	1.00	0.95	1.30	1.20	1.30	1.20
2.....	1.10	1.00	0.95	1.00	0.90	0.85	1.20	1.10	1.20	1.10
1.....	1.00	0.90	0.85	0.90	0.80	0.75	1.10	1.00	1.10	1.00
SR.....	0.65	0.55	0.50	0.55	0.45	0.40	0.75	0.65	0.75	0.65
Cull.....	.25	.25	.25	.25	.20	.20	.35	.30	.35	.30

TABLE 2(A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" TO 16" F. O. B. CARS, ZONE 2  
 Group T switch ties (for use treated)..... \$42  
 Group U switch ties (for use untreated), white oak, 85% or more heart..... 45  
 Group U switch ties (for use untreated), yellow pine, 85% or more heart..... 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 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 (c)				Group U ties 85% or more heart (for use untreated)					
	Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
	5.....	\$1.45	\$1.35	\$1.30	\$1.35	\$1.25	\$1.20	\$1.55	\$1.45	\$1.55
4.....	1.30	1.20	1.15	1.20	1.10	1.05	1.40	1.30	1.40	1.20
3A.....	1.15	1.05	1.00	1.10	1.00	0.95	1.30	1.20	1.30	1.10
3.....	1.10	1.00	0.95	1.05	0.95	0.90	1.25	1.15	1.25	1.05
2.....	1.05	0.95	0.90	1.00	0.90	0.85	1.15	1.05	1.15	1.05
1.....	0.95	0.85	0.80	0.90	0.80	0.75	1.05	0.95	1.05	0.95
SR.....	0.55	0.50	0.50	0.55	0.45	0.45	0.60	0.60	0.60	0.55
Cull.....	.25	.25	.25	.25	.20	.20	.35	.30	.35	.30

TABLE 3(B)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" TO 16" F. O. B. CARS, ZONE 3  
 Group T switch ties (for use treated)..... \$40  
 Group U switch ties (for use untreated), white oak, 85% or more heart..... 43  
 Group U switch ties (for use untreated), yellow pine, 85% or more heart..... 43

rol, 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 (c)				Group U ties 85% or more heart (for use untreated), White Oak			
	Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Ua 8'6"	Ua 8'
	5.....	\$1.60	\$1.50	\$1.45	\$1.50	\$1.40	\$1.35	\$1.70
4.....	1.45	1.35	1.30	1.35	1.25	1.20	1.65	1.45
3A.....	1.30	1.20	1.15	1.20	1.10	1.05	1.40	1.30
3.....	1.25	1.15	1.10	1.15	1.05	1.00	1.35	1.25
2.....	1.15	1.05	1.00	1.05	0.95	0.90	1.25	1.15
1.....	1.05	0.95	0.90	0.95	0.85	0.80	1.15	1.05
SR.....	0.60	0.55	0.55	0.55	0.45	0.45	0.70	0.65
Cull.....	.25	.25	.25	.25	.25	.25	.35	.35

TABLE 1 (B)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" TO 16" F. O. B. CARS, ZONE 1  
 Group T switch ties (for use treated)..... \$43.00  
 Group U switch ties (for use untreated), White Oak, 85% or more heart..... 46.00

**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.

\* 8 F.R. 13240.

**ZONE 4—SOUTHERN BELT OF EAST CENTRAL STATES**  
 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 PRICES PER CROSS TIE, F. O. B. CARS, ZONE 4.

Size	Group T ties (for use treated), species listed in sec. 2 (e)				Group U ties 85% or more heart (for use untreated)			
	Ta 8'6"		Tb, Tc 8'6"		Tb, Tc 8'		Td 8'	
	Ta 8'6"	Td 8'6"	Tb, Tc 8'6"	Ta 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
5.....	\$1.35	\$1.25	\$1.25	\$1.25	\$1.45	\$1.15	\$1.15	\$1.25
4.....	1.20	1.10	1.05	1.05	1.30	1.25	1.20	1.15
3A.....	1.10	1.00	0.95	0.90	1.20	1.15	1.10	1.05
3.....	1.05	0.95	0.90	0.85	1.15	1.10	1.05	1.00
2.....	0.95	0.85	0.80	0.75	1.05	0.95	0.90	0.85
1.....	0.85	0.75	0.70	0.65	0.90	0.80	0.70	0.60
SR.....	0.50	0.45	0.40	0.35	0.60	0.50	0.40	0.30
Cull.....	.25	.25	.25	.20	.35	.30	.25	.20

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  
 Group U switch ties (for use untreated), white oak, 85% or more heart..... 43  
 Group U switch ties (for use untreated), yellow pine, 85% or more heart..... 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.

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

Size	Group T ties (for use treated), species listed in sec. 2 (e)				Group U ties 85% or more heart (for use untreated)			
	Ta 8'6"		Tb, Tc 8'6"		Tb, Tc 8'		Td 8'	
	Ta 8'6"	Td 8'6"	Tb, Tc 8'6"	Ta 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
5.....	\$1.20	\$1.10	\$1.10	\$1.10	\$1.30	\$1.15	\$1.15	\$1.20
4.....	1.05	0.95	0.95	0.95	1.15	1.05	1.05	1.10
3A.....	0.95	0.85	0.85	0.85	1.05	0.95	0.95	1.00
3.....	0.90	0.80	0.80	0.80	1.00	0.90	0.90	0.95
2.....	0.80	0.70	0.70	0.70	0.90	0.80	0.80	0.85
1.....	0.70	0.65	0.65	0.65	0.80	0.70	0.70	0.75
SR.....	0.45	0.40	0.40	0.35	0.55	0.45	0.40	0.35
Cull.....	.20	.20	.20	.15	.30	.25	.20	.15

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) White Oak, 85% or more heart..... 43  
 Group U switch ties (for use untreated) Yellow Pine, 85% or more heart..... 45  
 Group U switch ties (for use untreated) Red Cypress, Black Locust, 85% or more heart..... 68  
 Group U switch ties (for use untreated) Yellow Cypress, White Cypress, 85% or more heart..... 64

**ZONE 6—SOUTHWESTERN STATES**  
 Zone 6 shall include points in the State of Florida, on the west bank of and west of the Apalachicola River; the States of Alabama, Mississippi, and Louisiana; points in the State of Arkansas on the south bank and

tion of the west boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Ford, 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 PRICES PER CROSS TIE, F. O. B. CARS, ZONE 6

Size	Group T ties (for use treated), species listed in sec. 2 (e)				Group U ties 85% or more heart (for use untreated)			
	Ta 8'6"		Tb, Tc 8'6"		Tb, Tc 8'		Td 8'	
	Ta 8'6"	Td 8'6"	Tb, Tc 8'6"	Ta 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
5.....	\$1.15	\$1.05	\$1.05	\$1.05	\$1.25	\$1.10	\$1.10	\$1.15
4.....	1.05	0.95	0.95	0.95	1.15	1.05	1.05	1.10
3A.....	1.00	0.90	0.85	0.80	1.00	0.90	0.90	0.95
3.....	0.95	0.85	0.80	0.75	0.95	0.85	0.85	0.90
2.....	0.85	0.75	0.70	0.65	0.85	0.75	0.75	0.80
1.....	0.75	0.65	0.60	0.55	0.75	0.65	0.65	0.70
SR.....	0.50	0.40	0.40	0.30	0.60	0.50	0.50	0.55
Cull.....	.20	.20	.20	.20	.30	.30	.30	.30

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  
 Group U switch ties (for use untreated) white oak, 85% or more heart..... 43  
 Group U switch ties (for use untreated) yellow pine, 85% or more heart..... 45  
 Group U switch ties (for use untreated) red cypress, black locust, 85% or more heart..... 68  
 Group U switch ties (for use untreated) yellow cypress, white cypress, 85% or more heart..... 54

**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 PRICES PER CROSS TIE, F. O. B. CARS, ZONE 7

Size	Group T ties (for use treated), species listed in sec. 2 (a)				Group U ties 85% or more heart (for use untreated)			
	Ta 8'6"		Tb, Tc 8'6"		Tb, Tc 8'		Td 8'	
	Ta 8'6"	Td 8'6"	Tb, Tc 8'6"	Ta 8'	Ua 8'6"	Ub 8'6"	Ua 8'	Ub 8'
5.....	\$1.30	\$1.20	\$1.20	\$1.20	\$1.40	\$1.30	\$1.30	\$1.30
4.....	1.15	1.05	1.05	1.05	1.25	1.15	1.15	1.15
3A.....	1.05	0.95	0.90	0.85	1.15	1.05	1.05	1.05
3.....	1.00	0.90	0.85	0.80	1.10	1.00	1.00	1.00
2.....	0.90	0.80	0.75	0.70	1.00	0.90	0.90	0.90
1.....	0.80	0.70	0.65	0.60	0.90	0.80	0.80	0.80
SR.....	0.50	0.45	0.45	0.40	0.60	0.50	0.50	0.50
Cull.....	.25	.25	.25	.20	.35	.30	.30	.30

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  
 Group U switch ties (for use untreated) white oak, 85% or more heart..... 43  
 Group U switch ties (for use untreated) yellow pine, 85% or more heart..... 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 (e)				Group U ties 85% or more heart (for use untreated)—White Oak	
	Ta, Tc 8'6"	Tb, Td 8'6"	Ta, Tc 8'	Tb, Td 8'	Ua 8'6"	Ua 8'
8	\$1.60	\$1.40	\$1.50	\$1.30	\$1.70	\$1.60
4	1.45	1.25	1.35	1.15	1.55	1.45
3A	1.30	1.10	1.20	1.00	1.40	1.30
3	1.25	1.05	1.15	.95	1.35	1.25
2	1.15	.95	1.05	.85	1.25	1.15
1	1.05	.85	.95	.75	1.15	1.05
SR	.60	.50	.55	.45	.70	.65
Cull	.30	.25	.20	.20	.40	.30

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).....\$12  
Group U switch ties (for use untreated) white oak, 85% or more heart..... 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 and switch ties which are to be preservatively treated:

8% may be added to Class Tb (softwoods) maximum prices if seasoned 90 days or longer.

10% may be added to Class Ta, Tc, and Td (hardwoods) maximum prices if seasoned longer than 90 days but less than 180 days.

12½% may be added to Class Ta, Tc, and Td (hardwoods) maximum prices if seasoned 180 days or longer.

(3) 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'.

(4) 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. 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 in the above Tables 1 through 8 must be made:

(1) For 7" ties (Sizes 3A, 4 and 5): deduct 4 cents per tie.

(2) For other sizes (Culls, SR, 1, 2 and 3): deduct 3 cents per tie.

(3) For switch ties: deduct \$1.00 per M'BM.

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

(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.

This regulation shall become effective September 26, 1944.

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 September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14577; Filed, Sept. 21, 1944; 11:55 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 558]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

In the judgement 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.\*

MAXIMUM PRICE REGULATION 558—EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

Sec.

- Sales of Eastern wooden mine material and industrial blocking at higher than maximum prices prohibited.
- Coverage of the regulation.
- Basic maximum prices.
- Transportation addition.
- Treated products.
- Special pricing.
- Adjustable pricing.
- Exports and imports.
- Records.
- Petitions for amendment and adjustment.
- Prohibited practices.
- Enforcement.
- Licensing.
- Maximum Prices for Eastern wooden mine materials and industrial blocking.

AUTHORITY: § 1426.257, issued under 56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

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

SECTION 1. Sales of wooden mine materials and industrial blocking at higher than maximum prices prohibited.

(a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall buy or receive in the course of trade or business any Eastern wooden mine materials and industrial blocking 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.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. Coverage of the regulation. (a) This regulation covers all sales and purchases of wooden mine materials and industrial blocking produced in that part of the United States east of a line approximating the one hundredth meridian except North Dakota and South Dakota. Mine car lumber, mine shaft guides, and brattice boards are not covered, but are subject to the appropriate lumber price regulations. Production zones are defined in the heading of each price table in section 14.

(b) Definitions. (1) "Wooden mine materials" means any ties, switch ties, cross bars, cribbing, lagging, post caps, wedges, or pit posts used in mines.

(2) "Industrial blocking" means mixed hardwoods that are sawn to specified sizes and of a grade meeting the require-

ments of steel mills and like users, for bracing and blocking their products in shipment.

(3) "Standard open pit mine ties" means ties 8' in length, manufactured from woods-run timber 8" or larger in top diameter. "Small" open pit mine ties are the same except that they are manufactured from timber 7" to 8" in top diameter.

(4) "Normal loading-out point" means the siding or point on a railroad at which wooden mine materials and industrial blocking may be sold and to which the forest products can be most cheaply transported from the point of production for shipment by rail.

**SEC. 3. Basic maximum prices.** The maximum prices for Eastern wooden mine materials and industrial blocking are set out in section 14.

**SEC. 4. Transportation addition.** The transportation charges set forth below may be added to the maximum "normal loading-out point" price when the seller makes delivery. 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 charges paid by the seller for transportation beyond the loading-out point may, in every case, be added, except that the case of pit posts, props and split or round lagging, the only permissible addition is the amount by which the actual freight charges paid exceed the rate of 15 cents per 100 pounds. Transportation additions for open pit mine ties delivered to mines in Zone 5 are set out in footnote 1 to Table 5 (c).

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

(a) *Common or contract carrier.* When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights higher than those set forth in section 14 may not be used.

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.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles, and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. In the case of poles and piling only, if the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population

of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

**SEC. 5. Treated products.** (a) The maximum prices for Eastern wooden mine materials and industrial blocking preservatively treated by pressure process are established by Maximum Price Regulation No. 491.<sup>1</sup>

(b) The maximum price for any Eastern wooden mine material and industrial blocking preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation<sup>2</sup> 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 untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same size and grade of untreated product. 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 product. 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 product. (If the seller of a treated product 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 product.)

**SEC. 6. Special pricing.** If a seller wishes to sell a specification of Eastern Wooden Mine Materials and Industrial Blocking not specifically priced in this regulation, or wishes to make changes 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 those provided by the regulation, 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 com-

parable 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. 7. 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.

**SEC. 8. Exports and imports.** (a) The maximum price for export sales of Eastern wooden mine materials and industrial blocking is governed by the Second Revised Maximum Export Price Regulation.<sup>3</sup>

(b) For wooden mine materials and industrial blocking 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". Wooden mine materials and industrial blocking of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 556.<sup>4</sup>

**SEC. 9. Records.** All sellers of eastern wooden mine material and industrial blocking must keep records which will show a complete description of the item sold, the name and address of the

<sup>1</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201, 9834.

<sup>2</sup> 9 F.R. 10996.

<sup>3</sup> 8 F.R. 15594; 9 F.R. 8182, 9955.

<sup>4</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193.

buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the seller. These records must be kept for any month in which the seller or buyer sold or bought \$500.00 worth of eastern wooden mine material and industrial blocking. 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. 10. Applications for adjustment and petitions for amendment—(a) Government contracts.** See Procedural Regulation No. 6<sup>8</sup> 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,<sup>9</sup> issued by the Office of Price Administration.

**Sec. 11. 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 larger 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.

**(c) Purchasing commissions.** It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling, or locating Eastern wooden mine materials or industrial blocking.

**Sec. 12. 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. 13. Licensing.** The provisions of Licensing Order No. 1,<sup>7</sup> 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 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. 14. Maximum prices for Eastern wooden mine materials and industrial blocking.** The maximum prices, except for pit posts and round or split lagging, shown in this section, are f. o. b. cars at the railroad loading-out point which is the "normal loading-out point" as defined in section 2(b)(4).

All diameters specified in the following tables in this section refer to measurement taken at the small end and under the bark.

**ZONE 1—NORTHEASTERN AND NORTH CENTRAL STATES**

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania; the counties of Mineral, Preston, Grant, Randolph, Upshur, Wetzel, Hampshire, Hardy, Tucker, Barbour, Monongalia, Taylor, Marion, Ohio, Marshall, Brooke, and Hancock in the State of West Virginia; the counties of Garrett and Allegany in the State of Maryland; 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.

**TABLE 1—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS, PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE**

[Weight in pounds and price per post]

Top diameters inside bark	4 inches		4½ inches		5 and 5½ inches		6 and 6½ inches		7 and 7½ inches	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0" round	12	\$0.045	14.75	\$0.05	18	\$0.06				
2'2"	13	.045	16	.05	19.5	.06				
2'4"	14	.05	17.25	.055	21	.065				
2'6"	14.75	.055	18.5	.06	22.5	.07				
2'8"	15.75	.06	19.75	.065	24	.075				
2'10"	16.75	.065	21	.07	25.5	.08				
3'0"	17.75	.07	22	.075	27	.085				
3'2"	18.75	.075	23.25	.08	28.5	.09				
3'4"	19.5	.08	24.5	.085	30	.095				
3'6"	20.5	.085	26	.09	31.5	.10				
3'8"	21.5	.09	26.5	.095	33	.105				
3'10"	22.5	.095	28	.10	34.5	.11				
4'0"	23.5	.10	29.5	.105	36	.115	51	\$0.14		
4'2"	24.5	.105	30.5	.11	37.5	.12	53	.145		
4'4"	25.5	.11	32	.115	39	.125	55	.15		
4'6"	26.5	.115	33	.12	40.5	.13	57.5	.16		
4'8"	27.5	.12	34.5	.13	42	.14	58	.17		
4'10"	28.5	.13	36	.14	43.5	.15	61	.18		
5'0"	29.5	.14	37	.15	45	.16	64	.19		
5'2"	30.5	.15	38.5	.16	46.5	.17	66	.20		
5'4"	31.5	.16	40	.17	48	.18	68	.215		
5'6"	32.5	.17	41	.18	49.5	.19	70.5	.23		
5'8"	33.5	.18	42.5	.19	51	.20	73	.25		
5'10"	34.5	.19	43.5	.20	52.5	.21	75	.27		
6'0"	35.5	.20	44.5	.21	54	.22	77	.29		
6'2"	36.5	.21	46	.22	55.5	.23	79	.30		
6'4"	37.5	.22	47	.23	57	.24	81	.32		
6'6"	38.5	.23	48	.24	58.5	.255	83	.35		
6'8"	39.5	.24	49.5	.26	60	.27	85	.38		
6'10"	40.5	.25	50.5	.28	61.5	.29	87	.41		
7'0"	41.5	.26	52	.31	63	.33	89.5	.45	120	\$0.47
7'8"	42.5	.29	55	.33	69.5	.39	99	.49	132	.53
8'0"	43.5	.32	59	.37	77	.44	109	.53	144	.59
8'6"			63	.40	84	.455	118	.57	156	.65
9'0"			66.5	.43	89	.47	125	.61	166	.71
9'6"			70	.47	94	.52	132	.65	175	.76
10'0"			74	.50	99	.575	139	.69	184	.81
10'6"					104	.60	146	.73	193	.86
11'0"					109	.625	153	.75	202	.91
11'6"					114	.65	160	.79	211	.96
12'0"					119	.685	167	.84	220	1.02
12'6"					124	.72	174	.89	229	1.07
13'0"					129	.76	181	.96	238	1.12
13'6"					134	.84	188	1.03	247	1.17
14'0"					139	.935	195	1.10	256	1.22
14'6"					144	1.02	202	1.17	265	1.27

**NOTE:** Peeled pit posts. For peeling 6" diameter and under, add \$0.01 per lineal foot. For peeling over 6" diameter, add \$0.015 per lineal foot.

<sup>7</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256.

<sup>8</sup> 9 F.R. 5791.

<sup>9</sup> 8 F.R. 13240.





TABLE 3 (C)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 3 F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	\$29.00	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	31.00	5,400	3,900
All lengths specified shorter than 6', add \$3.00.			

**ZONE 4—SOUTH WESTERN STATES**

Zone 4 shall include points in the State of Florida, on the west bank of and west of

TABLE 4—MAXIMUM PRICE FOR UNPEELED PIT POSTS AND PROPS PRODUCED IN ZONE 4 AND DELIVERED ON A 15 CENT FREIGHT RATE

(Weight in pounds and price per post)

Diameter.....	4"		5"		6"		7"		8"	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
1 1/2"	9	\$0.05	14	\$0.055						
1 7/8"	9.5	.05	15	.055						
2"	10.5	.055	15.5	.06						
2 1/4"	11	.055	17	.06						
2 1/2"	12	.06	18.5	.065						
2 3/4"	13	.06	19.5	.065						
3"	13.5	.065	21	.07						
3 1/4"	14.5	.065	22	.07						
3 1/2"	15.5	.07	23.5	.075	33.5	\$0.08				
3 3/4"	16	.07	25	.075	35	.085				
3 7/8"	17	.075	26	.08	37	.085				
4"	18	.075	27.5	.08	39	.09				
4 1/8"	19	.08	29	.085	41	.095				
4 1/4"	20	.085	30	.085	43	.10				
4 1/2"	21	.085	31	.09	44.5	.105				
4 3/4"	21.5	.085	32.5	.09	46	.11				
4 7/8"	22.5	.09	34	.095	48	.11				
5"	23.5	.09	35	.095	50	.115				
5 1/8"	24	.095	36.5	.10	52	.12				
5 1/4"	25	.095	38	.10	54	.125				
5 1/2"	26	.10	39	.105	55.5	.13	74.5	\$0.23	96.5	\$0.33
5 3/4"	26.5	.10	40.5	.105	56	.135	77	.24	99	.34
5 7/8"	27.5	.105	42	.11	58.5	.14	79	.245	102	.35
6"	28.5	.105	43	.115	61	.145	82	.25	105	.36
6 1/8"	29	.11	44.5	.12	63	.15	84	.255	109	.37
6 1/4"	30	.11	46	.125	65	.155	86	.26	112	.38
6 1/2"	31	.115	47	.13	66.5	.16	89.5	.265	116	.39
6 3/4"			48.5	.13	68	.16	92	.27	119	.395
6 7/8"			49.5	.135	70	.165	95	.27	122	.40
7"			50.5	.14	72	.17	97	.275	125.5	.405
7 1/8"			52	.145	74	.17	99	.28	129	.41
7 1/4"			53	.15	76	.175	102	.29	132	.42
7 1/2"			54.5	.155	77.5	.185	104.5	.30	135	.435
7 3/4"					83	.22	112	.34	145	.47
8"					92	.26	124	.37	158	.51
8 1/8"					101	.28	136	.40	171	.54
8 1/4"					108	.30	144	.43	184	.57
8 1/2"					115	.33	152	.46	195	.60
8 3/4"					122	.37	160	.50	205	.64
9"					129	.41	168	.54	215	.68
9 1/8"					136	.44	176	.58	225	.72
9 1/4"					143	.48	184	.62	235	.76
9 1/2"					150	.51	192	.65	245	.80
9 3/4"					157	.56	200	.68	255	.84
10"					163	.60	208	.71	265	.88
10 1/8"					170	.64	216	.74	275	.92
10 1/4"					177	.68	224	.77	285	.98
10 1/2"					184	.72	232	.80	295	1.02

NOTE: Peeled pit posts. For peeling 6" in diameter and under, add \$.01 per lineal foot. For peeling over 6" in diameter, add \$.015 per lineal foot.

the Apalachicola River; the States of Alabama, Mississippi and Louisiana; points in the State of Arkansas on the south bank and south of the Arkansas River; points in the State of Oklahoma on the south bank 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, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

Split halves. 7" face split halves same price as 5" round. 9" face split halves same price as 6" round. 10" face split halves same price as 7" round. 12" face split halves same price as 8" round.

Split quarters. 5" face split quarters same price as 5" round. 6" face split quarters same price as 6" round. 7" face split quarters same price as 7" round. 8" face split quarters same price as 8" round.

Triangular split props. 5" face 3 sides same price as 4" round. 6" face 3 sides same price as 5" round. 7" face 3 sides same price as 6" round. 8" face 3 sides same price as 7" round. 9" face 3 sides same price as 8" round.

TABLE 4 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 4, F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties (mixed hardwoods and pine):			
All sizes	\$25.00	5,400	3,900
Cross bars (collars) (mixed hardwoods and pine):			
All sizes up to and including 6" x 7"	25.00	5,400	3,900
All sizes over 6" x 7"	27.00	5,400	3,900
For specified lengths 15' and longer, add	3.00		
Short mine materials (mixed hardwoods and pine):			
Post caps (headers) all sizes	25.00	5,400	3,900
Cribbing blocks (sawn lagging) all sizes	25.00	5,400	3,900
Wedges to specifications	30.00	5,400	3,900

TABLE 4 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 4, F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	\$25.00	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	27.00	5,400	3,900
All lengths specified shorter than 6', add	3.00		

**ZONE 5—LAKE STATES**

Zone 5 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 5 (A)—MAXIMUM PRICES FOR ROUND UNPEELED PIT POST, PROPS POLE TIMBER AND CRIBBING PRODUCED IN MINNESOTA AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per lineal foot]

Top diameter inside bark	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, white pine and spruce			
	All lengths 8 feet and under		All lengths over 8 feet		All lengths 8 feet and under		All lengths over 8 feet		All lengths 8 feet and under		All lengths over 8 feet	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3" to 5"	10	\$0.025	11	\$0.03								
5" to 7"	18	.05	19	.055								
7" to 9"	29	.09	31	.10								
9" to 11"	43	.12	45	.13								
11" to 13"	59	.16	62	.17								
13" to 15"	78	.19	81	.20								
15" to 17"	97	.235	100	.245								
3" to 5"					8.5	\$0.03	9.5	\$0.035	7.5	\$0.02	8.5	\$0.025
5" to 6"					12	.045	13	.05	11	.03	12	.035
6" to 7"					16	.075	17	.085	14.5	.04	15.5	.05
7" to 8"					21	.105	22	.115	18.5	.065	19.5	.075
8" to 9"					26	.135	27	.145	23	.09	24	.10
9" to 10"					31	.17	33	.18	28	.12	29.5	.13
10" to 11"					37	.205	39	.215	34	.14	35.5	.15
11" to 12"					44	.24	46	.25	40	.17	42	.18
12" to 13"									46	.21	48	.22
13" to 14"									53	.24	55	.25
14" to 15"									61	.29	63	.30

TABLE 5 (A)—ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN WISCONSIN AND THE UPPER PENINSULA OF MICHIGAN DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per lineal foot]

Top diameter inside bark	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, White Pine and Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3" to 5"	10	\$0.025	11	\$0.03								
5" to 7"	18	.05	19	.055								
7" to 9"	29	.09	31	.10								
9" to 11"	43	.12	45	.13								
11" to 13"	59	.16	62	.17								
13" to 15"	78	.19	81	.20								
15" to 17"	97	.235	100	.245								
3" to 4"					7.5	\$0.03	8.5	\$0.035				
4" to 5"					9.5	.04	10.5	.045				
5" to 6"					12	.05	13	.055				
6" to 7"					16	.075	17	.085				
7" to 8"					21	.105	22	.105				
8" to 9"					26	.135	27	.135				
9" to 10"					31	.17	33	.17				
10" to 11"					37	.205	39	.205				
11" to 12"					44	.24	46	.24				
3" to 5"									7.5	\$0.02	8.5	\$0.025
5" to 6"									11	.03	12	.035
6" to 7"									14.5	.04	15.5	.05
7" to 8"									18.5	.065	19.5	.075
8" to 9"									23	.09	24	.10
9" to 10"									28	.12	29.5	.13
10" to 11"									34	.14	35.5	.15
11" to 12"									40	.17	42	.18
12" to 13"									46	.21	48	.22
13" to 14"									53	.24	55	.25
14" to 15"									61	.29	63	.30

NOTE: Peeled pit posts. For peeling pit posts 6" in diameter and under, add \$0.01 per lineal foot. For peeling pit posts over 6" in diameter, add \$0.015 per lineal foot.

TABLE 5 (B)—MAXIMUM PRICE FOR ROUND OR SPLIT LAGGING PRODUCED IN ZONE 5 DELIVERED ON A 15 CENT FREIGHT RATE

[192 cubic foot cord]

	Price per cord	Weight in lbs. per cord
Split cedar lagging	\$15.50	3,200
Round or split jack pine or poplar	15.50	5,000

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TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

Each

8' Standard tamarack mine cross ties (manufactured from 8" and larger timber)	\$1.20
8' Small tamarack mine cross ties (manufactured from 7" to 8" timber)	.70
8' Standard white oak mine cross ties (manufactured from 8" and larger timber)	1.47

TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONES 5 F. O. B. LOADING-OUT POINTS—continued

Each

8' Small white oak mine cross ties (manufactured from 7" to 8" timber)	\$0.80
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Per M'BM

Tamarack mine switch ties	\$42.00
White oak mine switch ties	45.00

FOR MINE SWITCH TIES SOLD AND LOADED IN SETS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PURCHASER, ADD \$2.50 PER M'BM

NOTE: To figured delivered prices in Zone 5 instead of using the provisions of section 4, the following amounts may be added to above prices regardless of the production point.

Each

Standard tamarack mine cross ties	\$0.15
Small tamarack mine cross ties	.10
Standard white oak mine cross ties	.20
Small white oak mine cross ties	.15

Per M'BM

White oak and tamarack mine switch ties	\$7.50
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TABLE 5 (D)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 5, F. O. B. CARS LOADING OUT POINTS

	Price	Per M'BM (weight)	
		Green	Dry
Underground mine ties and mine switch ties (mixed hardwoods): All sizes	\$30.50	5,400	3,900
Cross-bars (collars) (mixed hardwoods): All sizes up to and including 6" x 7"	30.50	5,400	3,900
All sizes over 6" x 7"	32.50	5,400	3,900
For specified lengths 18' and longer, add	3.00		
Short mine material (mixed hardwoods): Post caps (headers): All sizes	30.50	5,400	3,900
Wedges to specifications	30.50	5,400	3,900
Mine boards (mixed hardwoods): All thickness, widths and lengths	30.50	5,400	3,900

TABLE 5 (E)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 5, F. O. B. CARS LOADING-OUT POINTS

	Price	Per M'BM (weight)	
		Green	Dry
All sizes up to and including 6" x 7" (mixed hardwoods)	\$30.50	5,400	3,900
All sizes over 6" x 7" (mixed hardwoods)	32.50	5,400	3,900
All lengths specified shorter than 6', add	3.00		

This regulation shall become effective September 26, 1944.

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 September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14575; Filed, Sept. 21, 1944; 11:55 a. m.]

## PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 560]

## NORTHERN WHITE CEDAR POLES AND PILING

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.\*

## MAXIMUM PRICE REGULATION 560—NORTHERN WHITE CEDAR POLES AND PILING

## Sec.

1. Sales of Northern White Cedar poles and piling at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum prices for Northern White Cedar poles and piling.

**AUTHORITY:** Secs. 1 to 14, inclusive, (§ 1426-260) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

**SECTION 1. Sales of Northern White Cedar poles and piling at higher than maximum prices prohibited.** (a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Northern White Cedar poles and piling 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.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of earlier ceilings may apply for special permission to complete shipment under such

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

firm contracts without regard to the new ceiling under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the sellers submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

**SEC. 2. Coverage of the regulation.** (a) This regulation covers all sales and purchases of Northern White Cedar (*Thuja occidentalis*) poles and piling produced in that part of the United States east of a line approximating the one hundredth meridian except North Dakota and South Dakota. The principal production zone is defined in Section 14, Table 1.

(b) **Definitions.** (1) "Pole" means any round peeled or unpeeled section of a tree, longer than 14 feet, suitable for use to support transmission or communication lines at varying heights above the ground.

(2) "Piling" means the same as "pole" except that it must be suited for driving in the ground to form foundation for construction such as wharves, bulkheads, buildings, and the like.

(3) "Loading-out point" means the point or siding on a railroad where the poles or piling are or normally would be loaded for shipment by rail.

**SEC. 3. Basic maximum prices.** The maximum prices for Northern White Cedar poles and piling are set out in section 14.

**SEC. 4. Transportation addition.** Transportation from the point of production to the railroad loading-out point must, in every instance, be provided on the seller's account. Rail charges paid by the seller for transportation beyond the loading-out point may, in every case, be added. If the seller finds that by making transportation additions it is more profitable to sell at a loading-out

point other than the one nearest to his point of production he has wrongly applied this section. All additions for transportation must be shown separately on the invoice.

(a) **Common or contract carrier.** When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights must be taken for the exact type of product actually ordered.

(b) **Private truck.** (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles; and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. If the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

(c) **Basing point.** In the case of Northern White Cedar poles or piling produced in Michigan, Minnesota, Wisconsin or imported from Canada and entering the United States at points in the above named states, the transportation addition may be computed as the estimated weights shown in the table in Section 14 times the rail freight rate from Gemmel, Minnesota.

**SEC. 5. Treated products.** (a) The maximum prices for Northern White Cedar poles and piling preservatively treated by pressure process are established by Maximum Price Regulation No. 491.<sup>1</sup>

(b) The maximum price for Northern White Cedar poles and piling preservatively treated by non-pressure methods (except as otherwise provided herein in Table 2) shall be the maximum price established by the General Maximum Price Regulation<sup>2</sup> 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 de-

<sup>1</sup> 8 F.R. 15594, 9 F.R. 8182, 9955.

<sup>2</sup> 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

terminated by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same class and grade of untreated product. 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 product. 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 product. (If the seller of a treated product 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 product.)

**SEC. 6. Special pricing.** If a seller wishes to sell a specification of Northern White Cedar poles 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 a price approval is desired.

(1) If a specification other than ASA is to be priced, 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 existed, a detailed analysis of 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 the price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

**SEC. 7. 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.

**SEC. 8. Exports and imports.** (a) The maximum price for export sales of Northern White Cedar poles and piling is governed by the Second Revised Maximum Export Price Regulation.<sup>8</sup>

(b) For Northern White Cedar poles and piling produced in Canada and imported at points in "Eastern" territory in the United States, the basic maximum prices is the price f. o. b. loading-out point (or basing-point) established in this regulation for the area in which the port of entry is located. For purposes of figuring transportation additions, such port of entry (or basing-point) shall be regarded as the "loading-out point."

**SEC. 9. Records.** All sellers of Northern White Cedar poles and piling products 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 name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought \$500.00 worth of Northern White Cedar poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Emergency Price Control Act of 1942 or for two years, whichever is the shorter.

**SEC. 10. Applications for adjustment and petitions for amendment.**—(a) *Government contracts.* See Procedural Regulations No. 6<sup>4</sup> 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,<sup>5</sup> issued by the Office of Price Administration.

**SEC. 11. 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) Paying a commission for the service of procuring, buying, selling, or locating Northern White Cedar poles and piling or for any related service if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products.

**SEC. 12. 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. 13. Licensing.** The provisions of Licensing Order No. 1,<sup>6</sup> 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. 14. Maximum prices for poles and piling.**

TABLE 1—MAXIMUM PRICES FOR NORTHERN WHITE CEDAR POLES PRODUCED IN THE STATES OF MICHIGAN, MINNESOTA AND WISCONSIN. AMERICAN STANDARD ASSOCIATION SPECIFICATIONS FOR CLASS POLES. NORTHERN WHITE CEDAR ASSOCIATION SPECIFICATION FOR TOP DIAMETER POLES

[F. o. b. cars at the railroad loading-out point]

Length	A. S. A.		N. W. C. A. top diameter	Price	Weight	
	Class	Inches				
16 feet.....	5	.....	.....	\$2.20	230	
	6	.....	.....	1.65	190	
	7	.....	.....	1.35	135	
	8	6	.....	1.35	135	
	9	5	.....	1.05	105	
	10	4	.....	.80	85	
	18 feet.....	1	.....	.....	7.90	720
		2	.....	.....	5.65	600
		3	.....	.....	3.90	540
		4	.....	.....	3.50	350
5		.....	.....	3.10	300	
6		.....	.....	2.85	230	
7		.....	.....	2.55	190	
8		6	.....	2.30	190	
9		5	.....	1.60	130	
10		4	.....	1.05	100	
20 feet.....	1	.....	.....	7.90	720	
	2	.....	.....	5.65	600	
	3	.....	.....	3.90	540	
	4	.....	.....	3.50	350	
	5	.....	.....	3.10	300	
	6	.....	.....	2.85	230	
	7	.....	.....	2.55	190	
	8	6	.....	2.30	190	
	9	5	.....	1.60	130	
	10	4	.....	1.05	100	

<sup>8</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201, 9834, 11273.

<sup>4</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256, 10628.

<sup>5</sup> 9 F.R. 5791, 10476.

<sup>6</sup> 8 F.R. 13240.

TABLE 1—MAXIMUM PRICE FOR NORTHERN WHITE CEDAR POLES, ETC.—Continued

[F. o. b. cars at the railroad loading-out point]

Table with columns for Length, Class, N. W. C. A. top diameter (Inches), Price, and Weight. Rows are categorized by length (22, 25, 30, 35, 40, 45, 50, 55, 60 feet).

On all sales of White Cedar Poles produced in any area other than that described in the heading of this table, the maximum prices in this table may be increased 15%.

Notes Applying to Table 1:

1. Piling. The maximum price for White Cedar piling shall be the price for the closest equivalent A. S. A. size pole in the same length.

2. Cut back allowance. When requirements of the buyer exceed the available supply of the seller, for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar Class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used.

keep a record of such sales and show this charge as a separate item on the invoice.

3. Inspection service. On shipments where the buyer requests special inspection service, furnished by an independent inspection agency, an addition may be made to cover the actual cost of such service.

4. Less than carload sales. On sales by established concentration, distribution or treating plant yards of less than carload minimum weight as established by railroad tariffs and when the invoice value at the maximum prices for the untreated poles or other round material does not exceed \$250.00, the seller may add a service charge of not more than 25 percent of the total invoice value of the treated or untreated material not including transportation, but including the treating and processing additions in Table 2.

5. Branding and marking. If required by the buyer, the manufacturer's brand showing the year mark, class and length of pole must be branded on the face of treated poles including butt treated at no extra charge.

6. Untreated poles from treating plants. On shipments from treating plant yards of untreated poles the seller may add a charge of not more than 7 1/2¢ per cwt. times the estimated weight for that length and size in the appropriate table.

7. Storage. When the buyer requires storage of treated poles for a minimum of 30 days until released for shipment as required, the seller may add a yarding charge of not more than 5 cents per cwt. times the estimated weight for the same class and length in the appropriate table.

8. Specifications not priced. For any specifications of pole not priced in this table a maximum price addition may be determined in accordance with section 6.

TABLE 2—MAXIMUM PRICE ADDITIONS TO POLE PRICES FOR TREATING AND PROCESSING WHITE CEDAR POLES

Table with columns for Length, Class, N. W. C. A. top diameter (Inches), Butt treatment (A. A., B), Incised with 1/2" guaranteed penetration creosote, Full length creosote or other preservative, Roof only, Roof and one gain, Each additional gain, Staining or painting, and Hand or machine shave. Rows are categorized by length (16, 18, 20, 22, 25, 30 feet).

1 If the buyer does not require incising with this type of treatment deduct 5% from this price.

TABLE 2—MAXIMUM PRICE ADDITIONS TO POLE PRICES TREATING AND PROCESSING WHITE CEDAR POLES—Continued

Length	A. S. A. Class	N. W., C. A. top diameter (inches)	Butt treatment			Full length creosote or other preservative. No butt treatment, incised groundline area and under 8 hours hot treatment <sup>1</sup>	Roof only	Roof and one gain	Each additional gain	Staining or painting	Hand or machine shave
			"A. A."	"B"	Incised with 1/4" guaranteed penetration creosote						
35 feet	1		\$3.15	\$5.25	\$6.80	\$5.00	\$.35	\$.45	\$.08	\$2.10	\$1.50
	2		2.45	4.20	5.30	4.40	.35	.40	.08	1.95	1.40
	3		2.05	3.40	4.40	3.95	.30	.35	.08	1.80	1.30
	4		1.75	2.75	3.51	3.15	.25	.30	.08	1.70	1.20
	5		1.65	2.50	3.20	2.90	.25	.30	.08	1.60	1.10
	6		1.35	2.30	2.90	2.60	.20	.25	.08	1.55	.95
	7		1.20	2.10	2.65	2.40	.20	.25	.08	1.50	.90
40 feet	1		4.95	6.70	8.40	7.00	.35	.45	.11	2.25	1.60
	2		3.30	5.45	7.05	6.31	.35	.45	.11	2.15	1.50
	3		2.60	4.00	5.05	4.55	.30	.35	.11	1.95	1.40
	4		2.25	3.35	4.25	3.70	.25	.30	.11	1.85	1.35
	5		2.10	3.15	4.05	3.65	.25	.30	.11	1.75	1.25
	6		1.70	2.75	3.45	3.10	.25	.30	.11	1.65	1.20
45 feet	1		5.60	8.45	11.75	9.50	.40	.55	.11	2.40	1.75
	2		4.80	6.50	9.95	8.25	.40	.50	.11	2.35	1.65
	3		3.55	5.10	8.10	7.50	.35	.45	.11	2.15	1.55
	4		2.70	3.90	7.45	7.15	.35	.40	.11	2.10	1.50
	5		2.45	3.55	7.05	6.25	.35	.40	.11	2.05	1.40
50 feet	1		6.30	9.35	11.75	9.50	.40	.55	.11	2.60	2.00
	2		5.40	7.90	9.95	8.25	.40	.50	.11	2.50	1.90
	3		4.80	6.35	8.10	7.50	.35	.45	.11	2.30	1.65
	4		4.45	5.90	7.45	7.15	.35	.40	.11	2.25	1.60
55 feet	1		4.25	5.60	7.05	6.25	.35	.40	.11	2.10	1.50
	2		7.25	10.75	13.45	11.40	.45	.55	.11	2.80	2.25
	3		6.10	9.00	11.50	10.25	.45	.50	.11	2.65	2.05
	4		5.35	7.35	9.25	9.25	.35	.45	.11	2.45	1.80
60 feet	1		5.15	6.90	8.30	8.25	.35	.45	.11	2.40	1.75
	2		4.70	6.30	8.00	7.40	.35	.45	.11	2.30	1.65
	3		8.00	11.85	14.80	12.50	.40	.55	.11	3.00	2.50
	4		6.80	10.05	12.60	11.00	.40	.50	.11	2.75	2.20
	5		6.30	9.35	11.75	9.75	.35	.45	.11	2.60	2.00
	4		5.85	8.65	10.90	9.00	.35	.45	.11	2.50	1.90

General notes:

1. *Bolt holes and step holes.* For the first boring in any plane of a pole add \$0.05. For each additional boring in the same plane add \$0.03.

2. *Continuous slab gain.* An addition may be made for each 12' or part thereof of continuous slab gain not to exceed the charge for "Each Additional Gain" above.

This regulation shall become effective September 26, 1944.

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

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14576; Filed, Sept. 21, 1944; 11:54 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 234]

PART 95—CAR SERVICE

REDUCTION OF FREE TIME ON LESS-THAN-CARLOAD FREIGHT AT MEXICAN BORDER POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of September, A. D. 1944.

It appearing, that the detention of less-than-carload freight in railroad cars and freight houses, due to customs clear-

ance and other reasons, originating at points in, or moving through the United States has resulted in serious congestion at Mexican border crossings in Arizona and Texas; in the opinion of the Commission an emergency exists requiring immediate action to prevent further congestion of less-than-carload traffic, it is ordered, that:

(a) *Free time on less-than-carload freight at Mexican border points reduced.* The operation of Rule 14 of Texas Lines' Tariff No. 25-K, Agent Ira D. Dodge I.C.C. No. 569, Item No. 700 of Association of American Railroads' Tariff No. 4-X, Agent B. T. Jones' I.C.C. No. 3815 and all other tariffs are hereby suspended insofar as they authorize or provide free time in excess of three days (72 hours) at Nogales, Arizona, Brownsville, Eagle Pass, El Paso, Presidio or Laredo, Texas, for shipment of less-than-carload freight consigned or re-consigned for export.

(b) *Application.* This order shall apply on the less-than-carload freight described herein at or arriving at Nogales, Arizona, Brownsville, Eagle Pass, El Paso, Presidio or Laredo, Texas, on or after the effective date hereof.

(c) *Announcement of suspension.* Each railroad, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the suspension of any provisions in conflict with this order and establishing the provisions herein required. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 899; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., October 1, 1944; that a copy of this order

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-14566; Filed, Sept. 21, 1944; 11:28 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 33]

MUEGGE-JENULL WAREHOUSE CO.

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of Muegge-Jenull Warehouse Co., San Antonio, Texas. No. S-1265.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. no. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943; and

Having been advised of the existence of a labor dispute involving the Muegge-Jenull Warehouse Company, San Antonio, Texas;

I find that the storing, warehousing, or transportation of food and other commodities by Muegge-Jenull Warehouse Company, San Antonio, Texas, pursuant to any contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 19th day of September 1944.

FRANCES PERKINS,  
Secretary of Labor.

[F. R. Doc. 44-14574; Filed, Sept. 21, 1944; 11:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

NOTICE OF HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Notice is hereby given of the order in which the Commission will receive evidence concerning the various services. Because of the difficulty of securing hotel

and railroad reservations the Commission is endeavoring to estimate when each of the particular services will be reached. It should be emphasized, however, that it is impossible to fortell accurately in advance just when one phase of the hearing will end and another begin and all dates used are at best only approximate. However, every effort will be made to adhere to the schedule as closely as possible.

The hearings will open on September 28 at 10:30 a. m. at the Interdepartmental Auditorium. For the first three days of the hearing, September 28, 29 and 30, general information and data will be presented. The hearing will open with testimony by members of the Commission's staff concerning material which has been assembled concerning the effects of bursts, sporadic E transmission, and other propagation data about the very high frequency band. This will be followed by a statement of Dr. W. R. G. Baker, Chairman of the Radio Technical Planning Board. When Dr. Baker has completed his statement, chairman of Panels 4 through 9 and 11 through 13 of the Radio Technical Planning Board will present brief statements concerning the recommendations of their panels. Then the chairmen of Panel 1 and Panel 2 will submit their panels' reports.

The Commission will then proceed to consider the various services in the order listed below. In considering each service, the Commission will first hear testimony from the RTPB witnesses for the service in question and will then receive evidence from all other interested persons. For convenience in estimating the time to be consumed by the various services they have been divided into four groups and the time expected to be consumed by each group is set forth in the table below. (The topic number in the following table refers to the numerical designation of the services as set forth in public notice of August 17, 1944 (9 F.R. 10271)).

ORDER OF SERVICES

Topic No.	Services	Estimated Date
GROUP I		
8	Fixed Public Service (other than Alaska).	October 2, 4, 5, 6, 7.
9	Coastal, Marine Relay, Ship, Mobile Press, and Fixed Public Service in Alaska).	
10	Aviation.....	
14	Amateur.....	
6	International Broadcast.....	
GROUP II		
1	Standard Broadcast.....	October 9, 11, 12, 13, 14, 16.
2	High Frequency (FM) Broadcast.....	
3	Non-commercial Educational.....	
4	Television.....	
5	Facsimile Broadcast.....	
7	Other broadcast services.....	
GROUP III		
11	Police, Fire and Forestry Services.	October 18, 19, 20, 21, 23.
12	Special Emergency, Provisional and Motion Picture Services.	
13	Special Services (Geophysical, Relay Press).	

ORDER OF SERVICES—Continued  
GROUP IV

Topic No.	Services	Estimated Date
15	Industrial, Scientific and Medical Services.	October 25, 26, 27, 28, 30.
16	Relay Systems (Program and Public and Private Communications).	
17	New Radio Services.....	

Upon the completion of all this testimony, the Commission will again receive evidence from the chairmen of Panels 1 and 2 of the RTPB concerning the recommendation they have to make for over-all allocation in light of the evidence adduced at the hearing. The Commission at that time will also receive evidence from any other person or group that has recommendations to make concerning over-all allocation. It is estimated that this phase of the hearing will commence November 1.

Many questions have been raised concerning the September 20 date specified in the Commission's order for the filing of exhibits. These letters indicate that in many instances it is impossible to comply with the September 20 deadline. Because of these difficulties, the Commission will receive exhibits which have not been filed by September 20. However, it is requested that five copies of these exhibits be submitted to the Commission as soon as possible. This request applies to all exhibits which it is contemplated will be used at the hearing.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-14558; Filed, Sept. 21, 1944; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 203-A]

REROUTING OF COAL AT ALTON, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of September, A. D. 1944.

Upon further consideration of Service Order No. 203 (9 F.R. 4543) of April 27, 1944, and good cause appearing therefore: *It is ordered*, That:

Service Order No. 203 (9 F.R. 4543) of April 27, 1944, directing the Illinois Terminal Railroad Company to reroute 87 cars of coal, consigned by the Peabody Coal Company, due to flood conditions at Alton, Illinois, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective 12:01 a. m., September 22, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of

that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-14529; Filed, Sept. 20, 1944; 2:15 p. m.]

[S. O. 70-A, Special Permit 515]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, September 16, 1944, by Mike Ragatz of cars of potatoes, now on the Great Northern Railroad, WFE 49400 to Omaha, Nebraska (CB&Q), FGE 50968 to Clarinda, Iowa (CB&Q), and WFE 63350 to Des Moines, Iowa (CRI&P).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September 1944.

V. C. CLINGER,  
Director.  
Bureau of Service.

[F. R. Doc. 44-14567; Filed, Sept. 21, 1944; 11:28 a. m.]

[S. O. 200, 7th Amended Gen. Permit 13]

REICING OF POTATOES FROM COLORADO, NEBRASKA, UTAH, AND WYOMING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, Nebraska, Utah and Wyoming, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., September 19, 1944, and shall expire at 11:59 p. m., September 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14568; Filed, Sept. 21, 1944;  
11:28 a. m.]

[2d Rev. S.O. 224, Gen. Permit 3]

#### ICING OF PEACHES FROM UTAH

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the first or initial icing at points on the Union Pacific Railroad Company, of refrigerator cars loaded with peaches originating at points in the State of Utah located on the Union Pacific Railroad Company and its short line connections.

This general permit shall become effective at 12:01 a. m., September 17, 1944, and shall apply only to cars billed on or after the effective date hereof; and shall expire at 12:01 a. m., October 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14569; Filed, Sept. 21, 1944;  
11:28 a. m.]

[2d Rev. S.O. 224, Amended Gen. Permit 3]

#### ICING OF PEACHES FROM COLORADO AND UTAH

Pursuant to the authority vested in me by paragraph (g) of the first ordering

paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the first or initial icing of refrigerator cars loaded with peaches originating at points in the States of Colorado or Utah.

This general permit shall become effective at 12:01 p. m., September 18, 1944, and shall apply only to cars billed on or after the effective date hereof; and shall expire at 12:01 a. m., October 15, 1944.

The waybills shall show reference to this general permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14570; Filed, Sept. 21, 1944;  
11:28 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3785]

##### KIWA UMEDA

In re: Real property, property insurance policy and a claim owned by Kiwa Umeda, also known as Kiwa Matsuoka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kiwa Umeda, also known as Kiwa Matsuoka, is % S. Ikeda, Kosaku-mura, Watase, Toyotagun, Hiroshima-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Kiwa Umeda, also known as Kiwa Matsuoka, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, and interest of Kiwa Umeda, also known as Kiwa Matsuoka, in and to fire insurance policy No. 5526, issued by the California Insurance Company of San Francisco, San Francisco, California, such policy insuring the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Kiwa Umeda, also known as Kiwa Matsuoka in and to any and all obligations, contingent or otherwise

and whether or not matured, owing to Kiwa Umeda, also known as Kiwa Matsuoka, by the National Mortgage & Finance Co., Ltd., and represented on the books of the National Mortgage & Finance Co., Ltd., as a credit balance due Kiwa Umeda, also known as Kiwa Matsuoka, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 5715, Land Commission Award Number

10605 to Piikoi), situate, lying and being at Kewalo, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Nine (9), of the tract of land known as the "Isona Tract", a Subdivision of Lots Numbers 38, 39, 40, 41 and 42, of the "King Street Tract", and thus bounded and described:

Beginning at the East corner of this Lot and at the West corner of Cedar Street and a 15-foot Lane, the coordinates of which point are 30.83 feet South and 645.49 feet West of a Government Survey Street Monument near the North corner of King and Keeaumoku Streets, said Street Monument being set on a 10-foot offset to the Northeast side of King Street and a 10-foot offset to the Northwest side of Keeaumoku Street, and running by true azimuths:

1. 24°40' 92.5 feet along the Northwest side of Cedar Street;
2. 110°42' 40.0 feet along Lot 37 (King Street Tract);
3. 204°40' 92.5 feet along Lot 8;
4. 290°42' 40.0 feet along the Southwest side of lane to the point of beginning.

Containing an area of 3,691 Square Feet, or thereabouts.

[F. R. Doc. 44-14556; Filed, Sept. 21, 1944; 10:54 a. m.]

[Vesting Order 3848]

KUMAKI FUKUYAMA

In re: Real property, property insurance policy and claim owned by Kumaki Fukuyama, also known as Kumakichi Fukuyama.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kumaki Fukuyama, also known as Kumakichi Fukuyama, is Wakamatsu Fukuoka, Japan, and that he is a resident of Japan, and a national of a designated enemy country (Japan);

2. That Kumaki Fukuyama, also known as Kumakichi Fukuyama, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Kumaki Fukuyama, also known as Kumakichi Fukuyama, in and to fire insurance policy No. 5347, issued by The California Insurance Company of San Francisco, San Francisco, California, which policy insures the improvements to the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Kumaki Fukuyama, also known as Kumakichi Fukuyama in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to, and held for and in the name of, Kumaki Fukuyama, also known as Kumakichi Fukuyama, by Chieko Watanabe and Jiro Watanabe, arising by reason of rents collected from the real property described in subparagraph 3-a hereof, including particularly, but not limited to, those sums collected as rentals and deposited by Chieko Watanabe with the International Building & Loan Association, Limited, Honolulu, T. H., and

held in Account No. 2000 in the name of Chieko Watanabe, and any and all security rights in and to any and all collateral for any and all of such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 22, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 6967, Land Commission Award Number

4034, Apana 1 to Robert G. Davis) situate, lying and being on the Southwest side of Kealane Lane, Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Five (5), in Block "B", of the Tract of land known as the "Emmeluth Tract", (the Map thereof not being recorded), and thus bounded and described:

Lot number 5, block "B", of the "Emmeluth Tract", the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kalaepohaku", being 1324.9 feet South and 516.9 feet West, and running by true azimuths:

1. 318°55' 50.05 feet along the Southwest side of Kealane Lane;
  2. 51°51' 98.00 feet along Lot 4, Block "B", of the Emmeluth Tract;
  3. 142°21' 50.00 feet along fence to a pipe;
  4. 231°51' 95.00 feet along Land Court Application No. 435, to the point of beginning.
- Containing an area of 4.825 square feet, or thereabouts.

[F. R. Doc. 44-14555; Filed, Sept. 21, 1944; 10:54 a. m.]

[Vesting Order 3871]

MASANOSUKE TOMITA

In re: Real property owned by Masanosuke Tomita.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Masanosuke Tomita is Yamaguchi-ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Masanosuke Tomita is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such prop-



erty 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 June 28, 1944.

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

EXHIBIT A

All of that certain parcel of land situate, lying and being on the West side of Kapa-hulu Road, Kaluaolohe, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Seventeen (17), of the tract of land known as the "F. L. James Tract", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Two Hundred Forty-Four (244).

Containing an Area of 6,000 Square Feet, or thereabouts.

[F. R. Doc. 44-14554; Filed, Sept. 21, 1944; 10:53 a. m.]

[Vesting Order 4036]

JAPANESE MERCANTILE CO., LTD.

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, finding:

1. That of the outstanding capital stock of Japanese Mercantile Company, Ltd., a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States consisting of 1257 shares of capital stock having a par value of \$10 a share, 595 shares (47.335%) are registered in the name of and owned by Umeichi Kinoshita and are evidence of control of said business enterprise;

2. That Umeichi Kinoshita, whose last known address is Yokohama, Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Japanese Mercantile Company, Ltd., is controlled by Umeichi Kinoshita and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 595 shares of the capital stock of Japanese Mercantile Company, Ltd., more fully described in subparagraph 1 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

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

[F. R. Doc. 44-14553; Filed, Sept. 21, 1944; 10:53 a. m.]

[Vesting Order 4038]

H. YAMANAKA & COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(1) That all of the outstanding capital stock of H. Yamanaka & Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States consisting of 600 shares of \$50 par value capital stock is registered in the names of the persons listed below, in the number appearing opposite each name, and is beneficially owned by Heichi Yamanaka and is evidence of ownership and control of said business enterprise:

Name:	Number of shares
Heichi Yamanaka.....	400
Kurasaku Fujita.....	80
Hozuchi Tabata.....	60
Katsusuke Yamamoto.....	35
Martha Chizuko Yamanaka.....	20
Taketo Teshima.....	5
Total .....	600

(2) That Heichi Yamanaka, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

(3) That H. Yamanaka & Company, Limited, is controlled by Heichi Yamanaka, and is a national of a designated enemy country (Japan);

(4) That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 600 shares of capital stock of H. Yamanaka & Company, Limited, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

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

[F. R. Doc. 44-14552; Filed, Sept. 21, 1944;  
10:53 a. m.]

ARNO BRASCH, ET AL.

ORDER FOR AND NOTICE OF HEARING

In the matter of Arno Brasch, Fritz Lange and The General Electric Company.

Whereas, by Vesting Order No. 201 of October 2, 1942 (8 F.R. 625) the Alien Property Custodian vested, among other things, the following described property:

All right, title and interest including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to United States Patents Nos. 1,931,475, 2,005,021, 2,043,733, and 2,099,327.

Whereas, Arno Brasch and Fritz Lange have filed Notices of Claims on Form APC-16 wherein it is claimed that they are the joint owners of the property so vested or an interest therein, that Arno Brasch is stateless and a resident of the United States and Fritz Lange is a citizen and resident of Russia, but is represented by Arno Brasch as his attorney-in-fact, and whereas the General Electric Company has filed its Notice of Claim No. 515 on Form APC-1 wherein it asserts it is a corporation in the State of New York and that it has an exclusive license under Patent No. 2,005,021 to make, use and sell apparatus covered by said patent for all purposes, excluding only the use of such apparatus for the manufacture of anti-rachitic or radio-active substances by means of rays.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Wednesday, October 4, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, N. Y., to continue thereafter at such time and place as the Committee may determine. It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimants and upon the persons designated in paragraph 2 of the said notices of claims and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington, (25), D. C., on or before October 2, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS  
COMMITTEE,  
JOHN C. FITZGERALD,  
Chairman.

SEPTEMBER 21, 1944.

[F. R. Doc. 44-14557; Filed, Sept. 21, 1944;  
10:54 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 113, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WICHITA AND OTTAWA, KANS.

Upon consideration of a petition to substitute Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Line, as a party to Supplementary Order ODT 3, Revised-113 (8 F.R. 15996), and good cause appearing therefor, It is hereby ordered, That:

1. Supplementary Order ODT 3, Revised-113 be, and it hereby is, amended by substituting Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Line, and

2. Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Benjamin Cain, doing business as Cain's Truck Line, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective September 21, 1944.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14528; Filed, Sept. 20, 1944;  
1:33 p. m.]

[Supp. Order ODT 3, Rev. 342]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WISCONSIN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes

of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

<sup>1</sup> Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

APPENDIX 1

Arthur A. McCue, doing business as Minnesota-Wisconsin Truck Line and McCue Transfer Company, 198 East Ninth St., St. Paul, Minn.

Mueller Transportation Co. (a corporation), 2424 Minnehaha Ave., Minneapolis, Minn.

A. G. Henneman, doing business as A. G. Henneman Transfer, Bloomer, Wis.

[F. R. Doc. 44-14527; Filed, Sept. 20, 1944; 1:33 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 2364]

J. C. PLATING WORKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as

amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of five items of upholstered dinette chairs manufactured by J. C. Plating Works, 865 North Sangamon Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	
		Each	Each
Dinette chair.....	1/100	\$2.81	\$3.31
	1/16	2.98	3.51
	1/83	3.03	3.56
	1/82	3.02	3.55
	1/80	2.98	3.50

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, Section 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers	
		Each	Each
Dinette chair.....	1/100	\$3.31	
	1/16	3.51	
	1/83	3.56	
	1/82	3.55	
	1/80	3.50	

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14540; Filed, Sept. 20, 1944; 3:11 p. m.]

[MPR 188, Order 2365]

GENERAL WOODCRAFT CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an occasional table and two end tables manufactured by General Woodcraft Corporation, 266 River Street, Haverhill, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	
		Each	Each
Occasional table.....	208A	\$2.92	\$3.65
End table.....	206	2.18	2.72
	207	2.18	2.72

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of pur-

chaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Occasional table.....	208 A	Each \$3.65
End table.....	206	2.72
	207	2.72

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14541; Filed, Sept. 20, 1944; 3:11 p. m.]

[MPR 188, Order 2366]

QUALITY FURNITURE 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, and pursuant to the authority vested in

the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of three items of occasional tables and three items of bunk beds manufactured by Quality Furniture Manufacturing Company, 1617 McGarry Street, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	
		Each	Each
Occasional table.....	4237 A.....	\$5.27	\$6.20
	4237 B.....	5.53	6.50
	4237 C.....	6.32	7.43
Bunk bed.....	1-30 inch.....	10.34	12.16
	1-36 inch.....	10.48	12.33
	1-39 inch.....	10.73	12.62
	1-30 inch.....	10.73	12.62

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated March 30, 1944 and completed August 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Occasional table.....	4237 A.....	Each \$6.20
	4237 B.....	6.50
	4237 C.....	7.43
Bunk bed.....	1-30-inch.....	12.16
	1-36-inch.....	12.33
	1-39-inch.....	12.62

The prices are for the articles described in the manufacturer's application dated March 30, 1944, and completed August 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14542; Filed, Sept. 20, 1944; 3:14 p. m.]

[MPR 188, Order 2367]

NORTH SHORE WOODWORKERS & MANUFACTURERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a folding chair, a play pen, a teeter totter, and a buzz wagon manufactured by North Shore Woodworkers & Manufacturers, 2570 Sheridan Road, Zion, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	
		Each	Each
Play pen.....		\$3.95	\$4.65
Folding chair.....		2.00	2.35
Teeter totter.....	1200	3.15	3.91
Buzz wagon.....		1.66	2.07

These prices are f. o. b. factory and are net. They are for the articles de-

scribed in the manufacturer's application dated June 26, 1944.

(i) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play pen.....		Each \$4.65
Folding chair.....		Each 2.35

These prices are net and are for the articles described in the manufacturer's application dated June 26, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14543; Filed, Sept. 20, 1944; 3:16 p. m.]

[MPR 188, Order 2368]

VARIETY 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, and pursuant to the authority vested in

the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by Variety Manufacturing Company, 1016 West Market Street, Louisville, 2, Kentucky.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Nursery chair.....		Each \$2.50	Each \$2.95

These prices are f. o. b. factory and are not subject to discount; they are for the article described in the manufacturer's application dated March 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Nursery chair.....		Each \$2.95

This price is not subject to a cash discount and is for the article described in the manufacturer's application dated March 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provi-

sions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14544; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2369]

VAN PELT 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, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wall shelf manufactured by Van Pelt Manufacturing Co., Spring Lake, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Wall shelf.....	116	Each \$0.50	Each \$0.59

These prices are f. o. b. factory and are net and are for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply

to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wall shelf.....	116	Each \$0.59

This price is net and is for the article described in the manufacturer's application dated June 24, 1944.

(i) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14545; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2370]

R. O. MIDDLEKAUFF

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a director's chair manufactured by R. L. Middlekauff, Palo Alto, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's

stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Director's chair.....		Each \$1.56	Each \$1.83

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated April 22, 1944.

(i) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Director's chair.....		Each \$1.83

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated April 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14546; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2371]

R. B. FERRALL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by R. B. Ferrall, Box 53, Gresham, Wisconsin.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....	Each \$4.08	Each \$4.80

These prices are f. o. b. factory, and are net and for the article described in the manufacturer's application dated August 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and model No.	Maximum price to retailers
Juvenile set.....	Each \$4.80

This price is net and is for the article described in the manufacturer's application dated August 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14547; Filed, Sept. 20, 1944; 3:14 p. m.]

[MPR 188, Order 2372]

NORMAC INDUSTRIES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's stool manufactured by Normac Industries, 2679 East Grand Boulevard, Detroit, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's stool.....	Each \$0.93	Each \$1.10

These prices are f. o. b. factory, are net thirty days, and are for the article described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's stool.....		Each \$1.10

This price is net thirty days and is for the article described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14548; Filed, Sept. 20, 1944; 3:12 p. m.]

[MPR 188, Order 2373]

SHALCO

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of twenty-four items of wall shelves manufactured by Shalco, 118 Erie Street, Dorchester, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Wall shelf.....	101	Each \$2.83	Each \$3.35
	151	1.50	1.76
	201	1.28	1.51
	251	1.60	1.88
	301	1.45	1.70
	351	.95	1.12
	401	1.07	1.26
	451	1.28	1.51
	501	.54	.64
	551	.54	.64
	601	.85	1.00
	661	.96	1.13
	701	1.71	2.01
	751	2.67	3.14
	801	.46	.54
	1101	3.35	3.94
	1151	1.80	2.12
1201	1.59	1.87	
1251	1.90	2.24	
1301	1.72	2.02	
1351	1.19	1.40	
1401	1.31	1.54	
1451	1.52	1.79	
1501	.78	.92	

<sup>1</sup> Mirror back.

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wall shelf.....	101	Each \$3.35
	151	1.76
	201	1.51
	251	1.83
	301	1.70
	351	1.12
	401	1.26
	451	1.51
	501	.64
	551	.64
	601	1.00
	651	1.13
	701	2.01
	751	3.14
	801	.54
	101	3.94
	1151	2.12
	1201	1.87
	1251	2.24
	1301	2.02
1351	1.40	
1401	1.54	
1451	1.79	
1501	.92	

<sup>1</sup> Mirror back.

These prices are for the articles described in the manufacturer's application dated July 31, 1944.

(i) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14549; Filed, Sept. 20, 1944;  
3:14 p. m.]

[Rev. RO 13, 4th Rev. Admin. Exception Order 1; Rev. RO 16, 4th Rev. Admin. Exception Order 3; Gen. RO 12, 3d Rev. Admin. Exception Order 1; RO 17, 2d Rev. Admin. Exception Order 5; Gen. RO 14, 2d Rev. Admin. Exception Order 1]

WILLMARK SERVICE SYSTEM, INC. AND DALE SYSTEM, INC.

AUTHORIZATION TO OBTAIN RATION BOOKS FOR EMPLOYEES

Administrative Exception Order No. 1 under Revised Ration Order 13, Administrative Exception Order No. 3 under Revised Ration Order 16, Administrative Exception Order No. 1 under General Ration Order 12, Administrative Exception Order No. 5 under Ration Order 17, and Administrative Exception Order No. 1 under General Ration Order 14 are revised and amended to read as follows:

The Willmark Service System, Inc., and Dale System, Incorporated, are busi-

ness enterprises engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's salesclerks. The method used involves the making of a complete purchase of an article and observing the actions of the salesclerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client, in a way to prevent revealing to the client's employees the identity of the individual making the test. These corporations, through their employees, normally make a substantial number of test purchases of shoes, processed foods and foods covered by Revised Ration Order 16 each year. They request authority to secure ration currency to enable them to continue to make test purchases of such foods and shoes in the course of their business.

The granting of the requests in these and all similar cases would not defeat or impair the effectiveness or the policy of these ration orders because it would not increase the quantity of foods and shoes withdrawn from civilian supply.

It is hereby ordered, That the applicants, Willmark Service System, Inc., of 250 West 57th Street, New York, N. Y., and Dale System, Incorporated, of 1776 Broadway, New York, N. Y., are authorized to receive from the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, D. C., War Ration Books Three and Four which their employees may use to make purchases of shoes, processed foods and foods covered by Revised Ration Order 16 in the manner permitted by Ration Order 17,<sup>2</sup> Revised Ration Order 13,<sup>2</sup> and Revised Ration Order 16,<sup>3</sup> respectively. The Deputy Administrator in Charge of Rationing shall determine the number of War Ration Books Three or Four to be issued to each applicant.

Each applicant must comply with the following requirements:

**Foods.** The applicant must open a processed foods ration bank account and a meat and fats ration bank account in accordance with the provisions of Revised General Ration Order 34.<sup>4</sup> As soon as practicable after making a purchase of foods covered by Revised Ration Orders 13 or 16 the applicant shall return the foods to the client from whom the rationed commodity was purchased. However, the applicant need not return foods which have spoiled. Upon the return of the foods, the client shall issue to the applicant a ration check drawn on its appropriate bank account, for the points represented by the stamps given for the foods. The applicant shall deposit in its processed foods ration bank account all such ration checks received upon the return of processed foods to the client, and shall deposit in its meat and fats ration bank account all such ration checks received from the return of foods covered by Revised Ration Order 16 to the client. The applicant shall not

<sup>2</sup> 8 F.R. 1749.

<sup>3</sup> 9 F.R. 3.

<sup>4</sup> 9 F.R. 6731.

<sup>5</sup> 8 F.R. 11669.

use the War Ration Book Four issued to it under this order to acquire processed foods or foods covered by Revised Ration Order 16 from anyone who does not have a ration bank account under the ration order covering the particular food acquired. Between the first and tenth days of each month, the applicant shall submit a report to the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, 25, D. C. The report shall contain the following information with respect to the applicant's operations during the preceding month, stated separately for processed foods and separately for foods covered by Revised Ration Order 16:

- (1) The number of points spent;
- (2) The number of points received as refunds on foods returned;
- (3) The point value of any foods on hand at the end of the month;
- (4) The point value of any foods spoiled and no longer salable;
- (5) The number of points represented by the tokens and validated stamps which the applicant has on hand at the end of the month;
- (6) The balance in its ration bank account at the end of the month.

The applicant must attach to its report for each month a ration check (payable to the Office of Price Administration) drawn on the appropriate ration bank account, for the points received for all processed foods or meat and fats which it was required to return to its clients during that month. The applicants and each of their clients shall keep complete records of the transactions entered into under these orders and the records shall show separately with respect to processed foods and foods covered by Revised Ration Order 16, the points received, the foods purchased and returned, the ration checks issued, and the date of each transaction.

**Shoes.** Each applicant may use the currently valid war Ration Shoe Stamps contained in War Ration Books No. Three to make test purchases of shoes from clients. If the currently valid shoe stamps contained in War Ration Books No. Three are not sufficient to enable the applicant to make the desired number of test purchases, such applicant may apply to the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C., for a supply of special shoe stamps, which may be used as a revolving fund to make purchases of shoes from clients in the manner permitted by Ration Order 17. The amount of special shoe stamps to be issued to an applicant shall be determined by the Director of the Miscellaneous Products Rationing Division.

As soon as practical after making a purchase of shoes the applicant shall return them unused to the client from whom they were acquired and receive special shoe stamps or a ration check for the number of pairs returned. To facilitate the handling of ration checks received from its clients, the applicant is authorized to open a shoe ration bank account or accounts, in the manner permitted by Revised General Ration Order 3A, and to obtain further supplies of



special shoe stamps from a local Board in exchange for a ration check drawn to the account of the Office of Price Administration. The number and location of the shoe ration bank accounts shall be determined by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C.

Within 15 days after the date on which each new war ration shoe stamp becomes valid for shoes, the applicant shall submit a report to the Director of Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C. The report shall cover the period including the first date on which the previous war ration shoe stamp became valid for shoes to the date on which the new war ration shoe stamp became valid for shoes. The report shall contain the following information:

- (1) The number of war ration shoe stamps and the number of special shoe stamps received under this order;
- (2) The amount of valid shoe ration currency on hand or on deposit and the number of pairs of ration shoes on hand;
- (3) The amount of ration currency, if any, which has expired; and
- (4) An estimate of the amount of shoe ration currency which will be required during the following six months.

All expired currency shall be surrendered with the report. Upon receiving the report, the Director of the Miscellaneous Products Rationing Division may require the surrender of any shoe ration currency above the needs of the applicant.

No stamps in War Ration Book Three or Four, other than those which have been or shall be made valid for the purchase of shoes, processed foods or foods covered by Revised Ration Order 16 shall be used by the applicant. Those stamps which may not be used by any person for the acquisition of any rationed product shall be retained in the War Ration Book Three or in War Ration Book Four, as the case may be, and must be returned to the Office of Price Administration on demand. Those which may be used by consumers to acquire a rationed product other than foods covered by Revised Ration Orders 13 and 16 or shoes covered by Ration Order 17 shall, if they have already been validated, or, if not, as soon as they are validated, be deposited in a ration bank account for that product which the applicant must open. Between the 1st and 10th days of each month, the applicant must issue and send to the Deputy Administrator in Charge of Rationing a ration check drawn against each such account for the stamps required to be deposited in such account during the preceding month.

It is hereby further ordered, That any other person similarly situated may be authorized on similar conditions to open ration bank accounts and to be issued War Ration Books Three or Four. Such authority may be granted in writing by the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, 25, D. C.

This order shall become effective September 21, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729 77th

Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423, WPB Dir. No. 1, 7 F.R. 562; WPB Supp. Dir. 1-M, 7 F.R. 8234; WPB Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389)

Issued this 20th day of September 1944.

JEROME M. NEY,  
Acting Deputy Administrator,  
In Charge of Rationing.

[F. R. Doc. 44-14519; Filed, Sept. 20, 1944;  
12 m.]

[MPR 409,<sup>1</sup> Order 39]

FROZEN FRUITS, BERRIES AND VEGETABLES  
(1943 PACK AND AFTER)

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 9 of Maximum Price Regulation 409, *It is ordered:*

(a) Packers covered by Maximum Price Regulation 409 are authorized to sell and deliver any item of frozen fruits, berries or vegetables covered by Maximum Price Regulation 409, packed from fresh fruits, berries or vegetables of the 1944 crop, at the maximum prices in effect at the date of delivery, subject to an agreement with the buyer, in each case to adjust such selling prices to conform with new maximum prices to be established by the Office of Price Administration after delivery thereof, whether such maximum prices are greater or less than the maximum prices in effect at the time of delivery.

In any such sale the seller shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) For each sale made under the provisions of this order, the packer, within 10 days after the new maximum prices are established by the Office of Price Administration, shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

(c) This order shall not apply to sales and deliveries of the commodities covered by Order 27 under Maximum Price Regulation 409, namely frozen asparagus and frozen spinach, packed in containers having a capacity of 2½ pounds or more, and frozen peas and frozen strawberries, packed in containers having a capacity of 5 pounds or more, all packed from fresh fruits or vegetables of the 1944 crop.

(d) This order may be revoked or amended by the Price Administrator at any time. Except for the provisions of paragraph (b), this order shall be automatically revoked as to each frozen fruit,

<sup>1</sup> 8 F.R. 17299; 9 F.R. 97, 1596, 9832.

berry or vegetable upon the establishment by the Office of Price Administration of new maximum prices for it.

This order shall become effective September 20, 1944.

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

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14538; Filed, Sept. 20, 1944;  
3:12 p. m.]

[MPR 306,<sup>1</sup> Order 60]

CERTAIN PACKED FOOD PRODUCTS  
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1341.56 of Maximum Price Regulation No. 306, *It is ordered:*

(a) That sales and deliveries of any of the packed food products covered by Maximum Price Regulation No. 306 of the 1944 pack may be made by processors to purchasers other than government procurement agencies, subject to an agreement with the buyer in each case, to adjust such selling prices to conform with new maximum prices to be established by the Office of Price Administration after delivery thereof, whether such maximum prices are greater or less than the maximum prices in effect at the time of delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) For each sale made under the provisions of this order, the processor within 10 days after the new maximum prices are established by the Office of Price Administration shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

This order shall be automatically revoked as to each product referred to in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for it, except for the provisions of paragraph (b).

This order shall become effective September 20, 1944.

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

Issued this 20th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14537; Filed, Sept. 20, 1944;  
3:12 p. m.]

<sup>1</sup> 8 F.R. 16896, 17224, 17295, 17432; 9 F.R. 267, 96, 1710, 2237, 4349, 5075, 6109, 7503, 7833, 8144, 10773.

net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per

ELIZABETH FUEL CO., ELIZABETH, PA., ERGO No. 3 MINE, PITTSBURGH SEAM, MINE INDEX No. 4185, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, ELIZABETH, PA., AND LOCK No. 3 PA., STRIP MINE, RAILROAD FUEL PRICE GROUP No. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail and river shipment.....	310	310	310	310	310	310	310	310	310	310	310
Railroad fuel.....	310	310	310	310	310	310	310	310	310	310	310
Truck shipment.....	425	425	425	390	360	360	360	360	360	360	360

ELIZABETH FUEL CO., SMITHTON, PA., No. 1 MINE, UPPER FREEPORT SEAM, MINE INDEX No. 4137, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, TARRS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification.....	F	E	E	E	E	E	E	F	F	F	F
Rail shipment.....	285	285	285	285	285	285	285	285	285	285	285
Railroad fuel.....	280	280	280	280	280	280	280	280	280	280	280
Truck shipment.....	415	415	415	395	365	365	365	365	365	365	365

FIRST & SHAW, C/O BERNARD FIRST, 2330 GREENSBURG PIKE, WATSON, PA., FORBES MINE, PITTSBURGH SEAM, MINE INDEX No. 4192, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, EXPORT, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification.....	D	D	C	C	C	C	C	D	D	D	D
Rail shipment.....	310	310	310	310	310	310	310	310	310	310	310
Railroad fuel.....	310	310	310	310	310	310	310	310	310	310	310
Truck shipment.....	415	415	415	395	365	365	365	365	365	365	365

FORD & GASKILL, GREENSBORO, PA., WHITLEY STRIP MINE, SEWICKLEY SEAM, MINE INDEX No. 4175, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, POLAND, PA., MOFFITT DOCKS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP No. 11

Price classification.....	J	J	H	H	H	H	H	H	H	H	H
Rail and river shipment.....	285	285	270	270	270	270	270	270	270	270	270
Railroad fuel.....	380	380	380	380	380	380	380	380	380	380	380
Truck shipment.....	380	380	380	380	380	380	380	380	380	380	380

HAYES COAL CO., 312 CHESTNUT ST., SCOTTDALE, PA., HAYES No. 3 MINE, PITTSBURGH SEAM, MINE INDEX No. 4140, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, WYANO, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail shipment.....	310	310	310	310	310	310	310	310	310	310	310
Railroad fuel.....	310	310	310	310	310	310	310	310	310	310	310
Truck shipment.....	415	415	415	395	365	365	365	365	365	365	365

HILBERRY & KING, BOX 174 Mt. MORRIS, PA., DAVISTOWN MINE, SEWICKLEY SEAM, MINE INDEX No. 4191, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, DILLINGER, PA., DEEF MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP No. 11

Price classification.....	J	J	H	H	H	H	H	J	J	J	J
Rail shipment.....	310	310	285	285	285	285	285	285	285	285	285
Railroad fuel.....	310	310	285	285	285	285	285	285	285	285	285
Truck shipment.....	380	380	380	380	380	380	380	380	380	380	380

(a) The Hawker Mine of Hawker Coal Company, Fayette County, Pennsylvania, operating in the Pittsburgh Seam located in Subdistrict No. 9 in District No. 2, is hereby assigned Mine Index No. 4202, and its coals are hereby classified in Price Group No. 1 for railroad fuel and Price Group No. 7 for truck shipments.

(b) The per net ton maximum prices in cents per net ton and the price classifications for coals produced at the Hawker Mine, Mine Index No. 4202 in District No. 2, of Hawker Coal Company, Fayette County, Pennsylvania, for the indicated uses and movements, are hereby established as follows:

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail shipment (including railroad fuel—all uses).....	355	355	345	345	345	345	345	345	345	345	345
Truck shipment.....	425	425	425	390	360	360	360	360	360	360	360

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This order may be revoked or amended at any time.

(g) The applicant shall include a statement on all invoices in connection with the sale of coal priced under this order that the price charged includes an adjustment granted by Order No. 1016 under Maximum Price Regulation No. 120 of the Office of Price Administration.

This order shall become effective September 22, 1944.

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

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14680; Filed, Sept. 21, 1944; 11:57 a. m.]

IMPR 120, Order 1016  
HAWKER COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1016 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing price classifications, and adjusted maximum prices for coals of Hawker Coal Company; Docket No. 6053-120.207(a)-36.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.210 (a) (6) and 1340.207 (a) of Maximum Price Regulation No. 120, It is ordered:

IMPR 120, Order 1017  
ELIZABETH FUEL 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. 2. 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 and when stated to be for rail shipment

DEAN FUEL COMPANY, INC., TINSLEY, KY., DEAN NO. 2 MINE, DEAN SEAM, MINE INDEX NO. 7191, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, DADE, KY., F. O. G. III, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification.....	R	R	R	R	M	M	L	K	J	M	G	O	O	O
Rail shipment.....	345	340	335	335	335	330	325	310	305	305	310	280	275	270
Railroad fuel.....	345	340	335	335	335	330	325	310	310	310	310	280	275	270
Truck shipment.....	380	360	335	335	330	320	295	260	255					

HAWKSWORTH MINING CO., BOX 107, LONDON, KY., J. D. GROSS TRACT MINE, PITTSBURGH SEAM, MINE INDEX NO. 7194, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, EAST BERNSTADT, KY., F. O. G. III, STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.														
	M	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Price Classification.....	M	M	M	M	M	K	K	J	G <td>E</td> <td>G</td> <td>D</td> <td>K</td> <td>K</td> <td>K</td>	E	G	D	K	K	K
Rail Shipments and Railroad Fuel.....	365	365	360	360	360	350	350	330	325	325	360	315	300	295	295
Truck Shipment.....	380	360	335	335	330	295	260	260	255						

OTIS JACKSON, ROUTE No. 2, MIDDLESBORO, KY., JACKSON MINE, MASON SEAM, MINE INDEX No. 7187, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, COLMAR, KY., F. O. G. III, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.													
	O	O	O	O	O	K	K	J	G	E	G	E	J	J
Price Classification.....	O	O	O	O	O	K	K	J	G <td>E</td> <td>G<td>E</td><td>J</td><td>J</td> </td>	E	G <td>E</td> <td>J</td> <td>J</td>	E	J	J
Rail Shipments and Railroad Fuel.....	369	355	340	340	340	360	350	330	325	325	360	315	310	300
Truck Shipment.....	405	385	350	350	350	320	300	260	255					295

MILLARD JOHNSON, PINEVILLE, KY., JOHNSON MINE, RIM SEAM, MINE INDEX No. 7206, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, PINEVILLE, KY., F. O. G. III, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.														
	H	II	II	II	F	F	F	E	D	O	E	D	K	K	K
Price Classification.....	H	II	II	II	F	F	F	E	D	O	E	D	K	K	K
Rail shipments and railroad fuel.....	395	390	375	375	370	355	335	335	330	385	315	300	295	295	295
Truck shipment.....	405	385	350	350	320	300	260	255							

DEWEY RICE, JENSON, KY., RICE MINE, RIM SEAM, MINE INDEX No. 7186, BELL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, PINEVILLE, KY., F. O. G. III, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.														
	II	II	II	II	F	F	F	E	D	O	E	D	K	K	K
Price Classification.....	II	II	II	II	F	F	F	E	D	O	E	D	K	K	K
Rail shipments and railroad fuel.....	395	390	375	375	370	355	335	335	330	385	315	300	295	295	295
Truck shipment.....	405	385	350	350	320	300	260	255							

WILSE TAYLOR AND SONS COAL CO., CARY, KY., TAYLOR MINE, STRAIGHT CREEK SEAM, MINE INDEX No. 7131, BELL COUNTY, KY., SUBDISTRICT 6, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.										
	1	2	3	4	5	6	7	8			
Truck shipment.....	405	385	350	350	320	300	260	255			

YEAGER ELKHORN COAL CO., YEAGER, KY., YEAGER MINE, ELKHORN No. 2 SEAM, MINE INDEX No. 7166, PIPE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: YEAGER, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price Classification.....	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and R. fuel.....	365	360	350	350	345	335	315	315	315	370	300	295	285	280
Truck shipment.....	380	360	335	335	320	295	260	255						

SAMUEL F. KING & S. QUAY KING, BRENSSEN BLDG., SCOTTSDALE, PA., ARONA MINE, PITTSBURGH SEAM, MINE INDEX No. 4163, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: ARONA, P.A., STRIP MINE, RAILROAD FUEL PRICE GROUP I, MAXIMUM TRUCK PRICE GROUP No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail shipment.....	310	310	310	310	310	300	275	275	255	245	255
Railroad fuel.....	310	310	310	310	310	300	275	275	255	245	255
Truck shipment.....	415	415	415	395	365	365	305	285	285	255	255

KOAST BROTHERS COAL CO., BOBROW, PA., HUNT No. 1 MINE, SEVICKLEY SEAM, MINE INDEX No. 4139, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: DILLINGER, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP No. 11

	Size group Nos.										
	J	J	II	II	II	H	H	H	II	II	II
Price Classification.....	J	J	II	II	II	H	H	H	II	II	II
Rail shipment.....	310	310	295	295	295	290	290	290	250	255	255
Railroad fuel.....	310	310	295	295	295	290	290	290	255	255	255
Truck shipment.....	380	380	380	360	340	340	280	260	260	260	260

This order shall become effective September 22, 1944.

(56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14581; Filed, Sept. 21, 1944; 11:56 a. m.]

[MPR 120, Order 1018]

BURNEM AND LITT, 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

BURNEM AND LITT, FOCA, W. VA., RAYMOND CITY No. 2 MINE, PITTSBURGH No. 8 SEAM, MINE INDEX No. 7171, PUTNAM COUNTY, W. VA., SUBDISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment.....	380	360	335	335	320	295	260	255

NOTE: The maximum prices established by this Order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 22, 1944.

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

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14582; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Rev. Order 1829]  
REST-WELL BED BOARD CO.

APPROVAL OF MAXIMUM PRICES

Correction

In paragraph (c) of F. R. Doc. 44-12599, appearing on page 10217 of the issue for Tuesday, August 22, 1944, under the table headed "Back Rests," the price for "B-wood grain finish" should be "\$3.95."

[MPR 188, Order 2374]

ROBERT P. REXROTH

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a game table manufactured by Robert P. Rexroth, 449 Franklin Street, Franklin, Indiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Game table.....		Each \$10.62	Each \$12.50

These prices are f. o. b. factory and are net; they are for the article described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on the terms and conditions of sale, the maximum prices shall be those determined by applying to the

prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Game table.....		Each \$12.50

This price is net and is for the article described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14583; Filed, Sept. 21, 1944; 11:57 a. m.]

[MPR 188, Order 2375]

SECURITY 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, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four

unfinished chests, a student unfinished desk, an unfinished magazine stand, two unfinished drop leaf tables, an unfinished training seat manufactured by Security Manufacturing Company, 6309 S. W. Capitol Highway, Portland, Oregon.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished chest.....	4-21.....	\$4.71	\$5.55
	5-24.....	5.13	6.04
	4-30.....	4.96	5.81
	5-30.....	5.90	6.95
	ST100.....	5.90	6.95
Unfinished desk.....	MG100.....	12.66	13.13
Unfinished mag. stand.....			
Unfinished table.....	S18-36.....	12.99	13.52
	E24-36.....	12.84	13.35
Unfinished T-seat.....	TRS.....	29.58	31.28

<sup>1</sup> Each.  
<sup>2</sup> Per dozen.

These prices are f. o. b. factory and are not subject to a discount. They are for the articles described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished chest.....	4-21.....	\$5.55
	5-24.....	6.04
	4-30.....	5.81
	5-30.....	6.95
	ST100.....	6.95
Unfinished desk.....	MG100.....	13.13
Unfinished mag. stand.....		
Unfinished table.....	S18-36.....	13.52
	E24-36.....	13.35
Unfinished T-seat.....	TRS.....	31.28

<sup>1</sup> Each.  
<sup>2</sup> Per dozen.

These prices are for the articles described in the manufacturer's application dated June 22, 1944.

(i) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14584; Filed, Sept. 21, 1944;  
11:56 a. m.]

[MPR 188, Order 2376]

FACTORY ASSOCIATES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of five glass shelf tables manufactured by Factory Associates, Incorporated, 438 West Ontario Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Glass shelf table.....	702	Each \$9.13	Each \$10.75
	704	13.56	15.95
	701	8.42	9.91
	700	8.27	9.73
	703	11.43	13.45

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

chaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Glass shelf table.....	702	Each \$10.75
	704	15.95
	701	9.91
	700	9.73
	703	13.45

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14585; Filed, Sept. 21, 1944;  
11:58 a. m.]

[MPR 188, Order 2377]

WILLMAR PREFAB BUILDERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amend-

ed, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Willmar Prefab Builders, Willmar, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....		Each \$3.35	Each \$3.95

These prices are f. o. b. factory and are net, and are for the article described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set.....		Each \$3.95

This price is net and is for the article described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufac-

turer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14586; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Order 2378]

ABBOTT ASSOCIATES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an adirondack chair manufactured by Abbott Associates, 14 Sigourney Street, Hartford 5, Connecticut.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Adirondack chair		Each \$2.29	Each \$2.70

These prices are f. o. b. factory and are net and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales,

and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Adirondack chair		Each \$2.70

This price is net and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14587; Filed, Sept. 21, 1944; 11:56 a. m.]

[MPR 188, Order 2109]

PAYNES REPAIR & UPHOLSTERY CO.

APPROVAL OF MAXIMUM PRICES

Correction

The paragraph following the table in paragraph (a) (1) (i) of F.R. Doc. 44-12467, appearing at page 10109 of the issue for Saturday, August 19, 1944 should read:

These prices are subject to a cash discount of two per cent for payment within ten days, net thirty days.

[MPR 188, Order 2379]

B. J. ROSINSKY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a cocktail table, a lamp table and an end table manufactured by B. J. Rosinsky, 879 Gates Avenue, Brooklyn, New York,

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Cocktail table	191	Each \$11.43	Each \$14.28
Lamp table	193	11.43	14.28
End table	192	11.43	14.28

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within thirty days and are for the articles described in the manufacturer's application dated June 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Cocktail table	191	Each \$14.28
Lamp table	193	14.28
End table	192	14.28

These prices are subject to a cash discount for payment within thirty days and are for the articles described in the manufacturers application dated June 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable

provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14588; Filed, Sept. 21, 1944; 11:59 a. m.]

[MPR 188, Order 2380]

PINELLAS ASSOCIATED INDUSTRIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of six play yards manufactured by Pinellas Associated Industries, Inc., Clearwater, Florida.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play yard.....	4B-9	Each \$2.90	Each \$3.41
	4B-11	2.90	3.41
	4B-11	3.41	4.02
	4B-12	3.41	4.02
	4B-14	3.04	3.59
	4B-15	3.57	4.20

These prices are f. o. b. factory and are net, and are for the articles described in the manufacturer's application dated July 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during

March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play yard.....	4B-9	Each \$3.41
	4B-11	3.41
	4B-11	4.02
	4B-12	4.02
	4B-14	3.59
	4B-15	4.20

These prices are net and are for the articles described in the manufacturer's application dated July 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14589; Filed, Sept. 21, 1944; 11:59 a. m.]

[MPR 188, Order 2381]

L. J. TUCK

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a steamer chair manufactured by L. J.

Tuck, 214 Forest Park Court, Pacific Grove, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Steamer chair.....		Each \$1.87	Each \$2.20

These prices are f. o. b. factory and are priced net; they are for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Steamer chair.....		Each \$2.20

This price is net and is for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for

such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14590; Filed, Sept. 21, 1944;  
11:59 a. m.]

Regional and District Office Orders.

[Detroit Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN DETROIT,  
MICH., DISTRICT

Correction

In F.R. Doc. 44-12255, appearing on page 10017 of the issue for Thursday, August 17, 1944, the restaurant maximum price regulation referred to in section 5 should be: "Restaurant Maximum Price Regulation No. 2."

WAR MANPOWER COMMISSION.

JOLIET-KANKAKEE, ILL., AREA  
MINIMUM WARTIME WORKWEEK

Designation of the Joliet-Kankakee, Illinois Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Weekweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Joliet-Kankakee Labor Market Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Joliet-Kankakee Labor Market Area shall include:

The counties of: Grundy, Kankakee and Will (except that portion of Steger that lies within Will County).

2. The effective date of this designation is October 15, 1944.

3. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedule authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of

hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: September 2, 1944.

W. H. SPENCER,  
Regional Director.

[F. R. Doc. 44-14550; Filed, Sept. 20, 1944;  
4:17 p. m.]

WAR SHIPPING ADMINISTRATION.

ASSIGNMENT OF CLAIMS AGAINST AGENTS

STATEMENT OF POLICY

Whereas the Administrator, War Shipping Administration, has determined that adequate provision exists for prompt payment under all contracts executed by agents of the War Shipping Administration in behalf of the Administrator, and that therefore it is unnecessary for contractors to make assignments of claims arising under such contracts; and

Whereas the Administrator has further determined that such assignments of claims against agents are likely to involve undue complications of a fiscal, accounting and legal nature;

Now, therefore, the Administrator, War Shipping Administration, has determined that it is inconsistent with the policies of the Administration to permit contractors to assign any claims arising under contracts executed in behalf of the Administrator by agents of the War Shipping Administration, including job orders under master forms of contract. All such contractors are put on notice that the Administrator will not acknowledge or approve any such assignments.

[SEAL]

E. S. LAND,  
Administrator.

SEPTEMBER 20, 1944.

[F. R. Doc. 44-14571; Filed, Sept. 21, 1944;  
11:30 a. m.]