



FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1942-17]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART D—1942

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as Amended, the 1942 Agricultural Conservation Program,¹ as Amended, is further amended as follows:

Section 701.301 (i) (2) is amended by adding at the end thereof the following proviso:

§ 701.301 *Allotments, yields, grazing capacities, payments and deductions.* * * *

(i) *Minimum soil-conserving and soil-building requirements.* * * *

(2) *Minimum acreage of erosion-resisting crops.* * * *

Provided, however, In areas recommended by the State committee and approved by the Agricultural Adjustment Agency, That on farms of less than 20 acres of cropland, the erosion-resisting acreage requirement may be met in whole or in part by growing green manure crops qualifying for soil-building payments, or by seeding, prior to October 1, 1942, winter cover crops of small grains (other than wheat), Austrian winter peas, or a similar crop commonly used in the community for winter cover, regardless of any other use of the same land during the 1942 crop year.

Done at Washington, D. C., this 28th day of November, 1942. Witness my hand and seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-12657; Filed, November 30, 1942; 11:57 a. m.]

¹ 6 F.R. 4111, 5520, 5581, 6472; 7 F.R. 56, 57, 923, 1410, 1825, 2287, 2771, 3146, 5035, 7874, 4509, 8768, 9265.

PART 724—BURLEY TOBACCO

SUBPART F—1943

Proclamation of the national marketing quota for Burley Tobacco for the 1943-44 marketing year.

The Secretary of Agriculture, acting under and pursuant to, and by virtue of, the authority vested in him by the Agricultural Adjustment Act of 1938, as amended, does hereby find, determine, specify, and proclaim that: Authority: 52 Stat. 38, 46, 53 Stat. 1261, 1209; 7 U.S.C., 1940 ed., 1301 (b), 1312 (a), 1312 (c).

§ 724.501 *Findings and determinations with respect to the national marketing quota for Burley tobacco for the marketing year beginning October 1, 1943*—(a) *Reserve supply level.* The reserve supply level for Burley tobacco is 1,070,000,000 pounds.

(b) *Total supply.* The total supply of Burley tobacco as of the beginning of the marketing year for such tobacco beginning October 1, 1942, was 1,115,000,000 pounds and exceeds the reserve supply level of such tobacco.

(c) *National marketing quota.* The amount of the national marketing quota or Burley tobacco which will make available during the marketing year beginning October 1, 1943, a supply of tobacco equal to the reserve supply level of such tobacco is 321,000,000 pounds.

Done at Washington, D. C., this 28th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12659; Filed, November 30, 1942; 11:58 a. m.]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

SUBPART F—1943

Proclamation of the national marketing quota for fire-cured tobacco for the 1943-44 marketing year.

¹ Rounded to the nearest 1,000,000 pounds.
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The Secretary of Agriculture, acting under and pursuant to, and by virtue of, the authority vested in him by the Agricultural Adjustment Act of 1938, as amended, does hereby find, determine, specify, and proclaim that: Authority: 52 Stat. 38, 46, 53 Stat. 1261, 54 Stat. 392, 1209; 7 U.S.C., 1940 ed., 1301 (b), 1312 (a), 1312 (c).

§ 726.501 Findings and determinations with respect to the national marketing quota for fire-cured tobacco for the marketing year beginning October 1, 1943—(a) Reserve supply level. The reserve supply level for fire-cured tobacco is 228,000,000 pounds.

(b) Total supply. The total supply of fire-cured tobacco as of the beginning of the marketing year for such tobacco be-

¹ Rounded to the nearest 1,000,000 pounds.



General
deposited by
U.S. Govt

ginning October 1, 1942, was 261,000,000 pounds and exceeds the reserve supply level of such tobacco.

(c) *National marketing quota.* The amount of the national marketing quota for fire-cured tobacco which will make available during the marketing year beginning October 1, 1943, a supply of tobacco equal to the reserve supply level of such tobacco is 68,000,000 pounds.

Done at Washington, D. C., this 28th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12660; Filed, November 30, 1942; 11:58 a. m.]

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

SUBPART F—1943

Proclamation of the national marketing quota for dark air-cured tobacco for the 1943-44 marketing year.

The Secretary of Agriculture, acting under and pursuant to, and by virtue of, the authority vested in him by the Agricultural Adjustment Act of 1938 as amended, does hereby find, determine, specify and proclaim that: Authority: 52 Stat. 38, 46, 53 Stat. 1261, 54 Stat. 392, 1209; 7 U.S.C., 1940 ed., 1301 (b), 1312 (a), 1312 (c).

§ 726.551 *Findings and determinations with respect to the national marketing quota for dark air-cured tobacco for the marketing year beginning October 1, 1943*—(a) *Reserve supply level.* The reserve supply level for dark air-cured tobacco is 89,000,000 pounds.

(b) *Total supply.* The total supply of dark air-cured tobacco as of the beginning of the marketing year for such tobacco beginning October 1, 1942 was 94,000,000 pounds and exceeds the reserve supply level of such tobacco.

(c) *National marketing quota.* The amount of the national marketing quota for dark air-cured tobacco which will make available during the marketing year beginning October 1, 1943, a supply of tobacco equal to the reserve supply level of such tobacco is 28,000,000 pounds.

Done at Washington, D. C., this 28th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12662; Filed, November 30, 1942; 11:53 a. m.]

PART 727—FLUE-CURED TOBACCO

SUBPART F—1943

Proclamation of the national marketing quota for flue-cured tobacco for the 1943-44 marketing year.

The Secretary of Agriculture, acting under and pursuant to, and by virtue of, the authority vested in him by the Agri-

¹Rounded to the nearest 1,000,000 pounds.

cultural Adjustment Act of 1938, as amended, does hereby find, determine, specify, and proclaim that: Authority: 52 Stat. 38, 46, 53 Stat. 1261, 54 Stat. 392, 1209; 7 U.S.C., 1940 ed., 1301 (b), 1312 (a), 1312 (c).

§ 727.501 *Findings and determinations with respect to the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1943*—(a) *Reserve supply level.* The reserve supply level for flue-cured tobacco is 2,078,000,000 pounds.

(b) *Total supply.* The total supply of flue-cured tobacco as of the beginning of the marketing year for such tobacco beginning July 1, 1942, was 2,286,000,000 pounds and exceeds the reserve supply level of such tobacco.

(c) *National marketing quota.* The amount of the national marketing quota for flue-cured tobacco which will make available during the marketing year beginning July 1, 1943, a supply of tobacco equal to the reserve supply level of such tobacco is 625,000,000 pounds. An increase in this amount is necessary in order to meet market demands and to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level. Therefore, the amount of the national marketing quota for flue-cured tobacco, in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning July 1, 1943, as increased, is 680,000,000 pounds.

Done at Washington, D. C. this 28th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12661; Filed, November 30, 1942; 11:57 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

PART 9—SECRECY SURROUNDING TROOP MOVEMENTS

MISCELLANEOUS AMENDMENTS

Sections 5.1, 5.2 (a), 5.3, 5.5 (b) and (c), 5.7, 5.8, 5.9, 5.10, 5.11 (b), 5.12, 5.17, 5.19, 5.20 (a) and (b), and 5.21 (a) and (b) (1) (2) are retained without change in revision of Army Regulations No. 380-5, September 28, 1942, and §§ 5.2 (b), 5.4, 5.5 (a), 5.6, 5.11 (a), 5.13, 5.14, 5.15, 5.16, 5.18, 5.20 (c) and 5.21 (b) (3) are amended as follows.¹

§ 5.2 *Responsibility.* * * *

(b) Commanding officers, administrative officers, and procurement agencies are responsible that military personnel, civilian employees of the Military Establishment, and the management and em-

¹Sections 5.1 to 5.21, inclusive, are also contained in Army Regulations 380-5, September 28, 1942, the particular paragraphs being shown in brackets at end of sections.

ployees of commercial firms engaged in classified projects or developments for the War Department are familiar with the pertinent provisions of these regulations. Clerical and technical work on secret and confidential matter, to the extent practicable, will be performed only by duly investigated and approved personnel. [Par. 8]

§ 5.4 *Dissemination of classified military information.* Except as regards information to be released to the press by authorized military public regulations agencies, when classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. [Par. 15a]

§ 5.5 *Requests for military information.* (a) Requests from private individuals or firms for classified military information will be referred through channels to the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Services of Supply, the Commanding General of the Army or the service command concerned, who, if unable to make reply or if another agency is interested, will refer the matter to The Adjutant General for appropriate action. [Par. 14]

§ 5.6 *Dissemination of restricted matter.* The information contained in restricted documents and the essential characteristics of restricted matériel may be given to any person known to be in the service of the United States and to persons of undoubted loyalty and discretion who are cooperating in Government work, but will not be communicated to the public or to the press except by authorized military public relations agencies. [Par. 5d]

Paragraph (e) of the agreement quoted in § 5.11 (a) is amended to read as follows:

§ 5.11 *Invitations for bids and contracts.* (a) * * *

(e) (1) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act June 15, 1917 (40 Stat. 217); sec. 1, act March 28, 1940 (54 Stat. 79; 50 U.S.C. 31; M.L., 1939, Supp. I, sec. 2181).

Sec. 1, act January 12, 1938 (52 Stat. 3; 50 U.S.C. 45; M.L., 1939, sec. 2187a), and E.O. 8381, March 22, 1940; 5 F.R. 1147; 50 U.S.C. 45; M.L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sections 1402, 1403, act March 27, 1942 (Public Law 507, 77th Cong.).

(2) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including

persons employed on subcontracts, the provisions of the law enumerated in (1) above. [Par. 51]

§ 5.13 *Responsibility of Army representatives or inspectors.* (a) Army representatives or inspectors of the supply service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

(b) Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard secret, confidential, and restricted matters and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the supply service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

(c) When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors. [Par. 53]

§ 5.14 *Responsibility of Government contractors.* (a) A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

(b) Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

(c) Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause but later is found to involve secret, confidential, or restricted matter, the supply service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter. [Par. 54]

§ 5.15 *Public display of classified matériel.* (a) Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages,

demonstrations, or exhibitions open to the general public.

(b) (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of supply service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of supply service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release. [Par. 56]

§ 5.16 *Release of information or sale of matériel.* Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby. [Par. 57a]

§ 5.18 *Authority for admission—(a) General.* Correspondence and communications relating to visits will be routed direct between the various offices concerned.

(b) *Foreign nationals.* (1) Foreign nationals (see § 5.17 (a)) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects, and to military posts, camps, and airfields only on written authority of the Assistant Chief of Staff, G-2, War Department General Staff.

(2) Application for such visits will be made through the appropriate diplomatic representatives except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the establishment to be visited, and forwarded with the recommendation of the chief of the supply service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G-2, War Department General Staff.

(3) Applications submitted through either of the channels described above will include the following information:

(i) Name in full.

(ii) Official title or position.

(iii) Name of plant or plants, posts, camps, or airfields to which admission is desired.

(iv) Date of visit or dates between which visits are desired.

(v) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

(vi) Nationality.

(vii) Length of service with present employer.

(4) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G-2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the supply service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, or service command having jurisdiction over such posts, camps or airfields, without reference to higher authority.

(c) *United States citizens.* Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no secret, confidential, or restricted work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of supply service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department provided classified matters, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the Assistant Chief of Staff, G-2, War Department General Staff, for release prior to publication. [Par. 59]

§ 5.20 *Responsibility of Government contractors.* * * *

(c) (1) War Department contractors will submit to the commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, at the end of each month, and upon the completion of the work or project, a report of all visitors who have gained information concerning the classified work or projects. These reports will include the following information:

(i) Name, official position, and nationality.

(ii) Address.

(iii) Authority for visit.

(iv) Whether authorization for visit was written or oral.

(v) Whether authorization for visit was received prior to or simultaneous with the visit.

(vi) Number of authorizations received for which the corresponding visits were not made, with detailed information in each case.

(2) The commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, will submit the reports to the Assistant Chief of Staff, G-2, War Department General Staff, through the appropriate chief of supply service. [Par. 61]

§ 5.21 *Restricted areas* * * *

(b) *Procedure in case of violation.* * * *

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications. [Par. 63b]

Sections 9.1 to 9.5, inclusive, are retained without change in revision of Army Regulations No. 380-5, September 28, 1942.

(R.S. 161; 5 U.S.C. 22)

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-12588; Filed, November 28, 1942; 11:56 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Order No. 5]

SUNNY SOUTH AIRPORT

ORDER EXTENDING EFFECTIVE DATE OF CANCELLATION AS LANDING AREA

NOVEMBER 24, 1942.

Whereas by Order No. 4,¹ dated November 20, 1942, the designation as a "Designated Landing Area" issued to the Sunny South Airport, Miami, Florida, was cancelled; and

Whereas the order was to become effective 0001 E. W. T., December 1, 1942; and It appearing that:

The owners and operators of the Sunny South Airport, Miami, Florida, require additional time to remove equipment and facilities from said airport;

Now, therefore, acting pursuant to the authority vested in me by § 60.953 (c) of the Civil Air Regulations:

It is ordered:

That the cancellation of the designation of the Sunny South Airport, Miami, Florida, as a "Designated Landing Area" dated May 15, 1942, shall not become effective until 0001 E. W. T., December 15, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-12581; Filed, November 28, 1942; 11:27 a. m.]

¹ 7 F.R. 9854.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

RULE AND FORM RELATING TO REPORTS TO BE MADE BY CERTAIN EXCHANGE MEMBERS, BROKERS AND DEALERS UNDER THE ACT

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 17 and 23 (a) thereof, hereby takes the following action:

I. Adopts § 240.17A-5 [Rule X-17A-5], reading as follows:

§ 240.17A-5 *Reports to be made by certain Exchange members, brokers and dealers.* (a) *Reports to be made annually.* Every member of a national securities exchange who transacts a business in securities directly with others than members of a national securities exchange, and every broker or dealer who transacts a business in securities through the medium of any such member, and every broker or dealer registered pursuant to section 15 of the Securities Exchange Act of 1934, as amended, [Sec. 15, 48 Stat. 895; sec. 3, 49 Stat. 1377; 15 U.S.C. 78o] shall file on Form X-17A-5,¹ during each calendar year commencing January 1, 1943, a report of his financial condition as of a date not more than 45 days prior to the filing thereof: *Provided*, That reports for any two consecutive years shall not be filed within less than four months of each other. The report shall be filed in duplicate with the Regional Office of the Commission for the region in which the member, broker, or dealer has his principal place of business.

(b) *Nature and form of reports.* Each report of financial condition filed pursuant to paragraph (a) hereof shall be prepared and filed in accordance with the following requirements:

(1) The report of a member, broker, or dealer shall be certified by a certified public accountant or a public accountant who shall be in fact independent (i) if said member, broker, or dealer is required to file a certified financial statement with any agency of any state in which he does business as a condition of doing business in securities therein, or is required to file a certified financial statement with any national securities exchange of which he is a member, or (ii) if, during the year preceding the date as of which his financial condition is reported said member, broker, or dealer has made a practice of (a) extending credit in any form to customers (such as carrying margin accounts or selling securities on a partial payment or installment basis): *Provided*, That credit shall

not be deemed to be extended by reason of a bona fide delayed delivery of any such security against full payment of the entire purchase price thereof upon such delivery within thirty-five (35) days after such purchase; (b) holding securities owned by customers, except as an incident to transactions with or for customers which are promptly consummated by delivery, or (c) carrying credit balances of customers, except as an incident to transactions with or for customers which are promptly consummated by payment;

(2) Attached to the report shall be an oath or affirmation that, to the best knowledge and belief of the person making such oath or affirmation, (i) the financial statement and supporting schedules are true and correct and (ii) neither the member, broker, or dealer, nor any partner, officer, or director, as the case may be, has any proprietary interest in any account classified solely as that of a customer. The oath or affirmation shall be made before a person duly authorized to administer such oaths or affirmations. If the member, broker, or dealer is a sole proprietorship, the oath or affirmation shall be made by the proprietor; if a partnership, by a general partner; or if a corporation, by a duly authorized officer.

(c) *Use of statements filed with state commissions and National Securities Exchanges.* Any member, broker, or dealer who is subject to the provisions of paragraph (a) hereof may file in lieu of the report required by that paragraph a copy of any financial statement which he is, or has been, required to file with any national securities exchange of which he is a member, or with any agency of any State as a condition of doing business in securities therein: *Provided*, That (1) the copy so included reflects his financial condition as of a date not more than forty-five (45) days prior to the filing thereof with the Commission; and (2) the report, as filed with this Commission, meets the requirements of this rule and Form X-17A-5 and contains the information called for by that form.

(d) *Extension of time for filing reports.* In the event any member, broker, or dealer finds that he cannot file his report for any year within the time specified in paragraphs (a) or (c) hereof without undue hardship, he may file with the Commission an application for an extension of time to a specified date which shall not be more than 90 days after the date as of which his financial condition is reported. The application shall state the reasons for the requested extension and shall contain an agreement to file the report on or before the specified date. The application shall be deemed granted unless the Commission, within ten days after receipt thereof, enters an order denying the application.

(e) *Exemptions.* Any "bank", as defined in section 3 (a) (6) of the Act, [sec. 3, 48 Stat. 882; 15 U. S. C. 78c] shall be exempt from the provisions of this rule.

(f) *Qualifications of accountants.* The Commission will not recognize any person as a certified public accountant who

¹ Filed as part of the original document.

is not duly registered and in good standing as such under the laws of his place of residence or principal office. The Commission will not recognize any person as a public accountant who is not in good standing and entitled to practice as such under the laws of the place of his residence or principal office.

(g) *Accountant's certificate* — (1) *Technical requirements.* The accountant's certificate shall be dated, shall be signed manually, and shall identify without detailed enumeration the items of the report covered by the certificate.

(2) *Representations as to audit.* The accountant's certificate (i) shall contain a reasonably comprehensive statement as to the scope of the audit made, including a statement as to whether the accountant reviewed the procedures followed for safeguarding the securities of customers, and including, if with respect to significant items in the report covered by the certificate any auditing procedures generally recognized as normal have been omitted, a specific designation of such procedures and of the reasons for their omission; (ii) shall state whether the audit was made in accordance with generally accepted auditing standards applicable in the circumstances; and (iii) shall state whether the audit made omitted any procedure deemed necessary by the accountant under the circumstances of the particular case.

(3) Nothing in this rule shall be construed to imply authority for the omission of any procedure which independent accountants would ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by paragraph (h) of this rule.

(h) *Accountant's certificate—opinions to be expressed.* The accountant's certificate shall state clearly the opinion of the accountant with respect to the financial statement covered by the certificate and the accounting principles and practices reflected therein.

(i) *Accountant's certificate—exceptions.* Any matters to which the accountant takes exception shall be clearly identified; the exception thereto shall be specifically and clearly stated; and, to the extent practicable, the effect of each such exception on the related item of the report shall be given. [Rule X-17A-5, effective November 28, 1942]

(Sec. 17, 48 Stat. 897; sec. 4, 49 Stat. 1379; sec. 5, 52 Stat. 1076; 15 U.S.C. 78q; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78w)

II. Adopts Form X-17A-5 to be used to comply with § 240.17A-5 [Rule X-17A-5].
By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12580; Filed, November 28, 1942; 11:34 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-36]

PART 51—CANNED VEGETABLES DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

CANNED PEAS

ORDER AMENDING DEFINITION AND STANDARD OF IDENTITY

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046; 21 U.S.C., 1940 ed., 341; and sec. 701 (e), 52 Stat. 1055; 21 U.S.C., 1940 ed., 371 (e)) and on the basis of the evidence received at the above-entitled hearing duly held pursuant to notice thereof issued by the Federal Security Administrator on April 23, 1942 (7 F.R. 3066), the following order is hereby promulgated:

FINDINGS OF FACT

1. The green color of peas is due primarily to their content of chlorophyll.

2. One of the constituents of the chlorophyll molecule is magnesium.

3. When peas are picked from the vine the intensity of their green color begins to decrease. This decrease continues as peas are shelled and held, is accelerated when they are canned, and continues while they are in storage.

4. This decrease in intensity of color is due to the conversion of the chlorophyll into pheophytin through loss of the magnesium from the chlorophyll molecule. Pheophytin is not green but is olive drab in color. There is no known method applicable to peas whereby the pheophytin can be converted back into chlorophyll.

5. Under the process by which peas are ordinarily canned, they are shelled, washed, blanched in hot water, sealed in cans in a water solution of salt and sugar, and heated in a retort for 35 minutes at 240° F. when in cans of the size most frequently sold, or for a time and temperature equivalent in their destructive effect on microorganisms when in cans of other sizes.

6. When peas are so canned, the process of conversion of chlorophyll into pheophytin is sufficiently near completion within a short time after canning that the peas are no longer green but are olive drab or straw-colored.

7. Peas in their natural state are slightly on the acid side of the neutral point (pH 7) between acidity and alkalinity. A well-recognized but little understood phenomenon is that their acidity slowly but continuously increases during the canning process and subsequent storage. This is expressed chemically as a decrease of pH and the decrease continues until an equilibrium, sometimes as low as pH 5, is reached.

8. The rate of conversion of chlorophyll to pheophytin proceeds rapidly in an acid medium. In an alkaline medium the rate of conversion is greatly retarded. The time and temperature to which the peas are subjected before canning and the time and temperature during heat processing and in storage after canning also affect the rate of conversion.

9. It has recently been found that by converting the naturally acid medium surrounding the chlorophyll in peas to a state of mild alkalinity, and by regulating the times and temperatures of holding, processing, and storing, the rate of conversion of chlorophyll to pheophytin can be substantially retarded.

10. Such regulation of times and temperatures within the limits found desirable for this purpose has no material effect upon the identity of canned peas and does not conflict with the definition and standard of identity for canned peas now in effect.

11. For the conversion of the naturally acid state of the peas to one of alkalinity, certain alkalinizing chemicals not permitted by the definition and standard of identity for canned peas have been found to be suitable. These chemicals are sodium carbonate, calcium hydroxide, and magnesium hydroxide.

12. Sodium carbonate must be used as such, but calcium hydroxide and magnesium hydroxide may be used as such or obtained by the use of calcium oxide and magnesium oxide which, when they come into contact with water, are promptly converted into the respective hydroxides.

13. Sodium carbonate is useful in an aqueous solution of approximately 2 percent concentration for a pre-blanch soak of about 30 minutes at room temperature for the reason that it retards the destruction of chlorophyll at the beginning of the blanch. An alkali in the blanch water does not suffice for this purpose since it does not penetrate the peas rapidly enough to raise their pH to an alkaline level before extensive destruction of chlorophyll occurs from the heat of blanching.

14. The sodium of the sodium carbonate replaces unidentified elements in the peas, according to a principle known as "the base exchange theory" whereby different basic elements in combination with other substances in solution are held to exchange positions continuously. It is a reasonable conclusion from this principle that some of the sodium carbonate enters into the composition of the finished canned peas, and there is no authoritative evidence to the contrary even though the peas are thoroughly washed after the treatment with sodium carbonate solution.

15. The proponents of the alkalinizing process could have shown positively that sodium carbonate does not enter into

the composition of the peas, if such were the case, by comparative quantitative analyses for sodium of the pre-blanch and blanch solutions before and after soaking and blanching, but no such analysis was reported among the voluminous analytical data entered of record.

16. Alkaline substances other than sodium carbonate would be equally effective in controlling the pH of the peas during the holding period, but such other substances, in quantities sufficient to control the pH, make the peas tough or impair their taste or are otherwise unsuitable or impracticable.

17. Sodium carbonate has a softening effect upon the texture of peas during the pre-blanch treatment.

18. In order to restore to the peas a texture comparable to their natural texture and at the same time to maintain the pH of the peas throughout the blanching process at an alkaline level, the blanch water must be made alkaline by a substance having a hardening effect.

19. The only blanch solution which has been found suitable for this purpose, and which is employed for about the same time and at the same temperature used for blanching peas canned by the ordinary method, is an aqueous solution of approximately 0.04 percent of calcium hydroxide or approximately 0.03 percent of calcium oxide. When blanched in this solution the calcium actually enters into the composition of the peas, as shown by chemical analyses. The reaction presumably follows the principle of base exchange.

20. From their observation of such phenomena experienced chemists do not believe that there is a complete exchange of calcium for the sodium added in the pre-blanch solution.

21. When the alkalizing process is used, the blanched peas are washed to remove free calcium hydroxide and are then sealed in the container with an aqueous packing medium.

22. To offset the drift toward acidity referred to in finding 7, and thus to retard the conversion of chlorophyll to pheophytin, it is necessary to incorporate a reserve of alkali in the canned peas, since the quantity of alkalis remaining in the peas from the pre-blanch and blanching is not enough to provide such a reserve in the finished product.

23. The only substance found suitable for this purpose, by reason of the fact that it provides such a reserve without impairing the natural characteristics of peas, is magnesium hydroxide. This is added to the packing medium in a quantity of about 0.1 percent of the weight of the medium.

24. The quantity of magnesium hydroxide added, together with the effect of the constituents of peas and other ingredients of the finished product, determines the ultimate pH of the peas and liquid within the can.

25. If the canned peas are too alkaline, undesirable flavors and odors foreign to canned peas are developed.

26. It is therefore necessary to limit the alkalinity of the finished product, and the most feasible, objectively determinable method of so doing is to pre-

scribe a limit on the pH of the contents of the can.

27. It has been determined that the maximum pH that can be reached without danger of undesirable effects on canned peas is 8.0.

28. A method regarded by experienced chemists as accurate and desirable for determining pH, from the standpoint of both the pea canning industry and enforcement officials, is the method known as the glass electrode method.

29. To avoid undue loss of chlorophyll through long heating, the heat process for alkalized peas, after they are sealed in the can, is only 7 minutes, but the temperature of processing is 260° F. when in the size of can most frequently sold. This is the equivalent, in its destructive effect on microorganisms causing spoilage, to the process of 35 minutes at 240° F. used for ordinary canned peas in cans of the same size.

30. As a final precaution against undue loss of chlorophyll before purchase by the ultimate consumer, proponents of the alkalizing process recommend that peas canned by that process be stored at a temperature not over 55° F.

31. Under the definition and standard of identity now in effect, canned peas are prepared from one of four pea ingredients, two of which are succulent and two of which are dried. The proponents of the alkalizing process advocate its use for succulent peas only, and regard it as unsuitable for use in canning dried peas since such peas, in the process of maturing, lose widely varying proportions of their chlorophyll and are of non-uniform color, and when canned by such process their already undesirable lack of uniformity in color is emphasized.

32. Extensive investigations of the effects of sodium carbonate, calcium hydroxide, and magnesium hydroxide as used in the alkalizing process have failed to show any harmful effects upon the nutritive value of canned peas.

33. Sodium carbonate, calcium hydroxide, and magnesium hydroxide, used as described in the preceding findings, are suitable optional ingredients of canned peas prepared from succulent peas.

34. Consumers are concerned to know when chemicals are added to canned peas.

35. The use of the alkalizing chemicals sodium carbonate, calcium hydroxide, and magnesium hydroxide in canned peas without informing the purchasers thereof would not promote honesty and fair dealing in the interest of consumers.

36. Sodium carbonate, calcium hydroxide, and magnesium hydroxide are the common names of the chemicals used in the alkalizing process for canned peas; such chemicals belong to a group commonly known as "alkalis."

Upon the basis of the foregoing findings of fact, it is concluded that the regulation fixing and establishing a definition and standard of identity for canned peas (5 F.R. 740) should be amended so as to permit the use as optional ingredients in succulent canned peas of sodium carbonate, calcium hydroxide, and magnesium hydroxide in the quantities specified in the following

provisions of such amended regulation and to require that such substances be named on the label of canned peas in which they are used; and that such regulation as so amended will promote honesty and fair dealing in the interest of consumers.

Wherefore the regulation fixing and establishing a definition and standard of identity for canned peas is amended as follows:

Amendments to Regulation

1. Section 51.0 (c) is amended to read:

§ 51.0 Canned peas—Identity; label statement of optional ingredients. * * *

(c) The following optional ingredients may be used:

- (1) Salt;
- (2) Sugar;
- (3) Dextrose;
- (4) Spice;
- (5) Flavoring;
- (6) Artificial coloring;

and in case optional pea ingredient (1) or (2) is used,

(7) Sodium carbonate, calcium hydroxide, and magnesium hydroxide in such quantity that the hydrogen ion concentration of the finished canned peas, as determined by the glass electrode method, is not more than pH 8.

2. Section 51.0 (f) is amended by renumbering subparagraph (6) as subparagraph (7) and inserting immediately before such subparagraph a new subparagraph reading:

(6) If optional ingredient (c) (7) is used, the label shall bear the statement "Traces of sodium carbonate, calcium hydroxide, and magnesium hydroxide added"; but in lieu of such statement the label may bear the statement "Traces of alkalis added."

(52 Stat. 1046, 1055; 21 U.S.C. 341, 371 (e))

The regulations hereby promulgated shall become effective on the nineteenth day following the date of publication of this order in the FEDERAL REGISTER.

[SEAL] WATSON B. MILLER,
Acting Administrator.

NOVEMBER 25, 1942.

[F. R. Doc. 42-12634; Filed, November 30, 1942; 10:44 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5184]

Subchapter C—Miscellaneous Excise Taxes

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

SUBPART I—PRODUCTION, REMOVAL, ETC. OF UNFINISHED SPIRITS FOR REDISTILLATION

Pursuant to the provisions of sections 2883 (d) and 3176, Internal Revenue Code, Treasury Decision 5132 (26 CFR, Part 171, Subpart I¹) is amended by inserting immediately after § 171.63 the

¹ 7 F.R. 2572.

following new section designated § 171.63A:

§ 171.63A *Special Form 236*. Where it is desired to expedite the removal of unfinished spirits in tank cars or tank trucks from a registered distillery or internal revenue bonded warehouse to another registered distillery or internal revenue bonded warehouse for redistillation, as provided by these regulations, and the proprietor of the registered distillery or internal revenue bonded warehouse to which the unfinished spirits are to be shipped has on file a bond in the maximum penal sum, the removal of such spirits may be made pursuant to a special Form 236, properly modified (in lieu of the regular Form 236 specified in § 171.63), to be executed by the distiller or warehouseman making the shipment: *Provided*, That the proprietor of the registered distillery or internal revenue bonded warehouse who is to receive unfinished spirits pursuant to such special Form 236 shall file a consent of surety, Form 1533, on his distillery bond, Form 30 or Form 30½, or his transportation and warehousing bond, Form 1571, as the case may be, extending the terms thereof to cover such transfers. The consent of surety shall be in substantially the following form:

To extend the terms of said bond to assume liability for the payment of any tax that may become due on spirits withdrawn from registered distilleries or internal revenue bonded warehouses by the principal pursuant to special Form 236 under the provisions of section 2883 (d), Internal Revenue Code, and Treasury Decision 5132, as amended.

Parts 2 and 3 of the special Form 236 will not be executed by the District Supervisor. After Part 1 of the special Form 236 has been executed by the proprietor of the shipping distillery or warehouse, he will deliver the form to the storekeeper-gauger who will execute Part 4 thereof, and attach a copy of Form 1520 covering the gauge of the unfinished spirits to each copy of special Form 236. Thereafter the forms will be disposed of in accordance with existing regulations. (Secs. 2883 (d) and 3176, I. R. C.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: November 27, 1942

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-12548; Filed, November 27, 1942;
3:22 p. m.]

Subchapter D—Social Security and Carriers Taxes
[T.D. 5185]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

EMPLOYMENT TAXES

Regulations 106 amended to conform to section 701 of the Revenue Act of 1942, postponing until January 1, 1944, the increase in rates of the taxes under the Federal Insurance Contributions Act.

In order to conform Regulations 106 [Part 402, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code; 53 Stat. 175, 1381; 26 U.S.C., 1940 ed., 1400 to 1432, inclusive), to section 701 of the Revenue Act of 1942, approved October 21, 1942, (Pub. Law 753, 77th Cong.), such regulations are amended as follows:

Paragraph 1. Immediately preceding § 402.301, relating to measure of employees' tax, the following is inserted:

Section 701 (a) of the Revenue Act of 1942

Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400) are amended to read as follows:

(1) With respect to wages received during the calendar years 1939, 1940, 1941, 1942, and 1943, the rate shall be 1 per centum.

(2) With respect to wages received during the calendar years 1944 and 1945, the rate shall be 2 per centum.

Paragraph 2. § 402.302, relating to rates and computation of employees' tax, is amended to read as follows:

§ 402.302 *Rates and computation of employees' tax*. The rates of employees' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940, 1941, 1942, and 1943-----	1
For the calendar years 1944 and 1945---	2
For the calendar years 1946, 1947, and 1948-----	2½
For the calendar year 1949 and subsequent calendar years-----	3

The employees' tax is computed by applying to the wages received by the employee the rate in effect at the time such wages are received.

Example: During 1943 A is an employee of B and is engaged in the performance of services which constitute employment (see § 402.203). In the following year, 1944, A receives from B \$1,000 as remuneration for services performed by A in the preceding year. The tax is payable at the 2 percent rate in effect for the calendar year 1944 (the year in which the wages are received), and not at the 1 percent rate which is in effect for the calendar year 1943 (the year in which the services were performed).

Paragraph 3. Immediately preceding § 402.401, relating to measure of employers' tax, the following is inserted:

Section 701 (b) of the Revenue Act of 1942

Clauses (1) and (2) of section 1410 of such Act [Federal Insurance Contributions Act] (Internal Revenue Code, sec. 1410) are amended to read as follows:

(1) With respect to wages paid during the calendar years 1939, 1940, 1941, 1942, and 1943, the rate shall be 1 per centum.

(2) With respect to wages paid during the calendar years 1944 and 1945, the rate shall be 2 per centum.

Paragraph 4. § 402.402, relating to rates and computation of employers' tax, is amended to read as follows:

§ 402.402 *Rates and computation of employers' tax*. The rates of employers' tax applicable for the respective calendar years are as follows:

	Percent
For the calendar years 1940, 1941, 1942, and 1943-----	1
For the calendar years 1944 and 1945---	2
For the calendar years 1946, 1947, and 1948-----	2½
For the calendar year 1949 and subsequent calendar years-----	3

The employers' tax is computed by applying to the wages paid by the employer the rate in effect at the time such wages are paid.

Paragraph 5. The last paragraph of § 402.705, relating to special refunds of employees' tax on wages over \$3,000, is amended by striking out "1942" and "1943" wherever they now appear therein, and by inserting in lieu thereof "1943" and "1944", respectively.

(This Treasury Decision is issued under the authority contained in section 1429 of the Internal Revenue Code (53 Stat. 178; 26 U.S.C., 1940 ed., 1429), and section 701 of the Revenue Act of 1942 (Pub. Law 753—77th Cong.))

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: November 27, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-12633; Filed, November 30, 1942;
11:00 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1699]

PART 339—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 19

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 19 for the establishment of price classifications and minimum prices for the coals of the No. 11 Mine of the Union Pacific Coal Company.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the No. 11 Mine (Mine Index No. 243) of the Union Pacific Coal Company, for shipments by rail and for shipments by truck; and

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

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

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

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 339.4 (*Code member price index*) is amended by adding thereto Supplement R-I, § 339.5 (*General prices; minimum prices for shipment via rail transportation*) is amended by adding thereto Supplement R-II, and § 339.21 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth, and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order,

pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the attached schedule marked Supplement R-I, R-II and T are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and reflect the changes, if any, made in minimum prices by the Acting Director's order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21.

Dated: November 12, 1942.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 19

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 339, Minimum Price Schedule for District No. 19, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Minimum Price Schedule for District No. 19:

§ 339.4 *Code member price index*—Supplement R-I. Insert the following listing in proper alphabetical order under Code Member Index:

Producer	Mine	Mine index No.	County	Shipping point	Subdistrict price group	Rail-road	F. o. b. No.	Prices	
								Rail	Truck
Union Pacific Coal Co., The.	No. 11...	243	Sweetwater...	Rock Springs, Wyo.	2	UP...	70	\$339.5	\$339.21

§ 339.5 *General prices; minimum prices for shipment via rail transportation*—Supplement R-II. The No. 11 Mine (Mine Index No. 243) of the Union Pacific Coal Co., shall be included in Subdistrict No. 2 in District No. 19, and the coals of that mine, in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the D. O. Clark Mine (Mine Index No. 5) of the Union Pacific Coal Co., in Subdistrict No. 2 in District No. 19.

FOR TRUCK SHIPMENTS

§ 339.21 *General prices in cents per net ton for shipment into all market areas*—Supplement T. Insert the following code members name, mine name, mine index number, and county under Subdistrict No. 2, and the following prices:

Code member mine	Mine index No.	County	Size groups																
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Union Pacific Coal Co., The No. 11.	243	Sweetwater	370	370	340	340	340	340	315	295	280	230	215	245	215	...	190	190	95

[F. R. Doc. 42-12532; Filed, November 27, 1942; 10:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System
[Order No. 69]

CLEVELAND STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the pro-

visions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Cleveland State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 69. Said project, located at Cleveland, Cuyahoga County,

Ohio, will be the base of operations for work at the Cleveland State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Cleveland State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Cleveland State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Cleveland State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12567; Filed, November 28, 1942; 10:51 a. m.]

[Order No. 70]

DAYTON STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Dayton State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 70. Said project, located at Dayton, Montgomery County, Ohio, will be the base of operations for work at the Dayton State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Dayton State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Dayton State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Dayton State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp

Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12568; Filed, November 28, 1942;
10:51 a. m.]

[Order No. 71]

LIMA STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Lima State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 71. Said project, located at Lima, Allen County, Ohio, will be the base of operations for work at the Lima State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Lima State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Lima State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Lima State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12569; Filed, November 28, 1942;
10:51 a. m.]

[Order No. 72]

HAWTHORNDEN STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Hawthornden State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 72. Said project, located at Macedonia, Summit

County, Ohio, will be the base of operations for work at the Hawthornden State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Hawthornden State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Hawthornden State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Hawthornden State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12570; Filed, November 28, 1942;
10:51 a. m.]

[Order No. 73]

COLUMBUS STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Columbus State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 73. Said project, located at Columbus, Franklin County, Ohio, will be the base of operations for work at the Columbus State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Columbus State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Columbus State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Columbus State Hospital. Administrative and directive control shall be under the Selective Service System

through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12571; Filed, November 28, 1942;
10:51 a. m.]

[Order No. 74]

EASTERN SHORE STATE HOSPITAL PROJECT
ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Eastern Shore State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 74. Said project, located at Cambridge, Dorchester County, Maryland, will be the base of operations for work at the Eastern Shore State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Eastern Shore State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Eastern Shore State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Eastern Shore State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

NOVEMBER 26, 1942.

[F. R. Doc. 42-12572; Filed, November 28, 1942;
10:52 a. m.]

[No. 148]

TURNOVER REPORT OF EMPLOYMENT
ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 68-A, entitled "Turnover Re-

port of Employment," effective immediately upon the filing hereof with the Division of the Federal Register.¹

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

LEWIS B. HERSHEY,
Director.

NOVEMBER 6, 1942.

[F. R. Doc. 42-12573; Filed, November 28, 1942;
10:52 a. m.]

[No. 149]

REGISTRATION CARD

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 1, entitled "Registration Card," effective immediately upon the filing hereof with the Division of the Federal Register.¹ This revision does not affect or discontinue the Registration Cards (Form 1) prescribed for the first, second, third, fourth, and fifth registrations.

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

LEWIS B. HERSHEY,
Director.

NOVEMBER, 16, 1942.

[F. R. Doc. 42-12574; Filed, November 28, 1942;
10:52 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment LXXVII]

PART 804—INDIVIDUAL LICENSES

IRON AND STEEL PRODUCTS

Paragraph (h) of § 804.7 *Special provisions concerning applications to export certain commodities*² is hereby amended in the following particulars:

1. The title is amended to read: *Iron and steel products.*

2. The following subparagraphs are added:

(3) All applications for licenses to export pig iron; wire finer than 16 gauge; ingots, blooms and billets; forgings and castings; all alloy steels; pressure tubes and mechanical tubing; plates over 72 inches wide; rails and rail accessories; wire rope under one-half inch in diameter, must contain full specifications (or a copy of the order as it would be placed with the producing mill) setting forth the following information:

¹ Filed as part of the original document.
² 7 F.R. 5081, 6256, 6931.

Pig iron

1. Quantity.
2. Quality.
3. Full analysis.
4. Proposed supplier.
5. Either a copy of PD-69 or the information contained therein.

Ingots, blooms, billets

1. Quantity.
2. All dimensions.
3. Analysis.
4. Sizes.
5. Quantity per size.

Wire finer than 16 gauge

1. Gauges or dimensions.
2. Quantity per gauges or dimensions.
3. Analysis (Chemicals and/or physicals, if other than mild steel).
4. Packing or wrapping, if any.
5. Coil weights.

Forgings and castings

1. Quantity.
2. Analysis.
3. Exact dimensions.
4. Blue prints wherever possible.

Alloy steels

1. Complete dimensions.
2. Quantity per size.
3. Analysis.
4. Permissible substitute analysis which might be used.
5. Definite and complete details as to end use.

Plates over 72" wide

1. Quality.
2. Complete sizes.
3. Quantity per size.
4. Analysis. (Chemicals and/or physicals, if other than mild or structural grades)

Pressure tubes and mechanical tubing

1. Complete dimensions. (Outside diameter, inside diameter wall thickness, length, etc.)
2. Any forming dimensions.
3. Whether hot rolled or cold drawn.
4. Specifications, if any.

Rails and rail accessories

1. Quantity.
2. Section.
3. Specifications.
4. Blue prints wherever possible.

Wire rope under 1/2" in diameter

1. Grade.
2. Construction.
3. Whether bright or galvanized.
- (4) Each application for a license to export any iron and steel product must be accompanied by a copy of a definite commitment from a supplier to furnish such product if an export license is issued or by a statement setting forth all pertinent information as to the efforts made to secure a supplier, if the applicant has been unable to obtain such a commitment.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: November 25, 1942.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 42-12622; Filed, November 30, 1942;
9:54 a. m.]

[Amendment LXXVI]

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

APPLICATION PROCEDURE

§ 808.6 *Application procedure*¹ is hereby amended by adding the following new paragraph:

(f) *Certain commodities—multiple consignees.* Application for freight space covering any of the commodities listed in subparagraph (4) of this paragraph may specify more than one consignee subject to the following conditions:

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

(2) The names and addresses of all the proposed consignees shall be listed and a copy thereof attached to each copy of the application submitted (such list is a part of the application).

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

(4) List of commodities:

Flour.

The shipper is authorized to divide the approved quantity among the approved consignees, as he may elect.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R.)

Dated: November 25, 1942.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 42-12621; Filed, November 30, 1942;
9:54 a. m.]

[Amendment LXXVIII]

PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

INTRANSIT SHIPMENTS

§ 808.10 *Effective date*² is hereby amended by changing the title thereof and amending the same to read as follows:

§ 808.10 *Intransit shipments*—(a) *Additional requirement.* Whenever a freight space application is required in connection with any shipment proceeding under a general intransit license, the spaces in the application form for the name and address of the consignor shall contain the name and address of the original consignor in the foreign country and the name and address of the United States shipper or forwarder.

(b) *Under 2240 pounds—application and certificate.* (1) Notwithstanding any other provision in this Part, the provisions thereof applying to shipments weighing 2240 pounds or more shall apply fully to any shipment proceeding

¹ 7 F.R. 5267, 6932, 9609.

² 7 F.R. 5267.

under a general intransit license which weighs less than 2240 pounds and originates in any country other than Canada.

(2) In connection with any shipment proceeding under a general intransit license which weighs less than 2240 pounds, the shipper shall execute the following statement upon the export declaration:

I (we) certify that freight space for the merchandise described herein was obtained as a result of approval by the Board of Economic Warfare of my (our) application for freight space (BEW 138) Serial No. -----

This amendment shall become effective December 10, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: November 25, 1942.

PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 42-12620; Filed, November 30, 1942; 9:54 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-158]

ALTHEN REALTY COMPANY, INC.

The Althen Realty Company, Inc., St. Louis, Missouri, is a real estate corporation engaged in the ownership and operation of various real properties in and around St. Louis, Missouri; and is the owner of two two-story buildings on Clifton Avenue, St. Louis, Missouri. On April 17, 1942, the Althen Realty Company, Inc., by its contractor, Fred Hof, St. Louis, Missouri, began construction on remodeling these two buildings into residential apartments at a cost of \$12,774, without having obtained authorization from the War Production Board as required by Conservation Order L-41.

The beginning of construction without authorization by the Althen Realty Company, Inc., constituted a wilful violation of Conservation Order L-41, which has impeded and hampered the war effort of the United States. In view of the foregoing facts: *It is hereby ordered:*

§ 1010.158 Suspension Order S-158.

(a) Deliveries of material to the Althen Realty Company, Inc., its successors and assigns shall not be accorded priority, directly or indirectly over deliveries under any other contract or order and no preference ratings shall be assigned or applied directly or indirectly to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to the Althen Realty Company, Inc., its successors or assigns, of any material the supply or distribution of which is covered by any order of the Director of In-

dustry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve the Althen Realty Company, Inc., from any restrictions, prohibition, or provision contained in any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order is to take effect December 1, 1942, and is to expire on March 1, 1943.

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

Issued this 28th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12582; Filed, November 28, 1942; 11:51 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-159]

FRED HOF

Fred Hof, St. Louis, Missouri, is an individual engaged in the general contracting business. On April 17, 1942, Fred Hof began construction under a contract with the Althen Realty Company, Inc., on remodeling two two-story buildings located on Clifton Avenue, St. Louis, Missouri, into residential apartments at a cost of \$12,774, without having obtained authorization from the War Production Board as required by Conservation Order L-41.

The beginning of this construction by Fred Hof constituted a wilful violation of Conservation Order L-41 which has impeded and hampered the war effort of the United States. In view of the foregoing facts: *It is hereby ordered:*

§ 1010.159 Suspension Order No. S-159. (a) Deliveries of material to Fred Hof, his successors and assigns, shall not be accorded priority directly or indirectly, over deliveries under any other contract or order and no preference rating shall be assigned or applied directly or indirectly to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Fred Hof, his successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Fred Hof from any restriction, prohibition, or provision contained in any other order or regula-

tion of the Director of Industry Operations, or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.

(d) This order is to take effect on December 1, 1942, and is to expire June 1, 1943, at which time restrictions contained in this order are to be of no further effect.

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

Issued this 28th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12583; Filed, November 28, 1942; 11:51 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-161]

M. E. SWING COMPANY

E. M. Swing is the sole proprietor of the wholesale and retail coffee business known as the M. E. Swing Company located at 1013 E Street NW., Washington, D. C., and is a roaster, as defined in Conservation Order M-135.

During the month of October, 1942, said E. M. Swing sold 28,250 pounds of roasted coffee in excess of the quota permitted under the terms of Supplementary Order M-135-c. This constituted a wilful violation of said order.

Prior to November 19, 1942, said E. M. Swing failed to maintain adequate and complete records concerning his inventories of and transactions in coffee. This constituted a violation of Priorities Regulation No. 1.

E. M. Swing has failed to file reports with the War Production Board on Form PD-533 as required by Conservation Order No. M-135.

These violations of Supplementary Order M-135-c and Conservation Order No. M-135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered:*

§ 1010.161 Suspension Order S-161.

(a) E. M. Swing, doing business as the M. E. Swing Company, 1013 E Street NW., Washington, D. C., his successors and assigns, shall not deliver more than 30,000 pounds of roasted coffee during any calendar month.

(b) Nothing contained in this order shall be deemed to relieve E. M. Swing, doing business as M. E. Swing Company, from any restrictions, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order is to take effect on December 1, 1942, and shall terminate on March 31, 1943, after which latter date this order shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12584; Filed, November 28, 1942;
11:51 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-163]

STERLING PRODUCTS, INC.

Sterling Products, Inc., Newark, New Jersey, is a manufacturer of steel beds which are sold to domestic purchasers. Subsequent to August 3, 1942, the Company assembled a substantial number of beds from steel parts although it was aware that Conservation Order M-126 prohibited the assembling of any beds containing steel at that time.

This constituted a wilful violation of Conservation Order M-126 which has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.163 Suspension Order S-163.

(a) Sterling Products, Inc., its successors and assigns, shall not sell, transfer or otherwise dispose of any beds containing iron or steel, except as specifically authorized by the Director General for Operations: *Provided, however, That* Sterling Products, Inc., may deliver or transfer such beds for the purpose of storing the same for its own account.

(b) For a period of six months from the effective date of this order, deliveries of material to Sterling Products, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Sterling Products, Inc., by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) For a period of six months from the effective date of this order, no allocation shall be made to Sterling Products, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Sterling Products, Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect November 30, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680, W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12585; Filed, November 28, 1942;
11:51 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-165]

NEW ENGLAND BRIAR PIPE COMPANY

New England Briar Pipe Company, a corporation with a principal place of business in West New York, New Jersey, and a factory at Penacook, New Hampshire, is engaged in manufacturing and selling briar pipes and nail polish brushes. It has been accustomed to manufacture its brush handles and the extensions on its pipes from aluminum. Between January 23, 1942 and May 13, 1942 it used at least 6,000 pounds of aluminum coils and strips for this purpose in violation of Supplementary Conservation Order M-1-e. During this period the official in charge of its operations was familiar with the priorities system in general and with the fact that since the spring of 1941, increasingly stringent restrictions on the use of critical materials such as aluminum were being imposed. In continuing the use of aluminum as late as May, 1942, without making any attempt to ascertain whether the use of aluminum for such obviously non-essential purposes was prohibited, it acted so recklessly that its violations must be considered as wilful.

The foregoing violations of War Production Board Orders have impeded and hampered the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing: *It is hereby ordered, That:*

§ 1010.165 Suspension Order S-165.

(a) Deliveries of material to New England Briar Pipe Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to New England Briar Pipe Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve New England Briar Pipe Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect November 30, 1942, and shall expire March 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

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

Issued this 28th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12586; Filed, November 28, 1942;
11:51 a. m.]

PART 3146—GARMENT LEATHER

[General Conservation Order M-265]

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

§ 3146.1 General Conservation Order No. M-265—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of Priorities Regulations of the War Production Board, as amended from time to time.

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

(1) "Cattlehide" means the hide or skin of bulls, steers and cows, whether native or branded, foreign or domestic, including calf and kipskins (but excluding slunks) and shall also include buffalo hides.

(2) "Goatskin" means the skin of the goat, including an India tanned goatskin.

(3) "Kidskin" means the skin of the young goat.

(4) "Garment leather" means leather to be incorporated into jackets, jerkins, doublets, vests, coats and other similar articles of apparel.

(5) "Military order" means an order for products to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the Marine Corps, the War Shipping Administration, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act.)

(6) "Civilian order" means any order except a military order.

(c) *Restriction on processing of garment leather.* No tanner shall put into process for garment leather, or continue to process, any cattlehides, goatskins

or kidskins (other than cattlehide splits) except to the extent required to fill military orders.

This restriction shall not apply to any cattlehides, goatskins or kidskins which have reached a stage in the process on the date of this order where they cannot be made into leather suitable for any other purpose.

(d) *Restriction upon sales and deliveries of garment leather made from cattlehides, goatskins and kidskins.* No tanner or converter shall sell or deliver any leather made from cattlehides, goatskins or kidskins (other than cattlehide splits) against any civilian order for garment leather if such leather is suitable for filling any of his military orders.

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

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

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

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M-265.

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

(j) *Expiration Date.* This order shall expire on December 31, 1942.

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

Issued this 28th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12587; Filed, November 28, 1942; 11:51 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Supplementary Order M-15-b, as Amended Nov. 30, 1942]

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The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber and balata 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:

§ 940.3 *General Limitation Order M-15-b—(a) Definitions.* For the purposes of this order:

(1) "Crude rubber" means all forms and types of crude rubber (including crepe rubber for soles or any other purpose) but does not mean or include balata, gutta-percha, gutta slak, gutta jelutong, pontianac, reclaimed rubber, scrap rubber or latex.

(2) "Latex" means the rubber solids contained in liquid latex in crude form, and in compounded liquid latex (but not the rubber solids in shoe adhesives and container sealing compounds).

(3) "Scrap rubber product" means any finished rubber product or part thereof, made in whole or in part from crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, which through wear, deterioration or obsolescence has served its primary purpose in its present state, but does not mean or include a repairable tire, treadable tire or any other manufactured product which is still usable for the primary purpose for which it was designed.

(4) "In-process scrap" means any material which is produced in the course of manufacture (including the repair, retreading or recapping of tires), and any defective or factory rejected materials or products which are not usable for the primary purpose for which they were designed and which contain any crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber, including all types and grades of residues, such as cuttings, trimmings, tuber heads, flash, cut edgings, sweepings, dust, buffings, sawings, grindings, drippings and any other form of rubber whether vulcanized or unvulcanized, which results from or is incident to the processing of crude rubber, latex, synthetic rubber, scrap rubber or reclaimed rubber in the manufacture or repair of any product, but does not mean or include uncured friction scrap, reclaimed rubber or any finished rubber products.

(5) "Uncured friction scrap" means any scrap rubber which contains fabric and which is produced in the manufacture of tires, hose or belting before such products are finally vulcanized.

(6) "Scrap rubber" means and includes any scrap rubber product, in-process scrap or uncured friction scrap.

(7) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber.

(8) "Repairable tire" means a pneumatic tire or tire casing which has sufficient tread design or under tread to warrant repair for use for the purpose for which it was primarily designed. For the purposes of this definition:

(i) "Repair" means a vulcanized sectional repair, or vulcanized reinforcement or vulcanized spot repair which can be accomplished in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload) so that the tire when repaired will be in a safe condition for service.

(ii) The tread and sidewall must not be severely weather checked or cracked to the extent that the tire has more than two radial cracks which extend through the cord body.

(iii) The cord body:

(a) Must not have separation between plies.

(b) Must not have been damaged to the extent that cords are pulled loose beyond the first inside ply.

(c) Must not have any fabric injuries that exceed one-half the cross-sectional diameter of the tire. Example—Injuries in 600/16 (6 inch) tires must not be more than three inches long on the inside of the tire; in 10.00/20 tires not more than five inches.

(d) Must not have or show evidence of having had more than three injuries requiring sectional repairs.

(e) Must not have injuries below any point where the top of the rim flange makes contact with the tire.

(f) Must not have or exhibit circumferential or flex breaks on the inside ply.

(g) Bead area must be sound with no broken wires.

(9) "Treadable tire" means a pneumatic tire or tire casing which warrants repair and retreading or recapping for the purpose for which it was primarily designed in accordance with recognized commercial practice, and which can reasonably be expected to render satisfactory service under limited operating conditions (speed under 40 MPH and no overload). For the purpose of this definition:

(i) The cord body:

(a) Must not be worn through more than one body ply for a total length of more than four inches on four ply tires.

(b) Must not be worn through more than two plies for a total length of more than four inches on tires of six plies or more.

(c) Must not have or show evidence of having had more than two injuries each not exceeding one-third the cross-sectional diameter of the tire. Example—Breaks in 600/16 (6 inch) tire must not be more than two inches long on the inside of the tire; 900/20 (9 inch) tires not more than three inches long.

(d) Must not have more than three radial cracks of more than one inch in length extending to the cord body.

(ii) The tire must in all other respects than specified in this paragraph (a) (9) conform to the requirements of a repairable tire.

(10) "Scrap consumer" means any person who consumes scrap rubber in the manufacture of any finished or partly finished product or material, and includes any person producing reclaimed rubber from scrap rubber, but does not include any person who separates scrap rubber or tears, splits or pulls scrap rubber apart (such as splitting tires) for the purpose of selling the component parts thereof to Rubber Reserve Company or to a scrap dealer.

(11) "Scrap dealer" means any person (other than a scrap consumer) buying, selling or collecting scrap rubber.

(12) "Synthetic rubber" means any of the varieties of compositions generally known as synthetic rubber, including, but not limited to, butadiene types, chloroprene, organic polysulfids and butyl.

(13) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the *Mimusops* genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata.

(14) "Inventory" means crude rubber, latex, scrap rubber, reclaimed rubber or balata, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies.

(15) "Consume" means to use, process, stamp, cut, or in any manner make any substantial change in the form, shape or chemical composition of any crude rubber, latex, scrap rubber, reclaimed rubber or balata.

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

(17) "War order" means:

(i) Any contract or purchase order for material or equipment to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development, but not to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', non-commissioned officers' or enlisted men's club, or any similar agency or organization.

(ii) Any contract or purchase order placed by any agency of the United States for material or equipment to be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any contract or purchase order for material or equipment required by the person placing the same to fill his contracts or purchase orders on hand, provided such material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under (i) and (ii) of this paragraph (a) (17).

(b) *Restrictions on consumption of crude rubber, latex, reclaimed rubber, scrap rubber and balata*—(1) *Crude rubber*. Crude rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II-A attached to this order; but only upon receipt of authorization from the Director General for Operations:

(2) *Latex*. Latex may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those groups of products set forth in Schedule II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(3) *Reclaimed rubber*. Reclaimed rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those products set forth in Schedules II-A or II-B attached to this order and not set forth in Schedule II-C attached to this order; but only where special authorization for the consumption of crude rubber or latex to manufacture such products has been issued by the Director General for Operations.

(iii) To manufacture those groups of products set forth in Schedule II-C attached to this order which are also set forth in Schedule II-A or Schedule II-B attached to this order, whether or not mixed or compounded with crude rubber, latex or scrap rubber; but only upon receipt of authorization from the Director General for Operations for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II-C attached to this order and not set forth in Schedules II-A or II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(4) *Scrap rubber*. Scrap rubber may be consumed only:

(i) To fill war orders; but only in the manufacture of those products set forth in Schedule I attached to this order.

(ii) To manufacture those products set forth in Schedule II-A or II-B attached to this order and not set forth in Schedule II-C attached to this order; but only where special authorization for the consumption of crude rubber or latex to manufacture such products has been issued by the Director General for Operations.

(iii) To manufacture those groups of products set forth in Schedule II-C attached to this order which are also set forth in Schedule II-A or Schedule II-B attached to this order, whether or not mixed or compounded with crude rubber, latex or reclaimed rubber; but only upon receipt of authorization from the Director General for Operations for the consumption of the respective amounts of crude rubber, latex, reclaimed rubber and scrap rubber to be consumed.

(iv) To manufacture those groups of products set forth in Schedule II-C attached to this order and not set forth in Schedule II-A or II-B attached to this order; but only upon receipt of authorization from the Director General for Operations.

(v) To manufacture reclaimed rubber.

(vi) As to in-process scrap or uncured friction scrap generated after March 31, 1942, by the person who generated such in-process scrap or uncured friction scrap; but only in the manufacture of any products of the group (as set forth in said Schedules II-A, II-B and II-C) in which is listed the product in connection with which such in-process scrap or uncured friction scrap was generated. In such case the in-process scrap or uncured friction scrap consumed shall not be charged against his quota or allotment of crude rubber, latex, reclaimed rubber or scrap rubber for making products of that group. Any person may consume in-process scrap or uncured friction scrap whether generated by him or not, in the manufacture of any products not so listed in the same group when, but only when, he has received from the Director General for Operations an authorization to consume reclaimed rubber or scrap rubber in the manufacture of such other group of products, and in such event the in-process scrap or uncured friction scrap consumed shall be within the limits of such authorization and shall be charged against his quota or allotment

of reclaimed rubber or scrap rubber for manufacturing such other group of products.

(5) *Balata*. Balata shall be consumed only:

(i) To manufacture self-sealing fuel cells to fill war orders.

(ii) For such other purposes as may be permitted by special authorization of the Director General for Operations.

(c) *General provisions*—(1) *Distribution of crude rubber, latex, reclaimed rubber, scrap rubber and balata among plants*. Each company (which term when used in this subparagraph shall include any corporation together with all other corporations controlling, and all other corporations controlled by, such corporation) which is a processor of crude rubber, latex, scrap rubber, reclaimed rubber or balata and which operates plants in more than one community (all plants operated by the same company in the same community being herein collectively referred to as a "unit"), shall immediately upon distributing crude rubber, latex, scrap rubber, reclaimed rubber or balata during any calendar month among its units in proportions differing from the proportional distribution throughout such units during July, 1941, file with the Rubber and Rubber Products Branch of the War Production Board, a full report thereof showing clearly the reasons for such change in proportional distribution throughout its units. In any case in which it appears that such change in ratio was not justified or proper, the Director General for Operations may take such action as he deems appropriate.

(2) *Manufacture according to specifications*. Any of the products or materials whose manufacture is permitted by this order or by special authorization of the Director General for Operations shall be manufactured only in conformity with specifications now or hereafter set forth in lists attached to § 940.5 *Supplementary Order M-15-b-1* or such other specifications as may be issued by the Director General for Operations; provided that until specifications for particular products or groups of products are issued by the Director General for Operations, the crude rubber, latex or balata content by weight of any such products manufactured by any person shall not exceed the respective crude rubber, latex or balata content by weight of similar products manufactured by such person on the most recent date prior to September 1, 1942, on which he manufactured such products.

(3) *Limitation on consumption to fill war orders*. No person shall consume more crude rubber, latex, reclaimed rubber, scrap rubber or balata to fill any war order than is required for delivery within sixty days from the date such crude rubber, latex, reclaimed rubber, scrap rubber or balata is consumed under the delivery dates specified in the purchase order placed with him.

(4) *Limitation of inventories*. No person other than Rubber Reserve Company shall purchase, accept delivery of or

otherwise acquire any crude rubber, latex, reclaimed rubber or balata or products thereof, or any products of scrap rubber, in the form of raw materials, semi-processed materials, finished products or parts or subassemblies in quantities which shall result in such person having an inventory of such material or products in excess of a minimum practicable working inventory, taking into consideration the limitations placed by this order on the production of products made of crude rubber, latex, balata, reclaimed rubber and scrap rubber. An inventory of crude rubber, latex or balata which can reasonably be expected to last more than sixty days, or of reclaimed rubber which can reasonably be expected to last more than forty-five days, shall be deemed to be in excess of a minimum practicable working inventory. The limitation on inventories imposed by this paragraph (c) (4) and by § 944.14 (Priorities Regulation No. 1) as amended, shall not apply to inventories of reclaimed rubber held or acquired by persons engaged in the business of reclaiming rubber but who are not consumers of reclaimed rubber, it being contemplated that persons engaged in the business of reclaiming rubber (but not consumers of reclaimed rubber) may accumulate such inventories of reclaimed rubber as they may deem advisable.

(5) *Restriction on the acquisition of crude rubber, latex, reclaimed rubber, scrap rubber and balata*. No person other than Rubber Reserve Company shall purchase, accept delivery of or otherwise acquire any crude rubber, latex, reclaimed rubber, scrap rubber or balata for any purpose except for the purpose of consuming the same in the manufacture of a product or products for which such material may be consumed under the provisions of this order or under special authorization of the Director General for Operations, provided that nothing in this order shall prevent any scrap dealer from acquiring scrap rubber in the usual course of his business for the purpose of selling the same to another scrap dealer or to Rubber Reserve Company.

(6) *Restriction on the sale of crude rubber, latex, reclaimed rubber and balata*. No person shall sell, trade or transfer the ownership of any crude rubber, latex, reclaimed rubber or balata, and no person shall accept any such sale, trade or transfer of ownership, except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the Director General for Operations; provided that nothing in this paragraph (c) (6) shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on Decem-

ber 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations.

(7) *General restrictions on the purchase and sale of scrap rubber*. Except (i) as may be expressly permitted by regulations prescribed by Rubber Reserve Company, or (ii) in those cases in which special authorizations may be issued by the Director General for Operations:

(a) No person other than Rubber Reserve Company shall sell, trade or transfer the ownership or possession of any scrap rubber to any scrap consumer.

(b) No scrap consumer shall purchase, receive or accept delivery of any scrap rubber, or the right to receive any scrap rubber, from any person other than Rubber Reserve Company.

(c) No scrap consumer shall sell, trade or transfer the ownership or possession of any scrap rubber to any person, including any scrap dealer.

Provided, That the prohibitions of this paragraph (c) (7) shall not apply to any transfer or delivery of scrap rubber from one location to another location controlled by the same person where no change of ownership takes place, or to any purchase or sale by any corporation from or to another corporation which is its subsidiary or of which it is a subsidiary, of any in-process scrap or uncured friction scrap generated by the corporation making such sale or transfer, and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13 (Part 944). For the purposes hereof a corporation shall be deemed to be a subsidiary of another corporation if all or substantially all of its voting stock is owned by such other corporation.

(8) *Restriction on the destruction of tires and scrap rubber*. No person shall destroy, damage, cut or tear apart any tire, tire casing or tire tube or any scrap rubber, whether by burning or any other means and whether for the purpose of making or repairing products or materials from or with all or any of its constituent parts; provided that this restriction shall not apply to the following:

(i) The consumption of any scrap rubber in the manufacture of any product for which crude rubber, latex, reclaimed rubber or scrap rubber may be consumed under the provisions of this order or under special authorization of the Director General for Operations; but subject to such limitations as to quantities, specifications and other restrictions as may be imposed by this order or such special authorization.

(ii) The consumption of any scrap rubber by any person producing reclaimed rubber as a necessary incident to such reclaiming operations.

(iii) The destruction of any scrap rubber (without destroying the rubber therein) for the purpose of selling its component parts to a scrap dealer for resale

by him either (a) to Rubber Reserve Company, or (b) under rules or regulations prescribed from time to time by Rubber Reserve Company.

(iv) The destruction of the following articles when through obsolescence, use or deterioration the articles have entirely served their usefulness in their present state:

(a) Used battery containers and separators and parts thereof.

(b) Rough bore (metal reinforced) oil suction and discharge hose and hose containing asbestos combined with rubber.

(c) Wire cord generally classed as lamp cord and similar wire cords (but not other insulated wire or rubber covered cable).

(d) That part of rubber bonded to metal which cannot be separated from the metal by mechanical means.

(e) Brake linings and clutch facings.

(f) Metal-inserted packing.

(g) Metal-inserted running boards.

(h) Gasoline pump hose.

(i) Friction tape and adhesive tape (except in-process scrap).

(j) Burnt rubber all of which has been exposed to open flame (but not scorched rubber compounds).

(k) Gasket compounds containing cork.

(l) Typewriter platens.

(v) Ordinary wear and tear incident to the normal use of any article for the primary purpose for which it was designed.

(9) *Restriction on regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing, whether by cutting, scraping, grinding, burning, heating, remolding or any other means.

(10) *Restriction on splitting camelback and capping stock.* No person shall split, cut, tear or otherwise separate any camelback or capping stock in such manner that there will result camelback or capping stock of gauges other than 10/32, 12/32, 14/32, 16/32, 18/32, 20/32, 22/32 inches and larger.

(11) *Reports covering war orders.* No person shall consume any crude rubber, latex, reclaimed rubber or scrap rubber to fill any war order until he has forwarded to the Rubber and Rubber Products Division of the War Production Board a report on Form PD-330, or such other form for reporting war orders as may be prescribed by the Director General for Operations. Upon forwarding such report, such person may proceed to fill the war order covered by the report unless notified to the contrary by the Director General for Operations.

(12) *Prohibited products for other than war orders.* Except to fill war orders, no person shall consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture of any of the products for which the consumption of such material is prohibited by Schedule III attached to this order, even though the consumption of such material would otherwise be permitted under any of the broader provisions, classifications or groupings of this order or under any of

the other schedules attached to this order.

(13) *Prohibited products for war orders.* Unless permitted by special authorization of the Director General for Operations, no person shall (i) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of Schedule IV attached to this order for delivery to fill any war order; or (ii) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of said Schedule IV for delivery to fill any war order.

(14) *Index of permitted and prohibited products.* Schedule V is attached to this order for the convenience of the industry. This schedule constitutes an index of the products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed, and those for which these materials may not be consumed, and contains appropriate cross-references to the other schedules in which such products are mentioned.

(15) *Restriction on the importation of crude rubber, latex, reclaimed rubber, scrap rubber and balata and products thereof.* No person other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one of them, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any crude rubber, latex, reclaimed rubber, scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made from any of the foregoing. For the purpose hereof "import" means to transport into continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs; and products or materials shall be deemed to be made from crude rubber, latex, reclaimed rubber, scrap rubber or balata if at least ten per cent of the weight of such products or materials was made from crude rubber, latex, reclaimed rubber, scrap rubber and balata or from any one or more of them. The restriction of this paragraph (c) (15) shall not apply to the importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of crude rubber, latex, reclaimed rubber, scrap rubber and balata provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale.

(16) *Restriction on consumption of rubber products and materials.* No person shall use or consume any finished

or partly finished product or material containing in the aggregate more than ten per cent by weight of crude rubber, latex, reclaimed rubber and scrap rubber, to manufacture for sale to others any other products for which he has not received an authorization from the Director General for Operations to consume crude rubber, latex, reclaimed rubber or scrap rubber. In any case in which any such product or material is used pursuant to any such authorization, it shall be chargeable to such person's quota of reclaimed rubber and/or scrap rubber for the manufacture of such permitted products.

(17) *Finished item deliveries.* No person shall sell, transfer or deliver, or purchase or accept or accept transfer or delivery of, any item which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

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

(19) *Applications for authorizations to consume crude rubber, latex, reclaimed rubber and scrap rubber.* Each person who wishes to consume any crude rubber, latex, reclaimed rubber or scrap rubber at any time subsequent to October 1, 1942 to manufacture any of the products or groups of products listed in Schedules II-A, II-B and II-C attached to this order, shall file with the Rubber and Rubber Products Division of the War Production Board an application on Form PD-407. Such application shall be filed not later than the tenth day of the month preceding the calendar month during which such person wishes to consume crude rubber, latex, reclaimed rubber or scrap rubber.

(20) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by transmitting to the Rubber and Rubber Products Division, War Production Board, Washington, D. C., an appeal on Form PD-500-b. The Director General for Operations may thereupon take such action as he deems appropriate.

(21) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles hereafter manufactured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director of Priorities, the Director of Industry Operations or the Director General for Operations heretofore or hereafter issued may have the effect of limiting or cur-

tailing to a greater extent than herein provided the use of crude rubber, latex, scrap rubber, reclaimed rubber or balata in the production of any article, the limitations of such other order shall be observed.

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

(23) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Rubber and Rubber Products Division, War Production Board, Washington, D. C. Ref.: M-15-b.

(24) *General reports.* Any person who, during any calendar month, consumes, ships or stocks any crude rubber, latex, reclaimed rubber, scrap rubber or balata, or who, on the last day of any calendar month, has in his possession any crude rubber, latex, reclaimed rubber, scrap rubber or balata, shall, not later than the fifteenth day of the succeeding month, file with the Rubber and Rubber Products Division of the War Production Board a report on the appropriate form PD-49, PD-322 or such other form or forms as may be prescribed from time to time.

(25) *Outstanding special instructions.* No unrevoked special instruction (i. e., instruction issued by individual letter or telegram and not by general order) issued prior to September 1, 1942 by the Director of Priorities, Director of Industry Operations or Director General for Operations, which (i) authorizes the consumption of crude rubber, latex, reclaimed rubber or scrap rubber within a specified period or prior to a specified date, or (ii) forbids or restricts the consumption of crude rubber, latex, reclaimed rubber or scrap rubber, is revoked or rescinded by this revised Supplementary Order No. M-15-b. All such unrevoked instructions shall remain in effect unless hereafter specifically rescinded or revoked by the Director General for Operations.

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

Issued this 30th day of November 1942.

ERNEST KANZLER,
Director of Operations.

SCHEDULE I

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to fill war orders. (See paragraphs (b) (1) (i), (b) (2) (i), (b) (3) (i) and (b) (4) (i) of Revised Supplementary Order No. M-15-b)

Pending the issuance of a list of products for which crude rubber, latex, reclaimed rubber and scrap rubber may be required to fill war orders, to be set forth in a revised Schedule I, crude rubber, latex, reclaimed rubber and scrap rubber may be consumed to manufacture any product to fill any war order, unless the consumption of crude rubber, latex, reclaimed rubber and scrap rubber in the manufacture of such product is prohibited by paragraph (c) (13) of Revised Supplementary Order No. M-15-b and Schedule IV attached thereto or by special direction of the Director General for Operations.

SCHEDULE II-A

Products for which crude rubber may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraph (b) (1) (ii) of Revised Supplementary Order No. M-15-b.)

Any authorization to consume crude rubber to manufacture any group of products set forth in this Schedule II-A also authorizes the manufacture from the quota or allotment of crude rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No crude rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II-A unless permitted by special authorization of the Director General for Operations.

Group 1

Compounds for insulating wire and cable

Group 2

Cable splicing compound

Group 3

Belt splicing and repair material
Last puller belts
Polishing belts
Screen diaphragms designed for paper making equipment

Group 4

Conveyor and elevator belting

Group 5

Flat transmission belts
Hog beater belts

Group 6

Industrial brake lining and clutch facings

Group 7

V-belts

Group 8

Acid hose
Air drill hose
Cement handling hose, including cement grouting, concrete placing and cement and dry material hose
Chemical hose
Divers' hose
Dredging sleeves
Expansion joint hose
Flexible couplings
Flanged flexible hose
Grease gun hose

Gasoline and oil tank wagon hose (not including curb pump hose)
Hydraulic control hose
Industrial vacuum hose, including dust collector, blower or exhaust hose
Jetting and hydraulic hose, including arbor pipe forming and phosphate flexible hose
Milk conveying hose
Oil suction and discharge hose
Paint spray hose
Pinch valve hose
Pneumatic hose
Railroad hose (all types)
Rotary driller's hose
Sand blast hose
Sanitary hose
Spray hose (designed for working pressures of 300# per square inch and over)
Steam hose
Suction hose
Welding hose

Group 9

Hard rubber pipe and fittings (industrial only)
Rubber buckets, pails, dippers, funnels, measures, bottles, beakers, frames, baskets, racks, trays (designed for handling corrosive materials and explosives)
Rubber insulated fume-ducts, fans, racks, frames, trays, screens, pipe, buckets, pails, dippers, agitators, funnels and measures (designed for handling corrosive materials and explosives)
Rubber pumps
Rubber lining designed for blowers, exhausters and pumps
Rubber valves and valve parts (except tire tube valves)

Group 10

Rubber lined tanks, drums, pipes and fittings (hard and soft)

Group 11

Rubber covered rolls and roll coverings (except domestic washing machine wringer, printers', fingerprint and business machine rolls)

Group 12

Press die pads

Group 13

Loom pickers

Group 14

Storage battery parts, (including only separators, retainers, binding strips, element support rods, tie rods, and hand-built jars and hand-built containers, but not including hand-built jars and containers designed for radio, farm lighting, mine safety and automotive S. L. I.)

Group 15

Hard rubber sheets, rods and tubing (designed for dielectric purposes)
Insulated tools
Magneto parts
Molded cable connectors and terminal blocks (designed for dielectric purposes)

Group 16

Mine safety battery parts
Mine safety lamp parts, excepting insulated wire
Respirators, hose masks, gas masks, goggles, inhalators, excepting headharness (mining and industrial types)

Group 17

Sheet, strip and mechanical packings

Group 18

Oil well specialties (including only packers, testing, lining bumper and swab rubbers; blow-out preventors; drill pipe protectors; stabilizers; slush pump pistons and liners; mud and oil pump pistons, liners, valves and parts; valve cups; strippers; stuffing box rings)

Group 19

Industrial abrasive implements

Group 20

Airplane de-icer parts
 Card clothing
 Gas main bags
 Gaskets and washers for hose
 Lineman's protective devices (including only line hose, insulator hoods, blankets, cable end test caps and separators, cable bandages, lineman's sleeves and insulating stools)
 Mine ventilating tubing
 Molded seals for dam and lock gates

Group 21

Component parts (not elsewhere listed but not including sponge) of machinery for the processing and fabricating of raw and semi-finished materials and for the transmission of mechanical power (except as specifically prohibited in Schedule III attached to Revised Supplementary Order No. M-15-b)

Group 22

Pipe coupling rings

Group 23

Fire and mill hose

Group 24

Milk and milking machine equipment consisting of:
 Couplings for pasteurizers and milk bottle and can washers
 Gaskets for milk separators and clarifiers
 Milk bottle filler rubbers
 Milking machine inflations and tubing

Group 25

Box die gum, rubber die gum and rubber type gum, designed for industrial marking devices only

Group 26

Engravers' rubber (excluding rubber stamps, box dies, band daters and toy stamps)

Group 27

Printing plates (excluding rubber stamps, box dies, band daters and toy stamps)

Group 28

Cutting rubbers
 Finger print rolls and finger print rubber
 Offset and newspaper blankets
 Printers' rollers
 Rubber solution for wet plate negatives
 Suction cups for printers' equipment

Group 29

Automotive parts consisting of the following only:
 Air brake and vacuum brake parts, excepting boots and linings
 Air brake and vacuum brake hose
 Hydraulic brake cylinder parts, excepting boots and linings
 Hydraulic brake hose
 Hydraulic clutch and throttle controls
 Pitman arm bushings for independent suspensions
 Remote control gearshift bushings
 Sealed beam gaskets
 Shock absorber bushings
 Steering post alignment bushings
 Suspension and torque arm bushings
 Steering box-to-frame pads for independent suspensions
 Torsional vibration dampers
 Windshield wiper blades and pivot to housing gaskets
 Engine, transmission and propeller center bearing mountings

Group 30

Pneumatic, solid and cushion tires, (including tubes, flaps, airbags and valves) of the following types only:

Passenger
 Truck and bus
 Special purpose of the following types only:
 low platform trailer, rock service, earth-mover, road builder and road grader
 Industrial
 Motorcycle
 Airplane

Group 31

Camelback, capping stock, filler strip, strip-ping stock, cushion stock, lug stock, and base stock for retreading and recapping tires

Group 32

Full circle and sectional airbags designed for recapping, retreading and repairing tires

Group 33

Tire and tube repair materials (including only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches, and tube repair gum)

Group 34

Rubber footwear designed for severe industrial use, including rubber boots, mine pacs, and work shoes all with plain or steel toes

Group 35

Rubber footwear (other than that listed in Group 34), including rubber boots, arctics, gaiters, and light and heavy rubbers

Group 36

Diaphragms designed for regulating the flow of fluids
 Tank balls designed for flush valves
 Bibb washers
 Fuller balls
 Ball cock washers

Group 37

Autopsy and mortuary gloves
 Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 38

Electricians' gloves

Group 39

Brain surgery caps
 Colostomy outfits
 Denture suction and model formers
 Dilators
 Finger cots (medical, surgical, dental, veterinary, mortuary and laboratory types only)
 Orthodontia bands
 Parts for medical, surgical, dental, veterinary and mortuary instruments
 Prostatic bags
 Rubber bands and cushions designed for artificial limbs
 Tubes and tubing (except fountain syringe lengths), including catheters, stopples, and rubber policemen (medical, surgical, dental, mortuary, veterinary and laboratory types only)
 Urinals designed for individual wear
 Vaccine caps
 X-ray sheets, gloves, aprons and cooling hose

Group 40

Surgical tape, medicated footpads and plasters

Group 41

Breast pumps
 Bulbs (medical, surgical, dental, veterinary, mortuary and laboratory types only)
 Medicine droppers
 Water bottles and combination syringes

Group 42

Ice bags
 Metatarsal cushions or pads (not parts of shoes)
 Pneumatic truss pads
 Truss pad covers

Group 43

Acoustic aids (soft rubber parts only) designed for individual hearing instruments and audiometers

Group 44

Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only)

Group 45

Tubing, fountain syringe lengths

Group 46

Blood pressure bags
 Dental dam
 Dental separating strips and mouth props
 Denture rubber
 Inhalation bags and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
 Invalid rings, but not including sponge rubber rings
 Operating cushions, but not including sponge rubber cushions
 Tourniquets

Group 47

Hospital sheeting

Group 48

Feeding nipples

Group 49

Pessaries and prophylactics

Group 50

Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 51

Meteorological balloons

Group 52

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber by Revised Supplementary Order No. M-15-b, except cements for use in the manufacture of such products, except shoe adhesives

Group 53

Commercial diving equipment

Group 54

Compounds designed for seaming protective clothing other than footwear and gloves

Group 55

Abrasive sand blasting helmets and clothing

Group 56

Conductive soles, taps and heels

Group 57

Shoe cements

Group 58

Lifesaving suits

Group 59

Compounds designed for sealing cans made of tinplate, blackplate or terneplate
 Rings and compounds for sealing glass containers

Group 60
Blended compounds or mixtures designed for laboratory testing

Group 61
Vacuum cleaner belts

Group 62
Airplane equipment not elsewhere listed

Group 63
Molding bags

Group 64
Street car wheel sandwich rings

Group 65
Vibration dampers

SCHEDULE II-B

Products for which latex may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraph (b) (2) (ii) of Revised Supplementary Order No. M-15-b)

Any authorization to consume latex to manufacture any group of products set forth in this Schedule II-B also authorizes the manufacture from the quota or allotment of latex for that group of cements necessary to the manufacture (but not the use or application) of such products. No latex shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II-B unless permitted by special authorization of the Director General for Operations.

Group 1
Colostomy outfits
Finger cots (medical, surgical, dental, mortuary and veterinary types only)
Prostatic bags
Prosthetic devices
Tubes and tubing (except fountain syringe lengths), including catheters (medical, surgical, dental, mortuary, veterinary and laboratory types only)
Urinals designed for individual wear

Group 2
Blood pressure bags
Inhalation bags, and face pieces, not including oxygen tents (medical, surgical, dental and veterinary types only)
Veterinary sleeves

Group 3
Industrial rubberized fabric gloves designed for handling corrosive and severely abrasive materials

Group 4
Electricians' gloves

Group 5
Dental dam

Group 6
Autopsy and mortuary gloves
Industrial all rubber gloves and industrial net-lined gloves and industrial finger cots

Group 7
Meteorological balloons

Group 8
Feeding nipples

Group 9
Pessaries and prophylactics

Group 10
Surgeons' gloves (medical, surgical, dental and veterinary types only)

Group 11
Compounds designed for sealing glass containers and cans made of tinplate, black-plate or terneplate

Group 12
Shoe cements

Group 13
Latex insulation for fume ducts, fans, racks, frames, trays, screens, pipes and fittings, buckets, dippers, funnels, measures, drums, pumps, valves, baskets, concave rollers and agitators (designed for handling corrosive materials)

Group 14
Flat transmission belts
Round transmission belts
V-belts

Group 15
Mine ventilating tubing

Group 16
Industrial abrasive implements

Group 17
Blended compounds or mixtures designed for laboratory testing

Group 18
Tire cord dip

SCHEDULE II-C

Products for which reclaimed rubber and scrap rubber may be consumed upon authorizations issued from time to time by the Director General for Operations. (See paragraphs (b) (3) (iii) and (b) (4) (iii) of Revised Supplementary Order No. M-15-b)

Any authorization to consume reclaimed rubber or scrap rubber to manufacture any group of products set forth in this Schedule II-C also authorizes the manufacture from the quota or allotment of reclaimed rubber or scrap rubber for that group of cements necessary to the manufacture (but not the use or application) of such products. No reclaimed rubber or scrap rubber shall be consumed to manufacture cements for the use or application of products of any group set forth in this Schedule II-C unless permitted by special authorization of the Director General for Operations.

Group 1
Adhesives designed for fabricating steel wool, curled hair or fibre pads for surgical corrective appliances

Group 2
Adhesives for seaming bags and bagging
Gaskets and compounds for sealing jars, tumblers, cans, drums and pails

Group 3
Athletic equipment, consisting of the following only:
Basketball bladders
Football bladders
Punching bag bladders
Soccer bladders
Volley ball bladders
Hardballs
Squash balls
Tennis balls

Group 4
Automotive parts (including only spring bumpers—front and rear, tailpipe supports, battery drain tubes, brake boots, insulating forms or shapes for high tension wiring)

Group 5
Clutch facings, brake lining and brake blocks

Group 6
V-belts

Group 7
Barrel lining

Group 8
Brush setting compounds

Group 9
Molded battery containers except those designed for automotive S. L. I. batteries of S. A. E. Groups 1, 2 and 3

Group 10
Storage battery parts (except molded containers)

Group 11
Crutch tips

Group 12
Erasers and pencil plugs

Group 13
Friction tape

Group 14
Heels and heel bases (black dense composition only)

Group 15
Out soles, out soiling strips, taps, top lifts and top lifting material (black dense composition only)

Group 16
Shoe bottom fillers and shoe tapes

Group 17
Insoles, midsoles and box toes

Group 18
Automotive radiator hose
Braided covered tubing
Cable covering, electric
Car heater hose
Curb line and garage air hose
Fire extinguisher tubing
Garden hose
Grease hose, low pressure, non-industrial
Pump and windshield wiper tubing
Rock wool insulation hose
Shaft covering, flexible
Spray hose (designed for working pressures under 300 pounds per square inch)
Vacuum cleaner hose
Water hose

Group 19
Parts for business machines (except platens and rolls)

Group 20
Parts for refrigerators, washing machines and motor-driven electric appliances (except hose and belts)

Group 21
Horseshoe pads

Group 22
Pressure sensitive tape

Group 23
Stamp gum

Group 24
Sponge for stamp gum cushion

Group 25
Truss pads

Group 26

Elastic fabrics and elastic webbing for:
 Artificial legs
 Gas masks
 Goggles
 Hose masks
 Inhalators and respirators
 Edging for baby pants
 Industrial shoes
 Repair web
 Sanitary belts
 Surgical bandages, stockings and supports
 Trusses (including umbilical belts)

Group 27

Spud washers
 Waste and overflow washers
 Float valve shank washers
 Flush elbows
 Flush valve washers
 Force cups
 Gaskets and valves designed for back flow preventors (or vacuum breakers)
 Siphon washers

Group 28

Cements designed for the repair, use or application of products permitted to be manufactured from crude rubber, latex, reclaimed rubber or scrap rubber by Revised Supplementary Order No. M-15-b, except cements for use in the manufacture of such products, and except shoe adhesives.

Group 29

Tire and tube repair materials (including only cushion stock, tread repair stock, cord friction, square woven fabric friction, repair patches and tube repair gum)

Group 30

Capping stock, filler strip, stripping stock, cushion stock, lug stock and base stock for retreading and recapping tires

Group 31

Blended compounds or mixtures designed for laboratory testing

Group 32

Compounds designed for proofing fabrics, other than footwear and gloves

Group 33

Bicycle tires (including casings, tubes, flaps and valves)

Group 34

Mallets and mallet heads

SCHEDULE III

Exceptions from groups of products set forth in Schedules II-A, II-B and II-C. (See paragraph (c) (12) of Revised Supplementary Order No. M-15-b)

Unless otherwise specified in this Schedule III, no person may consume any crude rubber, latex, reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials listed in this Schedule III, even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (ii), (b) (2) (ii), (b) (3) (ii) or (b) (4) (ii) of Revised Supplementary Order No. M-15-b or Schedules II-A, II-B or II-C attached to said order. (The prohibitions of this Schedule II do not apply to the manufacture of products or materials to fill war orders, as to which see Schedule IV.)

The omission of any products or materials from this Schedule III does not

mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not listed in this Schedule III only if and to the extent permitted by Revised Supplementary Order No. M-15-b and Schedules II-A, II-B and II-C attached to said order.

Accelerator pedals (automotive)
 Animal boots and shoes
 Arch supports
 Arm rests
 Artificial leather
 Basin gaskets and washers
 Basin stoppers
 Bath sprays
 Bath tub stoppers
 Battery carrier straps
 Beer tubing
 Blowout shoes (for tires)
 Bookbinding adhesives
 Bottle carriers
 Bottle driers
 Brake rod rattlers
 Brewery hose
 Brush bristles
 Bumper tacks
 Bunion pads
 Camera bellows
 Camera focusing cloth
 Candy molds
 Carboy pads
 Casket gaskets
 Chair and furniture parts
 Channel filler
 Christmas tree lighting devices
 Chute lining
 Cigar machine aprons
 Cleats for athletic and sport shoes
 Coated clips
 Coffee maker bushings and gaskets
 Concentrator belts
 Contraction joint seals and concrete filler
 Corn pads
 Crib sheeting
 Crutch pads
 Cutting blocks
 Cushions, upholstery and mattresses (except invalid rings and operating cushions)
 Defroster parts and hose
 Desk and chair protective pads
 Dish drainers
 Drain pipe lining
 Draper aprons
 Electric base plugs, plug connectors and light sockets
 Elevator belt buckets and cleats
 Exercise machine parts
 Extension lamp handles
 Fan bases and blades
 Faucet caps
 Faucet filters
 Feeding bottle caps and covers (except nipples)
 Ferrules
 Filter cloth
 Finger pads
 Flooring, tile and tiling, and wainscoting (except conductive)
 Fountain pen stock
 Fly paper
 Foot bath trays
 Gaskets, pads and shims made from scrap tires and tubes
 Gasoline curb pump hose
 Gasoline tubing
 Gauntlets and cuffing (except linemen's sleeves)
 Gear silencers
 Glue dispensers
 Graphite guns and parts thereof
 Grommets (except dielectric)

Handle grips (except for dielectric purposes)
 Hard rubber photographic trays and development tanks (except X-Ray)
 Hard rubber spatulas (except for handling explosives and corrosive materials)
 Hat-forming bags
 Hatters' belts
 Horse shoes
 Horticultural binding tape
 Hose nozzles
 Household gloves
 Hydrometer parts
 Ice cube trays
 Ink wells and bottles
 Instep supports
 Kneeling pads
 Knife handles and grips
 Labels and label plasters
 Lamp shades
 Lawn mower tires
 Leather finishes
 Line tube caps
 Link mats
 Loom harness strapping
 Lug straps, bumpers and holdups (constituting textile machinery parts)
 Mallets and mallet heads (except that reclaimed rubber or scrap rubber may be used)
 Marbon B (except wire and cable insulation)
 Mats and matting (except conductive)
 Molds for casting
 Molded wheels and casters
 Musical instruments and parts thereof
 Oxygen tent canopies
 Pacifiers
 Paint brush guards
 Painters' graining tools
 Panelboard
 Paper machine aprons
 Paper padding adhesives
 Pedal rubber
 Photo wringers
 Photographers' bulbs and tubes
 Pliofilm (except for wire and cable insulation)
 Pliofilm (except for wire and cable insulation)
 Pliolite (except for wire and cable insulation)
 Plywood adhesives
 Post insulators
 Powder bags (mining)
 Pulley lagging
 Recoil pads
 Refrigerator freezing trays
 Rock wool insulation hose (except that reclaimed rubber or scrap rubber may be used)
 Rubber bands (except orthodontia bands and bands for artificial limbs)
 Rubber thread
 Rubberized hair and fibre (except for surgical corrective appliances)
 Sand blasting stencils
 Screw bumpers
 Self-adhering signs
 Service station signal hose
 Sink and lavatory gaskets (including mack gaskets)
 Sink sprays and drain stoppers
 Slip joint washers
 Spark plug caps
 Specimen (biological) injections
 Sponge applicators
 Stair and step treads
 Stick-on soles and taps
 Stipplers
 Stirrup pump hose
 Stirring rods
 Street sweeper belts
 Street car springs
 Swimming pool hose
 Table tops
 Tank floats
 Telephone bases
 Telephone cord protectors
 Telephone protectors
 Test tube holders

Thermometer cases
 Thermos bottle parts
 Thermoplastic coatings (except for wire and cable insulation)
 Tire reliners
 Tire and tube repair materials made from scrap tires and tubes
 Toggle straps
 Toilet closet outlet gaskets
 Toilet closet seat bumpers
 Trolley wire guard
 Typewriter keys, platens, feet and covers
 Typewriter and office machinery silencers
 V-belt shock absorbers
 Vacuum cleaner tires and bumpers
 Washing machine drain hose
 Weatherstripping
 Wheelbarrow tires
 Whiskey hose
 Windlace and windlace tubing
 Yarning material

SCHEDULE IV

Products for which crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to fill war orders. (See paragraph (c) (13) of Revised Supplementary Order No. M-15-b).

No person may (1) consume any crude rubber or latex in the manufacture or assembly of any of the products or materials set forth in Groups A and B of this Schedule IV for delivery to fill any war order; or (2) consume any reclaimed rubber or scrap rubber in the manufacture or assembly of any of the products or materials set forth in Group B of this Schedule IV for delivery to fill any war order; even though the consumption of crude rubber, latex, reclaimed rubber or scrap rubber might otherwise be permitted under any of the broader provisions or classifications of products under paragraphs (b) (1) (1), (b) (2) (1), (b) (3) (1) or (b) (4) (1) of Revised Supplementary Order No. M-15-b or Schedule I attached to said order.

The omission of any products or materials from this Schedule IV does not mean that crude rubber, latex, reclaimed rubber or scrap rubber may be consumed in their manufacture. Crude rubber, latex, reclaimed rubber and scrap rubber may be consumed in the manufacture of products or materials not so listed only if and to the extent permitted by Revised Supplementary Order No. M-15-b and Schedule I attached to said order.

Group A—Products and materials for which crude rubber and latex shall not be consumed

Accelerator treadle connections
 Brush-setting compounds
 Bumpers (automotive axle)
 Bumper stripping
 Cellular discs
 Channel rubber (except airplane)
 Combined fabrics (except flotation and lighter-than-air equipment or as otherwise specified by List 3 attached to Supplementary Order No. M-15-b-1, as amended)
 Cowl vent hose
 Cowl vent seals and gaskets
 Dust and lever housing covers
 Erasers (including typewriter)
 Escalator handrails
 Flyers' clothing bags (Type B 4)
 Fly Paper
 Foot boards (motorcycle)
 Friction tape

Gym and basketball shoes (except cement and foxings)
 Handle grips (except dielectric)
 Labels
 Mallet heads
 Marbon B. (except wire and cable insulation)
 Pliofilm, Pliofilm, and Pliolite (except moisture proof envelopes for parts for airplanes, tanks and guns and wire and cable insulation)
 Recoil pads (except machine gun and eye buffers)
 Rubber bands (except parts of combat equipment)
 Rubberized curled hair or vegetable fibre
 Sponge cushioning including seat bottoms, seat backs, armrests, handrests, parachute backs and seats and tank crash pads and linings and all other (except vision and gunsight slot pads, mask parts, ear cushions and cushioning for cameras, flight control and fire control instruments)
 Toilet closet gaskets
 Toilet seat bumpers
 Water, garden and lawn hose (except as specified by List 1 attached to Supplementary Order No. M-15-b-1, as amended)
 Weatherstrip (except airplane)

Group B—Products and materials for which crude rubber, latex, reclaimed rubber and scrap rubber shall not be consumed

Artificial leather and upholstery
 Ash trays
 Athletic equipment (except clothing)
 Bath sprays, sponges and soap dishes
 Bumper tacks
 Buttons (clothing)
 Canvas water bags
 Cap covers
 Cartridge clip boxes
 Cellular pads for crash helmet cushions
 Channel filler and glazing rubber (except airplane)
 Chevrons
 Desk and chair protection pads
 Desk sets
 Dishdrainers
 Door checks and bumpers (reclaimed rubber and scrap rubber may be used for airplane and automotive parts)
 Door knob covers
 Fan bases and blades (reclaimed rubber and scrap rubber may be used for combat tank equipment)
 Faucet caps
 Fender protective plates
 Fender welting
 Flooring (except conductive)
 Fly swatters
 Footbath trays
 Gear shift knobs
 Grommets (except airplane and dielectric)
 Gun grips
 Hood supports and bumpers
 Hospital sheeting
 Inkwells and bottles
 Kneeling pads
 Leather finishes
 Link mats (reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
 Mastic deck covering (except repair)
 Mats and matting (except switchboard and conductive; reclaimed rubber and scrap rubber may be used for airplane walkways, pilot house, bridge deck and gun platforms)
 Molded wheels and casters (except hospital and surgical equipment and airplane tailwheels)
 Name plates
 Office machine silencers
 Paper padding adhesives
 Paving blocks

Pedal rubbers
 Picture screens
 Plate wipers
 Plywood adhesives
 Rubber-covered lamp guards, handles, grab rails and knobs (except dielectric)
 Rubber thread
 Sateen gimp
 Serving trays
 Sewage disposal bags and paper
 Shims (automotive)
 Sink pads, mats, sprays and stoppers
 Stair and step treads (except conductive)
 Steering wheels
 Step plates
 Stove top pads
 Table tops (except conductive)
 Tank fenders and flaps
 Telephone bases
 Tent fabrics
 Thermostat covers
 Tile and tiling (except conductive)
 Toilet seats
 Tractor and implement tires
 Typewriter keys
 Valve stems for tire tubes other than airplane tire tubes
 Wainscoting
 Wheelbarrow and lawnmower tires
 Window squeegees (but not windshield wipers)
 Wrestling mat covers
 Zipper tabs

SCHEDULE V

Index of products for which crude rubber, reclaimed rubber and scrap rubber may be consumed, and of products for which the consumption of these materials is prohibited. (See paragraph (c) (14) of Revised Supplementary Order No. M-15-b)

This Schedule constitutes an index of the permitted and prohibited products under Schedules I, II-A, II-B, II-C, III and IV attached to Revised Supplementary Order No. M-15-b, and is attached to such order for the convenience of the industry. Appropriate cross-references are made to such other schedules. Crude rubber, latex, reclaimed rubber and scrap rubber may not be consumed to manufacture any product or material not mentioned in this Schedule V unless otherwise authorized by the Director General for Operations.

Product	Schedule	Group	Remarks
Abrasive imple-	II-A	19	
ments.	II-B	16	
Accelerator connec-	IV	A	
tions.			
Accelerator pedals...	III		
Accessories, medical,	II-A	44	
etc.			
Acid hose.....	II-A	8	
Acoustic aids.....	II-A	43	
Adhesives, book-	III		See bookbinding.
binding.			
Adhesives, paper	II		See paper pad-
padding.	IV	B	ding.
Adhesives, plywood.	III		See plywood.
	IV	B	See plywood.
Adhesives, seaming	II-C	2	
bags.			
Adhesives, surgical	II-C	1	
appliances.			
Agitators.....	II-A	9	
	II-B	13	
Air brake hose.....	II-A	29	
Air brake parts.....	II-A	29	
Air drill hose.....	II-A	8	
Airbags, tire.....	II-A	30	
	II-A	32	
Airplane bumpers...	IV	B	See door checks.
Airplane channel....	IV	A	See channel.
	IV	B	

Product	Schedule	Group	Remarks	Product	Schedule	Group	Remarks	Product	Schedule	Group	Remarks
Airplane de-icer parts.	II-A	20		Bath tub stoppers.	III			Bumpers, toilet seat.	III		See toilet humpers.
Airplane door checks.	IV	B	See door checks.	Battery carrier straps.	III				IV	A	See toilet humpers.
Airplane equipment.	II-A	62		Battery containers.	II-C	9		Bumpers, vacuum cleaner.	III		See vacuum cleaner tires.
Airplane tailwheels.	IV	B	See molded wheels.	Battery drain tubes.	II-C	4		Bunion pads.	III		
Airplane tires.	II-A	30		Beakers.	II-A	9		Bus tires.	II-A	30	
Airplane tire valve stems.	IV	B	See valve stems.	Beer tubing.	III		See camera bellows.	Bushings, coffee maker.	III		See coffee maker.
Airplane grommets.	IV	B	See grommets.	Bellows, camera.	III		See elevator belt buckets.	Bushings, automotive.	II-A	29	
Airplane walkways.	IV	B	See link mats; also mats.	Belt buckets, elevator.	III			Business machine parts.	II-C	19	
Airplane weatherstrip.	IV	A	See weatherstrip.	Belt repair material.	II-A	3		Buttons.	IV	B	
Animal boots & shoes.	III			Belt splicing material.	II-A	3		Cable handgags, lineman's.	II-A	20	
Appliances, surgical.	II-C	1		Belting, conveyor.	II-A	4		Cable connectors.	II-A	15	
Applicators, sponge.	III		See sponge applicators.	Belting, elevator.	II-A	4		Cable covering.	II-C	18	
Aprons, cigar machine.	III		See cigar machine aprons.	Belts, concentrator.	III		See concentrator belts.	Cable end test caps.	II-A	20	
Aprons, draper.	III		See draper aprons.	Belts, flat transmission.	II-A	5		Cable insulating compounds.	II-A	1	
Aprons, paper machine.	III		See paper machine aprons.	Belts, hatters'.	II-B	14	See hatters' belts.	Cable splicing compound.	II-A	2	
Aprons, X-ray.	II-A	39		Belts, hog beater.	II-A	5		Camelback.	II-A	31	
Arbor pipe forming hose.	II-A	8		Belts, last puller.	II-A	3		Camera bellows.	III		
Arch supports.	III			Belts, polishing.	II-A	3		Camera cushioning.	IV	A	See sponge
Arctics.	II-A	35		Belts, round.	II-B	14		Camera focusing cloth.	III		
Arm rests.	III			Belts, sanitary.	II-C	26		Candy molds.	III		
Arm rests.	IV	A	See sponge.	Belts, street sweeper.	III		See street sweeper belts.	Canopies, oxygen tent.	III		See oxygen tent.
Artificial leather.	III			Belts, umhilical.	II-C	26		Canvas water bags.	IV	B	
Artificial limbs.	II-A	39		Belts, V.	II-A	7		Cap covers.	IV	B	
Ash trays.	IV	B		Belts, vacuum cleaner.	II-A	61		Capping stock.	II-A	31	
Athletic equipment.	II-C	3		Bibb washers.	II-A	36		Caps, spark plug.	III		See spark plug.
Athletic shoes.	III		See cleats.	Bicycle tires.	II-C	33		Caps, surgery.	II-A	39	
Audiometers.	II-A	43		Bladders basketball, etc.	II-C	3		Caps, faucet.	III		See faucet caps.
Automotive accelerator pedals.	III		See accelerator pedals.	Blades, fan.	III		See fan bases.	Caps, faucet.	IV	B	See faucet caps.
Automotive axle humpers.	IV	A	See humpers.	Blades, windshield wiper.	IV	B	See fan bases.	Caps, line tube.	III		See line tube caps.
Automotive parts.	II-A	29		Blankets, lineman's.	II-A	20		Caps, vaccine.	II-A	39	
	II-C	4		Blankets, newspaper.	II-A	28		Carboy pads.	III		
	IV	B	See door checks.	Blankets, offset.	II-A	28		Car heater hose.	II-C	18	
Automotive radiator hose.	II-C	18		Blocks, cutting.	III		See cutting blocks.	Card clothing.	II-A	20	
Automotive shims.	IV	B	See shims.	Blocks, paving.	IV	B	See paving blocks.	Carriers, bottle.	III		See bottle carriers.
Axle, humpers.	IV	A	See humpers.	Blood pressure bags.	II-A	46		Cartridge clip boxes.	IV	B	
Bags, adhesives.	II-C	2		Blowers, lining.	II-B	2		Case, thermometer.	III		See thermometer cases.
Bags, blood pressure.	II-A	46		Blow-out preventors, oil well.	II-A	18		Casings, bicycle tire.	II-C	33	
Bags, canvas.	II-B	2		Blow-out shoes.	III			Casket gaskets.	III		See molded wheels.
Bags, canvas.	IV	B	See canvas.	Bookbinding adhesives.	III			Caster, molded.	III		See molded wheels.
Bags, flyers.	IV	A	See flyers.	Boots, air-brake.	II-A	29		Casting, molds.	III		See molds for casting.
Bags, gas main.	II-A	20		Boots, animal.	III		See animal boots.	Catheters.	II-A	39	
Bags, hat-forming.	III		See hat-forming bags.	Boots, brake.	II-C	4			II-B	1	
Bags, ice.	II-A	42		Bottle caps.	III		See feeding bottle.	Cellular discs.	IV	A	
Bags, inhalation.	II-A	46		Bottle carriers.	III			Cements, repair.	II-A	52	
Bags, molding.	II-B	2		Bottle driers.	III				II-C	28	
Bags, powder.	II-A	63		Bottles.	II-A	9		Cements, shoe.	II-A	57	
Bags, prosthetic.	III		See powder bags.	Bottles, ink.	III		See ink wells.		II-B	12	
Bags, prosthetic.	II-A	39		Bottles, ink.	III		See ink wells.	Chair pads.	III		See desk.
Bags, prosthetic.	II-B	1		Bottles, thermos.	III		See ink wells.	Chair parts.	IV	B	See desk.
Bags, sewage disposal.	IV	B	See sewage.	Bottles, water.	II-A	41		Channel filler.	III		
Ball cock washers.	II-A	36		Box die gum.	II-A	25		Channel rubber.	IV	B	
Balloons, meteorological.	II-B	7		Box dies.	II-A	26		Checks, door.	IV	B	See door checks.
Balls, fuller.	II-A	36		Box toes (shoes).	II-C	17		Chemical hose.	II-A	8	
Balls, tank.	II-A	26		Boxes, cartridge clip.	IV	B	See cartridge.	Chevrons.	IV	B	
Band daters.	II-A	26		Braided tubing.	II-C	18		Christmas-tree devices.	III		
Bands, artificial limbs.	II-A	39		Brain surgery caps.	II-A	39		Chute lining.	III		
Bands, orthodontia.	II-A	39		Brake block.	II-C	5		Clgar machine aprons.	III		
Bands, rubber.	III		See rubber bands.	Brake boots.	II-C	4		Cleats, athletic shoes.	III		
Bands, rubber.	IV	A	See rubber bands.	Brake lining.	II-C	6		Cleats, elevator.	III		See elevator belt.
Barrel lining.	II-C	7		Brake rod rattlers.	III			Clip boxes, cartridge.	IV	B	See cartridge.
Base, fan.	III		See fan bases.	Breast pumps.	II-A	41		Clips, coated.	III		See coated clips.
Base, fan.	IV	B	See fan bases.	Brewery hose.	III			Cloth, filter.	III		See filter cloth.
Base plugs, electric.	III		See electric base plugs.	Brush bristles.	III			Clothing, athletic.	IV	B	See athletic equipment.
Base stock.	II-A	31		Brush setting compounds.	II-C	8		Clothing, athletic.	IV	B	See athletic equipment.
Base, telephone.	II-C	30		Buckets.	IV	A		Clothing bags.	IV	A	See flyers.
	III		See telephone bases.	Bulbs, medical, etc.	II-A	9		Clothing, sand blast.	II-A	55	
	IV	B	See telephone bases.	Bulbs, photographers'.	II-B	13		Clutch facings.	II-A	6	
Basin gaskets and washers.	III			Bumper stripping.	III		See photographers' bulbs.		II-C	5	
Basin stoppers.	III			Bumper tacks.	IV	A		Coated clips.	III		See thermoplastic coatings.
Basketball shoes.	IV	A	See gym shoes.	Bumper tacks.	III			Coatings, thermoplastic.	III		
Baskets, insulation.	II-B	13		Bumpers, axle.	IV	B		Coffee maker bushings.	III		
Baskets, rubber.	II-A	9		Bumpers, door.	IV	A		Colostomy outfits.	II-A	39	
Bath sprays.	III			Bumpers, hood.	IV	B	See door checks.	Combined fabrics.	II-B	1	
Bath trays, foot.	IV	B		Bumpers, lug straps.	III		See hood.	Component parts.	IV	A	
	III		See foot bath trays.	Bumpers, screw.	III		See lug straps.	Compound, cable splicing.	II-A	21	
	III			Bumpers, spring.	II-C	4			II-A	2	

Product	Schedule	Group	Remarks
Gaskets, milk equipment.	II-A	24	
Gaskets, sealed beam.	II-A	29	
Gaskets, sealing.	II-C	2	
Gaskets, sink.	III		See sink gaskets.
Gaskets, toilet.	III		See toilet closet.
Gaskets, windshield wiper.	IV	A	See toilet closet.
Gasoline hose.	II-A	29	
Gasoline pump hose.	II-A	8	
Gasoline tubing.	III		
Gauntlets.	III		
Gear shift knobs.	IV	B	
Gear silencers.	III		
Gimp, sateen.	IV	B	See sateen gimp.
Glazing rubber.	IV	B	See channel filler.
Gloves, autopsy.	II-A	37	
Gloves, electricians'.	II-B	6	
Gloves, household.	II-A	38	
Gloves, industrial.	II-B	4	See household gloves.
Gloves, mortuary.	III		
Gloves, net-lined.	II-A	37	
Gloves, surgeons'.	II-A	50	
Gloves, X-ray.	II-B	10	
Glue dispensers.	II-A	39	
Goggles.	III		
Grab rails.	II-A	16	
Grainng tools, painters'.	II-C	26	
Graphite guns.	IV	B	See rubber covered lamp.
Grease gun hose.	III		See painters'.
Grease tubing.	III		
Grips, gun.	II-A	8	
Grips, handle.	II-C	18	
Grips, knife.	IV	B	See gun.
Grommets.	III		See handle.
Guard, wire.	IV	A	See handle.
Guards, paint brush.	III		See knife handles.
Gum, box die.	III		
Gum, rubber die.	III		
Gum, rubber type.	III		
Gum, stamp.	III		
Gum, tubc repair.	III		
Gun grips.	II-A	25	
Gun platforms.	II-A	25	
Guns, graphite.	II-C	23	
Gunsight slot pads.	II-A	33	
Gym shoes.	II-C	29	
Hair, rubberized.	IV	B	See link mats, also mats & matting.
Handballs.	III		See graphite guns.
Handle grips.	IV	B	See sponge.
Handles, extension lamp.	IV	A	See rubberized.
Handles, knife.	III		See rubberized.
Handles, rubber covered.	III		See extension lamp.
Hand rests.	III		See knife handles.
Handrails, escalators.	IV	B	See rubber covered.
Hard rubber, industrial.	IV	A	See sponge.
Hard rubber, medical, etc.	II-A	15	See escalator.
Hard rubber photographic trays.	II-A	9	
Hard rubber spatulas.	II-A	44	
Harness strapping, loom.	III		See loom harness.
Hat-forming bags.	III		
Hatters' belts.	III		
Headharness.	III		
Heads, mallet.	II-A	16	
Hearing instruments.	II-C	34	
Heel bases.	IV	A	See mallet.
Heels.	II-A	43	
Heels, conductive.	II-C	14	
	II-A	56	

Product	Schedule	Group	Remarks
Helmet cushions, crash.	IV	B	See cellular pads.
Helmets, sand blast.	II-A	55	
Hog beater belts.	II-A	5	
Holders, test tube.	III		See test tube.
Holdups, lug straps.	III		See lug straps.
Hood supports.	IV	B	
Horse shoes.	III		
Horseshoe pads.	IV	B	
Horticultural tape.	II-C	21	
Hose, acid.	III		
Hose, air brake.	II-A	8	
Hose, air drill.	II-A	29	
Hose, arbor pipe forming.	II-A	8	
Hose, automotive radiator.	II-A	8	
Hose, blower.	II-C	18	
Hose, brewery.	III		See brewery
Hose, car heater.	II-C	18	
Hose, cement.	II-A	8	
Hose, chemical.	II-A	8	
Hose, cowl vent.	IV	A	See cowl vent.
Hose, curb pump.	II-A	8	
Hose, curb line.	II-C	18	
Hose, defroster.	III		See defroster parts.
Hose, divers'.	II-A	8	
Hose, dry material.	II-A	8	
Hose, dust collector.	II-A	8	
Hose, exhaust.	II-A	8	
Hose, expansion joint.	II-A	8	
Hose, fire.	II-A	23	
Hose, flanged.	II-A	8	
Hose, garage air.	II-C	18	
Hose, gaskets.	II-A	20	
Hose, gasoline.	II-A	8	
Hose, gasoline pump.	III		See gasol e.
Hose, grease.	II-C	18	
Hose, grease gun.	II-A	8	
Hose, hydraulic brake.	II-A	29	
Hose, hydraulic control.	II-A	8	
Hose, jetting.	II-A	8	
Hose, lawn.	IV	A	See water hose.
Hose, lineman's.	II-A	20	
Hose masks.	II-A	16	
Hose, milk conveying.	II-C	26	
Hose, mill.	II-A	8	
Hose, nozzles.	III		
Hose, oil.	II-A	23	
Hose, paint.	II-A	8	
Hose, phosphate.	II-A	8	
Hose, pinch valve.	II-A	8	
Hose, pneumatic.	II-A	8	
Hose, railroad.	II-A	8	
Hose, rock wool insulation.	II-C	18	
Hose, rotary drillers'.	II-A	8	
Hose, sand blast.	II-A	8	
Hose, sanitary.	II-A	8	
Hose, service station.	III		See service station.
Hose, spray.	II-A	8	
Hose, steam.	II-C	18	
Hose, stirrup pump.	II-A	8	See stirrup pump.
Hose, suction.	III		See swimming pool.
Hose, swimming pool.	II-A	8	
Hose, tank wagon.	II-A	8	
Hose, vacuum.	II-A	8	
Hose, vacuum brake.	II-A	29	
Hose, vacuum cleaner.	II-C	18	
Hose, washers.	II-A	20	
Hose, washing machine.	III		See washing machine.
Hose, water.	II-C	18	
Hose, welding.	IV	A	See water hose.
Hose, whiskey.	II-A	8	See whiskey.
Hose, X-ray.	III		
Hospital sheeting.	II-A	39	
Hospital equipment wheels and casters.	IV	B	See molded wheels.
Household gloves.	III		
Hydraulic brake hose.	II-A	29	
Hydraulic brake parts.	II-A	29	
Hydraulic clutch controls.	II-A	29	
Hydraulic control hose.	II-A	8	
Hydraulic throttle control.	II-A	29	

Product	Schedule	Group	Remarks
Hydrometer parts.	III		
Ice bags.	II-A	42	
Ice cube trays.	III		
Implement tires.	IV	B	See tractor.
Implements abrasive.	II-A	19	
Inflations, milking machine.	II-B	16	
Inhalation bags.	II-A	24	
Inhalation face pieces.	II-A	46	
Inhalators.	II-B	2	
	II-A	46	
	II-B	2	
	II-A	16	
	II-C	26	
Injections (biological) specimen.	III		See specimen.
Ink wells.	III		
Insoles (shoe).	IV	B	
Instep supports.	II-C	17	
Instruments, cushioning.	III		See sponge.
Instruments musical.	IV	A	See musical.
Insulator hoods.	III		
Insulators, post.	II-A	20	See post insulators.
Invalid rings.	III		
Jetting hose.	II-A	46	
Joint seals.	II-A	8	
Joint washers, slip joint.	III		See contraction joint.
Keys, typewriter.	III		See slip joint.
	IV	B	See typewriter keys.
	IV	B	See typewriter keys.
Kneeling pads.	III		
Knife handles.	IV	B	
Knobs, gear shift.	III		See gear shift knobs.
Knobs, rubber covered.	IV	B	See rubber covered.
Labels.	III		
Laboratory bulbs.	IV	A	
Laboratory compounds.	II-A	41	
Laboratory tubes and tubing.	II-A	60	
Lagging, pulley.	II-B	17	
Lamp guards.	III	1	See pulley lagging.
Lamp handles.	IV	B	See rubber covered.
Lamp shades.	III		See extension lamp.
Last puller belts.	III		
Lavatory gaskets.	II-A	3	
Lawn hose.	III		See sink gaskets.
Lawnmower tires.	IV	A	See water hose.
Leather, artificial.	IV	B	See wheelbarrow.
Leather finishes.	III		See artificial leather.
Lever, housing.	IV	B	See artificial leather.
Life saving suits.	IV	B	
Light sockets.	III		See dust.
Line hose.	II-A	58	See electric base.
Line tube caps.	III		
Lineman's equipment.	II-A	20	
Liners, oil well.	II-A	18	
Lining, brake.	II-A	6	
Lining, barrel.	II-C	5	
Lining, blowers, exhausters and pumps.	II-C	7	
Lining bumper rubbers, oil well.	II-A	9	
Lining, chute.	II-A	18	
Lining, drain pipe.	III		See chute lining.
Lining, industrial brake.	III		See drain pipe.
Link mats.	II-A	6	
Lock gates, seals.	III		
Loom harness.	IV	B	
Loom pickers.	II-A	20	
Low platform tires.	III		
Lug stock.	II-A	13	
Lug straps.	II-A	30	
Machine gun pads.	II-A	31	
	II-C	30	
	III		
	IV	A	See recoil pads.

Product	Schedule	Group	Remarks	Product	Schedule	Group	Remarks	Product	Schedule	Group	Remarks
Machine parts, exercise.	III		See exercise machine.	Pads, chair.....	III		See desk.	Propeller bearing mountings.	II-A	29	
Mack gaskets.....	III		See sink gaskets.	Pads, corn.....	IV	B	See desk.	Prophylactics.....	II-A	49	
Magneto parts.....	II-A	15		Pads, crash helmet.....	III		See corn pads.	Prostatic bags.....	II-B	9	
Mallet heads.....	IV	A		Pads, crutch.....	IV	B	See cellular.	Prosthetic devices.....	II-A	39	
Mallets.....	II-C	34		Pads, desk.....	III		See crutch pads.	Protective clothing seaming.	II-B	1	
Marbon B.....	III			Pads, desk.....	IV	B	See desk.	Protective clothing seaming.	II-B	1	
Marking devices.....	IV	A		Pads, finger.....	III		See desk.	Protective clothing seaming.	II-A	64	
Mask parts.....	II-A	25		Pads, horseshoe.....	II-C	21	See finger pads.	Protective plates.....	IV	B	See fender.
Masks, gas.....	IV	A	See sponge.	Pads, kneeling.....	III		See kneeling pads.	Protectors, telephone.	III		See telephone protectors.
Masks, hose.....	II-A	16		Pads, metatarsal.....	IV	B	See kneeling pads.	Protectors, telephone cord.	III		See telephone cord.
Masks, hose.....	II-C	26		Pads, press die.....	II-A	42	See recoil pads.	Pulley lagging.....	III		
Masks, hose.....	II-C	26		Pads, recoil.....	II-A	12	See recoil pads.	Pump hose, gasoline.	III		See gasoline curb.
Mastic deck covering.	IV	B		Pads, recoil.....	III		See recoil pads.	Pump pistons, oil well.	II-A	18	
Mat covers, wrestling.	IV	B	See wrestlings.	Pads, sink.....	IV	B	See sink.	Pumps, breast.....	II-A	41	
Mats and matting.....	III			Pads, stove top.....	IV	B	See stove top pads.	Pumps, insulation.....	II-B	13	
Mats, link.....	III		See link mats.	Pads, surgical.....	II-C	1		Pumps, lining.....	II-A	9	
Mats, link.....	IV	B	See link mats.	Pads, truss.....	II-A	42		Pumps, rubber.....	II-A	9	
Mattresses.....	III		See cushions.	Pails.....	II-C	26		Pumps, tubing.....	II-C	18	
Measures.....	II-A	9		Paint brush guards.....	II-A	9		Racks.....	II-A	9	
Mechanical packings.	II-B	13		Paint spray hose.....	II-A	8		Railroad hose.....	II-B	13	
Medical bulbs.....	II-A	17		Painters' graining tools.	III			Rattlers, brake rod.	II-A	8	See brake rod.
Medical instrument parts.	II-A	41		Panelboard.....	III			Recapping materials.	II-C	30	
Medical instrument parts.	II-A	39		Paper, fly.....	III		See fly paper.	Recoil pads.....	III		
Medical tubes and tubing.	II-A	39		Paper, fly.....	IV	A	See fly paper.	Refrigerator parts.....	IV	A	
Medicine droppers.....	II-B	1		Paper machine aprons.	III			Refrigerator trays.....	II-C	20	
Metatarsal cushions.	II-A	41		Paper making equipment.	II-A	3		Reliners, tires.....	III		See tire liners.
Metatarsal pads.....	II-A	42		Paper padding adhesives.	III			Repair, deck covering.	IV	B	See mastic deck.
Meterologica' balloons.	II-A	51		Paper, sewage disposal.	IV	B	See sewage.	Repair materials, tire and tube.	II-A	33	
Midssoles (shoes).....	II-B	7		Parachute backs and seats.	IV	A	See sponge.	Respirators.....	II-C	29	See tire & tube.
Milk conveying hose.	II-C	17		Passenger car tires.....	II-A	30		Rests, arm.....	III		See arm rests.
Milk equipment.....	II-A	8		Pasteurizer couplings.	II-A	24		Retreading materials.	II-A	31	
Milk hose.....	II-A	24		Patches, repair.....	II-A	33		Rings, invalld.....	II-C	30	
Mine battery parts.....	II-A	23		Paving blocks.....	II-C	29		Rings, pipe coupling.	II-A	46	
Mine lamp, parts.....	II-A	16		Pedal rubbers.....	IV	B		Rings, sealing containers.	II-A	22	
Mine pacs.....	II-A	16		Pedals, accelerator.....	III		See accelerator.	Rings, street car wheel.	II-A	59	
Mine ventilating tubing.	II-A	20		Pen stock, fountain.....	III		See fountain pen.	Road builder tires.....	II-A	64	
Mining headbarness.	II-B	15		Pencil plugs.....	II-C	12		Road grader tires.....	II-A	30	
Mixtures (laboratory testing).	II-A	16		Pessaries.....	II-A	49		Rock service tires.....	II-A	30	
Molding bags.....	II-C	31		Phosphate hose.....	II-B	9		Rock wool insulation hose.	II-C	18	
Molds, candy.....	II-A	63	See candy molds.	Photo wringers.....	II-A	8		Rods, stirring.....	III		See stirring rods.
Molds, casting.....	III			Photographers' bulbs & tubes.	III		See hard rubber.	Roll coverings.....	III		
Mortuary bulbs.....	II-A	41		Photographic trays.....	II-A	13		Rollers, insulation.....	II-B	13	
Mortuary instrument parts.	II-A	39		Pickers, loom.....	IV	B		Rollers, printers'.....	II-A	28	
Mortuary tubes and tubing.	II-A	39		Picture screens.....	II-A	8		Rolls, finger print.....	II-A	28	
Motorcycle tires.....	II-B	1		Pinch valve hose.....	II-A	22		Rotary drillers' hose.	II-A	8	
Motorcycle foot boards.	IV	A	See footboards.	Pipe coupling rings.....	II-A	9		Rubber bands.....	III		
Mountings, automotive.	II-A	29		Pipe, hard rubber.....	II-A	44		Rubber, denture.....	IV	A	
Mud pump parts, oil well.	II-A	16		Pipe, insulation.....	II-A	9		Rubber, die gum.....	II-A	46	
Musical instruments	III			Pipe, lined.....	II-B	13		Rubber, engravers'.....	II-A	25	
Name plates.....	IV	B		Pipe lining, drain.....	II-A	10	See drain pipe.	Rubber, finger print.	II-A	26	
Newspaper blankets.	III			Pitman arm bushings.	III			Rubber, finger print.	II-A	28	
Nipples, feeding.....	II-A	48		Plasters, label.....	II-A	29	See labels.	Rubber footwear.....	II-A	34	
Nozzles, hose.....	II-B	8	See hose nozzles.	Plasters, medicated.....	IV	B		Rubber, glazing.....	II-A	35	See channel filler.
Office machine silencers.	IV	B		Plate wipers.....	IV	B		Rubber, policemen.....	II-A	39	
Office machinery silencers.	III		See typewriter.	Plates, typewriter.....	III		See typewriter.	Rubber solution for wet plate negatives.	II-A	28	
Offset blankets.....	II-A	28		Plates, fender.....	IV	B	See fender.	Rubber stamps.....	II-A	26	
Oil hose.....	II-A	8		Plates, name.....	IV	B	See name plates.	Rubber thread.....	II-A	27	
Oil well parts.....	II-A	18		Plates, printing.....	II-A	27		Rubber type gum.....	II-A	25	
Operating cushions.....	II-A	46		Plates, step.....	IV	B	See step.	Rubberized hair and fibre.	III		
Orthodontia bands.....	II-A	39		Pliofilm.....	III			Rubbers, cutting.....	IV	A	
Outsoles (shoes).....	II-C	15		Pliollite.....	IV	A		Rubbers, footwear.....	II-A	28	
Outsoling strips (shoes).	II-C	15		Plug connectors.....	III		See electric base plugs.	Rubbers, milk bottle filler.	II-A	35	
Outlet gaskets, closet.	III		See toilet outlet gaskets.	Plywood adhesives.....	III			Rubbers, milk bottle filler.	II-A	24	
Oxygen tent canopies.	III			Pneumatic hose.....	IV	B		Sand blast clothing.....	II-A	55	
Oxygen tents.....	II-A	40		Pneumatic truss pads.	II-A	8		Sand blast hose.....	II-A	8	
Pacifiers.....	II-B	2		Police men, rubber.....	II-A	42		Sand blast stencils.....	III		
Packers, oil well.....	II-A	15		Polishing belts.....	II-A	39		Sanitary belts.....	II-C	26	
Packing, mechanical.	II-A	17		Post insulators.....	II-A	3		Sanitary hose.....	II-A	8	
Packing, sheet.....	II-A	17		Powder bags (mining).	III			Sateen gimp.....	IV	B	
Packing, strip.....	II-A	17		Press die pads.....	III			Screen diaphragms.....	II-A	3	
Pads.....	III		See gaskets, pads, etc.	Pressure sensitive tape.	II-C	22		Screens, insulation.....	II-A	9	
Pads, bunion.....	III		See bunion pads.	Printers' equipment.	II-A	12		Screens, picture.....	II-B	13	
Pads, carboy.....	III		See carboy pads.	Printers' rollers.....	II-A	28		Screw bumpers.....	III		See picture.
				Printing plates.....	II-A	28		Sealed beam gaskets.	II-A	29	
								Sealing compounds.....	II-B	11	
									II-C	2	

Product	Schedule	Group	Remarks
Trusses.....	II-C	26	
Tube repair materials.	II-A	33	
	II-C	26	See tire and tube repair materials.
	III		
Tubes and tubing, medical, etc.	II-A	39	
	II-B	1	
Tubes, bicycle.	II-C	33	
Tubes, photographers'.	III		See photographers' bulbs.
Tubes, tire.....	II-A	30	
Tubing, beer.....	III		See beer tubing.
Tubing, braided.....	II-C	18	
Tubing cable covering.	II-C	18	
Tubing, fire extinguisher.	II-C	18	
Tubing, gasoline.....	III		See gasoline tubing.
Tubing, hard rubber.	II-A	15	
Tubing, milking machine.	II-A	24	
Tubing, mine.....	II-B	15	
	II-A	20	
Tubing, pump.....	II-C	18	
Tubing, shaft covering.	II-C	18	
Tubing, syringe.....	II-A	45	
Tubing, windlace.....	III		See windlace & windlace tubing.
Tubing, windshield wiper.	II-C	18	
Typewriter erasers.....	IV	A	See erasers.
	III		
	IV	B	
Typewriter silencers.	III		
Umbilical belts.....	II-C	26	
Upholstery.....	III		See cushions.
Upholstery, artificial.	IV	B	See artificial.
Urinals.....	II-A	39	
	II-B	1	
V-belt shock absorbers.	III		
V-belts.....	II-A	7	
	II-B	14	
	II-C	6	
Vaccine caps.....	II-A	39	
Vacuum brake hose.....	II-A	29	
Vacuum brake parts.	II-A	29	
Vacuum breaker gaskets.	II-C	27	
Vacuum cleaner belts.	II-A	61	
Vacuum cleaner bumpers.	III		
Vacuum cleaner tires.	III		
Vacuum cleaner tubing.	II-C	18	
Valve stems.....	IV	B	
Valves.....	II-A	9	
Valves, back flow.....	II-C	27	
Valves, bicycle tire.....	II-C	33	
Valves, insulation.....	II-B	13	
Valves, oil well.....	II-A	18	
Valves, tire.....	II-A	30	
Ventilating tubing, mine.	II-A	20	
	II-B	15	
Veterinary bulbs.....	II-A	41	
Veterinary instrument parts.	II-A	39	
Veterinary sleeves.....	II-B	2	
Veterinary tubes and tubing.	II-A	39	
	II-B	1	
Vibration dampers.....	II-A	29	
	II-A	65	
Wainscoting.....	III		See flooring.
	IV	B	
Washers, ball cock.....	II-A	36	
Washers, basin.....	III		See basin washers.
Washers, bibb.....	II-A	36	
Washers, flush valve.....	II-C	27	
Washers, float valve.....	II-C	27	
Washers, hose.....	II-A	20	
Washers, overflow.....	II-C	27	
Washers, siphon.....	II-C	27	
Washers, slip joint.....	III		See slip joint washers.
Washers, spud.....	II-C	27	
Washers, waste.....	II-C	27	
Washing machine drain hose.	III		
Washing machine parts.	II-C	20	
Water bags, canvas.....	IV	B	See canvas.
Water bottles.....	II-A	41	
Water, hose.....	II-C	18	
	IV	A	
Weatherstrip.....	III		
	IV	A	

Product	Schedule	Group	Remarks
Webbing, elastic.....	II-C	26	
Welding hose.....	II-A	8	
Weltting, fender.....	IV	B	See fender.
Wet plate negative solution.	II-A	28	
Wheelbarrow tires.....	III		
	IV	B	
Wheels, molded.....	III		See molded wheels.
	IV	B	See molded wheels.
	B		See steering.
Wheels, steering.....	IV	B	
Whiskey hose.....	III		
Windlace, tubing.....	III		
Window squeegees.....	IV	B	
Windshield wiper blades.	II-A	29	
Windshield wiper gaskets.	II-A	29	
Windshield wiper tubing.	II-C	18	
Windshield wipers.	IV	B	See window squeegees.
Wipers, plate.....	IV	B	See plate wipers.
Wire guard, trolley.....	III		See trolley wire.
Wire, insulating compounds.	II-A	1	
Workshoes.....	II-A	34	
Wrestling mat covers.	IV	B	
Wringers, photo.....	III		See photowringers.
X-ray aprons.....	II-A	39	
X-ray cooling hose.....	II-A	39	
X-ray sheets.....	II-A	39	
X-ray tanks.....	III		See hard rubber.
X-ray trays.....	III		See hard rubber.
Yarning material.....	III		
Zipper tabs.....	IV	B	

[F. R. Doc. 42-12652; Filed, November 30, 1942; 11:41 a. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

[General Preference Order M-51, as Amended Nov. 30, 1942]

The uncertainty of future shipments of pigs' and hogs' bristles from abroad and national defense requirements for products of which imported pigs' and hogs' bristles are an essential component, have created a shortage of such bristles for defense, private account, and for export, and it is necessary and appropriate in the public interest and to promote the national defense to allocate such bristles in the manner and to the extent hereinafter in this order provided;

Now, therefore, it is hereby ordered, That:

§ 1024.1 *General Preference Order M-51—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

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

(1) "Bristles" shall mean pigs' or hogs' bristles of the lengths of two inches and longer, whether new or reclaimed and whether imported or not, but not including returned riflings imported as such.

(2) "Dealer" shall mean any person engaged in the business of purchasing and reselling bristles without changing the condition thereof.

(3) "Dresser" or "reclaimer" shall mean any person grading, sorting, dressing or reclaiming bristles and reselling to a dealer or to other dressers or reclaimers.

(c) *Restrictions on deliveries to defense orders.* No person shall sell, de-

liver, or transfer title to any person other than the Defense Supplies Corporation, and no person, other than the Defense Supplies Corporation, shall buy, take title to, or accept delivery of bristles except upon defense orders, unless specifically authorized by the Director General for Operations: *Provided, however,* That nothing contained in this paragraph shall prevent purchases or sales, deliveries or acceptance of deliveries, or transfers of title to fill orders in accordance with the provisions of paragraphs (d) (3) (i), (d) (3) (ii) or (d) (3) (iv).

(d) *Restrictions on use of bristles.* (1) No person shall hereafter boil, steam, sterilize, cut, trim, or mix any bristles, or otherwise commence the manufacture of any product of which bristles are a component part except upon defense orders, unless specifically authorized by the Director General for Operations.

(2) No person shall hereafter open any cases containing bristles or remove any bristles from cases, opened, broken or otherwise, except upon defense orders, unless specifically authorized by the Director General for Operations, or unless necessary to preserve such bristles from deterioration. Any action taken to prevent bristles from deterioration shall be reported at once to the War Production Board, together with a complete description of the bristles so saved from deterioration, and the location thereof after such action, together with a statement of the reasons why such action was necessary. Such bristles shall not thereafter be sold, delivered or title thereto transferred unless specifically authorized by the Director General for Operations.

(3) Notwithstanding the foregoing, nothing in this order shall prevent:

(i) Dressers or reclaimers from removing bristles from cases, performing their operations thereon, and reselling, delivering or transferring title to them upon orders placed by dealers for inventory.

(ii) Dealers from placing orders for delivery of, buying, taking title to, or accepting delivery of bristles for inventory.

(iii) The opening of cases for inspection as to quality and condition, verification of sizes and weights, and removal of the bristles of less than two inches in length.

(iv) The opening of cases, removal of bristles, deliveries and transfers of title, upon orders for shoe bristles.

(v) The manufacture, subject to the limitations of paragraph (e), of the minimum commercially practicable amounts of finished products when the manufacture of additional amounts of such products is required in order to fill defense orders: *Provided, however,* Any excess so manufactured shall be sold only on defense orders.

(vi) The manufacture, from November 30, 1942 through February 28, 1943, of shaving brushes containing bristles none of which are longer than 2 7/8 inches and which were in the inventory of the manufacturer on September 7, 1942.

(vii) The manufacture, from November 30, 1942 through February 28, 1943, of tooth brushes containing bristles none of which are longer than 3 1/8 inches before cutting, and which on September 7, 1942 were bleached and in the inventory of the manufacturer.

(4) Notwithstanding the foregoing, nothing in this order shall prevent any manufacturer of products containing bristles from placing purchase orders for or accepting delivery of such amounts of bristles as may be necessary to enable him to manufacture for inventory subject to the limitation in paragraph (e), an amount of his finished products not in excess of the amount of his finished products delivered by him upon defense orders in the calendar month preceding the date on which the purchase order is placed: *Provided*, That his inventory is not in excess of a practicable minimum working inventory at the time the order is placed and that to the best of his knowledge and belief, it will not become so at the time the bristles are scheduled to be delivered: *And provided further*, That delivery may not be accepted at any time when acceptance would bring his inventory above a practicable minimum working inventory. Such finished products shall be only of the kind and type suitable for delivery upon defense orders. No person shall make delivery of bristles unless each such order shall have endorsed thereon a certificate from such manufacturer, signed by an individual authorized to sign for such manufacturer, and in substantially the following form:

The undersigned manufacturer hereby certifies to his vendor and to the War Production Board, subject to the provisions of section 35 (A) of the Criminal Code (18 U. S. C. 80) that the bristles to be delivered on this purchase order are required by the undersigned to enable the undersigned to manufacture, for inventory, an amount of the undersigned's finished products not in excess of the amount of the undersigned's finished products delivered upon defense orders in the calendar month preceding the date on which this purchase order is placed; that the undersigned's inventory is not in excess of a practicable minimum working inventory, and, to the best of his knowledge and belief, it will not become so at the time the bristles are scheduled to be delivered; and that delivery will not be accepted at any time when acceptance would bring the inventory of the undersigned above a practicable minimum working inventory.

 (Company)
 By -----
 (Signature of authorized individual)

 (Title)

Date -----
 The undersigned hereby certifies to the above vendor and to the War Production Board, subject to the provisions of section (35) A of the United States Criminal Code, that the above certificate was signed by the undersigned on behalf of and by authority of the said manufacturer.

 (Individual)

Date -----

(e) *Conservation of bristles.* No person shall use in the manufacture of any product a bristle mixture containing less

than 45% of material other than pigs' or hogs' riflings or bristles of any length whatever: *Provided, however*, That this restriction shall not apply to:

(1) The manufacture of any product purchased by or for the account of the United States Army or Navy, the United States Maritime Commission or the War Shipping Administration where a contracting or inspecting officer of the department or agency concerned shall, after reviewing the applicable Emergency Alternate Federal Specification, certify in a signed certificate, furnished to the manufacturer or to the seller for transmission to the manufacturer, that a bristle mixture of a content different from that provided in this paragraph is necessary for military or naval uses.

(2) The manufacture, from November 30, 1942 through February 28, 1943, of shaving brushes containing bristles none of which are longer than 2 7/8 inches and which were in the inventory of the manufacturer on September 7, 1942.

(3) The manufacture, from November 30, 1942 through February 28, 1943, of tooth brushes containing bristles none of which are longer than 3 1/8 inches before cutting, and which on September 7, 1942 were bleached and in the inventory of the manufacturer.

(4) The manufacture of any product containing bristles none of which are longer than 2 1/8 inches.

(f) *Restrictions on importation and disposition of bristles.* In addition to all other requirements of this order, the importation and disposition of bristles shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(g) *Reports and communications.* (1) Each owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the tenth day of the following month, a monthly report on form PD-217 showing his holdings and consumption of bristles.

(2) Each person participating in any transaction involving bristles shall execute and file such reports and questionnaires as may be requested by the War Production Board from time to time.

(3) All reports required to be filed under, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref.: M-51.

(h) *Records and inspection.* (1) Each person participating in any transaction involving bristles shall keep and preserve for a period of not less than two years accurate and complete records of his in-

ventories, production, sales and transactions in bristles.

(2) 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.

(i) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

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

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

Issued this 30th day of November 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-12653; Filed, November 30, 1942; 11:41 a. m.]

PART 1176—IRON AND STEEL CONSERVATION
 [Conservation Order M-126 as Amended Nov. 30, 1942]

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

§ 1176.1 *General Conservation Order M-126—(a) Definitions.* For the purpose of this order:

(1) "Governing date", with respect to any item on List A or List S, or part thereof, means the date set forth opposite such item.

(2) "Army - Navy - Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where with respect to any item on List A, or part thereof, the use of iron or steel, or with respect to any item on List S, or part thereof, the use of stainless steel, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, or the War Ship-

ping Administration, applicable to the contract, subcontract or purchase order.

(3) The terms "iron" and "steel" shall not be deemed to include screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purposes.

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

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

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

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

(b) *Restrictions with respect to List A products.* Except as provided in paragraph (d):

(1) *Raw material deliveries.* From and after the applicable governing date of any item on List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or any part thereof.

(2) *Fabrication—(i) Limitation.* During the 30 days next following the applicable governing date of any item on List A, no person shall put into process any iron or steel to make such item, or any part thereof, in an aggregate weight greater than 75 per cent of the average monthly weight of all metals put into process by him during 1941 in the making of such item and parts, and no person shall put into process any iron or steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on List A, no person shall process any iron or steel to make such item, or any part thereof.

(3) *Assembly.* From and after the date 60 days after the applicable governing date of any item on List A, no person shall assemble such item, or any part thereof, containing any iron or steel.

(4) *List A products without governing dates.* With respect to any item on List A without a governing date, (i) no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or any part thereof, (ii) no person shall put into process or process any iron or steel to make such item, or any part thereof, and (iii) no person shall assemble such item, or any part thereof, containing any iron or steel.

(5) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A, or part thereof, which he knows or has reason to know was fabri-

cated, assembled or delivered in violation of any applicable provision of this order as amended from time to time.

(c) *Restrictions with respect to List S products.* Except as provided in paragraph (d):

(1) *Raw material deliveries.* From and after the applicable governing date of any item on List S, no person shall deliver or accept delivery of any stainless steel which he knows or has reason to know will be used to make such item, or any part thereof.

(2) *Fabrication—(i) Limitation.* During the 30 days next following the applicable governing date of any item on List S, no person shall put into process any stainless steel to make such item, or any part thereof, in an aggregate weight greater than 50% of the average monthly weight of stainless steel put into process by him during 1941 in the making of such item and parts, and no person shall put into process any stainless steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) *Prohibition.* From and after the date 30 days after the applicable governing date of any item on List S, no person shall process any stainless steel to make such item, or any part thereof.

(3) *Assembly.* From and after the date 45 days after the applicable governing date of any item on List S, no person shall assemble such item, or any part thereof, containing any stainless steel.

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

(d) *Exemption for Army-Navy-Maritime orders.* (1) The provisions of paragraph (b) with respect to items on List A with governing dates shall not apply to Army-Navy-Maritime orders for such items, or any parts thereof, for a period of 60 days after the applicable governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A, or part thereof, unless such item or part is on List C. The provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on List C, or part thereof, except that stainless steel shall not be used to make such item and parts, unless permitted by paragraph (d) (3).

(2) The provisions of paragraph (c) shall not apply to Army-Navy-Maritime orders for any item on List S, or part thereof, for a period of 60 days after its governing date. Except as provided in paragraph (d) (4), from and after the expiration of the applicable exemp-

tion period, no person shall deliver, accept delivery of, put into process, process or assemble any stainless steel for the making of any item on List S, or part thereof, unless such item or part is on List C.

(3) Except as otherwise specified on List C as to any item, or part thereof, stainless steel may be used to make any item on List C, or part thereof, for Army-Navy-Maritime orders until January 5, 1943. Except as provided in paragraph (d) (4), on and after January 5, 1943, no person shall use any stainless steel to make any item on List C, or part thereof, unless, and then only to the extent that, the use of stainless steel is expressly permitted for such item.

(4) The provisions of this order prohibiting the delivery, processing or assembling of stainless steel or a type of stainless steel for the making of any item, or part thereof, for Army-Navy-Maritime orders shall not apply to any order which has been approved on form PD-391 for melting during the fourth quarter of 1942 or for delivery during such quarter; or to any order which can not be filled by the manufacturer because of his inability to secure permitted materials, except that this exemption shall be only for the minimum period of time necessary to obtain such permitted materials and in no event later than April 30, 1943.

(e) *Restrictions with respect to other products—(1) Roofing and siding.* No person shall manufacture any iron or steel into roofing and siding except:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of AA-5 or higher assigned by a PD-3A preference rating certificate or by a preference rating order in the P-19 series; or

(iii) For defense housing, to the extent specified in the Defense Housing Critical List; or

(iv) For the manufacture, maintenance and repair of railroad freight cars, street cars, or busses; or

(v) For deliveries on preference ratings assigned by the Board of Economic Warfare or for deliveries on Lend-Lease orders; or

(vi) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (e) (1) (vi), no person may manufacture from May 5, 1942 to December 31, 1942, more than 20 percent of the roofing and siding made by him from iron or steel during the calendar year 1940; or in the calendar year 1943 or any subsequent calendar year, more

than 25 percent of the roofing and siding made by him from iron or steel, during the calendar year 1940.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (e) (1).

(2) *Other products.* No person shall use any iron or steel to make any article not prohibited on List A, or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is essential. The provisions of this paragraph (e) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration applicable to the contract, subcontract or purchase order.

(f) *Restrictions with respect to other scarce materials.* No person whose use of iron or steel is restricted by paragraphs (b), (d) or (e) shall use as a substitute therefor any material on List D.

(g) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(h) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

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

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

section of the same or any other enterprise under common ownership or control.

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

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

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (e) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. The limitations in this paragraph (h) (7) on repairing a used article shall not apply to any item on List A or List S, or part thereof, to the extent that maintenance and repair of such item is specifically excepted on List A or List S.

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

Issued this 30th day of November, 1942.

ERNEST KANZLER,

Director General for Operations.

LIST A

NOTE: Additions and deletions have been made in List A.

Item	Governing date
"A" Frames and booms for lighters, 25 tons capacity and under.	Nov. 5, 1942
Access panels—except as required by Underwriters Code.	None
Accessories, soda fountain ¹	July 15, 1942
Acoustical ceilings	None
Adhesive tape sleeves	July 15, 1942
Advertising novelties	None
Air-conditioning systems ¹ —except for hospital operating rooms and industrial plants.	None
Ampule scorers	Nov. 5, 1942
Amusement park devices and roller coasters ¹	None
Area walls	None
Ash sieves	None
Asparagus tongs	None
Atomizers, perfume-boudoir	None
Attic fans	None
Automobile accessories—except as required by law.	None
Automobile heaters ¹ —except for passenger carriers, as defined in L-158, police cars, ambulances, trucks and fire wagons.	July 15, 1942
Awning frames and supports	None
Bag, purse, and pocketbook frames.	None
Balers, paper for household use.	July 15, 1942
Ball park equipment including but not limited to:	July 15, 1942
Cages ¹	
Fences.	
Lighting systems — except lamp bulbs.	
Metal bases.	
Protective netting ¹	
Railings.	
Rollers.	
Score boards.	
Screens ¹	
Seats ¹	
Tampers.	
Banks, personal, toy, miniature.	None
Barber and beauty shop furniture.	None
Barber and beauty shop supplies, machines and equipment ¹	July 15, 1942
Barn pushers and scrapers	July 15, 1942
Barware and bar accessories	July 15, 1942
Bases on refrigerating machines below one H. P.	Nov. 5, 1942
Baskets—except for commercial cooking and manufacturing uses.	None
Baths, steam, all types	Nov. 5, 1942
Bath tubs	None
B-B shot for air rifles	None
Beach umbrellas	July 15, 1942
Beds—except hospital	None
Bed spring frames—except for hospital link fabric spring type bed.	None
Beer kegs—except hoop and fittings for wooden kegs.	None
Beer mugs	None
Beer stands	None
Beer steins	None
Bench legs—except industrial	None
Beverage bottle cases, including but not limited to beer and all soft drinks.	July 15, 1942
Bicycle racks	Nov. 5, 1942
Binding, linoleum	Nov. 5, 1942
Binoculars—except U. S. Government Agencies.	None
Bird cages and stands	None
Bird houses and feeders	None
Biscuit boxes	None
Blackboards	None
Blade stoppers, mechanical	None
Bleachers and grandstands ¹	None
Blocks, hat	July 15, 1942
Boards, sounding	Nov. 5, 1942
Boat hooks	Nov. 5, 1942
Book ends	None
Boot jacks	Nov. 5, 1942
Bottle holders—except hospital	None
Bowling alleys, bowling pins and accessories ¹	July 15, 1942
Boxes and trays for jewelry, cutlery, combs, toilet sets.	None
Boxes, meter and covers—except industrial.	Nov. 5, 1942
Braces, extensible steel trench	Nov. 5, 1942
Bread and cake boxes, household.	July 15, 1942
Bread slicers for home use—except knives.	July 15, 1942
Bridge splash guards	None
Brushes and brush-backs—except industrial.	July 15, 1942
Buckles, for clothing—except overalls, overall suits, dungarees.	July 15, 1942

¹ Maintenance and repair excepted.

Item	Governing date	Item	Governing date	Item	Governing date
Buckles for.....	July 15, 1942	Ceilings.....	None	Curling irons.....	Nov. 5, 1942
Pocketbooks.....		Chafing dishes.....	Nov. 5, 1942	Curtain stretchers.....	July 15, 1942
Shoes—except for water-proof shoes.....		Chamber pots.....	July 15, 1942	Darners, sock.....	Nov. 5, 1942
Building ornaments.....	None	Cheese dishes.....	None	Decorative iron products.....	None
Buildings, portable.....	Nov. 5, 1942	Chicken crates.....	None	Desk equipment, including but not limited to:	July 15, 1942
Burial lowering devices.....	Nov. 5, 1942	Chicken house scrapers.....	July 15, 1942	Desk sets.....	
Butter chips.....	None	Christmas tree holders.....	None	Desk pads.....	
Butter knives.....	None	Christmas tree ornaments.....	None	Fountain pen and pencil stands.....	
Buttons for clothing—except for overalls, overall suits and dungarees.....	July 15, 1942	Cigar and cigarette holders and cases.....	None	Letter openers.....	
Buttons for work clothing—except 22 line fly button of plain design and 27 line button with wreath design for remainder of garment, and except open top button of not more than two pieces exclusive of the tack or fastener.....	Nov. 5, 1942	Cigar clippers.....	None	Name plates.....	
Cabinets—except.....	None	Cigarette lighters.....	None	Paper weights.....	
Hospital operating and examining rooms.....		Cigarette package holders.....	Nov. 5, 1942	Diaper cans, containers, or receptacles.....	Nov. 5, 1942
As permitted in Limitation Orders L-13-a and L-62.....		Cigarette making machines, hand.....	Nov. 5, 1942	Dictaphone racks.....	None
Cake cutters.....	None	Circus and carnival apparatus, equipment ¹ and devices, including but not limited to:	July 15, 1942	Dinner bells.....	None
Cake icing equipment.....	July 15, 1942	Animal cages. ¹		Dishwashing machines ¹ —except hospitals.....	None
Cake tongs.....	None	Animal stands.....		Dishwashing racks, household.....	July 15, 1942
Calendar and memo pad stands.....	July 15, 1942	Tent standers.....		Dispensers, hand, for.....	None
Calliopes or steam organs.....	July 15, 1942	Trailers. ¹		Hand lotions.....	
Candy display dishes.....	None	Trapeze bars.....		Paper products.....	
Canes.....	July 15, 1942	Clamps, hair, including barrettes, decorative clips and fasteners, but not including common bob and hair pins and clamps for hair curling or waving.....	Nov. 5, 1942	Soap.....	
Canopies, hoods and supports.....	None	Clips for attaching baggage tags.....	Nov. 5, 1942	Straws.....	
Cans, containers, closers and closures:		Clock cases—except on recording and controlling industrial instruments.....	None	Display forms.....	July 15, 1942
Cans or containers for.....	None	Clothes lines.....	Nov. 5, 1942	Document stands.....	None
Anti-freeze (under 5 gal. size).....		Clothes line pulleys.....	None	Door chimes.....	None
Artist supplies.....		Clothes line reels.....	None	Door closers ¹ —except for hospitals, public toilet doors, exterior doors on public buildings, and where required to meet fire regulations.....	None
Tobacco products.....		Clothes racks and dryers.....	None	Door handles—except shipboard use.....	None
Bouillon cubes.....		Clothes trees.....	None	Door knockers.....	None
Candy.....		Clothing trim and dress ornaments.....	July 15, 1942	Door mats.....	July 15, 1942
Caviar.....		Coal chute and door, household.....	None	Door stops.....	None
Chalk.....		Coal pans.....	None	Drain boards and tub covers, household.....	None
Coffee.....		Coasters and trivets for glass and hot containers.....	July 15, 1942	Drawer pulls.....	None
Gloves.....		Cocktail glasses.....	None	Dress forms.....	None
Incense.....		Cocktail sets.....	None	Dummy police.....	None
Lawn seed.....		Cocktail shakers.....	None	Dust collecting systems and equipment ¹ —except on AA-5 or higher.....	None
Nuts.....		Coin changers—except for public transportation.....	July 15, 1942	Dust covers and enclosures ¹ —except industrial.....	July 15, 1942
Pencils.....		Combs, hair—except curry combs.....	July 15, 1942	Easels, all types.....	July 15, 1942
Phonograph needles.....		Compacts.....	None	Edging, furniture and linoleum.....	Nov. 5, 1942
Playing cards.....		Concrete and cement hardeners.....	Nov. 5, 1942	Ediphone racks.....	None
Razor blades—except metal holders which are integral parts of the mechanism for inserting blades into safety razors.....		Cooking stoves, commercial electric. ¹	None	Egg slicers.....	None
Sponges.....		Copy holders.....	None	Electric drinking water coolers—except for use in war plants.....	None
Staples.....		Corn poppers and machines.....	None	Embalming tables ¹	July 15, 1942
Tennis balls.....		Counter tops and edgings.....	None	Enameled tile sheets and squares.....	Nov. 5, 1942
Toilet water.....		Covers for automotive leaf-type springs.....	Nov. 5, 1942	Enamel store fronts.....	None
Yarn.....		Covers, manhole—except reinforcing and banding.....	Nov. 5, 1942	Erasing knives.....	None
Cosmetics and toiletries.....	July 15, 1942	Covers, meter frame—except industrial.....	Nov. 5, 1942	Erasing shields.....	Nov. 5, 1942
Closers for paper and cellophane bags—except bags for 25 lb. content or more.....	Nov. 5, 1942	Crochet hooks.....	July 15, 1942	Escalators ¹	None
Closures for glass coffee containers—except that such closures may be processed until December 1, 1942 from distressed stocks of black plate lithographed on or before September 3, 1942.....	None	Croquet sets.....	None	Exercise and reducing machines. ¹	July 15, 1942
Closures for cosmetics and toiletries.....	July 15, 1942	Crumb trays.....	None	Exhibition and fair apparatus and equipment, ¹ including but not limited to:	July 15, 1942
Car washing machines.....	Nov. 5, 1942	Crutches.....	Nov. 5, 1942	Lighting equipment.....	
Carillons.....	July 15, 1942	Culverts, including conduits, corrugated pipe, and corrugated plates for pipe and arches for culverts—except: Reinforcing for concrete.....	None	Racks.....	
Carpet rods.....	None	Nestable culverts for use outside continental limits of U. S.....		Stands.....	
Carriers, casket ¹	July 15, 1942	Culverts, reinforced concrete—except: Interior installations.....	Nov. 5, 1942	Fan stands, all types.....	Nov. 5, 1942
Carrousels (Merry-go-rounds) ¹	July 15, 1942	Outside continental limits of U. S.....		Feed troughs.....	None
Carving set holders.....	None	Under access roads.....		Fences, chain link—except on A-2 or higher.....	None
Cases, vanity.....	July 15, 1942	Under airport runways.....		Fences, chain link—A-2 or higher.....	July 15, 1942
Cash boxes.....	None	Under railroad rights of way.....		Fence posts—except on A-2 or higher.....	None
Cash registers ¹	None	Cups of all kinds, drinking.....	None	Fence posts—A-2 or higher.....	Nov. 5, 1942
Casket hardware.....	None	Curb guards.....	None	Fences, ornamental.....	None
Casket trucks, undertaker's—except wheels.....	Nov. 5, 1942	Curler, hair, non-electric.....	None	Ferries, metal.....	Nov. 5, 1942
				Finger bowls.....	None
				Fireplace equipment, including but not limited to grates, clean out doors and ash dumps—except dampers.....	None
				Fireplace dampers.....	Sept. 3, 1942
				Fireplace screens.....	None

¹ Maintenance and repair excepted.

Item	Governing date	Item	Governing date	Item	Governing date
First aid kits.....	Nov. 5, 1942	Hangers and track for garage doors for private use.	None	Hospital, medical, dental and related equipment ¹ —Cont.	July 15, 1942
Fish aquariums.....	None	Hanger rings on brushes, brooms, etc.	None	Record and chart desks and racks.	
Flag holders.....	Nov. 5, 1942	Harness and saddlery fittings ¹ —except for draft, work and ranch animals.	July 15, 1942	Shelf trucks—except wheel tires and frame (not food).	
Flagpoles.....	None	Hat frames.....	None	Stands and racks for colonic irrigation apparatus.	
Flashlight tubes.....	None	Hat-making machinery ¹	None	Sterilizer stands—except frame and top.	
Flatware—except cooking and eating utensils.	July 15, 1942	Heat resisting pads for household use.	Nov. 5, 1942	Stools—except for use in operating rooms and except mechanism for adjustable stools.	
Floats for pageants, parades, advertising, etc.—except trucks.	July 15, 1942	Hedge shears.....	None	Stretchers, wheel type—except wheel tires and frames.	
Floor and ceiling plates for piping.	None	Helmets—except on AA-5 or higher.	None	Supply and treatment cabinets—except for operating rooms.	
Floor and counter covering trim.	None	Highway railroad flasher lights ¹ —except lamp bulbs.	July 15, 1942	Tables, examining, adjustable—except frame and operating mechanism.	
Floor polishing machines.....	None	Highway guard rail, wire, strip and posts ¹	July 15, 1942	Thermometer baskets.	
Floor scrapers—except power-driven.	July 15, 1942	Highway guard rail reflectors ¹ ..	July 15, 1942	Utensil racks.	
Floral tools and floral hoes.....	July-15, 1942	Hitching posts.....	July 15, 1942	Vasoscillator—o s c i l l a t i n g beds.	
Florist supplies.....	Nov. 5, 1942	Holders, wire, all types.....	Nov. 5, 1942	Wall shelf stands—except for use in operating rooms.	
Flour, salt and pepper shakers..	None	Hoops, galvanized wire, for flower garden trim.	July 15, 1942	Wheel chairs—except essential hardware.	
Flower boxes, pot holders and vases.	None	Hose reels—except:	None	Hospital, medical, dental and Nov. 5, 1942 related equipment. ¹	
Flower shears.....	None	Fire fighting equipment.		Anesthesia tables—except for use in operating rooms.	
Fly traps.....	Nov. 5, 1942	Industrial uses in direct fire hazard areas.		Arm immersion stands.	
Food vending machines, including automats.	None	Hospital, medical, dental and July 15, 1942 related equipment. ¹		Back rests.	
Foot baths—except hospitals....	None	Anesthesia tables—except for use in operating rooms.		Bassinetts—except for frame and basket and isolation cabinet type.	
Foot scrapers.....	Nov. 5, 1942	Arm immersion stands.		Bath cabinets—except hospital use.	
Forms and accessories for residential and commercial concrete construction.	None	Bed feeding and reading trays.		Bed trays.	
Fountain pens—except functional parts.	None	Bedside panel screens.		Blanket warming cabinets.	
Fountains, ornamental.....	Nov. 5, 1942	Book trucks—except wheel tires.		Bowl stands—except for use in operating rooms.	
Frames, catch basin and grater, all types.	July 15, 1942	Cabinets for diathermy, sinusoidal and galvanic apparatus.		Cabinets for diathermy, sinusoidal and galvanic apparatus.	
Frames, clothes drying.....	July 15, 1942	Chairs, other than examining or specialist chairs or dental chairs.		Chairs, other than examining or specialist chairs or dental chairs.	
Frames for artists' canvas, darning and needlework.	Nov. 5, 1942	Chart holders—except necessary hardware.		Chart holders—except necessary hardware.	
Frames, steel blocking.....	July 15, 1942	Chiropactic adjustment tables.		Chiropactic adjustment tables.	
Fruit juice extractors, household. ¹	None	Clothes hampers.		Clothes hampers.	
Furniture ¹ —except:	None	Commodore—except receptacle.		Commodore—except receptacle.	
Wood furniture.		Couch tables.		Couch tables.	
As permitted in Limitation Orders L-13-a and L-62.		Dental cabinets.		Dental cabinets.	
Hospital operating and examining rooms.		Dish trucks—except wheel tires.		Dish trucks—except wheel tires.	
Hospital, beds and cots.		Dressing stands.		Dressing stands.	
Game and gambling devices.....	July 15, 1942	Dressing carriages—except frame and necessary hardware.		Dressing carriages—except frame and necessary hardware.	
Garage hoists, car lifts, and racks.	None	Examining tables, non-adjustable.		Examining tables, non-adjustable.	
Garbage grinders, household ¹ ..	July 15, 1942	Ice trucks—except wheel tires.		Ice trucks—except wheel tires.	
Garden trowels.....	July 15, 1942	Instrument cabinets—except for use in operating rooms.		Instrument cabinets—except for use in operating rooms.	
Garment hangers.....	July 15, 1942	Instrument tables—except for use in operating rooms.		Instrument tables—except for use in operating rooms.	
Gas toasters, household.....	July 15, 1942	Laundry trucks—except wheel tires.		Laundry trucks—except wheel tires.	
Gates for fences.....	Nov. 5, 1942	Linen hampers—except for frames.		Linen hampers—except for frames.	
Gates, railroad crossing, except mechanism.	Nov. 5, 1942	Linen trucks—except wheel tires.		Linen trucks—except wheel tires.	
Glassware holders and trim—except on cooking utensils.	July 15, 1942	Needle cabinets—except for use in operating rooms.		Needle cabinets—except for use in operating rooms.	
Golf bag supports.....	None	Nurses' work tables.		Nurses' work tables.	
Grass shears.....	None	Orthopedic and fracture carts—except wheel tires and frames.		Orthopedic and fracture carts—except wheel tires and frames.	
Grass whips.....	July 15, 1942	Overbed and swing overbed tables.		Overbed and swing overbed tables.	
Grave markers.....	Nov. 5, 1942				
Grilles.....	None				
Ornamental.					
Sewers—except on AA-5 or higher and reinforcing for concrete sewers.					
Grills, outdoor.....	July 15, 1942				
Guards for guy wires.....	Nov. 5, 1942				
Gutters, spouting, conductor pipe, and fittings for single family dwellings. ¹	None				
Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height (2 family or more). ¹	Nov. 5, 1942				
H-Bar units.....	Nov. 5, 1942				
Hair combs, except curry combs.	July 15, 1942				
Hair dryers.....	None				
Hand seals for documents.....	July 15, 1942				
Hand weeders.....	July 15, 1942				
Handles, broom and mop.....	July 15, 1942				

¹ Maintenance and repair excepted.

Item	Governing date	Item	Governing date	Item	Governing date
Letter openers.....	None	Outdoor fireplace parts.....	None	Pulp, paper, paper products and converter machinery and equipment ¹ —except:	Nov. 5, 1942
Letter trays.....	None	Outing spades.....	July 15, 1942	Paper tube machinery.	
Lighting poles and standards ¹	None	Packing twine holders.....	None	Slitters and winders.	
Lipstick holders.....	None	Pads, inking and stamping.....	July 15, 1942	Waxing machines.	
Lobster forks.....	None	Pall clasps.....	None	Push carts.....	None
Lobster tongs.....	None	Paint spray outfits—except industrial.	None	Push plates and kick plates, door.	None
Lockers—except.....	None	Paper rollers, household.....	None	Race track apparatus and equipment, ¹ including but not limited to:	July 15, 1942
Oil refinery use.		Parasols, shafts and handles....	July 15, 1942	Mutuel ticket machines.	
As permitted by Limitation Order L-13-a.		Park and recreational benches....	None	Pari-mutuel boards.	
Logs, artificial, for gas and electric fireplace.	July 15, 1942	Parking meters.....	None	Race finish photographic equipment.	
Luggage, except locks ¹	July 15, 1942	Partitions.....	Sept. 3, 1942	Starting gates.	
Lunch boxes.....	Nov. 5, 1942	Partition studs.....	Nov. 5, 1942	Racks, display.....	Nov. 5, 1942
Mail boxes—except as required by U. S. postal regulations.	None	Pegs, tent.....	Nov. 5, 1942	Racquets.....	None
Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma, and biological specimens.	None	Pen holders.....	None	Radiator enclosures.....	None
Marine hardware for pleasure boats.	None	Pencil holders.....	Nov. 5, 1942	Radio antenna poles ¹ —except on ratings of AA-5 or higher.	None
Marquees.....	None	Pencils, mechanical or automatic.	None	Railings, barriers and fences—except for livestock and poultry enclosures and essential industrial use.	July 15, 1942
Match boxes.....	None	Permanent wave machines.....	None	Railings, barriers, and fences for industrial use.	Nov. 5, 1942
Material for housing, not otherwise specified in this order—except to the extent specified in the Defense Housing Critical List.	None	Pet beds.....	None	Railroad rail joint angle bars over 24" in length ¹ —except for replacement on used rails.	July 15, 1942
Measuring pumps and dispensers ¹ for gasoline station, garage and household use, including but not limited to:	None	Pet cages.....	None	Reading stands.....	July 15, 1942
Air pumps.		Pet dishes.....	None	Reels, cable and rope.....	Nov. 5, 1942
Grease guns.		Pet equipment (except license tags) including but not limited to:	July 15, 1942	Reflectors, street and highway....	Nov. 5, 1942
Grease pumps.		Carriers.		Refrigerator boxes, walk-in.....	Nov. 5, 1942
Gasoline dispensing pumps.		Chains.		Refrigerator containers and trays, household.	None
Kerosene pumps.		Collars.		Regalia.....	July 15, 1942
Oil pumps—except barrel pumps and lubesters.		Feeders.		Registers, hand tally.....	Nov. 5, 1942
Meat molds.....	Nov. 5, 1942	Houses.		Rodeo equipment, including but not limited to:	July 15, 1942
Mechanical book binding.....	None	Leashes.		Animal trappings.	
Memorial tablets.....	July 15, 1942	Muzzles.		Fences.	
Menu holders.....	None	Phonograph motors, hand wound	None	Gates ¹ .	
Metal cloths, except for industrial processing.	Nov. 5, 1942	Phonograph record blanks.....	None	Rolling boardwalk chairs ¹	July 15, 1942
Metal dust covers and enclosures—except industrial.	July 15, 1942	Photographic accessories.....	None	Rolling pins.....	July 15, 1942
Milk bottle cases—except that a total of 4½ lbs. of iron and steel per case (including joining and essential hardware) may be used.	None	Photographic equipment ¹ —except microfilm.	Nov. 5, 1942	Rotary door bells.....	None
Millinery wire and gimps.....	None	Physical reducing machines....	None	Rug scrubbing and shampooing machines.	Nov. 5, 1942
Mirrors, hand.....	None	Picnic and outing boxes and accessories.	July 15, 1942	Safety zone posts, rails, cables and platforms.	Nov. 5, 1942
Monograms and initials.....	July 15, 1942	Picture and mirror hardware....	None	Salesmen's display cases and sales kits.	None
Mop wringers.....	None	Pie plates—except commercial or institutional.	None	Salt and pepper holders.....	None
Motion picture cameras ¹	Nov. 5, 1942	Pipe cases.....	None	Sample boxes.....	None
Motion picture projectors ¹	Nov. 5, 1942	Pipe cleaner knives.....	None	Sand boats.....	Nov. 5, 1942
Motion picture screen stands ¹	Nov. 5, 1942	Pipe posts.....	Nov. 5, 1942	Sash weights for windows.....	Nov. 5, 1942
Mud scrapers.....	Nov. 5, 1942	Pitchers—except for hospital use.	July 15, 1942	Scaffolding.....	None
Music stands.....	None	Plant and flower supports.....	None	Scales, coin operated.....	July 15, 1942
Napkin rings.....	None	Plates, light switch—except for cast conduit bodies.	Nov. 5, 1942	Scenery and stage hardware equipment, ¹ for dramatic theatrical and operatic use, except lamp bulbs, including but not limited to:	July 15, 1942
Necktie racks.....	None	Playground equipment.....	Sept. 3, 1942	Battens.	
Newspaper boxes or holders.....	None	Play pens, boxes and enclosures, children's.	July 15, 1942	Cables.	
Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942 or was sold to the manufacturer of the artificial leaves, fruit, flowers or feather ornaments as scrap.	None	Pleasure boats.....	None	Lights.	
Oil well pumping units ¹ —except:	Nov. 5, 1942	Pleasure boat equipment and accessories.	Nov. 5, 1942	Reflectors.	
Brackets.		Plumbing and heating equipment. ¹	Nov. 5, 1942	Stage drops.	
Cranks.		Gas conversion burners.		Score boards.....	July 15, 1942
Equalizers.		Gas fired boiler-burner units.		Screen frames—except industrial processing.	None
Pitmans.		Gas fired furnace-burner units.		Scrubbing boards.....	None
Reduction gears and case.		Oil fired boiler-burner units.		Semaphores, traffic signal—except railroad.	Nov. 5, 1942
Saddle bearings.		Registers, cold air.		Service food trays.....	None
Steel pin connections.		Registers and grilles.		Sewer pipe, exterior installations ¹ —except for vents and within 5 feet of buildings.	None
Washers.		Steel heating boilers of 120 sq. ft. or less of heating surface.		Shades, window and roller type—except roller mechanism.	Nov. 5, 1942
Ornamental hardware and moldings.	None	Pneumatic tube delivery systems ¹ —except industrial.	None	Sheet iron or hoop iron packings for cookies and sweet goods.	None
		Pocketbook ornaments.....	July 15, 1942	Shirt and stocking dryers.....	None
		Polishing-wax applicators.....	None	Shoe cleaning kits.....	None
		Polishing-wax sprayers.....	None	Shoe ornaments.....	July 15, 1942
		Portable bath tubs.....	None	Show window lighting and display equipment.	None
		Poultry incubator cabinets.....	None		
		Pulp, paper, paper products and converter machinery and equipment ¹ —except:	Nov. 5, 1942		
		Automatic paper packaging machines.			
		Paper bag machinery.			
		Paper corrugating machinery.			
		Paper cup machinery.			
		Paper cutting machinery.			
		Paper parafining machinery.			
		Paper pasting machinery.			
		Paper slitting machinery.			

¹ Maintenance and repair excepted.

Item	Governing date	Item	Governing date	Item	Governing date
Shower receptors—except frames.	None	Staple removers.....	Nov. 5, 1942	Textile machinery ¹	Nov. 5, 1942
Shower stalls—except frames..	None	Starter shingle strips.....	None.	Bobbinet machines.	
Shutters, window, ¹ except where required in industrial use by Underwriters.	July 15, 1942	Statuses.....	None	Crocheting machines including scalloping machines and shell-stitching machines.	
Sidewalk scrapers.....	July 15, 1942	Steel wool for household use made from other than waste.	None	Embroidery machines.	
Sign hanger frames.....	None	Stencils.....	Nov. 5, 1942	Hosiery clocking machines.	
Sign posts.....	None	Store display equipment and show cases.	None	Lace machines.	
Signets.....	None	Stretchers, carpet.....	Nov. 5, 1942	Looms:	
Silos ¹ —except strapping and reinforcing.	None	Stretchers, glove, sock and sweater.	July 15, 1942	Axminster.	
Sink aprons and legs.....	None	Structural steel home construction.	None	Box.	
Sink drainboards, both integral and removable.	None	Subway turnstiles ¹	None	Dobby.	
Siphon chargers.....	July 15, 1942	Sugar cube dryer trays.....	None	Hooked.	
Sitz baths.....	None	Sugar holders.....	None	Jacquard.	
Skates, roller and ice.....	None	Sun dials.....	July 15, 1942	Wilton.	
Skating rink apparatus and equipment. ¹	July 15, 1942	Sun lamps and infra-red lamps—except:	July 15, 1942	All other machines for the manufacture of drapery and upholstery fabrics whether flat or pile weave.	
Skewers, all types.....	Nov. 5, 1942	For professional and hospital use.		Linoleum or felt-base wall or floor covering machines.	
Ski racks.....	None	Where lamps and reflectors are used for drying and baking.		Thermometer bases, household.	None
Slides, loops and slide-loops for work clothing—except:	Nov. 5, 1942	Swimming pool equipment ¹ , including but not limited to:	July 15, 1942	Thermometer cases and mountings, except industrial.	Nov. 5, 1942
One size not exceeding 1 3/8" for men's work clothing.		Diving boards.		Thermos jugs and bottles over 1 qt.	None
One size not exceeding 1 3/4" for boys' work clothing.		Diving stands.		Thimbles, sewing.....	Nov. 5, 1942
Sleds—except runners.....	July 15, 1942	Ladders.		Tickers, stock.....	July 15, 1942
Sleighs—except runners.....	July 15, 1942	Slides.		Ticket vending machines—except for public transportation.	July 15, 1942
Slide fasteners.....	None	Swivel chairs.....	None	Tile, steel-back.....	None
Smokers' accessories.....	July 15, 1942	Table name-card holders.....	None	Tongs, food handling and household use.	None
Snow shovels and pushers, hand	None	Table tops for household use....	None	Tool boxes—except industrial...	None
Sod lifters.....	July 15, 1942	Tablets.....	None	Tool cases—except industrial...	None
Spading forks, children's.....	July 15, 1942	Tags, key; name; price; identification—except:	None	Tool handles—except power driven.	None
Special industrial machinery....	Nov. 5, 1942	Personnel identification tags or badges where metal tags or badges are required for protection of government agencies.		Traffic lane markers.....	Nov. 5, 1942
Cement making machinery. ¹		Personnel identification tags or badges containing not more than 3/4 ounce of iron and steel where metal tags or badges are required for protection of industrial plants.		Trailer bodies ¹ —except:	July 15, 1942
Ceramic making machinery ¹ —except refractory making machinery.		Metal tags required for identification of livestock and poultry and products made therefrom.		Tank and dump bodies.	
Collapsible tube filling machines. ¹		Pin attached or wire attached tickets for price marking soft goods.		Essential hardware, structural and bracing members for bodies, essentially of wood construction.	
Cosmetic machinery.		Metal tags for marking and identification of metal in its production and export shipment.		Transplanting trowels.....	July 15, 1942
Coupon inserting machines.		Tanks (strapping excluded)....	None	Trophies.....	July 15, 1942
Cut and monumental stone machinery.		Dipping—for animals.		Truck bodies ¹ —except:	July 15, 1942
Fertilizer machinery. ¹		Watering—for animals.		Tank and dump bodies.	
Lamp manufacturing machinery, ¹ including incandescent, fluorescent, and electric discharge type.		Feeding—for animals.		Essential hardware, structural and bracing members for bodies, essentially of wood construction.	
Milk can machinery. ¹		Storage, beer.		Trunks ¹ —except locks.....	July 15, 1942
Paint processing and manufacturing machinery. ¹		Storage, water ¹ —except:		Turf edgers.....	July 15, 1942
Soap making machinery. ¹		In tropical climates.		Typewriter mechanism for pedestal and drop-head desks.	Nov. 5, 1942
Steel drum machinery ¹ —except for export purposes.		Heights in excess of 100 feet.		Umbrellas, garden.....	July 15, 1942
Tobacco machinery. ¹		Range boilers and hot water storage.		Umbrella shafts and handles...	July 15, 1942
Wire-bound box making machinery.		Pneumatic pressure tanks 82 gallon size and 31 gallon or smaller size.		Urinals.....	None
Spittoons.....	None	Tank towers under 50 feet in height.	Nov. 5, 1942	Vanity cases.....	July 15, 1942
Spools for cord, ribbon, tape....	Nov. 5, 1942	Teapots.....	None	Vending machines for sanitary napkins.	Nov. 5, 1942
Spools for wire—except traverse.	Nov. 5, 1942	Telephone bell boxes—except bases and where required for safety.	None	Ventilators, shutter type.....	Nov. 5, 1942
Sporting and athletic goods—except:	None	Telephone booths.....	None	Vibrators, electric.....	Nov. 5, 1942
Fully fabricated skates, cleats, and similar items may be attached to athletic shoes without restriction.		Telescopes—except U. S. Government Agencies.	None	Voting machines.....	None
Fishing tackle as permitted by Limitation Order L-92.		Tent frames and supports.....	Nov. 5, 1942	Wagon bodies and frames ¹ —except for construction.	None
Spray containers, household....	None	Termite shields.....	Nov. 5, 1942	Wardrobe trunks.....	None
Sprinkling cans, garden.....	July 15, 1942	Terrazzo spacers and decorative strips—except hospital operating rooms.	None	Waste paper receptacles.....	July 15, 1942
Stadiums ¹	None			Watch straps.....	July 15, 1942
Stair and threshold treads ¹ , household, institutional and commercial buildings—except for fire escape and essential industrial use.	July 15, 1942			Water color paint boxes.....	None
Stamped bakery equipment—except pie plates for commercial or institutional use.	None			Water softeners, household....	Nov. 5, 1942
Stands, all types—except:	Nov. 5, 1942			Water stills, household.....	Nov. 5, 1942
Essential industrial use.				Water troughs ¹	July 15, 1942
Hospital use where not otherwise specifically prohibited in this order.				Weather stripping.....	None

¹ Maintenance and repair excepted.

Item	Governing date
Window stools.....	None
Window ventilators—except industrial and hospitals.	None
Wine coolers.....	None
Wine service sets.....	None
Wire parcel handles and holders.	None
Wire racks and baskets—except:	None
Animal cages for biological work.	
Industrial.	
Scientific laboratory equipment.	
Work benches—except:	None
Shipboard.	
Industrial, where required for safety.	

LIST S—STAINLESS STEEL

Aircraft fire walls.....	Nov. 5, 1942	Ice cream cabinets.....	July 15, 1942
Aircraft seats.....	Nov. 5, 1942	Identification tags and badges.....	Nov. 5, 1942
Aircraft toilets.....	Nov. 5, 1942	Instrument dials and cases.....	Nov. 5, 1942
Ammunition boxes and chutes.....	Nov. 5, 1942	Kitchenware.....	July 15, 1942
Badges.....	Nov. 5, 1942	Ladders and hoists, including fittings.	Nov. 5, 1942
Barrel hoops and fittings.....	Nov. 5, 1942	Lanterns and lamps—except valves, controls and mantle-holders.	Nov. 5, 1942
Baskets, except for heat-treating, pickling and plating.	Nov. 5, 1942	Lavatory equipment.....	Nov. 5, 1942
Bed pans.....	Nov. 5, 1942	Light fixtures.....	Nov. 5, 1942
Bins, screens and strainers.....	Nov. 5, 1942	Livestock and poultry equipment.	Nov. 5, 1942
Blueprint machines.....	Nov. 5, 1942	Locks.....	Nov. 5, 1942
Bobbin heads.....	Nov. 5, 1942	Match and pattern plates, Matrices and flasks.	Nov. 5, 1942
Boiler casings.....	Nov. 5, 1942	Meat cutters.....	Nov. 5, 1942
Bottle coolers.....	Nov. 5, 1942	Mechanical drawing and drafting equipment.	Nov. 5, 1942
Branding, marking and labeling devices.	Nov. 5, 1942	Milk storage tanks, milk receiving tanks and milk weigh tanks—except that where permitted materials cannot be secured, the provisions of paragraph (d) (4) shall be deemed to apply.	Nov. 5, 1942
Brewing, distilling and processing equipment for alcoholic and non-alcoholic beverages including bottling equipment.	Nov. 5, 1942	Mortician's supplies and equipment.	Nov. 5, 1942
Buckets and pails.....	Nov. 5, 1942	Name plates.....	
Builders' supplies and hardware.	Nov. 5, 1942	Oil burners—except functional parts.	Nov. 5, 1942
Cable terminals, fittings, and turnbuckles.	Nov. 5, 1942	Oil space heaters.....	Nov. 5, 1942
Cafeteria and restaurant equipment. ¹	July 15, 1942	Pipe tube, tubing and fittings—except industrial.	Nov. 5, 1942
Chains and cables—except for heat-treating, pickling and plating.	Nov. 5, 1942	Pole-line hardware.....	Nov. 5, 1942
Cheese vats.....	Nov. 5, 1942	Powder boxes.....	Nov. 5, 1942
Clocks, clock-dials and cases.....	Nov. 5, 1942	Pumps, fresh water—except industrial.	Nov. 5, 1942
Coffee pots.....	Nov. 5, 1942	Radio antenna.....	July 15, 1942
Control levers.....	Nov. 5, 1942	Refrigerators and Refrigeration equipment—except essential machinery parts.	
Convectors, local and unit heaters—except heat controls.	Nov. 5, 1942	Rubber moulds.....	Nov. 5, 1942
Conveyors and conveyor chutes—except where subject to high temperature and corrosive action.	Nov. 5, 1942	Shelves.....	Nov. 5, 1942
Cups of all kinds—except industrial.	Nov. 5, 1942	Staples.....	Nov. 5, 1942
Cutlery.....	Nov. 5, 1942	Stokers—except functional parts.	Nov. 5, 1942
Dishes, saucers and plates.....	Nov. 5, 1942	Storage racks, cabinets or lockers.	Nov. 5, 1942
Dyeing equipment. ¹	Nov. 5, 1942	Stoves and ranges, disc stoves and hot plates—except electrical controls and units	Nov. 5, 1942
Elevators, including doors and trim.	Nov. 5, 1942	Toilet floats, cistern and low water-floats.	Nov. 5, 1942
Fans—except Industrial.....	Nov. 5, 1942	Tubs, washing.....	Nov. 5, 1942
Farm machinery and replacement parts.	Nov. 5, 1942	Valve handles.....	Nov. 5, 1942
Fire-fighting apparatus—except pump shafts and where working parts are in contact with corrosive chemicals.	Nov. 5, 1942	Ventilators.....	Nov. 5, 1942
Fishing tackle and equipment.....	Nov. 5, 1942	Window screens and frames.....	Nov. 5, 1942
Floor plates and floor coverings.	Nov. 5, 1942		
Fountains.....	Nov. 5, 1942		
Furniture hardware.....	Nov. 5, 1942		
Galley and mess equipment. ¹	July 15, 1942		
Galley, kitchen, cafeteria and restaurant panelling.	Nov. 5, 1942		
Hangers, all types.....	Nov. 5, 1942		
Hose clamps.....	Nov. 5, 1942		
Hot water heaters, tanks and coils.	Nov. 5, 1942		
Hydrants.....	Nov. 5, 1942		
Ice boxes.....	Nov. 5, 1942		

¹ Maintenance and repair excepted.

Barber shop supplies.
Baskets—for cooking and manufacturing uses and for ordnance operations.
Bath tubs—for use on board ship and in hospitals.
B-B shot—for training and shot blast cleaning purposes.
Beds—for use on board ship; beds containing not more than 5 pounds of iron or steel, excluding springs.
Bed spring frames—for use on board ship and for maintenance and repair.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Biscuit boxes—for use on board ship or where climatic conditions make necessary.
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Boiler casings of stainless steel—for use on board ship.
Bottle holders—for use on board ship and in hospitals.
Brushes, wire bristles only.
Buttons.
Cabinets—for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, hospital operating and examining rooms, and as permitted by L-13-a and L-62.
Cable terminals, fittings and turnbuckles of stainless steel.
Canopies, hoods and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Cans or containers for anti-freeze, candy, coffee, nuts—where climatic conditions make necessary.
Cash boxes.
Casket handles.
Ceilings—for use on board ship, but only where necessary.
Chains and cables of stainless steel.
Cigarette lighters—for use outside continental limits of U. S., for sale by Post Exchanges at ports of embarkation, and for sale by Ships Service Stores on board ship.
Clock cases.
Clothing trim.
Control levers of stainless steel.
Cooking stoves—commercial electric.
Counter tops and edgings—for use on board ship.
Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy Engineer in charge.
Cups of all kinds, drinking.
Dishwashing machines.
Door closers—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.
Door handles—for fire prevention, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.
Dust collecting systems and equipment.
Dust covers and enclosures—when specified for military vehicles.
Electric drinking water coolers—for use on board ship, in hospitals and in tropical climates.
Erasing knives.
Fences, chain link, weighing not more than 2 pounds per lineal foot and not more than 33 pounds per square foot.
Flag staffs and flag masts—for use on board ship, and on military vehicles.
Flashlight tubes.
Floor and ceiling plates for piping, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary.

LIST C

NOTE: List C was amended Nov. 30, 1942.

Access panels—for use on board ship, on military vehicles and where climatic or safety conditions make necessary.
Accessories—soda fountain—for use on board ship.
Acoustical ceilings—for use on board ship.
Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the U. S., for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature or humidity, for use in gas proofing installations, and for use in mobile surgical vehicles and laboratory vehicles.
Ammunition boxes and chutes of stainless steel.
Attic fans—where climatic conditions make necessary.
Automobile accessories.
Automobile heaters—where specified for military vehicles.
Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Floor polishing machines—maintenance and repair only.

Furniture—for use on board ship.

Galley and mess equipment of stainless steel, as follows:

Clad stainless steel for steam tables and warming pans.

Single clad stainless steel on inside of steam jacketed kettles.

Single clad stainless steel for stock pots.

Clad stainless steel bottoms and solid stainless steel sides for pressure cookers.

Non-nickel bearing stainless steel clad doors and other parts coming in direct contact with food in cold storage spaces on board ship.

Non-nickel bearing stainless steel for coffee urns.

Stainless steel single clad sinks and dresser tops for use on board ship.

Stainless steel for canteens.

Non-nickel bearing stainless steel liners for portable water coolers.

Non-nickel bearing stainless steel for tanks and hoods of dishwashing machines.

Metal sponges from non-nickel bearing stainless steel wire.

Compartment mess trays, but only from existing finished stocks of stainless steel.

Games.

Garage hoists and car lifts.

Grilles—sewer.

Hand seals for documents.

Harness and saddlery fittings.

Hat frames, wire and gimps.

Hat-making machinery, but only—

Blocking machines with complete sets of blocks.

Sets or dies for cutting parts.

Helmets.

Hose reels.

Hospital equipment—

Arm immersion stands.

Bed trays.

Bedside panel screen frames—for use in operating rooms, and outside continental limits of U. S.

Bowl stands—for use in operating rooms and on board ship.

Cabinets—X-ray film filing.

Cabinets for diathermy, sinusoidal and galvanic apparatus.

Chart holders.

Commodore—for hospital use outside continental limits of U. S.

Dish trucks—frames and wheel tires only.

Dressing stand frames.

Examining tables, non-adjustable—for use on board ship and in Field Hospitals.

Instrument cabinets.

Instrument tables.

Nurses' work tables.

Overbed and swing overbed tables—functional parts only.

Stands and racks for colonic irrigation apparatus.

Sterilizer stands.

Supply and treatment cabinets.

Utensil racks.

Hot water heaters, tanks and coils of stainless steel—where specified for aircraft and military vehicles.

Ice box exteriors—for use on board ship, mobile type refrigerators, and for use where climatic conditions make necessary.

Ice cube trays.

Identification tags and badges of stainless steel—for personnel.

Incinerators.

Keys for opening cans.

Laundry trays—for use on board ship.

Lavatories—for use on board ship and outside continental limits of U. S.

Lockers—for office equipment as limited by Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.

Mail boxes—for use on board ship.

Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—

Gasoline dispensing pumps.

Grease guns.

Grease pumps.

Oil pumps.

Kerosene pumps.

Air pumps.

Mirrors, hand—for signal use.

Pads, inking and stamping.

Paint spray outfits.

Partitions—for use in hospitals and on board ship.

Pencils, mechanical or automatic, functional parts only—except for resale.

Phonograph motors, hand wound.

Phonograph record blanks.

Photographic accessories.

Pie plates.

Pitchers.

Pneumatic tube delivery systems.

Portable bathtubs.

Powder boxes of stainless steel.

Push carts—for ordnance and combat organizations.

Radio antenna of stainless steel.

Radio antennae poles.

Railings—for use on board ship.

Scaffolding—for use in shipyards, airfields and other places where use of wood scaffolding is impracticable.

Screen frames.

Sewer pipe, exterior installations—for pressure lines only.

Shirt and stocking dryers of cast iron only.

Shower receptors—for use on board ship.

Shower stalls—for use on board ship.

Sink aprons and legs—for use on board ship.

Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.

Siphon chargers for life jacket inflation.

Slide fasteners.

Snow shovels and pushers, hand.

Sporting and athletic goods.

Stamped bakery equipment.

Swivel chairs—for use on board ship.

Tags—

For marking ammunition.

Identification (name).

Tanks, storage, water, but only for use on board ship, mobile units, range boilers and hot water storage, use outside continental limits of U. S., heights in excess of 100 feet, pneumatic pressure tanks.

Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.

Telescopes.

Thermos jugs and bottles.

Tile, steel back—for ladder treads, step plates and use on board ship.

Tool boxes.

Tool cases—for mobile equipment.

Tool handles, where specified.

Truck and trailer units and bodies, where specifically designed for military purposes.

Urinals—for use on board ship, and outside continental limits of U. S.

Waste paper receptacles—for hospital use only.

Water troughs, frame and support only.

Wheelbarrows.

Wire racks and baskets.

Work benches where wooden benches will not stand up under ordinary use.

LIST D—OTHER SCARCE MATERIALS

Metals—all, except lead.

Rubber.

[F. R. Doc. 42-12654; Filed, November 30, 1942; 11:42 a. m.]

PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Schedule VI to Limitation Order L-120 as Amended Nov. 30, 1942]

ROLL TOILET TISSUE

§ 1223.7 *Schedule VI to Limitation Order L-120—(a) Definitions.* For the purpose of this schedule, including the Appendix:

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

(b) *Standard ream count.* On and after the effective date of this schedule basis weights for roll toilet tissue shall be calculated by reference to a standard ream of 500 sheets 24" x 36", with a tolerance of 5% over or under the specified weight, instead of by reference to the ream of 480 sheets 24" x 36" heretofore used.

(c) *Limitations.* On and after December 7, 1942, no person shall manufacture any roll toilet tissue in any basis weight heavier than indicated in (i) under the Appendix, or in rolls containing any sheet count other than the counts specified in (iii) under the Appendix, or pack less rolls per case than indicated as the minimum for the rolls of each permitted sheet count in (iv) under the Appendix, or package, wind or prepare for loading any roll toilet tissue contrary to the provisions of (v), (vi) and (vii) under the Appendix.

This schedule shall take effect on December 7, 1942.

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

Issued this 30th day of November, 1942.

ERNEST KANZLER,
Director General for Operations.

APPENDIX 1 TO SCHEDULE VI

ROLL TOILET TISSUE

(i) *Standard basis weights* (in pounds per 500 sheets 24" x 36") no heavier than 14 lb.

(ii) *Size.* No restriction as to size of sheet.

(iii) *Count:*

400 sheet oval (notch or plain).
650 sheet roll.
1000 sheet roll.
1500 sheet roll.
2000 sheet roll.
2500 sheet roll.
3000 sheet roll.

(a) All labelled rolls are to show count and size on label.

(b) All unlabelled rolls (industrial) to show count and size on shipping cartons.

(iv) *Packing:*

400 sheet oval 100 rolls per case minimum,
650 sheet roll 96 rolls per case minimum,
1000 sheet roll 96 rolls per case minimum,
1500 sheet roll 50 rolls per case minimum,
2000 sheet roll 50 rolls per case minimum,
2500 sheet roll 50 rolls per case minimum,
3000 sheet roll 50 rolls per case minimum:

except that rolls packed for delivery to or for the account of the United States Army or

¹ Item (iv) was amended Nov. 30, 1942.

Navy or other United States Government agencies specified in the definition of "Defense Order" appearing in Section 944.1 (b) of Priorities Regulation No. 1, as amended, may be packed in such numbers per case as such agency may require.

(v) *Packaging:*

(a) Eliminate any carton packing within shipping container.

(b) Eliminate individual wrappings in multi-roll unit put-ups within shipping container.

(vi) *Winding.* All rolls to be wound as tightly as possible, and maximum diameter on 650 and 1000 sheet rolls to be 4 $\frac{3}{4}$ ".

(vii) *Maximum loading:*

(a) All toilet rolls, both retail and industrial type, shall be completely collapsed after being converted to save shipping space and container board.

(b) All roll toilet shipping cases shall be reduced in size to conform to the new collapsed roll size, and redesigned to make most effective the provisions of the maximum loading order No. 18 of the Office of Defense Transportation.

[F. R. Doc. 42-12651; Filed, November 30, 1942; 11:41 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241, as Amended Nov. 30, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote national defense:

§ 3096.1 *General Conservation Order M-241—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

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

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

(2) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard, after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture, and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) No person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Except as provided in paragraphs (c) (4), (5) and (6), no person or persons shall during the calendar month commencing November 1, 1942, or any calendar month thereafter, produce in any mill any greater quantity in tons of paper and/or paperboard than 100% of the average monthly quantity in tons of paper and/or paperboard produced in such mill during the six months from April 1, 1942, to September 30, 1942, inclusive, with the exception, however, that in addition any person may produce at any mill during any month not to exceed 15% of the quantity of paper and/or paperboard hereby permitted to be produced at such mill for the next month and/or not to exceed 15% of the quantity of paper and/or paperboard hereby permitted to be produced at such mill during the previous month, provided that in no event does the aggregate production at any mill during the months of November and December 1942, exceed twice the average monthly production at such mill during the six month period from April 1, 1942, to September 30, 1942, and provided further that in no event does the production at any mill during any calendar quarter after January 1, 1943, exceed three times the average monthly production during such six month period.

(3) The quantity in tons of paper and paperboard shall be measured in tonnage delivered from the paper machine, and the method and basis for determining such tonnage shall be that method and basis followed at such mill in the past, or any other practicable method and basis, provided that the same method and basis are used in determining production in future calendar months as are used in determining average production during the six months reference period from April 1, 1942 to September 30, 1942, inclusive.

(4) There shall not be included in such calculation, either for past or current production, papers and paperboard of the kinds included within the following designations on United States Department of Commerce (Census) Form WPB-514, as revised August 10, 1942:

Building papers (Code 14000, 14100, 14200, 14300, 14900)
Building boards (Code 58000, 58100, 58200, 58300, 58900)
Vulcanizing fibre stock (Code 13500)
Resin impregnating stock (Code 13600)
Sanitary napkin and hospital wadding stock (Code 11100)

(5) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, notwithstanding the provisions of paragraph (c) (2), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week.

(6) If any person owns more than one mill, and believes that the purposes of this order will be furthered by combining for production among all or several of his mills jointly the quantities of paper and/or paperboard which are permitted by this order for each separately, he may submit to the Director General for Operations, in writing, a plan for such combination, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during the six month period from April 1, 1942 to September 30, 1942, inclusive, the quantity and kinds of paper expected to be produced at each such mill during each month under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will further the purposes of this order. The Director General for Operations may thereupon approve, modify, or disapprove such plan, or may impose upon the execution of any such plan such conditions as he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may, notwithstanding the provisions of paragraph (c) (2), produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Restrictions on inventory.* No person shall knowingly make delivery of any type of paper or paperboard, and no person shall accept delivery of any type of paper or paperboard, if the inventory of such type of paper or paperboard in the hands of the person accepting delivery is, or will by virtue of such acceptance become, in excess of ninety days supply, on the basis of his current method and rate of operation. This restriction applies equally to paper and paperboard of foreign and domestic origin. It shall not, however, prevent acceptance by any person of delivery of one carload or less of any type of paper or paperboard if the inventory of such type of paper or paperboard of the person accepting such delivery is not and will not by virtue of such acceptance become in excess of two carloads.

(e) *Miscellaneous provisions—(1) Records.* All persons affected by this

order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *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.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

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

(5) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Branch, Washington, D. C. Ref.: M-241.

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

Issued this 30th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12655; Filed, November 30, 1942;
11:42 a. m.]

Chapter XI—Office of Price Administration

PART 1338—SILK AND SILK PRODUCTS

[MPR 274]

WOMEN'S SILK HOSIERY

A statement of the considerations involved in the issuance of this Maximum

Price Regulation No. 274 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, Maximum Price Regulation No. 274 is hereby issued.

- Sec.
- 1338.101 Transactions in silk hosiery which are prohibited by this regulation.
 - 1338.102 Maximum prices for silk hosiery.
 - 1338.103 Maximum prices for silk hosiery not specifically priced in § 1338.102.
 - 1338.104 Less than maximum prices may be charged.
 - 1338.105 Information which must be furnished to ultimate consumers.
 - 1338.106 Information which must be furnished to purchasers other than ultimate consumers.
 - 1338.107 Relation between Maximum Price Regulation No. 274 and the General Maximum Price Regulation.
 - 1338.108 Relation of this regulation to other Maximum Price Regulations.
 - 1338.109 Evasion.
 - 1338.110 Enforcement.
 - 1338.111 Definitions.
 - 1338.112 How this regulation may be amended.

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

- Sec.
- 1338.113 Geographical applicability of this regulation.
 - 1338.114 Effective date.

AUTHORITY: §§ 1338.101 to 1338.114, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1338.101 *Transactions in silk hosiery which are prohibited by this regulation.* On and after December 3, 1942, regardless of any contract or other obligation, no person shall:

(a) Sell or deliver any silk hosiery at a price higher than the maximum price established by this regulation; or

(b) Sell or deliver any silk hosiery for which a maximum price is not provided in § 1338.102 unless he receives from the Office of Price Administration, Washington, D. C., a specific maximum price therefor, as provided by § 1338.103; or

(c) Require a purchaser to buy or agree to buy any other hosiery or other article, service, package or wrapper in connection with a sale or delivery of silk hosiery; or

(d) Buy or receive silk hosiery in the course of trade or business at a price higher than the maximum price established by this regulation; or

(e) Do any other act which directly or indirectly increases the consideration paid for silk hosiery above the maximum price; or

(f) Offer, attempt or agree to do any of the acts prohibited by this regulation.

§ 1338.102 *Maximum prices for silk hosiery—(a) Sales at retail.* The maximum prices for which silk hosiery may be sold, delivered, or offered for sale at retail are the prices per pair set forth below in Table No. 1:

TABLE NO. 1

Construction	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
A. Circular knit hosiery:				
1. 280 needles and lower, all types.....	\$0.69	\$0.60	\$0.50	\$0.35
2. 300 needles and higher, all types.....	.79	.70	.60	.40
B. Full-fashioned hosiery:				
1. 39 gauge, 6 thread or heavier.....	1.15	1.05	.85	.55
2. 42 to 48 gauge, inclusive, 6 thread or heavier.....	1.35	1.20	1.00	.65
3. 42 gauge and lower, less than 6 threads:				
(a) Silk leg.....	1.00	.90	.75	.50
(b) All silk.....	1.15	1.05	.85	.55
4. 45 and 48 gauge, less than 6 thread:				
(a) Silk leg.....	1.25	1.10	.95	.60
(b) All silk.....	1.35	1.20	1.00	.65
5. 51 and 54 gauge, all threads:				
(a) Silk leg.....	1.50	1.35	1.10	.75
(b) All silk.....	1.65	1.50	1.25	.80
6. 57 gauge and higher, all threads.....	1.65	1.50	1.25	.80
7. Lace, mesh, non-run, and "cut and sewn" lace hosiery, all types.....	1.65	1.50	1.25	.80
8. Silk combination hosiery, all types.....	1.00	.90	.75	.50
9. Out-sizes.....	(1)	(1)	(1)	(1)

¹ Maximum prices for "out-sizes" shall be the prices stated above with the addition thereto of 15¢ per pair

(b) *Sales at wholesale.* The maximum prices for which silk hosiery may be sold, delivered, or offered for sale at wholesale are the prices per dozen, f. o. b. point of shipment, set forth below in Table No. 2:

TABLE NO. 2

Construction	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
A. Circular knit hosiery:				
1. 280 needles and lower, all types.....	\$5.50	\$4.95	\$4.10	\$2.75
2. 300 needles and higher, all types.....	6.60	5.95	4.95	3.30
B. Full-fashioned hosiery:				
1. 39-gauge, 6-thread or heavier.....	9.05	8.15	6.80	4.50
2. 42- to 48-gauge, inclusive, 6-thread or heavier.....	10.70	9.65	8.00	5.35
3. 42-gauge and lower, less than 6 thread:				
(a) Silk leg.....	8.25	7.40	6.20	4.10
(b) All silk.....	9.35	8.40	7.00	4.65
4. 45 and 48 gauge, less than 6 thread:				
(a) Silk leg.....	9.90	8.90	7.40	4.95
(b) All silk.....	11.00	9.90	8.25	5.50
5. 51 and 54 gauge, all threads:				
(a) Silk leg.....	11.55	10.40	8.65	5.75
(b) All silk.....	12.90	11.60	9.65	6.45
6. 57 gauge and higher, all threads.....	13.75	12.35	10.30	6.85
7. Lace, mesh, non-run, and "cut and sewn" lace hosiery, all types.....	13.20	11.90	9.90	6.60
8. Silk combination hosiery, all types.....	8.25	7.40	6.20	4.10
9. Out-sizes.....	(1)	(1)	(1)	(1)

¹ Maximum prices for "out-sizes" shall be the prices stated above with the addition thereto of \$1.10 per dozen.

(c) *Sales by manufacturers.* The maximum prices for which silk hosiery may be sold, delivered, or offered for sale by manufacturers thereof, other than at retail are the prices per dozen, f. o. b., point of shipment, set forth below in Table No. 3:

TABLE NO. 3

Construction	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
A. Circular knit hosiery:				
1. 280 needles and lower, all types.....	\$5.00	\$4.50	\$3.75	\$2.50
2. 300 needles and higher, all types.....	6.00	5.40	4.50	3.00
B. Full fashioned hosiery:				
1. 30 gauge, 6 thread or heavier.....	8.25	7.40	6.20	4.10
2. 42 to 48 gauge, inclusive, 6 thread or heavier.....	9.75	8.75	7.30	4.85
3. 42 gauge and lower, less than 6 thread:				
(a) Silk leg.....	7.50	6.75	5.60	3.75
(b) All silk.....	8.50	7.65	6.35	4.25
4. 45 and 48 gauge, less than 6 thread:				
(a) Silk leg.....	9.00	8.10	6.75	4.50
(b) All silk.....	10.00	9.00	7.50	5.00
5. 51 and 54 gauge, all threads:				
(a) Silk leg.....	10.50	9.45	7.85	5.25
(b) All silk.....	11.75	10.55	8.80	5.85
6. 57 gauge and higher, all threads.....	12.50	11.25	9.35	6.25
7. Lace, mesh, non-run, and "cut and sewn" lace hosiery, all types.....	12.00	10.80	9.00	6.00
8. Silk combination hosiery, all types.....	7.50	6.75	5.60	3.75
9. Out-sizes.....	(1)	(1)	(1)	(1)

¹ Maximum prices for "out-sizes" shall be the prices stated above with the addition thereto of \$1.00 per dozen.

(d) *Explanation of above tables—*(1) *Gauges.* (i) "Gauges" are based upon use of the full 14-inch needle bar within a tolerance of four needles, in accordance with accepted trade practice.

(ii) "42 gauge and lower" include all gauges which are lower than 45 gauge.

(iii) "45 and 48 gauge" include 45 gauge and gauges which are higher than 45 gauges but lower than 51 gauge.

(iv) "51 and 54 gauge" include 51 gauge and gauges which are higher than 51 gauge but lower than 57 gauge.

(2) "All silk" and "silk leg." (i) "All silk" means hosiery knitted entirely of silk yarn, except for foot reinforcement.

(ii) "Silk leg" means hosiery in which the leg is knitted entirely of silk whereas some other portion of the stocking is made of other material.

(3) "Silk combination" hosiery is hosiery made of yarn consisting of one

or more ends of continuous filament silk combined and twisted with cotton or rayon.

(4) "Out-sizes" are extra-wide sizes of silk hosiery manufactured in accordance with accepted trade practice for such extra widths and boarded on out-size forms.

§ 1338.103 *Maximum prices for silk hosiery not specifically priced in § 1338.102.* A seller who seeks a specific maximum price for any type of silk hosiery for which a maximum price is not provided in § 1338.102 shall file with the Office of Price Administration in Washington, D. C., an application setting forth (a) a description in detail of the silk hosiery for which a maximum price is sought; (b) a statement of the facts which differentiate such silk hosiery from the silk hosiery for which maximum

prices are established under § 1338.102 of this regulation; and (c) such other information as may be required by the Office of Price Administration. No person shall sell, deliver, or offer to sell, such hosiery unless he receives specific authorization from the Office of Price Administration.

§ 1338.104 *Less than maximum prices may be charged.* Lower prices than the maximum prices established by this Maximum Price Regulation No. 274 may be charged, demanded, paid or offered.

§ 1338.105 *Information which must be furnished to ultimate consumers—*(a) *By posting.* On and after December 3, 1942, every person who sells or offers for sale silk hosiery at retail shall post in a conspicuous place and in a manner plainly visible to the purchasing public in each department or portion of the premises where silk hosiery is sold or offered for sale, the seller's maximum prices for silk hosiery as established in this regulation, and each type of hosiery shall be clearly identified therein with the same degree of detail as is required in marking such hosiery by § 1338.105 (b).

(b) *By marking.* On and after December 3, 1942, no person shall sell, deliver or offer for sale silk hosiery at retail unless there is firmly attached to each pair of such hosiery a stamp, tag, or other marking, which truthfully and clearly states in writing, identifying information as to the construction and price of the hosiery as follows:

(1) *In the case of full fashioned hosiery.* (i) The words "full fashioned"; (ii) the gauge; (iii) the word "out-size" on all out-sizes; (iv) the words "Ceiling Price" or "Our Ceiling" accompanied by the seller's maximum price under this regulation (for example, Ceiling Price \$1.15); (v) the word "irregulars" on all irregular hosiery, the word "seconds" on all seconds, and the word "thirds" on all thirds; (vi) the number of threads in all hosiery which is less than 51 gauge.

(2) *In the case of circular knit hosiery.* (i) The words "circular knit"; (ii) the needle count; (iii) the word "out-size" on all out-sizes; (iv) the words "Ceiling Price" or "Our Ceiling" accompanied by the seller's maximum price under this regulation, (for example, Ceiling Price 69¢); (v) the word "irregulars" on all irregular hosiery, the word "seconds" on all seconds, and the word "thirds" on all thirds.

(3) *In the case of silk combination hosiery.* (i) The words "full fashioned" or "circular knit"; (ii) the words "Ceiling Price" or "Our Ceiling" accompanied by the seller's maximum price under this regulation (for example, Ceiling Price \$1.00); (iii) fiber content and description in accordance with Trade Practice Rules of the Federal Trade Commission; and (iv) the word "irregulars" on all irregular hosiery, the word "seconds" on all seconds, and the word "thirds" on all thirds.

(4) *Abbreviations permitted.* In marking hosiery pursuant to this paragraph, sellers are permitted to abbreviate the

following words in the forms set forth opposite each respectively:

Full fashioned.....	i.r.
Gauge.....	gg. ¹
Circular knit.....	cir.
Needles.....	ndl.
Out-size.....	o-s.
Irregulars.....	ir.
Seconds.....	2nd
Thirds.....	3rd
Thread.....	Thd.

¹ For example, "45gg."

Abbreviation of required information is not permitted in posting.

§ 1338.106 *Information which must be furnished to purchasers other than ultimate consumers.* (a) Every person who sells silk hosiery to a purchaser other than an ultimate consumer shall, at the time of the delivery thereof, furnish to the purchaser thereof, the following:

(1) Written notification using the following words: "The specific maximum prices at which you may sell silk hosiery have been fixed by Maximum Price Regulation No. 274 issued by the Office of Price Administration on November 27, 1942. No person may sell, deliver, or offer for sale silk hosiery in the course of trade or business at prices higher than the maximum prices established by this regulation", and

(2) The text of § 1338.102 of this regulation, unless they shall have been previously furnished by the seller or his representative.

(b) Every seller shall, within five days after receipt of a written request, furnish any purchaser for resale of silk hosiery with all information with respect to the construction and quality of the hosiery which is pertinent to the marking or posting required by this regulation.

§ 1338.107 *Relation between Maximum Price Regulation No. 274 and the General Maximum Price Regulation.*² The General Maximum Price Regulation shall not apply and this Maximum Price Regulation No. 274 shall apply to sales, deliveries and offers to sell and to deliver silk hosiery. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and each seller must comply with them.

(a) Federal and state taxes (§ 1499.7).

(b) Current records (§ 1499.12).

(c) Sales slips and receipts (§ 1499.14).

(d) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling silk hosiery at wholesale or retail.

§ 1338.108 *Relation of this regulation to other maximum price regulations—*

(a) *Maximum Price Regulation No. 172.*³ Maximum Price Regulation No. 172—Charges of Contractors in Apparel Industry—shall apply, and this Maximum Price Regulation No. 274 shall not apply to transactions for which maximum prices are established by Maximum Price Regulation No. 172.

(b) *Revised Maximum Export Price Regulation.*³ Revised Maximum Export Price Regulation shall apply and this Maximum Price Regulation No. 274 shall not apply to sales and deliveries for which maximum prices are established by Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1338.109 *Evasion.* The provisions of 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 any silk hosiery alone or in connection with any other commodity or by way of commission, service, transportation, or any other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1338.110 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 274 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942 as amended.

§ 1338.111 *Definitions—(a) Definitions incorporated by reference.* Unless the context otherwise requires or unless otherwise specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(b) *Other definitions.* When used in this Maximum Price Regulation No. 274 the following terms shall have the meanings set forth below:

(1) "Manufacturer" means a person who sells, delivers, or offers for sale silk hosiery otherwise than at retail in a form substantially changed from the form in which he bought that silk hosiery or the materials from which it is made.

(2) "Sale at wholesale" means a sale by a person who buys silk hosiery and resells it, in any quantity, in a form substantially unchanged from the form in which he bought that silk hosiery, to any person other than the ultimate consumer.

(3) "Sale at retail" means a sale, in any quantity, to an ultimate consumer.

² 7 F.R. 4882, 6684, 8351, 8948.

³ 7 F.R. 5059, 7242, 8829, 9000.

(4) "Ultimate consumer" means a person (i) who buys silk hosiery for a purpose other than that of reselling it and (ii) who did not sell or offer for sale silk hosiery in any quantity on or after February 5, 1942.

(5) "Silk hosiery" means any women's completely finished, full length hosiery in which (i) the leg or (ii) the leg and some other portion of the stocking in addition to the leg is made in whole or in part of silk yarn, but not including hosiery made of silk and wool.

(6) "Substandard quality" hosiery means any silk hosiery not of first quality. The term "substandard quality" includes:

(i) *Irregulars.* Irregulars are substandard hosiery containing one or more imperfections which are limited to irregularities in dimensions, size, color, knit or weave, without the presence in the hosiery of any obvious mends, runs, tears, or breaks in the fabric, or any substantial damage to the yarn or fabric itself.

(ii) *Seconds.* Seconds are substandard quality hosiery containing defects or imperfections which are not so limited as to constitute the hosiery irregulars and are of such character as to be seconds according to the manufacturer's standards of grading on the effective date of this regulation, and

(iii) *Thirds.* Thirds are substandard quality hosiery containing defects and imperfections which are not so limited as to constitute the hosiery irregulars or seconds and are of such character as to be thirds according to the manufacturer's standards of grading on the effective date of this regulation.

§ 1338.112 *How this regulation may be amended.* 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. 1⁴ issued by the Office of Price Administration.

§ 1338.113 *Geographical applicability of this regulation.* This regulation shall be applicable to the continental United States and to the District of Columbia, but not to the territories and possessions of the United States.

§ 1338.114 *Effective date.* This Maximum Price Regulation No. 274 (§§ 1338.101 to 1338.114, inclusive) shall become effective December 3, 1942.

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12564; Filed, November 27, 1942;
4:17 p. m.]

¹ 7 F.R. 3153, 3330, 3666, 3991, 4339, 4387, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5665, 5775, 5783, 5784, 6007, 6058, 6031, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

⁴ 7 F.R. 8961.

PART 1388—DEFENSE-RENTAL AREAS
 [Designation and Rent Declaration 25, Amendment 8]

DESIGNATION OF 261 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items (92) and (128) listed in the table in § 1388.1201¹ of Designation and Rent Declaration No. 25 are amended to read as follows:

§ 1388.1201 *Designation.* * * *

Name of defense-rental area ¹	In State or States of—	Defense-rental area consists of—
(92) Portland.....	Maine.....	Counties of Androscoggin, Cumberland and York.
(128) Portsmouth.....	New Hampshire.....	Counties of Rockingham and Strafford.

¹ The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

This Amendment No. 8 (§ 1388.1201) shall become effective December 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12549; Filed, November 27, 1942; 3:28 p. m.]

PART 1388—DEFENSE-RENTAL AREA
 [Maximum Rent Regulation 35, Amendment 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraph (7) of paragraph (a) of § 1388.3051 of Maximum Rent Regulation No. 35¹ is amended to read as follows:

§ 1388.3051 *Scope of regulation.*
 (a) * * *

(7) The Portland Defense-Rental Area, consisting of the counties of Androscoggin, Cumberland, and York, in the State of Maine: *Provided, however,* That with respect to that portion of the Portland Defense-Rental Area consisting of the counties of Androscoggin and Cumberland, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean August 1, 1942, and that with respect to the remaining portion of the Portland Defense-Rental Area, consisting of the county of York, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to said remaining portion of the Portland Defense-Rental Area, consisting of the county of York, the words "October 20, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

§ 1388.3064a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.3051 (a)) to Maximum Rent Regulation No. 35 shall become effective December 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12550; Filed, November 27, 1942; 3:28 p. m.]

¹ 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507.

¹ 7 F.R. 5757, 7509.

PART 1388—DEFENSE-RENTAL AREAS
 [Maximum Rent Regulation 36A, Amendment 2]

HOTELS AND ROOMING HOUSES

Subparagraph (7) of paragraph (a) of § 1388.4001 of Maximum Rent Regulation No. 36A¹ is amended to read as follows:

§ 1388.4001 *Scope of regulation.*
 (a) * * *

(7) The Portland Defense-Rental Area, consisting of the Counties of Androscoggin, Cumberland, and York, in the State of Maine: *Provided, however,* That with respect to that portion of the Portland Defense-Rental Area consisting of the counties of Androscoggin and Cumberland, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean August 1, 1942, and that with respect to the remaining portion of the Portland Defense-Rental Area, consisting of the county of York, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to the remaining portion of the Portland Defense-Rental Area, consisting of the county of York, the words "October 19, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

§ 1388.4014a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1388.4001 (a)) to Maximum Rent Regulation No. 36A shall become effective December 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12551; Filed, November 27, 1942; 3:28 p. m.]

¹ 7 F.R. 5761, 7509.

PART 1388—DEFENSE-RENTAL AREAS
 [Maximum Rent Regulation 49, Amendment 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraphs (19) and (20) of paragraph (a) of § 1388.131 of Maximum Rent Regulation No. 49¹ are hereby amended to read as follows:

§ 1388.131 *Scope of regulation.*
 (a) * * *

(19) The Grand Rapids - Muskegon Defense-Rental Area, consisting of the counties of Kent, Muskegon, and Ottawa, in the State of Michigan: *Provided, however,* That with respect to that portion of the Grand Rapids-Muskegon Defense-Rental Area consisting of the county of Muskegon, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Grand Rapids-Muskegon Defense-Rental Area, consisting of the counties of Kent and Ottawa, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to the remaining portion of the Grand Rapids-Muskegon Defense-Rental Area, consisting of the counties of Kent and Ottawa, the words "October 20, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

(20) The Kalamazoo-Battle Creek Defense-Rental Area, consisting of the counties of Calhoun and Kalamazoo, in the State of Michigan: *Provided, however,* That with respect to that portion of the Kalamazoo-Battle Creek Defense-Rental Area consisting of the county of Calhoun, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Kalamazoo-Battle Creek Defense-Rental Area, consisting of the county of Kalamazoo, the words "effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to the remaining portion of the Kalamazoo-Battle Creek Defense-Rental Area, consisting of the county of Kalamazoo, the words "October 20, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

§ 1388.144a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§ 1388.131 (a)) to Maximum Rent Regulation No. 49 shall become effective December 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12559; Filed, November 27, 1942; 3:28 p. m.]

¹ 7 F.R. 7500, 7668.

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 50A,
Amendment 2]

HOTELS AND ROOMING HOUSES

Subparagraphs (19) and (20) of paragraph (a) of § 1388.181 of Maximum Rent Regulation No. 50A¹ are hereby amended to read as follows:

§ 1388.181 *Scope of regulation.*

(a) * * *
(19) The Grand Rapids-Muskegon Defense-Rental Area, consisting of the Counties of Kent, Muskegon, and Ottawa, in the State of Michigan; *Provided, however,* That with respect to that portion of the Grand Rapids-Muskegon Defense-Rental Area consisting of the County of Muskegon, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Grand Rapids-Muskegon Defense-Rental Area, consisting of the Counties of Kent and Ottawa, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to the remaining portion of the Grand Rapids-Muskegon Defense-Rental Area, consisting of the Counties of Kent and Ottawa, the words "October 19, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

(20) The Kalamazoo-Battle Creek Defense-Rental Area, consisting of the Counties of Calhoun and Kalamazoo, in the State of Michigan; *Provided, however,* That with respect to that portion of the Kalamazoo-Battle Creek Defense-Rental Area consisting of the County of Calhoun, the words "the effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean October 1, 1942, and that with respect to the remaining portion of the Kalamazoo-Battle Creek Defense-Rental Area, consisting of the County of Kalamazoo, the words "effective date of this Maximum Rent Regulation" in this Maximum Rent Regulation shall mean December 1, 1942, and also with respect to the remaining portion of the Kalamazoo-Battle Creek Defense-Rental Area, consisting of the County of Kalamazoo, the words "October 19, 1942" in this Maximum Rent Regulation shall mean December 1, 1942.

* * *
§ 1388.194a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§ 1388.181 (a)) to Maximum Rent Regulation No. 5A shall become effective December 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12560; Filed, November 27, 1942;
3:29 p. m.]

¹ 7 F.R. 7505, 7668.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275]

EXTRACTED HONEY

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of "bulk honey", and "packaged honey" by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 275 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

The maximum prices established herein are not below prices which reflect to producers of extracted honey prices for their product equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, with the concurrence of the Secretary of Agriculture, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1¹ issued by the Office of Price Administration, Maximum Price Regulation No. 275 is hereby issued.

Sec.

- 1351.1301 Prohibition against sales of "bulk and packaged honey" above maximum prices.
- 1351.1302 Exempt sales.
- 1351.1303 Maximum prices for sales of "bulk honey" and "packaged honey".
- 1351.1304 Applicability.
- 1351.1305 Less than maximum prices.
- 1351.1306 Customary allowances and discounts.
- 1351.1307 Transfers of business or stock in trade.
- 1351.1308 Export sales.
- 1351.1309 Petitions for amendment.
- 1351.1310 Adjustable pricing.
- 1351.1311 Evasion.
- 1351.1312 Enforcement.
- 1351.1313 Records and reports.
- 1351.1314 Notice of "permitted increase".
- 1351.1315 Geographical applicability.
- 1351.1316 Applicability of certain provisions of the General Maximum Price Regulation.
- 1351.1317 Definitions.
- 1351.1318 Effective date.
- 1351.1319 Appendix A: Maximum prices for "bulk honey" and "packaged honey".

AUTHORITY: §§ 1351.1301 to 1351.1319, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., and E.O. 9250, 7 F.R. 7871.

§ 1351.1301 *Prohibition against sales of "bulk and packaged honey" above*

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

¹ 7 F.R. 8961.

maximum prices. On and after December 3, 1942, regardless of any contract, agreement, lease, or other obligation:

(a) No person shall sell or deliver any "bulk honey" or "packaged honey" at prices higher than the maximum prices set forth in § 1351.1319, Appendix A, of this Maximum Price Regulation No. 275.

(b) No person shall buy or receive any "bulk honey" or "packaged honey" in the course of trade or business at higher prices than the maximum prices set forth in § 1351.1319, Appendix A, of this Maximum Price Regulation No. 275.

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

(d) The provisions of this section shall not be applicable to sales or deliveries of "bulk honey" or "packaged honey" to a purchaser if, prior to December 3, 1942, such honey, bulk or packaged, has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1351.1302 *Exempt sales.* The provisions of this Maximum Price Regulation No. 275 shall not be applicable to sales at wholesale and sales at retail, except (a) that resales of "bulk honey" shall be covered by this regulation; and (b) sales of "packaged honey" direct to the ultimate consumer by the packager thereof shall be covered by this regulation.

§ 1351.1303 *Maximum prices for sales of "bulk honey" and "packaged honey".*

The maximum prices for "bulk honey" and "packaged honey" shall be governed by the provisions of Appendix A, incorporated herein as § 1351.1319.

§ 1351.1304 *Applicability.* The provisions of this Maximum Price Regulation No. 275 supersede the provisions of the General Maximum Price Regulation² with respect to sales and deliveries of "bulk honey" and "packaged honey", for which maximum prices are established by this regulation.

§ 1351.1305 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 275 may be charged, demanded, paid, or offered.

§ 1351.1306 *Customary allowances and discounts.* The maximum prices established by § 1351.1319, Appendix A, shall be reduced to reflect the seller's customary allowances, discounts, and other price differentials.

§ 1351.1307 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any seller are sold or otherwise transferred on or after December 3, 1942, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

§ 1351.1308 *Export sales.* The maximum price at which a person may export "bulk honey" and "packaged honey" shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation³ issued by the Office of Price Administration.

§ 1351.1309 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 275, may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1⁴ issued by the Office of Price Administration.

§ 1351.1310 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1351.1311 *Evasion.* Price limitations set forth in this Maximum Price Regulation No. 275 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 the commodities whose prices are herein regulated alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or other trade understanding, or otherwise.

§ 1351.1312 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 275 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 275 or any price schedule, regulation, or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field or regional offices of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1351.1313 *Records and reports.* Every person who sells "packaged honey" or resells "bulk honey" covered by this Maximum Price Regulation No. 275 shall

(a) 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 which were the basis for computations required by § 1351.1319, Appendix A; (b) within ten days after determining his maximum prices for each kind, flavor, brand, and container type and size of "packaged honey" or "bulk honey" which is resold, execute and file with the Office of Price Administration, Washington, D. C., two copies of Forms No. 1-A, 1-B, 1-C which forms are obtainable at any district, state, field, or regional offices of the Office of Price Administration.

§ 1351.1314 *Notice of "permitted increase"*—(a) *Notice to wholesalers.* In the case of any item of "packaged honey" which is being sold to a wholesaler for the first time after the seller's new maximum price for it has been established under § 1351.1319, Appendix A, the seller shall send the wholesaler (before or at the time of delivery) a written statement which lists for each such item included in the sale, (1) the "base price" charged wholesalers, as computed under subdivision (i) of § 1351.1319 (c) (1), Appendix A, (2) the seller's new maximum price for wholesalers, called the "maximum price", and (3) the amount of difference between the "base price" and the "maximum price", called the "wholesaler's permitted increase". This "wholesaler's permitted increase" may, pursuant to and in accordance with Maximum Price Regulation No. 255 be added to the wholesaler's February ceiling on such item for the purpose of the wholesaler's determining his new maximum price.

(b) *Notice to retailers in shipping cases.* Every seller who sells any item of "packaged honey" to a wholesaler, shall include with the shipping case (or other packaged unit in which the retailer usually purchases the product) a "notice of retailer's permitted increase". This notice must be either pasted or stamped on the outside of each shipping case sold or printed on a slip and enclosed. In the latter case the seller shall place this statement on the outside: "Retailer's notice enclosed."

The seller shall calculate the retailer's permitted increase for the item which he computed for the wholesaler under paragraph (a), where necessary, to the units in which the commodity is usually sold at retail. When making this calculation, the seller shall adjust fractions of ½ cent or more to the next higher cent and fractions under ½ cent to the next lower cent. Except for the proper insertion, the notice of retailer's permitted increase shall read as follows:

NOTICE OF RETAILER'S PERMITTED INCREASE

Your new OPA ceiling price for the enclosed item is your March ceiling for such item plus ----- cents per retail container. OPA requires you to keep this information for examination.

(c) *Notice to direct buying retailers.* In the case of any item of "packaged honey" sold to a direct buying retailer

after the seller's new maximum price for it has been established under § 1351.1319, Appendix A, the seller shall send the direct buying retailer (before or at the time of delivery) a written statement which lists for each such item included in the sale (1) the "base price" charged retailers, as computed under subdivision (i) of § 1351.1319 (c) (1), Appendix A; (2) the seller's new maximum price for direct buying retailers, called the "maximum price", and (3) the amount of difference between the "base price" and the "maximum price", called the "retailer's permitted increase". This "retailer's permitted increase" may, pursuant to and in accordance with Maximum Price Regulation No. 256, be added to the retailer's March ceiling on such item for the purpose of the retailer determining his new maximum price.

§ 1351.1315 *Geographical applicability.* The provisions of this Maximum Price Regulation No. 275 shall be applicable only to the 48 states of the United States and to the District of Columbia.

§ 1351.1316 *Applicability of certain provisions of the General Maximum Price Regulation.* (a) The following sections of General Maximum Price Regulation, the amendments thereto, and Revised Supplementary Regulation Number 4⁵ thereof shall be applicable to every person making sales and deliveries covered by this Maximum Price Regulation No. 275.

- (1) § 1499.4b (Special deals).
- (2) § 1499.14 (Sales slips and receipts).
- (3) § 1499.29 (a) (5) (Developmental contracts).
- (4) § 1499.29 (a) (6) (Secret contracts).
- (5) § 1499.29 (a) (7) (Emergency purchases).

§ 1351.1317 *Definitions.* (a) When used in this Maximum Price Regulation No. 275, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sale at wholesale" means a sale of "packaged honey" by a person who buys and resells it, without substantially changing its form, to any person other than the ultimate consumer, so that a resale of "bulk honey" to whomever made is not a sale at wholesale, and such resales are subject to the provision of this regulation.

(3) "Sale at retail" means a sale to an ultimate consumer other than to an industrial, commercial, institutional, or governmental user.

(b) Unless the context otherwise requires, the definitions of the General Maximum Price Regulation, as amended,

³ 7 F.R. 5059, 7242, 8829, 9000.

⁴ 7 F.R. 8961.

⁵ 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 6793, 7175, 7538, 8021.

and of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other items used herein.

§ 1351.1318 *Effective date.* This Maximum Price Regulation No. 275 (§§ 1351.1301 to 1351.1319, inclusive) shall become effective December 3, 1942.

§ 1351.1319 *Appendix A: Maximum prices for "bulk honey" and "packaged honey"*—(a) *Definitions of terms used herein.* (1) "Honey" means extracted honey which is the nectar and saccharine exudations of plants gathered, modified, and stored in the comb of honey bees and removed from the comb by centrifugal force, gravity, or other means.

(2) "Bulk honey" means honey in a container of a capacity of more than ten pounds.

(3) "Packaged honey" means honey in a container of a capacity of not more than ten pounds.

(4) "U. S. No. 1" means a grade of honey which is (i) fairly clean, (ii) and free from damage caused by turbidity, overheating, fermentation, honeydew, objectionable flavor, odor, or other means, (iii) and well ripened, and (iv) weighing not less than 11 pounds and 12 ounces per gallon of 231 cubic inches t 68° F.

(b) *Maximum prices for "bulk honey."*

(1) The maximum price per pound f. o. b. seller's shipping point for "bulk honey" which is Grade U. S. No. 1 or better shall be 12¢: *Provided,* That where a purchaser furnishes a container in which bulk honey is bought or exchanges a container for that shipped by the seller, the maximum prices herein established for "bulk honey" shall be reduced by ½¢ per pound, and the cost, if any, of transporting the empty container back to the seller shall be paid by the purchaser.

(2) The maximum price per pound f. o. b. seller's shipping point for "bulk honey" which is of a grade less than U. S. No. 1 shall be determined by reducing the maximum price established by this Maximum Price Regulation No. 275 for Grade U. S. No. 1 or better by the customary dollars and cents trade differentials which were in effect during the "base period".

(3) The maximum price per pound, c. i. f. port of entry for honey which is imported from outside of the continental United States shall be determined by reducing the maximum prices established by this Maximum Price Regulation No. 275 for Grade U. S. No. 1 or better by the customary dollars and cents trade differentials which were in effect during the "base period".

(4) The maximum prices established for "bulk honey" by this paragraph (b) shall not be applicable to resales of "bulk honey" made in the performance of a customary distributive function. The maximum prices for such resales shall be governed by the provisions of paragraph (c) below.

(c) *Maximum prices for "packaged honey" when sold to wholesalers, to retailers, and to ultimate consumers.* (1) A seller of "packaged honey" except as provided in § 1351.1302 *Exempt sales* shall determine his maximum f. o. b.

shipping point price to wholesalers, to retailers and to ultimate consumers, for each kind, flavor, brand, container type and size of "packaged honey" by adding his "permitted increase" to 102% of the "base price" for such items.

(i) The "base price" shall be calculated by dividing the total dollars charged f. o. b. shipping point before customary discounts and allowances for each such item during the "base period" of September, October, and November, 1941, by the number of such items sold during this period. When computing his maximum price to wholesalers, a seller shall determine his "base price" on the basis of sales made to wholesalers during the base period; when computing his maximum price to retailers, a seller shall determine his base price on the basis of sales made to retailers during the base period, and when computing his maximum price to ultimate consumers, the seller shall determine his base price on the basis of sales made to ultimate consumers during the base period.

EXAMPLE: A packer seeks the maximum f. o. b. shipping point price for a half pound glass jar of X brand white clover honey, which he wishes to sell to a wholesaler. In determining his "base price" he ascertains that he sold a thousand jars of this particular item to wholesalers (he disregards 500 jars sold to retailers and he disregards one hundred (100) jars sold to the ultimate consumers) during the base period September, October, and November, 1941.

200 jars were sold at 6¢	
(f. o. b.)	\$12.00
800 jars were sold at 7¢	
(f. o. b.)	56.00
<hr/>	
Total 1,000 jars	\$68.00

\$68 ÷ 1,000 jars = 6.8¢ ("base price" for the half pound glass jar of X brand white clover honey.)

(ii) The "permitted increase" for each said item shall be calculated as follows:

Determine the "permitted increase" per pound by adding the following two cost increases per pound under inferior subdivisions (a) and (b).

(a) *Cost increase for honey.* The cost increase per pound for honey shall be the difference between 11.8¢ and the seller's "weighted average cost" per pound for honey purchased during the base period.

The "weighted average cost" means the total dollars f. o. b. beekeepers' shipping point paid for honey purchased during the "base period", divided by the number of pounds of honey purchased during the base period. In computing the "weighted average cost", that quantity of honey which was produced by the seller during the base period shall be deemed to have been purchased by him at a price of 5.6¢ per pound.

EXAMPLE: (continued) the seller of X brand honey purchased 4,000 pounds of honey of the following grades during the "base period" of September, October, and November, 1941:

Grade A—3,000 lbs. @ 5.7¢ (f. o. b. beekeeper)	\$171.00
Grade B—1,000 lbs. at 5¢	50.00
1,000 lbs. at 5.6¢	56.00
<hr/>	
Total, 5,000 lbs.	277.00

\$277 ÷ 5,000 lbs. = 5.54¢ ("weighted average cost" per lb.)

11.8¢ minus 5.54¢ = 6.26¢ (cost increase per pound for honey)

(b) *Cost increase for transportation.* The cost increase per pound for transportation shall be the difference, if any, between the figure obtained by dividing the total pounds of honey produced and purchased during the base period by the total freight dollars paid for honey purchased during the base period, and the figure obtained by dividing the total pounds of honey produced and purchased during the months of June, July, and August, 1942, by the total freight dollars, f. o. b. beekeeper, paid for honey purchased during the months of June, July, and August, 1942.

EXAMPLE: (continued) The seller's freight bill for 4,000 pounds of honey which was shipped into his plant during the base period of September, October, and November, 1941, was \$25.00. This total freight bill of \$25.00 must be divided by 5,000 pounds which is the total number of pounds of honey that he purchased and produced during the base period. The resulting figure is .5¢ per pound.

During June, July, and August, 1942, this seller of X brand clover honey purchased and shipped in 2,000 pounds and produced 500 pounds. His freight bill for the 2,000 pounds of honey shipped in during the period of June, July, and August, 1942, totalled \$15.00. This freight bill of \$15.00 must be divided by 2,500 pounds. The resulting figure is .6¢

.6¢ (freight cost in second period)
 —.5¢ (freight rate cost in first period)

.1¢ per lb. (Amount allowed for increased freight cost.)

(c) The sum of the increased cost per pound obtained under (a) and (b) is the "permitted increase" per pound. To obtain the "permitted increase" for each particular item, multiply the "permitted increase" per pound by the size of the container expressed in pounds.

EXAMPLE: (continued)

6.26¢ (increase per lb. for honey) and
 0.10¢ (increase per lb. for freight)

6.36¢ (Total permitted increase per lb.)

If the item to be priced is a one-half pound jar, the permitted increase on such item is obtained by multiplying 6.36¢ by one-half, which equals 3.18¢, the "permitted increase" for the half-pound jar of X brand white clover honey. Therefore, in accordance with the directions of (c) (1), the maximum price for the one-half pound glass jar of X brand white clover honey would be computed as follows:

102% x 6.8¢ (base price half pound jar) = 6.936¢
 Permitted increase on ½-lb. jar of X brand white clover honey = 3.18

Seller's new maximum price on his ½ lb. jar of X brand white clover honey = 10.116¢

(d) *Calculations.* In calculating maximum prices on a per pound or per item basis in this section, all calculations shall be carried to the third decimal place. Final calculation of the maximum price resulting in a fraction of a cent shall be adjusted to the nearest ¼¢.

EXAMPLE: (continued) The calculations in the preceding paragraph were carried out to the third decimal place. The final calculations of 10.116¢ is adjusted to the nearest ¼ of a cent, which is 10¢.

(e) *Maximum price for honey which is to be resold.* A seller shall determine the maximum shipping point price for "bulk honey" which is to be resold in the same manner as that provided for the seller of "packaged honey": *Provided*, (1) That he must employ his "base period" price and not 102% thereof, and (2) that in computing his "base price", he shall base his computations only upon the resales of bulk honey made during the "base period", to the particular "class of purchaser" for which he is determining his maximum price. The term "class of purchaser" refers to the practice prevailing during the base period of offering certain classes or groups of purchasers different prices on the same honey item.

(f) *Delivered prices.* The delivered price for commodities subject to the provisions of this regulation shall in no case exceed the established maximum f. o. b. price plus the actual transportation charges incurred from the seller's shipping point to the place of destination.

(g) *Maximum prices for items which cannot be priced under above paragraphs.*

(1) If the maximum price for any item of honey subject to the provisions of this regulation cannot be priced under the above, the maximum price for such item shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (i) a detailed description of the kind, flavor, brand, container type and size of the item sought to be priced; and (ii) a statement of facts pointing out why such item cannot be priced under the applicable paragraphs of this section; (iii) a statement showing the seller's maximum prices for the kind, grade, flavor, container type and size of the item most similar to that item for which a maximum price is sought and the "factory door costs" of such most similar items and of the item for which a price is sought. The "factory door cost" shall include all direct and indirect costs and expenses chargeable to the production of the item but shall not include costs or expenses chargeable to administration, selling, advertising, or transportation.

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12557; Filed, November 27, 1942;
3:31 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53, Amendment 20]

FATS AND OILS

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

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

¹⁷ F. R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486.

Section 1351.151 (b) (8) is amended by the addition of subdivision (xiii) as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* * * *
(b) * * *
(8) * * *

(xiii) Where a Chicago processor sells lard flakes to another processor who is to use such lard flakes in the manufacture of war lard and the purchasing processor's maximum selling price on base or standard commercial refined lard, as established under § 1351.151 (b) (8), is lower than the maximum price on base or standard commercial refined lard, as established for the corporate limits of Chicago under § 1351.151 (b) (8), the maximum price on such lard flakes shall be the maximum price on lard flakes, as established for the corporate limits of Chicago under § 1351.151 (b) (8), plus the actual cost of freight from the seller's plant to the buyer's plant. Where the maximum price on lard flakes is computed under this subdivision (xiii) of § 1351.151 (b) (8), the maximum selling price of the purchasing processor on war lard, in whose manufacture such lard flakes are used, shall be the maximum price on war lard, as established for the corporate limits of Chicago under § 1351.151 (b) (8), plus $\frac{1}{8}$ ¢ per pound.

§ 1351.159 *Effective dates of amendments.* * * *

(t) Amendment No. 20 (§ 1351.151 (b) (8) (xiii)) to Revised Price Schedule No. 53 shall become effective December 3, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12563; Filed, November 27, 1942;
4:17 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 184, Amendment 1]

SALES BY CANNERS OF MAINE SARDINES

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

Section 1364.110 (a) (7) is added, and § 1364.111a is added, as set forth below:

§ 1364.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 184 the term: * * *

(7) "Canner" means a person who preserves Maine sardines by processing and hermetically sealing in metal containers: *Provided*, That any person who, during the year prior to March 31, 1942, conducted canning operations and also maintained established local wholesale or retail selling branches, doing business in the same manner as other wholesalers or retailers generally in the localities where such branches were situated, shall

¹⁷ F. R. 5715, 8948.

not be deemed a canner subject to this Maximum Price Regulation No. 184, as to any sales by such branches of the same general character as those they were accustomed to make prior to March 31, 1942.

§ 1364.111a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1364.110 (a) (7) and 1364.111a) to Maximum Price Regulation No. 184 shall become effective December 3, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12568; Filed, November 27, 1942;
3:31 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 57]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas and the portion of a Defense-Rental Area set out in § 1388.581 (a) of this Maximum Rent Regulation No. 57, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, on June 3, 1942, and on July 29, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 57 is hereby issued.

AUTHORITY: §§ 1388.581 to 1388.594, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.581 *Scope of regulation.* (a) This Maximum Rent Regulation No. 57 applies to all housing accommodations within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the designations and rent declarations (§§ 1388.1201 to 1388.1205, 1388.1251 to 1388.1255, 1388.1301 to 1388.1305, and 1388.1321 to 1388.1325, inclusive) issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, on June 3, 1942, and on July 29, 1942, except as provided in paragraph (b) of this section:

(1) The Lanett Defense-Rental Area, consisting of the County of Chambers, in the State of Alabama.

(2) The Tuskegee Defense-Rental Area, consisting of the County of Macon, in the State of Alabama.

(3) The Phoenix-Salt River Valley Defense-Rental Area, consisting of the Counties of Gila and Maricopa, in the State of Arizona.

(4) The Tucson Defense-Rental Area, consisting of the County of Pima, in the State of Arizona.

(5) The Yuma Defense-Rental Area, consisting of the County of Yuma, in the State of Arizona.

(6) The Fort Smith Defense-Rental Area, consisting of the County of Sebastian, in the State of Arkansas.

(7) The Stuttgart Defense-Rental Area, consisting of the Counties of Arkansas and Prairie, in the State of Arkansas.

(8) The Chico Defense-Rental Area, consisting of the County of Butte, in the State of California.

(9) The Lemoore-Hanford Defense-Rental Area, consisting of the County of Kings, in the State of California.

(10) The Merced Defense-Rental Area, consisting of the County of Merced, in the State of California.

(11) The Modesto Defense-Rental Area, consisting of the County of Stanislaus, in the State of California.

(12) The Santa Barbara Defense-Rental Area, consisting of the County of Santa Barbara, in the State of California.

(13) The Visalia-Tulare Defense-Rental Area, consisting of the County of Tulare, in the State of California.

(14) The Leadville Defense-Rental Area, consisting of the Counties of Eagle, Lake, and Summit, in the State of Colorado.

(15) The Dover-Seaford Defense-Rental Area, consisting of the Counties of Kent and Sussex, in the State of Delaware.

(16) The Apalachicola Defense-Rental Area, consisting of the Counties of Franklin and Gulf, in the State of Florida.

(17) The Banana River Defense-Rental Area, consisting of the County of Brevard, in the State of Florida.

(18) The Marianna Defense-Rental Area, consisting of the County of Jackson, in the State of Florida.

(19) The Athens Defense-Rental Area, consisting of the County of Clarke, in the State of Georgia.

(20) The Coeur d'Alene-Rend Orielle Defense-Rental Area, consisting of the Counties of Bonner and Kootenai, in the State of Idaho.

(21) The Decatur, Indiana Defense-Rental Area, consisting of the County of Adams, in the State of Indiana.

(22) The Muncie-Anderson Defense-Rental Area, consisting of the Counties of Delaware, Grant, Howard, and Madison, in the State of Indiana.

(23) The Seymour Defense-Rental Area, consisting of the County of Jackson, in the State of Indiana.

(24) The Cedar Rapids Defense-Rental Area, consisting of the County of Linn, in the State of Iowa.

(25) The Liberal Defense-Rental Area, consisting of the County of Seward, in the State of Kansas.

(26) The Salina Defense-Rental Area, consisting of the Counties of Dickinson, McPherson, Ottawa, and Saline, in the State of Kansas.

(27) The Bangor Defense-Rental Area, consisting of the County of Penobscot, in the State of Maine.

(28) The Presque Isle Defense-Rental Area, consisting of the County of Aroostook, in the State of Maine.

(29) The Port Huron Defense-Rental Area, consisting of the County of St. Clair, in the State of Michigan.

(30) The Centreville Defense-Rental Area, consisting of the Counties of Adams, Amite, Pike, and Wilkinson, in the State of Mississippi; and the Parishes of East Feliciana and West Feliciana, in the State of Louisiana.

(31) The Greenville, Mississippi Defense-Rental Area, consisting of the County of Washington, in the State of Mississippi.

(32) The Jackson, Mississippi Defense-Rental Area, consisting of the Counties of Hinds, Madison, and Rankin, in the State of Mississippi.

(33) The Sedalia Defense-Rental Area, consisting of the Counties of Johnson and Pettis, in the State of Missouri.

(34) The Lincoln Defense - Rental Area, consisting of the County of Lancaster, in the State of Nebraska.

(35) The Omaha Defense - Rental Area, consisting of the Counties of Douglas and Sarpy, in the State of Nebraska; and the County of Pottawattamie, in the State of Iowa.

(36) The Reno Defense-Rental Area, consisting of the County of Washoe, in the State of Nevada.

(37) The Portsmouth Defense-Rental Area, consisting of the Counties of Rockingham and Strafford, in the State of New Hampshire.

(38) The Bridgeton-Millville Defense-Rental Area, consisting of the County of Cumberland, in the State of New Jersey.

(39) The Cape May Defense-Rental Area, consisting of the County of Cape May, in the State of New Jersey.

(40) The Alamogordo Defense-Rental Area, consisting of the County of Otero, in the State of New Mexico.

(41) The Albuquerque Defense-Rental Area, consisting of the County of Bernalillo, in the State of New Mexico.

(42) The Poughkeepsie Defense-Rental Area, consisting of the Counties of Dutchess, Orange, and Ulster, in the State of New York.

(43) The Durham Defense-Rental Area, consisting of the County of Durham, in the State of North Carolina.

(44) The Henderson Defense-Rental Area, consisting of the County of Vance, in the State of North Carolina.

(45) The Laurinburg Defense-Rental Area, consisting of the Counties of Richmond, Robeson, and Scotland, in the State of North Carolina; and the County of Marlboro, in the State of South Carolina.

(46) The Findlay-Fostoria Defense-Rental Area, consisting of the Counties of Hancock and Seneca, in the State of Ohio.

(47) The Mt. Vernon Defense-Rental Area, consisting of the County of Knox, in the State of Ohio.

(48) The Chickasha Defense-Rental Area, consisting of the Counties of Caddo and Grady, in the State of Oklahoma.

(49) The Enid Defense-Rental Area, consisting of the County of Garfield, in the State of Oklahoma.

(50) The Chambersburg Defense-Rental Area, consisting of the County of Franklin, in the State of Pennsylvania.

(51) The Emporium Defense-Rental Area, consisting of the County of Cameron, in the State of Pennsylvania.

(52) The Milton Defense-Rental Area, consisting of the Counties of Montour, Northumberland, Snyder, and Union, in the State of Pennsylvania.

(53) That portion of the Scranton-Wilkes Barre Defense-Rental Area, consisting of the County of Columbia, in the State of Pennsylvania.

(54) The Sumter Defense-Rental Area, consisting of the County of Sumter, in the State of North Carolina.

(55) The Copperhill-McCaysville Defense-Rental Area, consisting of the County of Polk, in the State of Tennessee; and the County of Fannin, in the State of Georgia.

(56) The Dyersburg Defense-Rental Area, consisting of the Counties of Crockett, Dyer, and Lauderdale, in the State of Tennessee.

(57) The Murfreesboro Defense-Rental Area, consisting of the County of Rutherford, in the State of Tennessee.

(58) The Nashville Defense-Rental Area, consisting of the County of Davidson, in the State of Tennessee.

(59) The Austin Defense-Rental Area, consisting of the Counties of Hays, Travis, and Williamson, in the State of Texas.

(60) The Big Spring Defense-Rental Area, consisting of the County of Howard, in the State of Texas.

(61) The Bonham Defense-Rental Area, consisting of the County of Fannin, in the State of Texas.

(62) The Childress Defense-Rental Area, consisting of the County of Childress, in the State of Texas.

(63) The Daingerfield Defense-Rental Area, consisting of the Counties of Camp, Cass, Morris, Red River, and Titus, in the State of Texas.

(64) The Victoria Defense-Rental Area, consisting of the County of Victoria, in the State of Texas.

(65) The Richmond, Virginia Defense-Rental Area, consisting of the Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian, in the State of Virginia.

(66) The Island County Defense-Rental Area, consisting of the County of Island, in the State of Washington.

(67) The Charleston, West Virginia Defense-Rental Area, consisting of the County of Kanawha, in the State of West Virginia.

(68) The Oshkosh-Fond du Lac Defense-Rental Area, consisting of the Counties of Fond du Lac and Winnebago, in the State of Wisconsin.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or others employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(4) Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however*, That this Maximum Rent Regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.582 *Prohibition against higher than maximum rents.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on

and after the effective date of this Maximum Rent Regulation No. 57 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) Notwithstanding any other provision of this Maximum Rent Regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the Area Rent Office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within 5 days after the filing of such report, upon the expiration of such 5-day period.

(c) Where a lease of housing accommodations was entered into prior to the effective date of this Maximum Rent Regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this Maximum Rent Regulation, may be authorized to receive payments made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the Area Rent Office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of this Maximum Rent Regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this Maximum Rent Regulation: *Provided, however*, That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of § 1388.586 of this Maximum Rent Regulation. Nothing in this paragraph shall be construed to authorize the land-

lord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of this Maximum Rent Regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

§ 1388.583 *Minimum services, furniture, furnishings and equipment.* Except as set forth in § 1388.585 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however*, That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.584 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.585) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on March 1, 1942 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 57, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.585 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4)

housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.585 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in § 1388.587. The Administrator may order a decrease in the maximum rent as provided in § 1388.585 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942, or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.585 (c).

(h) For housing accommodations rented to either Army or Navy personnel, including civilian employes of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation.

§ 1388.585 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Admin-

istrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 57 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942 was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) The rent on the date determining the maximum rent was materially af-

ected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) (1) If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than the minimum services required by § 1388.583, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by § 1388.583, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appro-

private adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.585 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this Maximum Rent Regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of this Maximum Rent Regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraph (c), (d), (e), or (g), of § 1388.584 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 1388.583 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different

maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, the Administrator may enter an interim order increasing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order upon such petition. The receipt by the landlord of any increased rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a

part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations not subject to an option to buy on March 1, 1942.

§ 1388.586 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation, or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination

the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of this Maximum Rent Regulation, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) (1) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 57 and would not be likely to result in the circumvention or evasion thereof.

(2) Removal or eviction of a tenant for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this Maximum Rent Regulation, is inconsistent with the purposes of the Act and this Maximum Rent Regulation and would be likely to result in the circumvention or evasion thereof, unless (1) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 33 $\frac{1}{3}$ % or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate. In no other

case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of this Maximum Rent Regulation, unless he finds that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or unless he finds that other special hardship would result; under such circumstances the payment by the purchaser of 33 $\frac{1}{3}$ % of the purchase price shall not be a condition to the issuance of a certificate, and the certificate shall authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(d) (1) Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the Area Rent Office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the Area Rent Office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the Area Rent Office stating the title of the case, the

number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.587 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation No. 57 for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

The foregoing provisions of this section shall not apply to housing accommodations under § 1388.584 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

§ 1388.588 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.589 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 57 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.590 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation 57 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.591 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 57 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).¹

§ 1388.592 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 57 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.593 *Definitions.* (a) When used in this Maximum Rent Regulation No. 57:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

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

§ 1388.594 *Effective date of the regulation.* This Maximum Rent Regulation No. 57 (§§ 1388.581 to 1388.594, inclusive) shall become effective December 1, 1942.

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12561; Filed, November 27, 1942;
3:29 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 58A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within

each of the Defense-Rental Areas and the portion of a Defense-Rental Area set out in § 1388.631 (a) of this Maximum Rent Regulation No. 58A, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, on June 3, 1942, and on July 29, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or portion of a Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area or portion of a Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 58A is hereby issued.

AUTHORITY: §§ 1388.631 to 1388.644, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.631 *Scope of regulation.* (a) This Maximum Rent Regulation No. 58A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas and the following portion of a Defense-Rental Area (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1201 to 1388.1205, 1388.1251 to 1388.1255, 1388.1301 to 1388.1305, and 1388.1321 to 1388.1325, inclusive) issued by the Administrator on April 28, 1942, as amended, on May 26, 1942, on June 3, 1942, and on July 29, 1942, except as provided in paragraph (b) of this section:

(1) The Lanett Defense-Rental Area, consisting of the County of Chambers, in the State of Alabama.

(2) The Tuskegee Defense-Rental Area, consisting of the County of Macon, in the State of Alabama.

(3) The Phoenix-Salt River Valley Defense-Rental Area, consisting of the Counties of Gila and Maricopa, in the State of Arizona.

(4) The Tucson Defense-Rental Area, consisting of the County of Pima, in the State of Arizona.

¹ 7 F.R. 3936, 3991, 6081, 7149.

(5) The Yuma Defense-Rental Area, consisting of the County of Yuma, in the State of Arizona.

(6) The Fort Smith Defense-Rental Area, consisting of the County of Sebastian, in the State of Arkansas.

(7) The Stuttgart Defense-Rental Area, consisting of the Counties of Arkansas and Prairie, in the State of Arkansas.

(8) The Chico Defense-Rental Area, consisting of the County of Butte, in the State of California.

(9) The Lemoore-Hanford Defense-Rental Area, consisting of the County of Kings, in the State of California.

(10) The Merced Defense-Rental Area, consisting of the County of Merced, in the State of California.

(11) The Modesto Defense-Rental Area, consisting of the County of Stanislaus, in the State of California.

(12) The Santa Barbara Defense-Rental Area, consisting of the County of Santa Barbara, in the State of California.

(13) The Visalia-Tulare Defense-Rental Area, consisting of the County of Tulare, in the State of California.

(14) The Leadville Defense-Rental Area, consisting of the Counties of Eagle, Lake, and Summit, in the State of Colorado.

(15) The Dover-Seaford Defense-Rental Area, consisting of the Counties of Kent and Sussex, in the State of Delaware.

(16) The Apalachicola Defense-Rental Area, consisting of the Counties of Franklin and Gulf, in the State of Florida.

(17) The Banana River Defense-Rental Area, consisting of the County of Brevard, in the State of Florida.

(18) The Marianna Defense-Rental Area, consisting of the County of Jackson, in the State of Florida.

(19) The Athens Defense-Rental Area, consisting of the County of Clarke, in the State of Georgia.

(20) The Coeur d'Alene-Pend Orielle Defense-Rental Area, consisting of the Counties of Bonner and Kootenai, in the State of Idaho.

(21) The Decatur, Indiana Defense-Rental Area, consisting of the County of Adams, in the State of Indiana.

(22) The Muncie-Anderson Defense-Rental Area, consisting of the Counties of Delaware, Grant, Howard, and Madison, in the State of Indiana.

(23) The Seymour Defense-Rental Area, consisting of the County of Jackson, in the State of Indiana.

(24) The Cedar Rapids Defense-Rental Area, consisting of the County of Linn, in the State of Iowa.

(25) The Liberal Defense-Rental Area, consisting of the County of Seward, in the State of Kansas.

(26) The Salina Defense-Rental Area, consisting of the Counties of Dickinson, McPherson, Ottawa, and Saline, in the State of Kansas.

(27) The Bangor Defense-Rental Area, consisting of the County of Penobscot, in the State of Maine.

(28) The Presque Isle Defense-Rental Area, consisting of the County of Aroostook, in the State of Maine.

(29) The Port Huron Defense-Rental Area, consisting of the County of St. Clair, in the State of Michigan.

(30) The Centreville Defense-Rental Area, consisting of the Counties of Adams, Amite, Pike, and Wilkinson, in the State of Mississippi; and the Parishes of East Feliciana and West Feliciana, in the State of Louisiana.

(31) The Greenville, Mississippi Defense-Rental Area, consisting of the County of Washington, in the State of Mississippi.

(32) The Jackson, Mississippi Defense-Rental Area, consisting of the Counties of Hinds, Madison, and Rankin, in the State of Mississippi.

(33) The Sedalia Defense-Rental Area, consisting of the Counties of Johnson and Pettis, in the State of Missouri.

(34) The Lincoln Defense-Rental Area, consisting of the County of Lancaster, in the State of Nebraska.

(35) The Omaha Defense-Rental Area, consisting of the Counties of Douglas and Sarpy, in the State of Nebraska; and the County of Pottawattamie, in the State of Iowa.

(36) The Reno Defense-Rental Area, consisting of the County of Washoe, in the State of Nevada.

(37) The Portsmouth Defense-Rental Area, consisting of the Counties of Rockingham and Strafford, in the State of New Hampshire.

(38) The Bridgeton-Millville Defense-Rental Area, consisting of the County of Cumberland, in the State of New Jersey.

(39) The Cape May Defense-Rental Area, consisting of the County of Cape May, in the State of New Jersey.

(40) The Alamogordo Defense-Rental Area, consisting of the County of Otero, in the State of New Mexico.

(41) The Albuquerque Defense-Rental Area, consisting of the County of Bernalillo, in the State of New Mexico.

(42) The Poughkeepsie Defense-Rental Area, consisting of the Counties of Dutchess, Orange, and Ulster, in the State of New York.

(43) The Durham Defense-Rental Area, consisting of the County of Durham, in the State of North Carolina.

(44) The Henderson Defense-Rental Area, consisting of the County of Vance, in the State of North Carolina.

(45) The Laurinburg Defense-Rental Area, consisting of the Counties of Richmond, Robeson, and Scotland, in the State of North Carolina; and the County of Marlboro, in the State of South Carolina.

(46) The Findlay-Fostoria Defense-Rental Area, consisting of the Counties of Hancock and Seneca, in the State of Ohio.

(47) The Mt. Vernon Defense-Rental Area, consisting of the County of Knox, in the State of Ohio.

(48) The Chickasha Defense-Rental Area, consisting of the Counties of Caddo and Grady, in the State of Oklahoma.

(49) The Enid Defense-Rental Area, consisting of the County of Garfield, in the State of Oklahoma.

(50) The Chambersburg Defense-Rental Area, consisting of the County of Franklin, in the State of Pennsylvania.

(51) The Emporium Defense-Rental Area, consisting of the County of Cameron, in the State of Pennsylvania.

(52) The Milton Defense-Rental Area, consisting of the Counties of Montour, Northumberland, Snyder, and Union, in the State of Pennsylvania.

(53) That portion of the Scranton-Wilkes Barre Defense-Rental Area consisting of the County of Columbia, in the State of Pennsylvania.

(54) The Sumter Defense-Rental Area, consisting of the County of Sumter, in the State of South Carolina.

(55) The Copperhill-McCaysville Defense-Rental Area, consisting of the County of Polk, in the State of Tennessee; and the County of Fannin, in the State of Georgia.

(56) The Dyersburg Defense-Rental Area, consisting of the Counties of Crockett, Dyer, and Lauderdale, in the State of Tennessee.

(57) The Murfreesboro Defense-Rental Area, consisting of the County of Rutherford, in the State of Tennessee.

(58) The Nashville Defense-Rental Area, consisting of the County of Davidson, in the State of Tennessee.

(59) The Austin Defense-Rental Area, consisting of the Counties of Hays, Travis, and Williamson, in the State of Texas.

(60) The Big Spring Defense-Rental Area, consisting of the County of Howard, in the State of Texas.

(61) The Bonham Defense-Rental Area, consisting of the County of Fannin, in the State of Texas.

(62) The Childress Defense-Rental Area, consisting of the County of Childress, in the State of Texas.

(63) The Daingerfield Defense-Rental Area, consisting of the Counties of Camp, Cass, Morris, Red River, and Titus, in the State of Texas.

(64) The Victoria Defense-Rental Area, consisting of the County of Victoria, in the State of Texas.

(65) The Richmond, Virginia, Defense-Rental Area, consisting of the Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian, in the State of Virginia.

(66) The Island County Defense-Rental Area, consisting of the County of Island, in the State of Washington.

(67) The Charleston, West Virginia, Defense-Rental Area, consisting of the County of Kanawha, in the State of West Virginia.

(68) The Oshkosh-Fond du Lac Defense-Rental Area, consisting of the Counties of Fond du Lac and Winnebago, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 58A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for

a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of this Maximum Rent Regulation for Housing Accommodations Other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations Other than Hotels and Rooming Houses all housing accommodations previously brought under the Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Ac-

commodations Other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations Other than Hotels and Rooming Houses.

§ 1388.632 *Prohibition.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 58A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.633 *Minimum services, furniture, furnishings and equipment.* Except as set forth in § 1388.635 (b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regula-

tion or order of the United States or any agency thereof which rations or limits the use of fuel oil.

§ 1388.634 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.635) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after March 1, 1942, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such rooms: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.635 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportion-

ment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

(f) For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established on the effective date of this Maximum Rent Regulation by such rent schedule. The Administrator may order an increase in such rents, if he finds that such increase is not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 58A.

§ 1388.635 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942, the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replace-

ment and maintenance, and the rent during the thirty-day period ending on March 1, 1942, was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, for a term commencing on or prior to March 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) (1) If, on the effective date of this Maximum Rent Regulation 58A, the services provided for a room are less than the minimum services required by § 1388.633, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with a room are less than the minimum required by § 1388.633, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) Except as above provided, the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of § 1388.635 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of this Maximum Rent Regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of this Maximum Rent Regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 1388.633 since the date or order determining the maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.636 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 58A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

(3) Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.637 *Registration and records.*

(a) Within 45 days after the effective date of this Maximum Rent Regulation No. 58A every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.634 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under § 1388.634 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (1) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room and (2) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under § 1388.634 (c).

Every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

§ 1388.638 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

§ 1388.639 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 58A shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.640 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation 58A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.641 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation 58A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).¹

¹ 7 F.R. 3936, 3991, 6081, 7149.

§ 1388.642 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation 58A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.-201 to 1300.247, inclusive).

§ 1388.643 *Definitions.* (a) When used in this Maximum Rent Regulation No. 58A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit,

or gratuity demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

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

§ 1388.644 *Effective date of the regulation.* This Maximum Rent Regulation No. 58A (§§ 1388.631 to 1388.644, inclusive) shall become effective December 1, 1942.

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12562; Filed, November 27, 1942; 3:29 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118¹, Amendment 14]

COTTON PRODUCTS

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

Revoked: § 1400.118 (d) (14) (iii) (c).

Amended: In § 1400.118 (d) (27) (ix) (j), Reference No. 532 is amended to read "K-H" under the column headed "Type" and "\$2.935" and "\$1.6175" for pairs and singles respectively under the column headed "Base Maximum Price."

Added: In § 1400.101 (f), a comma and the words "cutting or fabrication" are inserted after the word "production"; in § 1400.104 the words "Except as specific maximum prices for sales by persons other than producers may be provided in section 1400.118," are inserted at the beginning of the section; § 1400.118 (d) (8) (iii) (e); and § 1400.118 (d) (31).

§ 1400.118 *Specific and formula maximum prices for certain cotton products: construction reports.* * * *

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

¹ 7 F. R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484, 7451, 8217, 8941, 9002, 8948.

(d) * * *

(8) *Ducks (in the grey).* * * *

(iii) *Single-filling ounce duck (flat duck).* * * *

(e) *Sales of gem ducks by wholesalers and jobbers.* Notwithstanding the provisions of §1400.104(a), the maximum prices f. o. b. point of shipment, for sales of gem ducks by persons other than manufacturers shall be:

	<i>Cents per yd.</i>
8 oz.....	22
9 oz.....	25

(31) *Cotton seamless bags.* (i) The maximum price for cotton seamless bags, 20" x 45", weighing one pound, two-bushel capacity, shall be as follows:

	<i>Carload lots: Cents per bag</i>
Bemis Bro. Bag Co.....	36½
Fulton Bag & Cotton Mills.....	36½
Dana Warp Mills.....	33½
Royal River Mills, Inc.....	35¾
Cincinnati Bag Co.....	35¾

For any cotton seamless bag of a size other than that set forth above, the maximum price for each seller, for carload lots, shall be a price bearing the same percentage relationship to the above price as existed between the offering prices for the respective bags during March, 1942.

Terms of sale:

Bemis Bro. Bag Co.—Same terms as were offered to purchasers during March, 1942.

Fulton Bag & Cotton Mills—Same terms as were offered to purchasers during March, 1942.

Dana Warp Mills—Net 10 days, f. o. b. mill.

Royal River Mills, Inc.—Net 10 days, f. o. b. mill.

Cincinnati Bag Co.—Net 10 days, f. o. b. mill.

Differentials for less than carload lots: On sales of less than carload lots, each seller may add to the above maximum price the differential (in cents per bag) which he offered to purchasers during March, 1942.

§ 1400.117 *Effective dates of amendments.* * * *

(n) Amendment No. 14 (§§ 1400.101 (f), 1400.104, 1400.113 (d) (8) (iii) (e), (d) (14) (iii) (c), (d) (27) (ix) (j) Reference No. 532, (d) (31)) to Maximum Price Regulation No. 118 shall become effective December 3, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12552; Filed, November 27, 1942; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 154 Under § 1499.3 (b) of GMPR]

BEEBE BROTHERS RUBBER COMPANY

On October 20, 1942, Beebe Brothers Rubber Company of Nashua, New Hampshire, filed application with the Office of Price Administration seeking specific authorization pursuant to § 1499.3 (b) of the General Maximum Price Regulation to determine the maximum price for rub-

ber heels, other than those sold in the shoe repair trade, and for instructions as to the method to be used in determining such price. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as Amended, and Executive Order No. 9250, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.1170 *Authorization for Beebe Brothers Rubber Company to determine maximum prices for rubber heels, other than those sold in the shoe repair trade, produced after August 15, 1942.* (a) The maximum prices which may be charged for rubber heels, other than those sold in the shoe repair trade, produced after August 15, 1942, by the Beebe Brothers Rubber Company, hereinafter called the "manufacturer", shall be: The maximum price of a rubber heel of the same type, brand, size and thickness, which was delivered or offered for delivery by the manufacturer in March 1942, adjusted by adding or subtracting the increase or decrease in direct costs resulting from the changes in the physical properties of that rubber heel due to the use of a different grade of reclaimed rubber. The direct costs for the rubber heel made of the new compound and the rubber heel made of the old compound shall be determined as follows:

(1) The direct costs shall be the sum total of direct labor and direct materials costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the article by the wage rates determined in accordance with subdivision (i) of this subparagraph (1). The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the article by the materials prices determined in accordance with subdivision (ii) of this subparagraph (1).

(i) The wage rates applicable to the article shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the commodity. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(ii) The price of any materials used in the article being priced shall be the highest price charged during March, 1942 (as defined in subdivision (iii) of this subparagraph (1)) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price

shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (a) his March, 1942, supplier of the material, or (b) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists; it shall be his potential supplier. For the purposes of this subdivision (ii), if the manufacturer shall receive a written affirmation from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the affirmation, and if, as of the time of his determination of the price of an article the maximum price of which is established by this order, the manufacturer shall have no reason to believe that the selling price of the material is in excess of the maximum price established by the Office of Price Administration, the price as affirmed by the seller shall be deemed to be the maximum price established by the Office of Price Administration for that material.

(iii) When used in subdivision (ii) of this subparagraph (1), the phrase "highest price charged during March, 1942" means:

(a) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to the same manufacturer in a quantity normal for that manufacturer.

(b) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser.

(c) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer or to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(b) This Order No. 154 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 154 (§ 1499.1170) shall become effective November 28, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12553; Filed, November 27, 1942; 8:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 155 Under § 1499.3 (b) of GMPR]

MARY CHESS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1171 *Approval of maximum prices for sales of Strategy Perfume and Strategy Toilet Water—(a) Sales by Mary Chess, Inc.—(1) Maximum prices.* The maximum prices for sales of Strategy Perfume and Strategy Toilet Water by Mary Chess, Inc., to retail establishments and to consumers are established as set forth below:

	Retail establishments	Consumers
½ ounce knight chessman bottle of Strategy Perfume.....	Each \$6.00	Each \$10.00
¾ dram pawn chessman bottle of Strategy Perfume.....	.90	1.50
6-ounce star-shaped bottle of Strategy Toilet Water.....	8.00	5.00

(2) *Discounts, allowances, and price differentials.* Mary Chess, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of Strategy Perfume all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary discounts or allowances which were in effect in March, 1942, on its sales of White Lilac Perfume.

Mary Chess, Inc., shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of Strategy Toilet Water all quantity differentials, discounts for purchasers of different classes, credit terms, practices relating to the payment of transportation costs, and any other customary discounts or allowances which were in effect in March, 1942, on its sales of White Lilac Toilet Water.

(b) *Sales by retail establishments—(1) Maximum prices.* The maximum prices for sales by any retail establishment of Strategy Perfume and Strategy Toilet Water are established as set forth below:

	Each
½ ounce knight chessman bottle of Strategy Perfume.....	\$10.00
¾ dram pawn chessman bottle of Strategy Perfume.....	1.50
6 ounce star shaped bottle of Strategy Toilet Water.....	5.00

When used in this order the term "retail establishment" means any person who buys the ½ ounce knight chessman bottle of Strategy Perfume, the ¾ dram pawn chessman bottle of Strategy Perfume, or the 6 ounce star shaped bottle of Strategy Toilet Water and resells it, without substantially changing its form, directly to consumers.

(2) *Discounts, allowances, and price differentials.* Any retail establishment making sales of Strategy Perfume shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials,

discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges and other customary discounts and allowances which were in effect in March, 1942, on sales by the retail establishment of White Lilac Perfume or on sales of the perfume most nearly comparable to Strategy Perfume if the retail establishment did not sell White Lilac Perfume in March, 1942.

Any retail establishment making sales of Strategy Toilet Water shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges and other customary discounts or allowances which were in effect in March, 1942, on sales by the retail establishment of White Lilac Toilet Water or on sales of the toilet water most nearly comparable to Strategy Toilet Water if the retail establishment did not sell White Lilac Toilet Water in March, 1942.

(c) *Notification of maximum prices.* Mary Chess, Inc., shall accompany the first delivery of the ½ ounce knight chessman bottle of Strategy Perfume, the first delivery of the ¾ dram pawn chessman bottle of Strategy Perfume, and the first delivery of the 6 ounce star shaped bottle of Strategy Toilet Water to each retail establishment with a notification of the maximum prices for sales by retail establishments which are established by this Order No. 155. Such notification shall be effected by accompanying the first delivery of each type of bottle of Strategy Perfume and Strategy Toilet Water to each retail establishment with a copy of this Order No. 155.

(d) *Definitions.* When used in this order the term:

(1) "½ ounce knight chessman bottle of Strategy Perfume" means a ½ ounce glass bottle of perfume, Strategy fragrance, with a specially designed ground glass stopper simulating a knight of chess, mounted in a yellow satin rayon presentation box of stage design, manufactured and distributed by Mary Chess, Inc., under the name of Strategy Perfume.

(2) "¾ dram pawn chessman bottle of Strategy Perfume" means a ¾ dram glass bottle of perfume, Strategy fragrance, with a metal ball screw top simulating a pawn of chess, manufactured and distributed by Mary Chess, Inc., under the name of Strategy Perfume.

(3) "6 ounce star shaped bottle of Strategy Toilet Water" means a 6 fluid ounce five-pointed star shaped glass bottle of toilet water, Strategy fragrance, with a ground glass stopper, mounted in a special carton, manufactured and distributed by Mary Chess, Inc., under the name of Strategy Toilet Water.

(4) "White Lilac Perfume" means a ¾ dram glass bottle of perfume, White Lilac fragrance, with a metal ball screw top simulating a pawn of chess, manufactured and distributed by Mary Chess, Inc., under the name of White Lilac Perfume.

(5) "White Lilac Toilet Water" means a 6 fluid ounce five-pointed star shaped glass bottle of toilet water, White Lilac fragrance, with a ground glass stopper mounted in a special carton, manufactured and distributed by Mary Chess, Inc., under the name of White Lilac Toilet Water.

(e) This Order No. 155 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 155 (§ 1499.1171) shall become effective November 28, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12554; Filed, November 27, 1942;
3:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 156 Under § 1499.3 (b) of GMPR]

SMARTSTYL SHOE COMPANY

Smartstyl Shoe Company, Mayville, Wisconsin, made application pursuant to § 1499.3 (b) of the General Maximum Price Regulation for an authorization to determine maximum prices for a growing girls' shoe with a crepe sole. Due consideration has been given to the application and it appears that the new shoe cannot be priced by the seller under § 1499.2 of the General Maximum Price Regulation. For the reasons set forth in an opinion in support of this order, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1172 *Approval of method of determining a maximum price of a growing girls' Goodyear Welt oxford with a crepe sole for Smartstyl Shoe Company, Mayville, Wisconsin.* (a) Smartstyl Shoe Company is hereby authorized to determine the maximum price for a new style of growing girls' shoe with a crepe sole in the following manner:

(1) From the same general classification as the new shoe it shall select as a base shoe a shoe which has the March 1942 total direct labor and material cost nearest to the calculated March 1942 total direct labor and material cost of the new shoe, which has a price established under § 1499.2 of the General Maximum Price Regulation, and of which a substantial number of units was delivered in March 1942. If there is no shoe of the same general classification, it shall select as a base shoe the shoe which is in the March 1942 total material and direct labor cost range nearest to the calculated March 1942 total material and direct labor cost of the new shoe, and of which it delivered a sub-

stantial number of units during March 1942.

(2) It shall divide the maximum price for the base shoe by the total March 1942 material and direct labor cost thereof;

(3) It shall multiply the percentage so obtained by the total material and direct labor cost of the new shoe figured on a March 1942 basis;

(4) It shall then subtract the total March 1942 material and direct labor cost of the base shoe from the maximum selling price thereof; and

(5) Add the total March 1942 material and direct labor cost of the new shoe to the figure so obtained;

(6) The lower of the two results (operation 3 or 5) is the maximum price for the new shoe to a purchaser of the same class as that to which the price of the base shoe applies;

(b) The costs to be used in computing the above mentioned formula are to be compiled by filling out Form GMPR: 6—Report of a Maximum Price for a New Shoe.

(c) All allowances, discounts, trade practices and practices relating to the payment of transportation costs in effect during March 1942, shall apply to the maximum prices determined under paragraph (a).

(d) Within ten days after the maximum selling prices have been determined as herein provided the Smartstyl Shoe Company shall submit an individual report on Form GMPR 6 for each shoe priced under this Order No. 156 to the Office of Price Administration, Washington, D. C.

(e) The maximum selling price as determined pursuant to paragraph (a) shall be subject to adjustment at any time by the Office of Price Administration.

(f) This Order No. 156 may be revoked or amended by the Office of Price Administration at any time;

(g) This Order No. 156 (§ 1499.1172) shall become effective November 28, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12555; Filed, November 27, 1942;
3:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as amended,¹ Amendment 10]

SERVICES

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

In § 1499.108, the text of paragraph (c) is amended and new paragraphs (d),

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

¹ 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343.

(e), and (f) are added as set forth below:

§ 1499.108 *Base-period records and reports.* * * *

(c) If a seller of a service sells any service not the same as or similar to a service sold by him in March 1942, or not priced by the same rate, or pricing method and charges as he regularly used in March 1942, the records required by paragraph (d) of this § 1499.108 shall be preserved for examination by the Office of Price Administration, and a statement identical with that required by paragraph (b) of this § 1499.108 shall be prepared, kept and filed as required by that paragraph.

(d) For all services sold after December 3, 1942, the effective date of Amendment No. 10 to Maximum Price Regulation No. 165 as amended (or sold after the effective date of the amendment which makes the service subject to Maximum Price Regulation No. 165 as amended, if that is later), the seller shall preserve for examination by the Office of Price Administration all records of the same kind as those he has customarily kept which relate to the prices which he charged for such services, the rates, or the pricing method and charges which he used, his offering prices for supply and an appropriate description and identification of those services.

(e) Where a service is made subject to Maximum Price Regulation No. 165 as amended for the first time, the seller must prepare, keep and file the statements required by paragraphs (b) and (c) of this § 1499.108 in accordance with those provisions. But the statements required by paragraphs (b) and (c) of this § 1499.108 need not be prepared nor kept available for inspection before twenty (20) days from the effective date of the amendment covering the service, and need not be filed with the Office of Price Administration before thirty (30) days from the effective date of such amendment.

(f) All statements required by this § 1499.108 must be signed by the seller personally (or if the seller is a partnership, by a partner, or if a corporation or an association, by a duly authorized officer).

§ 1499.121a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§ 1499.108 (c), (d), (e), (f)) to Maximum Price Regulation No. 165 as amended shall become effective December 3, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12565; Filed, November 27, 1942; 4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165,¹ as Amended, Amendment 11]

SERVICES

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

Section 1499.107 is amended to read as set forth below:

§ 1499.107 The provisions of this regulation shall not apply to the services excepted from the General Maximum Price Regulation by Revised Supplementary Regulation No. 4² or Revised Supplementary Regulation No. 11,³ or any amendments thereto, insofar and for such time as such services are excepted by those supplementary regulations.

§ 1499.121a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§ 1499.107) to Maximum Price Regulation No. 165 as amended shall become effective December 3, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12566; Filed, November 27, 1942; 4:17 p. m.]

PART 1305—ADMINISTRATION

[Correction to Supp. Order 24⁴]

PACKAGED CHRISTMAS GIFTS

Reference to § 1305.28 in Supplementary Order 24 is hereby corrected to read § 1305.29.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12607; Filed, November 28, 1942; 12:29 p. m.]

PART 1306—IRON AND STEEL

[RPS 10,⁵ Amendment 3]

PIG IRON

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

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

¹ 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343.

² 7 F.R. 5056, 5089, 5566, 6082, 6426, 6793, 6744, 7175, 7538, 8021.

³ 7 F.R. 6426, 6965, 7604, 7758, 8282, 8481, 8810, 9195.

⁴ 7 F.R. 8825.

⁵ 7 F.R. 1230, 2841, 6474, 8948.

The item "Duluth" in the table of § 1306.56 is amended, and a new paragraph (c) is added to § 1306.59, as set forth below:

§ 1306.56 *Appendix A: Basing point base prices for pig iron (per gross ton—2,240 lbs.); switching charges; certain differentials.*

	No. 2 foundry	Basic	Bessemer	Malleable	Low phosphorus
Duluth.....	24.50	24.00	25.00	24.50

§ 1306.590 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1306.56 and 1306.59 (c)) to Revised Price Schedule No. 10 shall become effective December 4, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12602; Filed, November 28, 1942; 12:34 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 272,¹ Amendment 1]

CAST-IRON BOILERS AND CAST-IRON RADIATION

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

Subparagraphs (a) (1), (b) (1) and the item "Pierce-Butler Radiator Company" in subparagraph (e) (2) of § 1346.268 are amended, and a new § 1346.267a is added, all as set forth below:

§ 1346.268 *Appendix A: Maximum prices for cast-iron boilers and cast-iron radiation—(a) Sales by or purchases from manufacturers—(1) Functional discounts.* The maximum prices for sales by manufacturers or purchases from them shall be ascertained by applying the following discounts to the sheet prices set forth or referred to in paragraphs (d) and (e) below:

	Boilers	Radiation
Sales by manufacturers:		
(i) To jobbers or manufacturers.....	20% and 5%... Sheet prices...	15% and 5%... Sheet prices.
(ii) To others.....		

Provided, That, the maximum prices for manufacturers who maintain jobbing

¹ 7 F.R. 9486.

outlets, as distinguished from manufacturers' warehouses, from which they sell to the trade and perform all of the functions customarily performed by jobbers, shall be, on sales made from such jobbing outlets, governed by the provisions of paragraph (b) below, and shall not exceed the sheet prices set forth or referred to in paragraph (e) below.

There are some exceptions to these discounts with respect to certain manufacturers. These exceptions are set forth in paragraph (e) (2), below.

(b) Sales by or purchases from jobbers—(1) *Listed items.* The maximum prices for sales by jobbers or purchases from them shall be the sheet prices set forth or referred to in paragraphs (d) and (e) of this section: *Provided*, That the maximum prices for sales by jobbers of cast-iron boilers produced by Freed Heater and Manufacturing Company shall be the list prices plus 5%: *And provided further*, That the maximum prices for sales by jobbers of cast-iron boilers produced by Pierce Butler Radiator Corporation shall be the sheet prices of the

particular boilers listed below less the discounts indicated:

Pierce Oil Burning Boilers—No. 01.....	} Successive discounts of 5% and 35%
Pierce Oil Burning Boilers—No. 02.....	
Pierce Oil Fifty Boilers.....	
Pierce Popular Boiler-Burner Unit.....	
Pierce Popular Water Boiler.....	
Pierce Eastwood Oil.....	
Pierce Stoker Boilers—No. A25.....	
Pierce Eastwood.....	
Pierce American.....	
Pierce Gold Seal.....	
Pierce Pebeo.....	

(e) *Sheet prices for cast-iron boilers.* * * *

(2) * * *

Pierce Butler Radiator Corporation

Date of issuance of applicable price sheet..... October 11, 1942
Discounts:

If a wholesaler had a practice during March, 1942 of giving to different classes of purchases allowances, discounts or other price differentials, he is required to reduce his maximum price calculated for any food product by the amount of such allowances, discounts or other price differentials, except as otherwise provided in § 1351.509a. No wholesaler shall change his customary allowances, discounts and price differentials if the change results in a higher net price.

§ 1351.517a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§§ 1351.509a and 1351.510) to Maximum Price Regulation No. 237 shall become effective on December 4, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12604; Filed, November 28, 1942; 12:35 p. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[MPR 277]

SALES BY CANNERS OF MACKEREL

In the judgment of the Price Administrator the prices of canned mackerel have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has ascertained and given due consideration to the prices of canned mackerel prevailing between October 1, 1941 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below the average price of such commodities in the year 1941.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 277 is hereby issued.

AUTHORITY: §§ 1364.601 to 1364.614, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1364.601 *Prohibition against dealing in canned mackerel at prices above the maximum.* On or after December 4, 1942, regardless of any contract, agreement or other obligation, no canner, or agent or other person acting on behalf,

	Shipments to jobbers	All other shipments
Pierce oil burning boilers—No. 01.....	} Successive discounts of 5% and 35% and 20% and 5% off sheet prices	} Successive discounts of 5% and 35% off sheet prices.
Pierce oil burning boilers—No. 02.....		
Pierce oil fifty boilers.....		
Pierce popular boiler-burner unit.....		
Pierce popular water boiler.....		
Pierce eastwood oil.....		
Pierce stoker boilers—No. A25.....		
Pierce eastwood.....		
Pierce American.....		
Pierce gold seal.....		
Pierce pebeo.....		

§ 1346.267a *Effective dates of amendments.* (a) Amendment No. 1 to Maximum Price Regulation No. 272 (§§ 1346.268 (a) (1), 1346.268 (b) (1), 1346.268 (c) (2) and 1346.267a) shall become effective November 28, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12606; Filed, November 28, 1942; 12:35 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237, Amendment 4]

ADJUSTED AND FIXED MARKUP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of Amendment No. 4 to Maximum Price Regulation No. 237 has been issued and filed with the Division of the Federal Register.*

Section 1351.509a is added and § 1351.510 is amended; all to read as set forth below:

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

¹ 7 F.R. 8205, 8427, 8808.

§ 1351.509a *Addition allowed service wholesalers for deliveries outside of a base zone.* (a) A service wholesaler who during March 1942 customarily (1) charged different delivered prices for the same food products because of the areas or zones in which the deliveries were made; and (2) determined his delivered prices for each of these areas or zones by adding to the delivered prices established for retailers situated in some base area or zone, an amount approximately equal to the difference between the average cost of delivery to the retailers in the base area or zone and the average cost of delivery to the retailers in such other areas or zones, may continue to receive such amounts in addition to his maximum prices, but such amounts (hereinafter called zone differentials) must be separately stated on the wholesaler's invoices.

(b) Before using such a zone differential, a service wholesaler must report it to the nearest district office or, in the absence of a district office, to the nearest state office of the Office of Price Administration, together with proof showing its customary use by him during March 1942.

(c) The Office of Price Administration reserves the right to adjust at any time any such zone differential permitted under this section.

§ 1351.510 *Adjustment of maximum prices for different classes of purchasers.*

or under control, of such canner shall sell or deliver any canned mackerel, and no person in the course of trade or business shall buy or receive from a canner any mackerel at prices higher than those set forth in § 1364.612; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of canned mackerel to a purchaser if prior to November 1942, such mackerel has been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1364.602 *Conditional agreement.* No canner of mackerel shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.612 in the event that this Maximum Price Regulation No. 277 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment.

§ 1364.603 *Export sales.* The maximum price at which a person may export canned mackerel shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation⁷ issued by the Office of Price Administration.

§ 1364.604 *Less than maximum prices.* Lower prices than those set forth in § 1364.612 may be charged, demanded, paid, or offered.

§ 1364.605 *Evasion.* The price limitations set forth in Maximum Price Regulation No. 277 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to canned mackerel, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping or packaging of mackerel.

§ 1364.606 *Records and reports.* (a) Every person making a purchase or sale of canned mackerel in the course of trade or business, or otherwise dealing therein, after December 3, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity and a description of the grade or brand, style of pack, and container size of mackerel.

⁷ 7 F.R. 5059, 7242, 8829, 9000.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

§ 1364.607 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 277 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 277 or any price schedule, regulation, or order issued by the Office of Price Administration or of any act or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.608 *Petitions for amendment.* Any person seeking an amendment of any provision of this Regulation No. 277 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1⁸ issued by the Office of Price Administration.

§ 1364.609 *Applicability.* The provisions of this Maximum Price Regulation No. 277 shall be applicable to the forty-eight states of the United States and the District of Columbia.

§ 1364.610 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 277 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1364.611 *Definitions.* (a) When used in this Maximum Price Regulation No. 277 the term:

(1) "Person" includes any individual corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, or other government, or any of its political subdivisions, and any agency of the foregoing: *Provided*, That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Canner" means a person who preserves mackerel by processing and hermetically sealing in metal containers.

(3) "Mackerel" means any fish of the genus "scomber scombus" or of the species "pneumatophorus japonicus diego" or of the species "trachurus symmetricus."

(4) "Tall" can means a can (300 x 307) packed to a net weight of 15 ounces on the West Coast for Pacific mackerel and

⁸ 7 F.R. 8961.

⁷ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6784, 6939, 7093, 7322, 7454, 7759, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

packed to a net weight of 14 ounces on the East Coast for Atlantic mackerel.

(5) "Oval" can means a can 607 x 406 x 108 when the same is packed with Pacific mackerel to a net weight of 15 ounces.

(6) "Price per case" means the price for 48 cans of mackerel packed for shipment in the usual container.

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

§ 1364.612 *Maximum Cannery prices for mackerel.* (a) The prices set forth below are maximum prices per case f. o. b. cars at the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discounts and differentials to purchasers of different classes.

Pacific Mackerel, per case of "talls" or "ovals"----- \$5.00
Atlantic Mackerel, per case of "talls"----- 8.00

(b) For varieties, container sizes, or types and styles of pack of mackerel not listed in paragraph (a) the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

§ 1364.613 *Notification from mackerel cannery to purchasers, and from wholesalers to retailers.* On and after December 4, 1942, cannery and wholesalers of canned mackerel shall supply to each purchaser before or at the time of the first delivery of canned mackerel to such purchaser a written notification as follows:

The OPA has authorized maximum cannery prices on Pacific and Atlantic canned mackerel. Wholesalers and retailers are required to maintain March ceilings on these products except where the provisions of Maximum Price Regulations No. 237 and No. 238 on canned fish may be applied by such wholesalers and retailers. OPA requires that you keep this notice for examination.

§ 1364.614. *Effective date.* This Maximum Price Regulation No. 277 (§§ 1364.601 to 1364.614) shall become effective December 4, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12603; Filed, November 28, 1942; 12:35 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136¹ as Amended, Amendment 59]

ESSICK MANUFACTURING CO.

Amendment No. 59 to Maximum Price Regulation No. 136, as amended—Ma-

¹ 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948.

chines and Parts and Machinery Services.

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

New subparagraph (42) is added to § 1390.25 (c) and new paragraph (hhh) is added to § 1390.31a as set forth below:

§ 1390.25 *Petitions for amendment or adjustment.* * * *

(c) *Amendments.* * * *

(42) *Essick Manufacturing Company.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any portable road roller or auto prime centrifugal pump listed below, manufactured and sold by Essick Manufacturing Company, Los Angeles, California, shall be the net price shown opposite the particular model on the following schedule:

Essick "Economy" Portable Road Roller.....	\$735.00
Essick "Road Hog" Portable Road Roller.....	1,320.00
Essick 3M Auto Prime Centrifugal Pump.....	72.00
Essick 7M Auto Prime Centrifugal Pump.....	130.00
Essick 15M Auto Prime Centrifugal Pump.....	203.00
Essick 30M Auto Prime Centrifugal Pump.....	372.00

§ 1390.31a *Effective dates of amendments.* * * *

(hhh) Amendment No. 59 (§ 1390.25 (c) (42)) to Maximum Regulation No. 136, as amended, shall become effective December 4, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12605; Filed, November 28, 1942; 12:35 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS.
[MPR 183,¹ Amendment 11]

PUERTO RICO

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

Subparagraph (12) is added to paragraph (a) of § 1418.1 and paragraphs (q), (r), (s) and (t) are added to § 1418.14.

§ 1418.1 *Maximum prices.* (a) Maximum prices are established as follows:

(12) On and after December 5, 1942, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy wheat flour, laundry soap or canned

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

¹ 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341.

Vienna sausage, in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; (r), Table XVII; (s), Table XVIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.14 *Tables of maximum prices.* * * *

(q) *Table XVI: Specific maximum prices for wheat flour.*

(1)	Sales to wholesalers	Sales to retailers	Sales at retail
Grade A.....	Price per bale 4/24 1/2 lb. bags \$3.80	Price per bale 4/24 1/2 lb. bags \$4.20	Price per pound \$0.05
Grade A.....	Price per bale 2/149 lb. bags \$3.70	Price per bale 2/149 lb. bags \$4.10	05
Grade A.....	Price per 98 lb. bag \$3.45	Price per 98 lb. bag \$3.85	.05
Grade C.....	Price per bale 4/24 1/2 lb. bags \$3.60	Price per bale 4/24 1/2 lb. bags \$4.00	.05
Grade C.....	Price per bale 2/149 lb. bags \$3.45	Price per bale 2/149 lb. bags \$3.85	.05
Grade C.....	Price per 98 lb. bag \$3.20	Price per 98 lb. bag \$3.60	.05

For sales of different quantities the maximum price shall be proportionately computed.

(2)	Sales to wholesalers or industrial users	Sales by wholesalers
Enriched hard wheat 14% minimum protein.....	Price per 200 lb. bag \$7.35	Price per 200 lb. bag \$7.95
Enriched hard wheat 12% minimum protein.....	7.25	7.85
Enriched hard wheat clear 14 1/2% minimum protein.....	5.90	6.45
Enriched hard wheat clear 12 1/2% protein.....	6.05	6.60
Grade A.....	6.75	7.30

For sales of different quantities the maximum price shall be proportionately computed.

(r) *Table XVII: Specific maximum prices for laundry soap.*

	Sales to wholesalers	Sales to retailers	Sales at retail
Blue Splash....	Case of 20/5 lb. bars \$6.90	Case of 20/5 lb. bars \$7.50	Price per pound \$0.09
Blue Mottle....	6.90	7.50	.09
Blue Splash....	Case of 10/5 lb. bars \$3.45	Case of 10/5 lb. bars \$3.75	.09
Blue Mottle....	3.45	3.75	.09

For sales of different quantities the maximum price shall be proportionately computed.

(s) *Table XVIII: Specific maximum prices for canned Vienna sausage.*

	Sales to wholesalers	Sales to retailers	Sales at retail
Canned Vienna sausage.....	Case of 48 1/4 oz. cans \$3.35	Case of 48 1/4 oz. cans \$3.70	Price per 4 oz. can \$0.10

For sales of different quantities the maximum price shall be proportionately computed.

(t) Every person selling any of the commodities listed in paragraphs (q) to (s), inclusive, of this section, to a retailer on and after December 5, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

§ 1418.13a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1418.1 (12), 1418.14 (q), (r), (s), (t)) to Maximum Price Regulation No. 183 shall become effective December 5, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12609; Filed, November 28, 1942; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 42 to Supp. Reg. 1,¹ GMPR²]

FLUORSPAR ORES

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

A new subparagraph (39) is added to paragraph (a) of § 1499.26 as set forth below.

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

(39) Fluorspar ores.
(e) *Effective dates.* * * *

(43) Amendment No. 42 (§ 1499.26 (a) (39)) to Supplementary Regulation No. 1 shall be effective as of November 23, 1942.

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

Issued this 28th day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12591; Filed, November 28, 1942; 12:33 p. m.]

¹ 7 F.R. 3158, 3486, 3692, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8833, 9082, 9131, 8930, 8833, 9082, 9131, 9616, 9622.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

PART 1499—COMMODITIES AND SERVICES

[Amendment 43 to Supp. Reg. 1¹ to GMPR²]

GILDING METAL CLAD STEEL SCRAP

A statement of the considerations involved in the issuance of this Amendment No. 43 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

In § 1499.26, a new subparagraph (40) is added to paragraph (a) and a new subdivision (xiii) is added to subparagraph (1) of paragraph (d), to read as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.*

(a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

(40) Gilding metal clad steel scrap.

(d) *Definitions.* (1)

(xiii) Gilding metal clad steel scrap means any steel scrap clad with gilding metal, which gilding metal analyzes approximately 90% copper and 10% zinc.

(e) *Effective dates.*

(44) Amendment No. 43 (§ 1499.26 (a) (40) and (d) (1) (xiii)) to Supplementary Regulation No. 1 shall become effective as of November 16, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12592; Filed, November 28, 1942; 12:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 157 Under § 1499.3 (b) of GMPR]

REVLON PRODUCTS CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1173 *Approval of maximum prices for sales of Victory Lipstick—(a) Sales by Revlon Products Corporation.*

(1) *Maximum prices.* The maximum prices for sales by Revlon Products Corporation of the Victory Lipstick to jobbers and to retail establishments are established as set forth below:

	To jobbers	To retail establishments
	(each)	(each)
Victory Lipstick-----	\$0.15	\$0.24

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

¹ 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

(2) *Discounts, allowances, and price differentials.* Revlon Products Corporation shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of the Victory Lipstick all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary discounts or allowances which were in effect in March, 1942, on its sales of the Revlon Plastic Case Lipstick.

(b) *Sales by jobbers—(1) Maximum prices.* The maximum price for sales by jobbers of the Victory Lipstick is established as set forth below:

Victory Lipstick-----\$0.24 each

When used in this order the term "jobber" means any barber and beauty supply jobber or other person who buys the Victory Lipstick and resells it, without substantially changing its form, to retail establishments.

(2) *Discounts, allowances, and price differentials.* Any jobber making sales of the Victory Lipstick shall apply to the maximum price set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March, 1942, on sales by the jobber of the Revlon Plastic Case Lipstick, or on his sales of the lipstick most nearly comparable to the Victory Lipstick if the jobber did not sell the Revlon Plastic Case Lipstick in March, 1942.

(c) *Sales by retail establishments—(1) Maximum prices.* The maximum price for sales by any retail establishment of the Victory Lipstick is established as set forth below:

Victory lipstick----- \$0.40 each

When used in this order the term "retail establishment" means any beauty shop, drug store, department store, or other person who buys the Victory Lipstick and resells it directly to consumers.

(2) *Discounts, allowances, and price differentials.* Any retail establishment making sales of the Victory Lipstick shall apply to the maximum price set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March, 1942, on sales by the retail establishment of the Revlon Plastic Case Lipstick, or the lipstick most nearly comparable to the Victory Lipstick if the retail establishment did not sell the Revlon Plastic Case Lipstick in March, 1942.

(d) *Marking lipstick with retail ceiling price.* Revlon Products Corporation shall mark each Victory Lipstick sold by it with the words "Ceiling Price 40¢." These words shall be printed or stamped in a color contrasting with the label in letters of sufficient size to be clearly

legible to the consumer on the lipstick or on the package in which the Victory Lipstick is customarily sold by the retail establishment to the consumer. No retail establishment shall make sales of the Victory Lipstick unless the lipstick or the package in which the product is sold is marked with the ceiling price as required by this paragraph.

(e) *Notification of maximum prices—*

(1) *By Revlon Products Corporation to direct-buying retail establishments.* On and after November 30, 1942, Revlon Products Corporation shall supply to each retail establishment before or at the time of its first delivery of Victory Lipstick to such retail establishment, a written statement as follows:

The OPA has authorized us to charge 24 cents each for Victory Lipstick subject to all customary discounts and allowances. Your ceiling price is authorized to be 40 cents each for Victory Lipstick. OPA requires that you keep this notice for examination.

(2) *By Revlon Products Corporation to jobbers and to retail establishments via jobbers.* On and after November 30, 1942, Revlon Products Corporation shall supply to each jobber before or at the time of its first delivery of Victory Lipstick and in addition shall include with each shipping unit of such product for a period of three months a written notification. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notification shall read as follows:

The OPA has authorized us to charge 15 cents each for Victory Lipstick subject to all customary discounts and allowances. Jobbers are authorized to establish a ceiling price of 24 cents each for this item subject to all customary discounts and allowances. Retail establishments are authorized to establish a ceiling price of 40 cents each for this item. A copy of this notice is included in every customary shipping unit. If the initial sale to a retail establishment is a spit-case sale, the jobber is required to provide such retail establishment with a copy of this notice. OPA requires that you keep this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "Victory Lipstick" means a cream cosmetic lipstick mass enclosed in a paper cylinder having a device for extruding the cream cosmetic lipstick mass.

(2) "Revlon Plastic Case Lipstick" means a cream cosmetic lipstick mass enclosed in a plastic cylinder having a device for extruding the cream cosmetic lipstick mass.

(g) This Order No. 157 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 157 (§ 1499.1173) shall become effective on November 30, 1942.

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

Issued this 28th day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12596; Filed, November 28, 1942; 12:31 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 158 Under § 1499.3 (b) of GMPR]

GOLDEN COOKIE CO.

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 158—Docket No. GF3-1259.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

§ 1499.1174 *Approval of maximum prices for sales of cookies by Rudolph R. Ellingson, doing business as Golden Cookie Co.* (a) Rudolph R. Ellingson doing business as Golden Cookie Company in Watertown, Massachusetts, may sell and deliver, and any person may buy and receive from said Rudolph R. Ellingson as aforesaid, the following types of cookies:

- Dixie thin.
- Vanilla thin.
- Molasses thin.
- Raisin thin.
- Oatmeal cookies.
- Raisin cake.

in packages having a weight of ten ounces each at prices not exceeding \$1.08 f. o. b. producer's plant per dozen packages sold at wholesale, and \$1.20 f. o. b. producer's plant per dozen packages sold to super-market jobbers; and also the product of Capetown Cookies, packed in boat shaped packages, having a weight of seven ounces per package at prices not exceeding \$1.08 f. o. b. producer's plant per dozen packages sold at wholesale, and \$1.30 f. o. b. producer's plant per dozen packages sold to super-market jobbers.

(b) The maximum prices authorized by this order shall be subject to discounts, allowances, and terms no less favorable than those in effect during March 1942.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 158 (§ 1499.1174) shall become effective November 30, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12608; Filed, November 28, 1942; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 59 Under § 1499.18 (b) of GMPR]

W. P. FULLER AND COMPANY

Amendment No. 1 to Order No. 59 under § 1499.18 (b) of the General Maximum Price Regulation—W. P. Fuller and Company—Docket No. GF3-110.

Section 1499.859 (a) of Order No. 59 under § 1499.18 (b) of the General Maximum Price Regulation is amended by the addition of three undesignated para-

No. 234—9

graphs; paragraph (d) is amended to permit compliance therewith at any time within twenty days from the effective date of this Amendment No. 1; and paragraph (j) is added, all as set forth below:

§ 1499.859 *Adjustment of maximum prices for retailers and dealers buying and selling certain paint and varnish products manufactured by W. P. Fuller and Company, a California corporation, of 301 Mission Street, San Francisco, California.* (a) * * *

To the prices shown in Appendix A, amounts may be added in accordance with the following table:

	Retailers and dealers located in zone 2	Retailers and dealers located in zone 3
Gallons.....	\$0.05	\$0.10
Halves.....	.05	.05
Quarts.....	.02	.03
Pints.....	.01	.02
1/16's.....	.00	.01
1/32's.....	.00	.00

For the purposes of this section, Zone 2 (Valley) shall have the same boundaries as in March 1942 and shall include the cities of Modesto, Eureka, Fresno, Bakersfield, Santa Monica, San Bernardino, Santa Ana, Santa Barbara, California; Portland, Oregon; Tacoma and Seattle, Washington.

Zone 3 (Intermountain) shall have the same boundaries as in March 1942 and shall include the cities of Walla Walla, Yakima and Spokane, Washington; Phoenix and Tucson, Arizona; Butte and Missoula, Montana; Salt Lake City and Ogden, Utah; and Boise, Idaho.

(j) Amendment No. 1 to Order No. 59 under § 1499.18 (b) of the General Maximum Price Regulation shall become effective on November 30, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12594; Filed, November 28, 1942; 12:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 121 Under § 1499.18 (b) of GMPR]

GANDRUD CREAMERY CO.

Order No. 121 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-431P.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1022 *Adjustment of maximum prices for bulk ice cream sold at wholesale by Gandrud Creamery Company of Redwood Falls, Minnesota.* (a) Gandrud Creamery Company of Redwood Falls, Minnesota may sell and deliver at wholesale bulk ice cream at prices not to exceed the following:

	Per gallon
Vanilla and chocolate flavored.....	\$0.85
All other flavors.....	0.95

(b) At least the same cash discounts, allowances, trade practices, price differentials and quantity discounts to different classes of purchasers heretofore maintained by Gandrud Creamery Company shall be continued in force and apply to sales of bulk ice cream at wholesale hereafter.

(c) Gandrud Creamery Company shall mail or cause to be mailed to all persons who purchase bulk ice cream from it for sale at retail a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of bulk ice cream from \$0.80 per gallon for vanilla and chocolate flavored ice cream to \$0.85 per gallon, and from \$0.90 per gallon for other flavors and combinations of flavors to \$0.95 per gallon, subject to at least the same cash discounts, allowances, trade practices, price differentials and quantity discounts to different classes of purchasers which we have heretofore maintained. This amount represents only that part of cost increases which we were unable to absorb, and it was granted to us with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum retail prices for bulk ice cream.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 121 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 121 (§ 1499.1022) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 121 (§ 1499.1022) shall become effective November 30, 1942. (Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12595; Filed, November 28, 1942; 12:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 122 Under § 1499.18 (b) of GMPR]

RUYKHAVER BROTHERS

Order No. 122 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1838.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1023 *Adjustment of maximum price for bulk Glace Pineapple Slices sold by Ruykhaber Brothers of 182 Fifteenth Street, Jersey City, New Jersey.* (a) Ruykhaber Brothers of 182 Fifteenth Street, Jersey City, New Jersey, may sell and deliver and any person may buy and receive from Ruykhaber Brothers bulk Glace Pineapple Slices at prices no higher than 32½ cents per pound f. o. b. New York, Metropolitan area.

(b) Ruykhaver Brothers shall not change their customary allowances, discounts or other price differentials, unless such change shall result in a lower price.

(c) Ruykhaver Brothers before or at the time of each initial sale of bulk Glace Pineapple Slices after the effective date of this order shall notify their purchasers in writing of their new maximum price as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of Glace Pineapple Slices from 28 cents to 32½ cents per pound, f. o. b. New York, Metropolitan area. This amount represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of bulk Glace Pineapple Slices purchased from us.

You are required to keep this notice for examination.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 122 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 122 (§ 1499.1023) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 122 (§ 1499.1023) shall become effective November 30, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12610; Filed, November 28, 1942; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 3 Under § 1499.3 (c) of GMPR]

GENERAL TIRE AND RUBBER CO., ET AL.

For reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.803 *Approval of maximum prices for sales by the General Tire and Rubber Company and other sellers of Saf-T-Blak film, special adhesive cement, Saf-T-Glo emergency signs, Saf-T-Glo markers and guide strips, Saf-T-Glo luminous automobile blackout protectors and Saf-T-Glo luminous arm bands.* (a) The maximum prices for sales to resellers of the products listed below by the General Tire and Rubber Company of Akron, Ohio, shall be the following, f. o. b. Cleveland, Ohio:

Name of product	Maximum price
Saf-T-Blak film No. 501:	
14" x 20" Standard Size..	\$0.12 each.
Any size up to 34½" x 42",	.06 per square
minimum quantity 100	foot plus
square feet of a size.	5% for
	cutting.

Name of product	Maximum price
Special adhesive cement for applying Saf-T-Blak to glass, No. 1069:	
Single gallons.....	3.00 per gallon.
5 gallon lots.....	2.70 per gallon.
Saf-T-Glo luminous emergency signs No. 101-106, inclusive:	
Size 23½" x 27½".....	3.00 each.
Saf-T-Glo luminous markers No. 201-214, inclusive:	
Size 23½" x 6".....	.66 each.
Saf-T-Glo luminous guide strips:	
No. 301:	
Size 1" x 23½".....	.12 each.
No. 302:	
Size 23½" x 27½".....	3.00 each.
No. 303:	
Size 23½" x 6".....	.66 each.
Saf-T-Glo luminous automobile blackout protectors: ¹	
No. 601—8 strips, size 2½" x 9" per set (installation on car, extra).	1.00 per set (dozen lots).
	.90 per set (gross lots).
Saf-T-Glo luminous arm bands No. 701:	
Size 3" x 12" with adjustable string clasp.	3.00 per dozen. 30.00 per gross.

(b) The maximum prices for sales to consumers of the products listed below shall be as follows, f. o. b. seller's actual shipping point:

Name of product	Maximum price
Saf-T-Blak film No. 501:	
14" x 20" Standard Size..	\$0.20 each.
Any size up to 34½" x 42",	0.10 per square
minimum quantity 100	foot plus
square feet of a size.	5% for cutting.

Special adhesive cement for applying Saf-T-Blak to glass No. 1069:	
Single gallons.....	5.00 per gallon.
5 gallon lots.....	4.50 per gallon.

Saf-T-Glo luminous emergency signs No. 101-106, inclusive:	
Size 23½" x 27½".....	5.00 each.
Saf-T-Glo luminous markers No. 201-214, inclusive:	
Size 23½" x 6".....	1.10 each.
Saf-T-Glo luminous guide strips:	
No. 301:	
Size 1" x 23½".....	0.20 each.
No. 302:	
Size 23½" x 27½".....	5.00 each
No. 303:	
Size 23½" x 6".....	1.10 each.

Saf-T-Glo luminous automobile blackout protectors ²	
No. 601—8 strips:	
Size 2½" x 9" per set (installation on car extra).	1.60 per set.
Saf-T-Glo luminous arm bands No. 701:	
Size 3" x 12" with adjustable string clasp.	0.37 each.

(c) Notification of maximum prices. The General Tire and Rubber Company

¹ One pint can of special cement to be furnished to purchaser without additional charge with each 12 sets of Saf-T-Glo luminous automobile blackout protectors.

² One pint can of special cement to be furnished to purchaser without additional charge with each 12 sets of Saf-T-Glo luminous automobile blackout protectors.

of Akron, Ohio, shall accompany the first delivery of each of the above listed products to each purchaser thereof with a notification of the maximum prices authorized by this order for sales to consumers, such notification to include the following statement:

The prices which are shown on this price list are the maximum prices for sales to consumers as approved by the Office of Price Administration. You are not permitted to charge more than these prices.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 3 (§ 1499.803) shall become effective November 30, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12593; Filed, November 28, 1942; 12:32 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 26, Supp. 1]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM PASSENGER TICKET

Section 303.24 *Uniform passenger ticket* of General Order No. 26 is hereby amended as follows:

1. The effective date of November 15, 1942, stated in § 303.24 of such general order is hereby amended to read "December 15, 1942."

2. Paragraph 12 of § 303.24 is amended by adding after the words "refund the fare paid" the words "subject to the provisions of Paragraph 3 hereof."

3. Paragraph 19 of § 303.24 is amended by adding after the words "in baggage rooms" appearing in the fourth sentence thereof the following words "or retained in."

(E.O. 9054, 9244; 7 F.R. 837, 7327.)

[SEAL]

E. S. LAND,
Administrator,

War Shipping Administration.

NOVEMBER 28, 1942.

[F. R. Doc. 42-12619; Filed, November 30, 1942; 9:28 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1942 Dept. Circ. 701]

2½ PERCENT TREASURY BONDS OF 1963-68

NOVEMBER 30, 1942.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second

Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1963-68. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. DESCRIPTION OF BONDS

1. The bonds will be dated December 1, 1942, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on June 15 and December 15, 1943, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1968, but may be redeemed at the option of the United States on and after December 15, 1963, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will not be acceptable to secure deposits of public moneys before December 1, 1952; they will not bear the circulation privilege, and they will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000 and \$100,000. Bonds registered as to principal and interest will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury, except that they may not, before December 1, 1952, be transferred to or be held by commercial banks, which are defined, for this purpose, as banks accepting demand deposits. However, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before December 1, 1952 because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute

part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,¹ *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----" Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,³ properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than 6 months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions and securities dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

² The transfer books are closed from May 16 to June 15, and from November 16 to December 15 (both dates inclusive) in each year.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before December 1, 1942, or on later allotment. One day's accrued interest is \$0.068 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-12636; Filed, November 30, 1942;
11:00 a. m.]

[1942 Dept. Circ. 702]

1¾ PERCENT TREASURY BONDS OF 1948 NOVEMBER 30, 1942.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 1¾ percent Treasury Bonds of 1948. The amount of the offering is not specifically limited, although allotments to commercial banks, which are defined for this purpose as banks accepting demand deposits, for their own account will be limited to \$2,000,000,000, or thereabouts. The books will be open today and until further notice for the receipt of subscriptions from others than commercial banks for their own account, and today, December 1 and December 2 for the receipt of subscriptions from commercial banks for their own account.

II. DESCRIPTION OF BONDS

1. The bonds will be dated December 1, 1942, and will bear interest from that date at the rate of $1\frac{3}{4}$ percent per annum, payable on a semiannual basis on June 15 and December 15, 1943, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15, 1948, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege and will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000 and \$100,000. Bonds registered as to principal and interest will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to December 3, 1942. Banking institutions and securities dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions and securities dealers will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit. All other subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$100,000 from commercial banks, and subscriptions in any amount from all other subscribers, will be allotted in full; subscriptions for

amounts over \$100,000 from commercial banks will be allotted on an equal percentage basis, to be publicly announced. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder to or for the account of others than commercial banks must be made on or before December 1, 1942, or on later allotment. Payment at par and accrued interest to December 11, 1942, for bonds allotted hereunder to commercial banks must be made on that date. One day's accrued interest is \$0.048 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-12637; Filed, November 30, 1942;
11:00 a. m.]

[1942 Dept. Circ. 703]

$\frac{7}{8}$ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES E-1943

NOVEMBER 30, 1942.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated $\frac{7}{8}$ percent Treasury Certificates of Indebtedness of Series E-1943. The amount of the offering is not specifically limited, although allotments to commercial banks, which are defined for this purpose as banks accepting demand deposits, for their own account will be limited to \$2,000,000,000, or thereabouts. The books will be open today and until further notice for the receipt of subscriptions from others than commercial banks for their own account, and on December 16, December 17 and December 18 for the receipt of subscriptions from commercial banks for their own account.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated December 1, 1942, and will bear interest from that date at the rate of $\frac{7}{8}$ percent per annum, payable semiannually on June 1 and December 1, 1943. They will mature December 1, 1943, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with two interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000 and \$100,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to December 19, 1942. Banking institutions and securities dealers generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions and securities dealers will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit. All other subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$100,000 from commercial banks, and subscriptions in any amount from all other subscribers, will be allotted in full; subscriptions for amounts over \$100,000 from commercial banks will be allotted on an equal percentage basis, to be publicly announced. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder to or for the account of others

than commercial banks must be made on or before December 1, 1942, or on later allotment. Payment at par and accrued interest to December 28, 1942, for certificates allotted hereunder to commercial banks must be made on that date. One day's accrued interest is \$0.024 per \$1,000. Any qualified depository will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-12638; Filed, November 30, 1942;
11:00 a. m.]

WAR DEPARTMENT.

MAIL ADDRESS FOR MILITARY PERSONNEL

1. *Previous instructions rescinded.*¹ Section II, Circular 96, War Department, 1942, as amended by section VI, Circular No. 173, and section III, Circular No. 309, War Department, 1942, is rescinded.

2. *Addressing personal mail.* a. All envelopes will show:

(1) Sender's name and address in upper left corner.

(2) Grade, first name in full, middle initial, and last name of person addressed, followed by his Army serial number, if known.

(3) Letter or number of the company or other similar organization to which the addressee is assigned or attached.

(4) Designation of the regiment or separate battalion, if any, to which the company is assigned or attached.

(5) Sufficient space at the left of the address to permit the addition of possible forwarding addresses.

b. Envelopes addressed to men serving within the continental United States will show:

(1) When the addressee is not on maneuvers, post office address of the post, camp, or station preceded by the APO number, if assigned.

(a) Example when mail is received through an APO:

From: John R. Roe,
205 W. State St.,
Boston, Mass.

Pvt. Willard J. Roe (Army serial No.),
Company F,
167th Infantry,
APO 304,
Fort Bragg, N. C.

(b) Example when mail is not received through an APO:

From: Mrs. James L. Doe,
123 Main Street,
Joplin, Mo.

Pvt. Willard J. Roe (Army serial No.),
Battery A,
38th F. A. Bn.,
Fort Lewis, Wash.

(2) When the addressee is on maneuvers, care of postmaster designated by the Post Office Department with the concurrence of the War Department, preceded by APO number, if assigned. Example when mail is sent to personnel on maneuvers:

From: John R. Roe,
205 W. State St.,
Boston, Mass.

Pvt. Willard J. Roe (Army serial No.),
Company F,
167th Infantry,
APO 304, c/o Postmaster,
Leesville, La.

c. Envelopes addressed to men serving outside continental United States will show the APO number, care of the postmaster of the city assigned by the Army Postal Service as a mail address. Example to personnel outside the continental United States:

From: James D. Roe,
1103-29th Ave., S. W.,
Portland, Oreg.

Pvt. Harold F. Roe (Army serial No.),
2nd Bomb Squadron,
104th Bomb Group,
APO 801, c/o Postmaster,
San Francisco, Calif.

d. *Return addresses on personal mail.* Return addresses on personal mail from military personnel will appear in the upper left corner of the envelope and will conform to the forms and conditions prescribed for addressing mail outlined above.

(R.S. 161; 5 U.S.C. 22) [Sec. II, Cir. 369, W.D., November 12, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-12589; Filed, November 28, 1942;
11:56 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. D-15]

LIBERTY FUEL & ICE CO.

ORDER REINSTATING THE REGISTRATION AND NOTICE OF AND ORDER FOR HEARING

In the matter of proceedings to determine if certain registered distributors are bona fide merchants actively, regularly and continuously engaged in the business

of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors; and for the revocation of the registration of distributors who are not so engaged.

The Liberty Fuel & Ice Company, 201 S. E. Third Ave., Portland, Oregon, Registered Distributor No. 5564, having failed to file answer and show cause why its registration as a distributor should not be revoked, as provided by the order to show cause entered herein on February 18, 1942, said registration was revoked on October 2, 1942, in accordance with the provisions of the said order to show cause, and

On November 23, 1942, said registrant having requested permission to file, and having submitted a duly verified answer indicating therein that it is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad carload lots,

It is ordered, That the Registration of the Liberty Fuel & Ice Company, Registration No. 5564, be and the same hereby is reinstated as of October 2, 1942, subject, however, to such order as may hereafter be entered in these proceedings.

It is further ordered, That the matter of the eligibility of the Liberty Fuel & Ice Company for continued registration as a distributor be and it is hereby set for hearing, as part of the hearing scheduled in this Docket for December 7, 1942, for the purpose of receiving evidence with respect to whether or not said Liberty Fuel & Ice Company is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad cargo lots.

Dated: November 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12640; Filed, November 30, 1942;
11:15 a. m.]

[Docket No. D-15]

CONSOLIDATED TERMINAL CORP.

ORDER REINSTATING REGISTRATION AND NOTICE OF AN ORDER FOR HEARING

In the matter of proceedings to determine if certain registered distributors are bona fide merchants actively, regularly and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors; and for the revocation of the registration of distributors who are not so engaged.

The Consolidated Terminal Corporation, 4th and D Streets SW., Washington, D. C., Registered Distributor No. 1799, having failed to file answer and show cause why its registration as a distributor should not be revoked, as provided by the order to show cause entered herein on February 18, 1942, said registration was revoked on October 2, 1942,

¹ 7 F.R. 2762.

in accordance with the provisions of the said order to show cause, and

On October 17, 1942, said registrant having requested permission to file, and having submitted a duly verified answer indicating therein that it is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad carload lots,

It is ordered, That the Registration of the Consolidated Terminal Corporation, Registration No. 1799 be and the same hereby is reinstated as of October 2, 1942, subject, however, to such order as may hereafter be entered in these proceedings.

It is further ordered, That the matter of the eligibility of the Consolidated Terminal Corporation for continued registration as a distributor be and it is hereby set for hearing, as part of the hearing scheduled in this Docket for December 7, 1942, for the purpose of receiving evidence with respect to whether or not said Consolidated Terminal Corporation is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad cargo lots.

Dated: November 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12641; Filed, November 30, 1942;
11:15 a. m.]

[Docket No. D-15]

MONTOUR & NORTHWESTERN COAL CO.

ORDER REINSTATING THE REGISTRATION AND
NOTICE OF AND ORDER FOR HEARING

In the matter of proceedings to determine if certain registered distributors are bona fide merchants actively, regularly and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors; and for the revocation of the registration of distributors who are not so engaged.

The Montour & Northwestern Coal Company, Union Building, Cleveland, Ohio, Registered Distributor No. 6549, having failed to file answer and show cause why its registration as a distributor should not be revoked, as provided by the order to show cause entered herein on February 18, 1942, said registration was revoked on October 2, 1942, in accordance with the provisions of the said order to show cause, and

On November 11, 1942, said registrant having requested permission to file, and having submitted an answer indicating therein that it is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad carload lots,

It is ordered, That the Registration of The Montour & Northwestern Coal Company, Registration No. 6549, be and the same hereby is reinstated as of October 2, 1942, subject, however, to such order

as may hereafter be entered in these proceedings.

It is further ordered, That the matter of the eligibility of The Montour & Northwestern Coal Company for continued registration as a distributor be and it is hereby set for hearing, as part of the hearing scheduled in this Docket for December 7, 1942, for the purpose of receiving evidence with respect to whether or not The Montour & Northwestern Coal Company is actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad cargo lots.

Dated: November 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12642; Filed, November 30, 1942;
11:15 a. m.]

ANDREW BAILE, LTD. ET AL.

APPLICATION FOR REGISTRATION

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
Andrew Baile Limited, Room 74, Sun Life Building, Montreal, Canada	Nov. 18, 1942
Arden Coal Sales, Inc., Fleming- ton, W. Va.	Nov. 12, 1942
Bess-Penn Coal Co., 3813 Greensburg Pike, Pittsburgh, Pa.	Nov. 9, 1942
George's Creek Coal Co., Inc., Cumberland, Md.	Nov. 13, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before December 28, 1942. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: November 28, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12643; Filed, November 30, 1942;
11:15 a. m.]

[Docket No. C-6]

EMERALD COAL AND COKE COMPANY

ORDER POSTPONING HEARING

In the matter of the application of Emerald Coal and Coke Company for approval of a contract for the sale of coal pursuant to Rule 5 of section VI of the Marketing Rules and Regulations.

The protestants and intervenors in the above-entitled matter having moved that the hearing in said matter, heretofore scheduled for December 1, 1942, be postponed until December 14, 1942, and good

cause having been shown why said motion should be granted;

Now, therefore, It is ordered, That the hearing in the above-entitled matter be postponed from December 1, 1942, until 10 o'clock in the forenoon of December 14, 1942, at the place and before the officers heretofore designated.

Dated: November 25, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12645; Filed, November 30, 1942;
11:16 a. m.]

[Docket No. A-1704]

WORDEN COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Worden Coal Co. (P. H. Scanlon) for the establishment of price classifications and minimum prices for coals of the Worden Coal Co. in District No. 10.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 5, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before December 31, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by

amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of the Worden Coal Co. (P. H. Scanlon), a code member, to change the price classifications and increase the minimum prices applicable to the coals produced at the Worden Coal Co. Mine, Mine Index No. 1314; in District No. 10, for truck shipment to the same price classifications and minimum prices applicable to the coals of the Sunset Hill Mine, Mine Index No. 1051, and the Truck Trade Mine, Mine Index No. 1052, in District No. 10, for truck shipments.

Dated: November 25, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12646; Filed, November 30, 1942;
11:16 a. m.]

[Docket No. B-125]

J. T. DANIELS

ORDER POSTPONING HEARING

In the matter of J. T. Daniels, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on December 3, 1942 at 10 a. m. at a hearing room of the Bituminous Coal division at the Cabell County Court House, Huntington, West Virginia; and The Director deeming it advisable that said hearing be postponed:

Now, therefore, it is ordered, That the said hearing in the above-entitled matter be and it hereby is postponed from December 3, 1942 at 10 a. m. at the Cabell County Court House, Huntington, West Virginia, to a place and date to be hereafter designated by appropriate order.

Dated: November 27, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12647; Filed, November 30, 1942;
11:16 a. m.]

[Docket No. B-311]

WERNER BROTHERS

ORDER POSTPONING HEARING

In the matter of Fred J. Werner, also known as Fred Werner, Jr., and William J. Werner, individually and as partners doing business under the name and style of Werner Brothers, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on December 7, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Owensboro, Kentucky; and

The Director deeming it advisable that said hearing be postponed:

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from December 7, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Owensboro, Ken-

tucky, to a place and date to be hereafter designated by appropriate order.

Dated: November 27, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12648; Filed, November 30, 1942;
11:17 a. m.]

[Docket No. A-941]

DISTRICT BOARD NO. 11

MEMORANDUM OPINION AND ORDER GRANTING
TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for the establishment of minimum prices for raw or washed coals which are crushed, pulverized or reduced by any method down to the size dimensions prescribed for Size Groups 13-16, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition, as amended, filed with the Bituminous Coal Division on June 27, 1941, by District Board 11, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of minimum prices in District 11 for lump, double-screened, mine run, modified mine run and mine run resultant coals, either raw or mechanically cleaned, that have been crushed, pulverized, or reduced by any method down to the size dimensions prescribed for Size Groups 13-16, inclusive, or for coals rescreened from such crushed sizes into nut and stoker coals (Size Groups 9, 10, 11, and 12) and resultant carbon (Size Group 15).

Pursuant to orders of the Director and after due notice to all interested persons, a hearing was held in this matter on November 17, and 18, 1941, before a duly designated Examiner of the Division, and the Examiner, on May 1, 1942, submitted his Report, Proposed Findings of Fact, Proposed Conclusions of Law and upon the basis thereof recommended that the relief in this matter be granted. Thereafter, opportunity was afforded to all parties to file exceptions thereto, and on June 22, 1942, petitioner and District Board 4 filed exceptions to the Examiner's Report. On August 15, 1942, the Acting Director issued his Memorandum Opinion and Order Modifying, and Approving and Adopting as Modified, the findings and recommendations of the Examiner.

On October 26, 1942, District Board No. 11, the original petitioner herein, filed a motion for the reopening of and further hearing in this proceeding and for immediate temporary relief pending final decision on the motion. After timely notice to all intervenors, an informal conference was held on the motion on November 4, 1942. Representatives of District Board No. 6, District Board No. 11, and the Bituminous Coal Consumers' Counsel appeared at the conference.

In substance, the motion of District Board No. 11 requests that the relief heretofore granted in this matter by the Order of the Acting Director dated August 15, 1942, be amended and broadened

to accommodate certain preparations of coals produced in District No. 11 for which it is claimed minimum prices have not heretofore been established. The Order of the Acting Director dated August 15, 1942, 7 F.R. 6761, established minimum prices for lump, double-screened, mine run, and modified mine run coals and mine resultants of District No. 11, either raw or mechanically cleaned, which are crushed, pulverized, or reduced by any method, down to the size dimensions prescribed by Size Groups 13, 14, 15, and 16, or coals that are rescreened from such crushed sizes into nut and stoker coals (Size Groups 9, 10, 11, and 12) and resultant carbon (Size Group 15). For the crushed coals reduced to the size dimensions prescribed for Size Groups 13, 14, 15, and 16, prices were established when such crushed coals are loaded directly into railroad cars without subsequent screening or preparation process and without being mixed with natural screenings, or when they are returned to the flow of coal to the raw coal classification screens, or mixed with raw or washed screenings of similar size dimension. Minimum prices were also established for crushed coals reduced to the size dimensions prescribed for Size Groups 9-12, inclusive, and 15. Certain price instructions and definitions were also contained in the Order.

District Board No. 11 now requests that:

1. For crushed coal made from raw or mechanically cleaned coal from which 50 percent of the $\frac{3}{8}$ " minus coal is removed, or which is dedusted through the use of standard dedusters equipped with screens with openings smaller than 8 mesh, and which is loaded directly into railroad cars or is mixed with washed screenings, the same minimum prices applicable to washed screenings in Size Groups 23 and 24 be established. The Board states that this would maintain as between such coals and the prices established for coals crushed to the dimensions prescribed by Size Groups 13 and 14 (raw screenings) substantially the same differential which was established in General Docket No. 15 between Size Groups 13 and 14 (raw screenings) and Size Groups 26 and 27 (dry dedusted screenings).

2. The Order of the Acting Director dated August 15, 1942, be amended to provide that the minimum prices there established for coals crushed and rescreened to the size dimensions of stoker and nut be applicable only when such coals are crushed, rescreened, and loaded directly into railroad cars; that where raw or washed nut and stoker coals are mixed with crushed coals of the same size dimensions, the mixture not to exceed 50 percent crushed coal in the aggregate, take the minimum prices applicable to coals in Size Groups 9, 10, 11, 12 (raw nut and stoker), 17, 18, 19, or 20 (washed nut and stoker) as the case may be.

3. Where the carbon or dust which results from the crushing of coals to the size dimensions prescribed by Size Groups 9, 10, 11, 12, 17, 18, 19, 20 or from the de-

dusting of coals crushed to the size dimensions prescribed by Size Groups 13 and 14 is loaded direct into railroad cars or is mixed with the total concurrent production of raw carbon or dust, the carbon or dust resulting from crushing not to exceed 50 percent of the mixture, the minimum prices be the same as those applicable to coals in Size Groups 15 and 16, and where it is mixed with washed carbon, the mixture not to exceed 50 percent of the carbon resulting from crushing, the minimum prices be the same as those applicable to coals in Size Group 25.

4. Where coals are crushed to the dimensions prescribed for Size Groups 13, 14, 15, and 16, and returned to the flow of coal to the raw coal classification screen or mixed with the total concurrent production of raw screenings of these size groups, the crushed coal in such mixture not exceeding 50 percent of the aggregate, and then further mixed with coals of Size Groups 26 through 29, inclusive (dry dedusted screenings), or 30 through 32, inclusive (water dedusted screenings), the minimum prices be the same as those now applicable to uncrushed coals in these respective size groups.

The District Board also requests that for the purposes of clarification certain changes be made in the language descriptive of certain of the preparations for which minimum prices were established in the Acting Director's Order of August 15, 1942, and in the language of a price instruction established by that Order pertaining to the invoicing of coals.

Representatives of District Board No. 11 stated that, until recently, code members in District No. 11 had been of the opinion that the minimum prices applicable to coals which had not undergone secondary crushing in the preparation process were applicable to such coals when mixed with other coals which had undergone secondary crushing in the preparation process; that a recent letter from the Director of the Division to a code member producer in District No. 11 stated, however, that minimum prices had not been established for a particular mixture of such crushed coals with uncrushed coals; that it was inferred that minimum prices had not been established for other mixtures similarly prepared; and that as a consequence, code members in District No. 11 who normally produce such mixtures and have heavy outstanding commitments for their sale to industries essential to the war effort had terminated the production and sale of such mixtures pending the establishment of minimum prices therefor. It was further represented that the minimum prices proposed by the District Board were fair and equitable in that the admixture of crushed coals in a particular size of uncrushed coals of the same size would cause little deviation, if any, from the market value of uncrushed coals of the same size dimensions. With respect to the proposed revision of the Price Instruction pertaining to the invoicing of coals priced in the Order of August 15, 1942, it was stated that the proposal of the District Board would promote some

convenience. It appears that there is no urgency about the proposed revision of that instruction. It does appear, however, that minimum prices are urgently necessary for the preparations described by the Board and its representatives. No testimony was offered in opposition to the proposal of the Board, and accordingly it seems proper to establish the prices requested, temporarily, pending final disposition of this proceeding.

Now, therefore, It is ordered, That, until otherwise ordered, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 11 for All Shipments Except Truck is amended and supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R", annexed hereto and hereby made a part hereof.

Dated: November 18, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12649; Filed, November 30, 1942;
11:17 a. m.]

General Land Office.

[Public Land Order 61]

COLORADO

RESERVING THE MINERALS BELONGING TO THE UNITED STATES IN LANDS IN ARAPAHO NATIONAL FOREST FOR WAR PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146¹ of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the minerals belonging to the United States in the following described lands within the exterior boundaries of the Arapaho National Forest, are hereby withdrawn from all forms of appropriation under the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SIXTH PRINCIPAL MERIDIAN

T. 3 S., R. 75 W.,
Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 30, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 31, N $\frac{1}{2}$ N $\frac{1}{2}$.

The areas described, including both National Forest lands and patented lands, aggregate 366.57 acres.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 18, 1942.

[F. R. Doc. 42-12628; Filed, November 30, 1942
10:19 a. m.]

[Public Land Order 62]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive

¹ 7 F. R. 3067.

Order No. 9146¹ of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. Title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 14 S., R. 11 W.,
Sec. 25, lots 3, 4, 5, 6.
The area described aggregates 106.83 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing Utah Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 18, 1942.

[F. R. Doc. 42-12629; Filed, November 30, 1942;
10:19 a. m.]

[Public Land Order 63]

NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS PRACTICE BOMBING RANGES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146¹ of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, sec. 315), and to section 4 of the act of March 3, 1927, c. 299, 44 Stat. 1347 (U.S.C., title 25, sec. 398d), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as practice bombing ranges:

NEW MEXICO PRINCIPAL MERIDIAN

T. 5 N., R. 5 W., sec. 8.
T. 6 N., R. 5 W., sec. 10.
T. 5 N., R. 6 W., sec. 34.

The areas described aggregate 1,920 acres.

The order of March 27, 1936, of the Secretary of the Interior establishing New Mexico Grazing District No. 2, and the order of October 11, 1934, of the Secretary of the Interior, withdrawing certain lands in Valencia County, New Mexico, from settlement, entry, or disposition of any kind other than as specified in section 13 of the act of March 3, 1921, 41 Stat. 1239, are hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed

for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 18, 1942.

[F. R. Doc. 42-12630; Filed, November 30, 1942;
10:19 a. m.]

[Public Land Order 64]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE
WAR DEPARTMENT AS AUXILIARY LANDING
FIELDS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146¹ of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as auxiliary landing fields:

GILA AND SALT RIVER MERIDIAN

- T. 11 S., R. 9 E.,
Sec. 35, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 12 S., R. 9 E., sec. 1, lot 4.
T. 8 S., R. 10 E., sec. 34, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 12 S., R. 10 E., sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
The areas described aggregate 359.30 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal made for classification and other purposes by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 19, 1942.

[F. R. Doc. 42-12631; Filed, November 30, 1942;
10:19 a. m.]

ENLARGING CERTAIN STOCK DRIVEWAY
WITHDRAWALS IN WYOMING

Under and pursuant to the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, it is hereby ordered that the following-described public lands within the known geologic structure of the Boone Dome gas field in Wyoming, excepting any mineral deposits therein, be, and they are hereby, withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to Stock Driveway Withdrawal No. 219, Wyoming No. 38, subject to valid existing rights and an existing petroleum reserve affecting the

greater part of the lands: *Provided*, That the users of the driveway shall confine all animals in their charge to the designated limits of the driveway and shall prevent them from ranging on other lands within the defined limits of the Boone Dome gas field: *And provided further*, That the owner or operator of any outstanding or future lease issued under the mineral leasing laws of the United States shall incur no liability by reason of any injury to stock resulting from the construction, operation, and maintenance of any proper and lawful works, housing, or improvements needed or used in the operation of his lease.

SIXTH PRINCIPAL MERIDIAN

- T. 35 N., R. 85 W.,
sec. 9, SE $\frac{1}{4}$;
sec. 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 14, W $\frac{1}{2}$ NW $\frac{1}{4}$;
sec. 15, NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 480 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,

Assistant Secretary of the Interior.
NOVEMBER 17, 1942.

[F. R. Doc. 42-12632; Filed, November 30, 1942;
10:21 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[P. & S. Docket No. 425]

SIoux CITY STOCK YARDS COMPANY
ORDER OF MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181), the Secretary of Agriculture on December 13, 1934, issued an order prescribing reasonable rates and charges for stockyard services rendered by the respondent.

On August 15, 1935, the Secretary issued an order modifying the rates and charges prescribed in the order of December 13, 1934.

On November 6, 1937, the Secretary of Agriculture issued an order further modifying the rates and charges prescribed in the order of December 13, 1934, as modified by the order of August 15, 1935. The rates prescribed by the order of November 6, 1937, have continued in effect to the present date.

An audit and analysis have been made of respondent's books and records covering its operations for the years 1935 to 1941, both inclusive. The audit disclosed that for this period the respondent, after the payment of reasonable operating expenses, including Federal income taxes, earned an average rate of return of approximately 7.19 percent on the fair value of the used and useful property as found in the order. The audit also shows that during the four calendar years which

have elapsed since the modification of November 6, 1937, became effective, the respondent, after payment of reasonable operating expenses, including Federal income taxes, earned 8.15 percent of the fair value of the used and useful property as found in the order.

In addition, an analysis of monthly reports filed by the respondent, covering its operations for the first nine months of its fiscal year, which ends October 31, 1942, shows that respondent's earnings during that period have been at the rate of approximately 9.7 percent of the fair value of the used and useful property as found in the order.

The respondent claims that effective on or about September 1, 1942, it consummated a wage agreement with certain of its employees which will result in an increase in respondent's operating expenses during its next fiscal year of approximately \$25,000.

In its petition on which the order of November 6, 1937, was based, the respondent agreed that the Secretary could, without further hearing, order reductions of respondent's rates and charges for services rendered by respondent at its stockyard, from time to time, whenever the Secretary found, after such investigation as was deemed proper in the circumstances, that such reductions were warranted, with the understanding, however, that no reduction would be made below the rates and charges fixed by the order of December 13, 1934, without respondent's consent, except after a hearing, pursuant to the Packers and Stockyards Act, 1921. The respondent further agreed to submit not later than the 10th day of each month an itemized statement of revenues and expenses of the preceding month, including details as to the volume of livestock receipts handled and quantities of feed and bedding sold and agreed to notify the Secretary of any change or changes in the scale of wages and salaries paid to respondent's employees and officials.

On consideration of all the facts disclosed by the audit and analysis of respondent's books and records covering its operations for the years 1935 to 1941, both inclusive, together with a consideration and analysis of the monthly reports submitted by respondent under the provisions of the order of November 6, 1937, and of the prospective increase in wages of its employees claimed by respondent it is concluded that the rates and charges for services provided in the order of modification of November 6, 1937, are unreasonably high and, therefore, that such rates and charges should be reduced by a further order of modification.

Order

It is hereby ordered, That, at least 10 days prior to the 20th day from the date of this order, the respondent file and publish a schedule containing the following rates and charges for its services to be effective on the 20th day from the date of this order to continue in effect until further order of the Secretary:

¹ 7 F.R. 3067.

FARDAGE

	Cattle	Calves	Hogs	Sheep and goats	Horses and mules
Received by vehicle or on foot...	43¢	28¢	15¢	10¢	50¢
Received by rail...	35¢	25¢	12¢	7¢	40¢
Resold or reweighed for purposes of sale.....	17½¢	11½¢	6¢	3½¢	-----
Shipments direct to packers.....	17½¢	11½¢	6¢	3½¢	-----

FEED AND BEDDING

Prairie hay current market price f. o. b. stockyards, plus 55¢ per cwt.

Alfalfa current market price f. o. b. stockyards, plus 55¢ per cwt.

Corn current market price f. o. b. stockyards, plus 40¢ per bu.

Oats current market price f. o. b. stockyards, plus 25¢ per bu.

Bedding (hay or straw) current market price f. o. b. stockyards, plus 35¢ per bale.

The charges made for the above by respondent shall be divisible by five and respondent shall amend said charges when the margin between the cost and sales price of feed and bedding varies \$.05 from the margin as specified above.

It is further ordered, That a copy of this order be served by registered mail upon the respondent.

Done at Washington, D. C. this 27th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-12656; Filed, November 30, 1942; 11:57 a. m.]

Office of the Secretary.

ORDER DELEGATING AUTHORITY TO EXECUTE STIPULATIONS

1. By virtue of the authority vested in the Secretary of Agriculture by the Packers and Stockyards Act, 1921 (42 Stat. 159; 7 U.S.C. 181 et seq.), as amended, and in order to carry out the powers vested in the Secretary by the said act, the Administrator, the Associate Administrator of the Agricultural Marketing Administration, and such employees of the Department as may be designated by the Administrator or the Associate Administrator are hereby authorized, severally, to enter into and execute such stipulations as are authorized under § 202.5 (a) of the rules of practice governing proceedings under the Packers and Stockyards Act (9 CFR 202.5 (a); 6 F.R. 3137).

2. The authority hereby delegated shall be in addition to, and not in lieu of, any authority heretofore delegated to the Administrator or the Associate Administrator of the Agricultural Marketing Administration under the Packers and Stockyards Act.

3. This order shall become effective on issuance.

Done at Washington, D. C., this 28th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 42-12590; Filed, November 28, 1942; 12:27 p. m.]

NON-BASIC AGRICULTURAL COMMODITIES

EXPANSION OF PRODUCTION

Section 4 (a) of the Act approved July 1, 1941, 55 Stat. 498, as amended by Public Law 729, 77th Congress, October 2, 1942, provides as follows:

Whenever during the existing emergency the Secretary of Agriculture finds it necessary to encourage the expansion of production of any non-basic agricultural commodity, he shall make public announcement thereof and he shall so use the funds made available under section 3 of this Act or otherwise made available to him for the disposal of agricultural commodities, through a commodity loan, purchase, or other operation, taking into account the total funds available for such purpose for all commodities, so as to support, during the continuance of the present war and until the expiration of the two year period beginning with the 1st day of January immediately following the date upon which the President by proclamation or the Congress by concurrent resolution declares that hostilities in the present war have terminated, a price for the producers of any such commodity with respect to which such announcement was made of not less than 90 per centum of the parity or comparable price therefor. The comparable price for any such commodity shall be determined and used by the Secretary for the purposes of this section if the production or consumption of such commodity has so changed in extent or character since the base period as to result in a price out of line with parity prices for basic commodities. Any such commodity loan, purchase, or other operation which is undertaken shall be continued until the Secretary has given sufficient public announcement to permit the producers of such commodity to make a readjustment in the production of the commodity. For the purposes of this section, commodities other than cotton, corn, wheat, tobacco, peanuts, and rice shall be deemed to be non-basic commodities.

Pursuant to the foregoing provisions of law, public announcement is hereby made that I have found it necessary to encourage the expansion of production of the non-basic agricultural commodities named below, and the Secretary will during the period ending June 30, 1944, for all such commodities except hogs, and for hogs for the period ending September 30, 1944, through loans, purchases or other operations, support a price for eligible producers of each of these commodities at not less than the price level stated opposite such commodity, with adjustments, where applicable, for location, type, grade, and class.

Commodity and Level at Which Price Will Be Supported

Hogs: 90 percent of the parity price; but in no event less than \$13.25 per hundredweight, average for good to choice butcher hogs weighing 240 to 270 pounds, at Chicago.

Eggs, chickens (excluding broilers or chickens weighing less than three pounds live weight), and turkeys: 90 percent of the parity price; but in no event a price for eggs purchased on an offer and acceptance basis equivalent to less than 30 cents per dozen in the spring and early summer and an annual average price of 34 cents per dozen, basis U. S. average farm price.

Butter, cheese, dry skim milk, and evaporated milk: 90 percent of the parity price equivalent; but in no event less than 46 cents per pound for 92 score butter, Chicago basis, the equivalent of 27 cents per pound including subsidy for No. 1 American Cheese, Plymouth basis, 12.5 cents for roller and 14.5 cents for spray process dry skim milk, extra grade Midwest basis, and a comparable price for evaporated milk, f. o. b. plant basis, which will be announced hereafter.

The 1943 crop of dry peas of the following varietal types: Alaska, Bluebell, Scotch Green, First and Best, and White Canada; 90 percent of the comparable price calculated as of the beginning of the marketing year (August 1), but in no event less than \$5.25 per hundredweight for U. S. No. 1 peas and \$5.00 per hundredweight for U. S. No. 2 peas, in bags, f. o. b. cars at country shipping points. Prices for wrinkled varieties will not be supported.

The 1943 crop of dry edible beans of the following varietal types: Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Pinto, Cranberry, Light Red Kidney, Dark Red Kidney, and Western Red Kidney; 90 percent of the parity price calculated as of the beginning of the marketing year (September 1); but in no event less than \$5.35 per hundredweight for U. S. No. 1 beans and \$5.20 per hundredweight for U. S. No. 2 beans, in bags, f. o. b. cars at country shipping points.

The 1943 crop of soybeans for oil: 90 percent of the comparable price calculated as of the beginning of the marketing year (October 1); but, in no event, less than \$1.60 to \$1.75 per bushel depending on oil content, U. S. average farm price, for Yellow or Green Soybeans of high oil content.

The 1943 crop of flaxseed for oil: 90 percent of the parity price calculated as of the beginning of the marketing year (June 1); but in no event less than \$2.70 per bushel, basis No. 1 Flaxseed at Minneapolis.

The 1943 crop of American-Egyptian Cotton: 90 percent of the parity price calculated as of the beginning of the marketing year (August 1); but in no event less than 45 cents per pound for No. 2, 1½-inch American-Egyptian Cotton, or a price for such cotton which bears the same relationship to the loan rate in Arizona for 1½-inch Middling Upland Cotton as the support price for American-Egyptian Cotton bore to the loan rate for such Upland Cotton in 1942.

The 1943 crop of potatoes: 90 percent of the parity price calculated as of the beginning of the marketing year (July 1); but in no event less than specified

prices for certain grades of potatoes in specified commercial areas, to be announced hereafter.

Inasmuch as the production and consumption of dry peas and soybeans for oil have so changed in extent and character since the base period as to result in parity prices for such commodities out of line with parity prices for basic agricultural commodities, comparable prices therefor have been used for the purpose of this announcement. Such prices will be determined by multiplying the following base prices by the index of prices paid by farmers for commodities purchased, including interest and taxes payable per acre, as published by the Department of Agriculture: Dry Peas \$2.09 per hundred-weight; Soybeans \$0.96 per bushel. These base prices bear the same relation to the average base prices of corn, cotton, wheat, rice, tobacco, and peanuts as the actual prices of the same commodities were to the average actual prices of these six basic commodities in the sixty months, August 1935 through July 1939.

This announcement is applicable only to commodities marketed prior to June 30, 1944, or, in the case of hogs, to September 30, 1944, and, with respect to the commodities produced on an annual crop basis, is applicable only to the 1943 crop of such commodities. After the date specified above and for crops produced subsequent to the 1943 crops, the Secretary will continue to support the prices of the commodities listed above during the period prescribed by the foregoing provisions of law at not less than 90 percent of the parity or comparable prices, but the precise level of such support, to the extent that it may exceed 90 percent of parity or comparable price, and any conditions of eligibility for price support (including conditions relating to acreage or production requirements) will be covered in subsequent announcements.

The provisions of this announcement shall prevail in the event of any conflict between them and provisions of any announcement heretofore made.

Done at Washington, D. C., this 28th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-12658; Filed, November 30, 1942;
11:57 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

COOKING AND HEATING APPLIANCES MANUFACTURING INDUSTRY

NOTICE OF HEARING

Notice of hearing on the minimum wage recommendation of Industry Committee No. 51 for the Cooking and Heating Appliances Manufacturing Industry to be held December 16, 1942.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pur-

suant to section 5 (b) of the Fair Labor Standards Act of 1938 on October 27, 1942, by Administrative Order No. 165, appointed Industry Committee No. 51 for the Cooking and Heating Appliances Manufacturing Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 51, on November 19, 1942, recommended a minimum wage rate for the Cooking and Heating Appliances Manufacturing Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on November 20, 1942, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 51 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 51 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Cooking and Heating Appliances Manufacturing Industry (as defined in Administrative Order No. 165) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Cooking and Heating Appliances Manufacturing Industry as set forth in Administrative Order No. 165, issued October 27, 1942, is as follows:

(a) The manufacture of cooking and heating equipment and appliances, and parts and accessories thereof;

(b) The term "manufacture" as used herein covers all operations involved in the production of any article covered by this definition, including foundry operations required to produce iron castings, the fabrication and surface treatment (including enameling) of sheet metal and castings parts, and the mounting and assembling of the parts;

(c) *Provided, however,* That the manufacture of the following shall not be included: steam fittings and specialties such as thermostats and other temperature control devices, gauges, regulators, traps, and reducing valves; steam heating boilers using pressure in excess of 15 pounds per square inch; cooking utensils; electrical equipment and appliances; stove pipes; tanks for water heaters; or any product covered by a wage

order for the Gray Iron Jobbing Foundry Industry or Enameled Utensil Industry.

The definition of the Cooking and Heating Appliances Manufacturing Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That such clerical, maintenance, shipping and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: *And provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 51 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street NE.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue N.

Cleveland, Ohio, Main Post Office, West 3rd and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Scott Building, 1150 Griswold Street.

Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.

St. Louis, Missouri, 316 Old Customs House.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 500 Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112. Washington, District of Columbia, Department of Labor, 1st Floor.

New York, New York, 165 West 46th Street.

Copies of the committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on December 16, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Room 3229, United States Department of Labor Building, 14th Street and Constitution Avenue NW., Washington, D. C., for the purpose of taking evidence on the following question: Whether the recommendation of Industry Committee No. 51 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 51 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than December 9, 1942, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 51.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 51 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Cooking and Heating Appliances Manufacturing Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on the Establishment of Minimum Wages in the Cooking and Heating Appliances Manu-*

facturing Industry, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, November, 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer, or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United

States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 24th day of November 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-12547; Filed, November 27, 1942
2:04 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective November 30, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

The Moses-Rosenthal Co., 302-316 N. Second St., Boonville, Indiana; Men's &

boys' woven underwear, woven underwear (drawers) for U. S. Navy; 5 percent (T); November 30, 1943.

Pullman Wholesale Tailors, Inc., 130-132 S. W. Temple St., Salt Lake City, Utah; Men's suits and overcoats; 5 percent (T); November 30, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

C. A. Baltz & Sons, 49 Greenkill Ave., Kingston, New York; Pajamas & sport shirts; 10 percent (T); November 30, 1943.

Berkowitz Duck Garment Mfg. Co., Porter & Swanson Sts., Philadelphia, Pennsylvania; Coats, aprons, smocks and trousers; 3 learners (T); November 30, 1943.

J. H. Bonck Co., 1100 S. Jefferson Davis Pkwy., New Orleans, Louisiana; Dress shirts, semi-dress pants and work pants; 10 percent (T); November 30, 1943.

Bucyrus Garment Co., East Mary St., Bucyrus, Ohio; Dresses and kindred items; 36 Learners (E); May 26, 1943. (This certificate became effective November 26, 1942).

Bucyrus Garment Co., East Mary St., Bucyrus, Ohio; Dresses and kindred items; 10 percent (T); November 26, 1943. (This certificate became effective November 26, 1942.)

Grinchuck Co., Main St., Braidwood, Illinois; Boys' longies and knickers; 10 percent (T); November 30, 1943.

C. F. Hathaway Co., Waterville, Maine; Men's dress shirts and army officers' shirts; 10 percent (T); November 30, 1943.

Hutchins Mfg. Co., Inc., 113-115 Conyers St., Lithonia, Georgia; Dresses; 10 learners (T); November 30, 1943. (This certificate replaces the one bearing the expiration date of March 23, 1943.)

Keystone Garment Co., Reinholds, Pennsylvania; Men's pajamas; 7 learners (T); November 30, 1943.

Kulpmont Mfg. Co., Inc., Chestnut St., Kulpmont, Pennsylvania; Corsets, brassieres and bathing suits; 10 percent (T); November 30, 1943.

La Paire Undergarment Co., Inc., 26 Exchange Place, Jersey City, New Jersey; Children's underwear; 10 percent (T); November 30, 1943.

Louisiana Pants Mfg. Co., Inc., 7800 Washington Ave., New Orleans, Louisiana; Govt. pants and shirts, commercial pants; 10 percent (T); November 30, 1943.

Lustberg, Nast & Co., Inc., 43 Smith St., Middletown, New York; Men's jackets and shirts; 10 percent (T); November 30, 1943.

Miller Mfg. Co., 10 Leonard St., Amsterdam, New York; Work pants; 5 learners (T); November 30, 1943.

Mizzie Dress, Main St., Central Valley, New York; Ladies' Dresses; 5 learners (T); November 30, 1943.

E. R. Partridge, Inc., 157½ Pryor St., SW., Atlanta, Georgia; Pants, overalls; 10 learners (T); November 30, 1943.

Pollak Bros., Inc., 227 W. Main St., Ft. Wayne, Indiana; Dresses and smocks; 10 percent (T); November 30, 1943.

R. F. Pool Mfg. Co., 104 N. Washington St., Dallas, Texas; Children's garments; 10 learners (T); November 30, 1943.

Princess Ann Dress Co., Princess Anne, Maryland; Children's dresses; 10 learners (T); November 30, 1943.

R & R Garment Co., 119 Church Ave., Ephrata, Pennsylvania; Ladies' slips (woven fabrics); 10 percent (T); November 30, 1943.

Reliable Sportswear Co., 2200 West St., Union City, New Jersey; Ladies' jackets and sportswear; 13 learners (T); November 30, 1943.

The Shirtcraft Co., Inc., 633 McKinley St., Hazelton, Pennsylvania; Army field jackets, shirts, sportswear, pajamas; 10 percent (T); November 30, 1943.

Hayman Slotnikoff, 805 Cherry St., Philadelphia, Pennsylvania; Children's overalls; 2 learners (T); November 30, 1943.

Smith Bros. Mfg. Co., Webb City, Missouri; Shirts, play suits; 19 percent (T); November 30, 1943.

Steingut Dress Co., Center & White Sts., Dupont, Pennsylvania; Dresses; 10 learners (T); November 30, 1943.

Style-Craft Lingerie Co., 127 E. 9th St., Los Angeles, California; Ladies' blouses; and lingerie; 5 learners (T); November 30, 1943.

Union Mfg. Co., 110 W. 11th St., Los Angeles, California; Men's work trousers, aprons, jackets and breeches; 10 percent (T); November 30, 1943.

H. Woolf & Co., Inc., 529 S. Franklin St., Chicago, Illinois; Washable service apparel; 5 learners (T); November 30, 1943.

Worcester Underwear Co., 72 Commercial St., Worcester, Massachusetts; Sleeping garments; 10 learners (T); November 30, 1943.

Cigar Industry

Bayuk Cigars, Inc., Mervine & Montgomery Sts., Philadelphia, Pennsylvania; Cigars; 90 learners (E); Cigar machine operators to have learning period of 320 hours at 33 cents per hour; March 18, 1943. (This certificate became effective November 26, 1942).

Glove Industry

Elite Glove Co., 7 Spring St., Middletown, New York; Leather dress gloves and work gloves; 4 learners (T); November 30, 1943.

Martins Ferry Glove Co., 4th St., Uhrichsville, Ohio; Gloves (work); 5 learners (T); November 30, 1943.

Wells Lamont Corp., New London, Iowa; Leather dress gloves; 5 learners (T); November 30, 1943.

Hosiery Industry

Amos Hosiery Mills, 328 Mangum Ave., High Point, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Ashe Hosiery Mills, 642 N. Gay St., Knoxville, Tennessee; Seamless hosiery; 5 percent (T); November 30, 1943.

Belmont Hosiery Mills, Inc., Belmont, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Caldwell Hosiery Mills, Inc., Granite Falls, North Carolina; Seamless hosiery; 4 learners (T); November 30, 1943.

Carpenter Hosiery Mills, Madison St., Wytheville, Virginia; Seamless hosiery; 5 learners (T); November 30, 1943.

Crown Hosiery Mills, Inc., 426 S. Hamilton St., High Point, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Elizabeth James Mills, Logan St., Marion, McDowell County, North Carolina; Full-fashioned hosiery; 5 percent (T); November 30, 1943.

Grace Hosiery Mills, Inc., Tucker St., Burlington, North Carolina; Seamless hosiery; 5 learners (T); November 30, 1943.

The Locke Hosiery Mills, 4937 Mulberry St., Philadelphia, Pennsylvania; Seamless hosiery; 5 learners (T); November 30, 1943.

Miller-Smith Hosiery Mills, Delano, Tennessee; Full-fashioned hosiery; 5 percent (T); November 30, 1943.

Park Hosiery Dyeing & Finishing Co., Inc., King & Quinter Sts., Pottstown, Pennsylvania; 5 learners (T); Full-fashioned hosiery; November 30, 1943.

Robinson Mfg. Co.—Elizabeth City Hosiery Division, Elizabeth City, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

S & S Silk Co., Inc., 7th St., Bloomsburg, Pennsylvania; Full-fashioned hosiery; 5 learners (T); November 30, 1943.

Thompson Hosiery Mills, Webb Ave., Burlington, North Carolina; Seamless hosiery; 5 learners (T); November 30, 1943.

Tip Top Hosiery Co., 420 W. Salisbury St., Asheboro, North Carolina; Seamless hosiery; 5 percent (T); November 30, 1943.

Knitted Wear Industry

Byrne-Ross Knitting Mills, Grand & Smith Sts., Kingston, New York; Knitted outerwear; 5 learners (T); November 30, 1943.

E-Cut Knitting Mills, First Ave., Royersford, Pennsylvania; Knitted underwear and commercial knitting; 5 percent (T); November 30, 1943.

Rathgeb Knitting Mills, Highland, New York; Knitted outerwear; 5 learners (T); November 30, 1943.

Stratford Knitting Mills, Linfield, Pennsylvania; Knitted underwear; 5 learners (T); November 30, 1943.

Telephone Industry

Hamilton County Farmers Telephone Assn., 1109 K St., Aurora, Nebraska; To employ learners as commercial switchboard operators at its Aurora, Nebraska Exchange, located at 1109 K St., Aurora, Nebraska; November 30, 1943.

Textile Industry

Smithfield Mfg. Co., Smithfield, North Carolina; Cotton yarn; 3 percent (T); November 30, 1943.

Worth Mills, 3500 McCart St., Fort Worth, Texas; Automobile cord tire fabric; 3 percent (T); November 30, 1943.

Signed at New York, N. Y., this 28th day of November 1942.

MERLE D. VINCENT,
Authorized Representative.
of the Administrator.

[F. R. Doc. 42-12639; Filed, November 30, 1942; 11:19 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-77]

ACCIDENT OCCURRING NEAR OKLAHOMA CITY

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 611H which occurred near Oklahoma City, Oklahoma, on November 24, 1942.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Thursday, December 3, 1942, at 9:00 AM (CWT) in the Skirvin Hotel, Oklahoma City, Oklahoma.

Dated at Washington, D. C., November 30, 1942.

[SEAL]

W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 42-12635; Filed, November 30, 1942; 11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 28 Under RPS 6]

EMPIRE FINISHED STEEL CORP.

ORDER GRANTING EXCEPTION

Order No. 28 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-29.

On October 23, 1942, Empire Finished Steel Corporation, 155 East 44th Street, New York City, filed a petition for an exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 28 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration: *It is hereby ordered:*

(a) Empire Finished Steel Corporation may sell and deliver, and agree to solicit and attempt to sell and deliver, cold finished steel bars at prices not in excess of those stated in paragraph (b) when such bars are shipped to points outside of the New England States from its plant at Putnam, Connecticut, and when such bars are shipped to points not located within its usual market area in the case of its Newark, New Jersey, plant where such shipments are made on or after October 23, 1942, under contracts entered into by it with the Procurement Division of the United States Treasury Department for the account of Lend-Lease Administration or under contracts entered into by it pursuant to allocations or directives of the War Production Board.

(b) The maximum prices which may be charged by Empire Finished Steel Corporation on sales of cold finished bars covered by paragraph (a) above shall be the Buffalo base price on cold finished bars plus the carload freight rate on hot

rolled bars from Buffalo to its respective plants, f. o. b. such plants.

(c) All prayers of the petition not herein granted are denied.

(d) This Order No. 28 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(f) This Order No. 28 shall become effective November 28, 1942.

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

Issued this 27th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12556; Filed, November 27, 1942; 3:31 p. m.]

[Order 89 Under MPR 120]

PEABODY COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 89 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-127.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Peabody Coal Company, 231 South LaSalle Street, Chicago, Illinois, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) below for shipment by rail at a price not in excess of that stated therein;

(b) "DeLuxe Superior Processed Stoker" coal, composed of not less than 80 per cent of Size Group 20 and the remainder of Size Group 25, produced by the Peabody Coal Company at its Mine No. 18 (Mine Index No. 9) and Mine No. 47 (Mine Index No. 62) in the Southern Illinois subdistrict of District No. 10, may be sold for shipment by rail at a price per net ton f.o.b. the mine not in excess of \$2.55;

(c) Within thirty (30) days from the effective date of this order said Peabody Coal Company shall notify all persons purchasing its stoker coal of the adjustment granted by this order and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of the coal, the adjustment granted by this order does not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Amendment No. 8 to Maximum Price Regulation No. 122;

(d) This Order No. 89 may be revoked or amended by the Price Administrator at any time;

(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 No. 89 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12614; Filed, November 28, 1942;
12:34 p. m.]

[Order 90 Under MPR 120]

PINE RUN COMPANY

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 90 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-61-P—Order granting adjustment and denying protest insofar as relief is not granted.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (c) of Maximum Price Regulation No. 120, *It is hereby ordered:*

(a) *Granting adjustment.* (1) Pine Run Company, of the Borough of Leechburg, Armstrong County, Pennsylvania, may sell and deliver to the Carnegie-Illinois Steel Company, and that purchaser may buy and receive the bituminous coal described in subparagraph (2) of this paragraph at prices not in excess of the price stated in said subparagraph (2);

(2) Coals in Size Group 6 produced by the Pine Run Company at its Lewis Mine, Mine Index No. 124, District No. 2, may be sold by the Pine Run Company to the Carnegie-Illinois Steel Company at a price not in excess of \$2.71 per ton, f. o. b. the mine;

(3) Paragraph (a) of this Order No. 90 may be revoked or amended by the Price Administrator at any time;

(4) (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.

(b) *Denial of protest except insofar as relief is granted by this Order No. 90.* The protest filed by Pine Run Company against the provisions of Maximum Price Regulation No. 120 and assigned Docket No. 1120-61-P is hereby denied except insofar as relief is granted in paragraph (a) of this Order No. 90.

(c) This Order No. 90 shall be effective as of June 19, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12616; Filed, November 28, 1942;
12:33 p. m.]

[Order 91 Under MPR 120]

MILLER BROTHERS

ORDER GRANTING ADJUSTMENT

Order No. 91 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-190.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Miller Brothers, Bozeman, Montana, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) at prices not in excess of those stated therein, for shipment by truck or wagon.

(b) Coals produced by Miller Brothers at its Miller Mine (Mine Index No. 201), in District No. 22, for shipment by truck or wagon, may be sold in Size Group 11 at prices not to exceed \$2.80 per net ton f. o. b. the mine.

(c) This Order No. 91 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 91 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12617; Filed, November 28, 1942;
12:32 p. m.]

[Order 5 Under MPR 157]

NATIONAL AUTOMOTIVE FIBERS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 5 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-34.

On June 24, 1942, National Automotive Fibers, Inc., Little Falls, New York, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum prices for pyramidal tents, without pins and poles. Due consideration has been given to the application, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) National Automotive Fibers, Inc. may sell and deliver, and agree, offer, solicit and attempt to sell and deliver to any war procurement agency the commodity described in paragraph (b) at a price not in excess of the price stated therein. Any war procurement agency may buy and receive, and agree, offer, solicit and attempt to buy and receive, such commodity at such price from National Automotive Fibers, Inc.

(b) The maximum price referred to in paragraph (a) is \$15.00 for pyramidal tents, M-34, (without pins and poles) conforming to specifications of Jeffersonville Quartermaster Depot, Jeffersonville, Indiana, No. 59, dated January 26, 1942, (Stock No. 24-T-320).

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

(f) This Order No. 5 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12613; Filed, November 28, 1942;
12:34 p. m.]

[Order 7 Under MPR 163]

WOOSTER HOUSE WEAVERS

WOOLEN AND WORSTED CIVILIAN APPAREL
FABRICS

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) On and after November 30, 1942, the Wooster House Weavers of Tariffville, Connecticut, may sell and deliver, and the designated classes of purchasers may buy and receive from the Wooster House Weavers its handwoven tweeds made of 100% new wool, constructed as follows:

Ends per finished inch.....	22/23
Picks per finished inch.....	17/18
Yarn size-warp.....	1 $\frac{3}{4}$
Yarn size-filling.....	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
Finished width.....	58/59 inches.
Finished weight per yard....	14/14 $\frac{1}{2}$ ounces.

at prices no higher than those set forth below:

	Per yard
(1) Piece lots.....	\$4.80
(2) Less than piece lots, except as set forth in subparagraph (3).....	4.95
(3) Cut lengths to tailors.....	5.54

(b) The Wooster House Weavers shall continue its customary terms of sale, allowances, discounts and other price differentials to different classes of purchasers, provided that it need not allow terms of sale more favorable to a purchaser than a discount of 1% for payment within 10 days of the date of invoice, gross amount payable within 60 days of such date.

(c) This Order No. 7 may be revoked or amended by the Office of Price Administration at any time

(d) This Order No. 7 shall become effective November 30, 1942

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12615; Filed, November 28, 1942;
12:33 p. m.]

[Order 18 Under MPR 169]

EARL H. SCHURR

ORDER GRANTING ADJUSTMENT

Order No. 18 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-83.

On August 8, 1942 Francis D. Ellis, Incorporated, 28-30 Delaware Avenue, Philadelphia, Pennsylvania, as attorney, filed a petition for adjustment of the maximum prices of calves sold for the account of Earl H. Schurr, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) Earl H. Schurr, Carlisle Street, Green Castle, Pennsylvania, and Francis D. Ellis, Incorporated, on behalf of Earl H. Schurr, may sell and deliver and agree, offer, solicit, and attempt to sell and deliver calf carcasses of the grade hereinafter set forth and any person may buy and receive from Earl H. Schurr or from Francis D. Ellis, Incorporated, on behalf of Earl H. Schurr such veal carcasses at prices not in excess of those established as follows:

	Cents per pound
Calf carcasses, AA or choice grade.....	25
Calf carcasses, A or good grade.....	24
Calf carcasses, B or commercial grade....	23

(b) Francis D. Ellis, Incorporated, shall mail or cause to be mailed to all persons who purchase veal carcasses from it for resale a notice reading as follows:

The Office of Price Administration by Order No. 18 effective November 30, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, has permitted us to raise the maximum prices to you for calf carcasses slaughtered by Earl H. Schurr, as follows:

- Calf carcasses, AA or choice grade, from 24¢ per lb. to 25¢ per lb.
- Calf carcasses, A or good grade, from 23¢ per lb. to 24¢ per lb.
- Calf carcasses, B or commercial grade from 22¢ per lb. to 23¢ per lb.

This amount represents only that part of cost increases which Earl H. Schurr was unable to absorb, and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of calf carcasses. In order that we may continue to provide you with calf carcasses, it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in

§ 1364.62 of Maximum Price Regulation No. 169, as amended, shall apply to the terms used herein.

(f) This Order No. 18 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12618; Filed, November 28, 1942; 12:32 p. m.]

[Order 19 Under MPR 169]

BEST KOSHER SAUSAGE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 19 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-78.

On August 26, 1942, Best Kosher Sausage Company, 3527-29 Roosevelt Road, Chicago, Illinois, filed a petition for adjustment pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 19 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) Best Kosher Sausage Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver sausage products of the types hereinafter set forth, and any person may buy and receive from Best Kosher Sausage Company such sausage products at prices not in excess of those established as follows:

	Cents per pound
Salami.....	28
Mortadella.....	28
Salami square.....	28
Pickled rolled beef.....	37
Garlic sausage.....	28

(b) Best Kosher Sausage Company shall mail or cause to be mailed to all persons who purchase such sausage products from it for resale a notice reading as follows:

The Office of Price Administration by Order No. 19 effective November 30, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, has permitted us to raise our maximum price for sales to you of salami from 27 cents to 28 cents per pound; mortadella from 27 cents to 28 cents per pound; salami square from 27 cents to 28 cents per pound; pickled rolled beef from 35 to 37 cents per pound; garlic sausage from 27 cents to 28 cents per pound.

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of salami, mortadella, salami square, pickled rolled beef, or garlic sausage. In order that

we may continue to provide you with these sausage products, it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169, as amended, shall apply to the terms used herein.

(f) This Order No. 19 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12612; Filed, November 28, 1942; 12:34 p. m.]

[Amendment 1 to Order 10 Under MPR 188]

W. P. FULLER AND COMPANY

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 10 under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3-110.

Paragraph (a) of Order No. 10 under § 1499.161 of Maximum Price Regulation No. 188 is amended by the addition of three undesignated paragraphs; paragraph (c) is amended to permit compliance therewith within twenty days from the effective date of this Amendment; and paragraph (g) is added, all as set forth below:

(a) * * *

To the prices shown in Appendix A, amounts may be added in accordance with the following table:

	On shipments to retailers and dealers in zone 2	On shipments to retailers and dealers in zone 3
Gallons.....	\$0.05	\$0.10
Halves.....	.03	.05
Quarts.....	.02	.03
Pints.....	.01	.02
1/16's.....	.00	.01
1/32's.....	.00	.00

For the purposes of this section, Zone 2 (Valley) shall have the same boundaries as in March, 1942, and shall include the cities of Modesto, Eureka, Fresno, Bakersfield, Santa Monica, San Bernardino, Santa Ana, Santa Barbara, California; Portland, Oregon; Takoma and Seattle, Washington.

Zone 3 (Intermountain) shall have the same boundaries as in March, 1942, and shall include the cities of Walla Walla, Yakima, and Spokane, Washington; Phoenix and Tucson, Arizona; Butte and Missoula, Montana; Salt Lake City and Ogden, Utah; and Boise, Idaho.

* * * * *

(g) Amendment No. 1 to Order No. 10 under § 1499.161 of Maximum Price Regulation No. 188 shall become effective on November 30, 1942.

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

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12601; Filed, November 28, 1942;
12:30 p. m.]

[Order 66 Under MPR 188]

E. R. BALDRIDGE & COMPANY, INC.

ORDER AUTHORIZING MAXIMUM PRICE

Order No. 66 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. GF3-1908.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.161 (a) of Maximum Price Regulation No. 188, *It is hereby ordered, That:*

(a) E. R. Baldrige & Company, Inc. of Hollidaysburg, Pennsylvania, may sell f. o. b. cars their plant:

- (1) Crude Ganister rock (unprocessed) @ \$1.30 per net ton.
- (2) Ganister rock processed (crushed and screened) @ \$1.60 per net ton.

(b) This Order No. 66 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 66 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12597; Filed, November 28, 1942;
12:32 p. m.]

[Order 5 Under MPR 225]

THE STANDARD DIARY COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 5 under Maximum Price Regulation No. 225—Printing and Printed Paper Commodities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1347.469 (b) of Maximum Price Regulation No. 225 and Section 3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The Standard Diary Company may sell and deliver and any person may buy and receive from the Standard Diary Company, 1943 dated diaries manufactured by said Standard Diary Company, at prices not in excess of those computed by said Standard Diary Company in accordance with § 1347.453 of Maximum Price Regulation No. 225. This permission shall be retroactive to May 11, 1942.

No. 234—11

(b) The Standard Diary Company shall cause written notification of this Order to be sent to all wholesalers and all retailers to whom said company has sold or shall sell its 1943 dated diaries.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1347.472 of Maximum Price Regulation No. 225 shall apply to the terms used herein.

(f) This Order No. 5 shall become effective November 30, 1942.

Issued this 28th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12611; Filed, November 28, 1942;
12:29 p. m.]

[Suspension Order 168]

JAMES M. WHITNEY

ORDER RESTRICTING TRANSACTIONS

James M. Whitney, doing business as Hudson Bridge Service Station, 192 East Hollis Street, Nashua, New Hampshire, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A Gasoline Rationing Regulations. Pursuant to the notice, a hearing upon the charges was held in Concord, New Hampshire, on October 21, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 192 East Hollis Street, Nashua, New Hampshire, known as Hudson Bridge Service Station.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that at divers times between July 22 and September 15, 1942, respondent sold and transferred gasoline to consumers in exchange for gasoline ration coupons Class A, No. 2.

Because of the great scarcity and critical importance of gasoline in New Hampshire, the violation by respondent of Ration Order No. 5A, Gasoline Rationing Regulations, has resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 168 shall be in effect,

(1) Respondent shall not sell, transfer or deliver any gasoline to any person at or from Hudson Bridge Service Station, 192 East Hollis Street, Nashua, New Hampshire.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at said station.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale at said station.

(d) Any terms used in this Suspension Order No. 168 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 168 shall become effective 12:01 A. M. December 1, 1942, and unless sooner terminated, shall expire 12:01 A. M. December 31, 1942.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216))

Issued this 28th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
In Charge of Rationing.

[F. R. Doc. 42-12598; Filed, November 28, 1942;
12:30 p. m.]

[Suspension Order 169]

RAY McGRATH

ORDER RESTRICTING TRANSACTIONS

Ray McGrath, 324 Perry Street, Trenton, New Jersey, hereinafter called respondent was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations. Pursuant to said notice, a hearing upon such charges was held in Trenton, New Jersey, on September 14, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 324 Perry Street, Trenton, New Jersey.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on August 14, 1942, respondent transferred four (4) gallons of gasoline to a consumer in exchange for a gasoline ration coupon Class A, No. 3.

Because of the great scarcity and critical importance of gasoline in New Jersey violations of Ration Order No. 5A, Gasoline Rationing Regulations, have necessarily resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 169 shall be in effect,

(1) Respondent shall not sell, transfer or deliver any gasoline to any person.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 169 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 169 shall become effective 12:01 A. M. December 1, 1942, and unless sooner terminated, shall expire 12:01 A. M. December 31, 1942.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216))

Issued this 28th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 42-12599; Filed, November 28, 1942;
12:30 p. m.]

[Suspension Order 170]

ROBERT BINDER

ORDER RESTRICTING TRANSACTIONS

Robert Binder, doing business as American Gas Station, South Warren and Market Streets, Trenton, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations. Pursuant to said notice, a hearing upon such charges was held in Trenton, New Jersey, on September 14, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at South Warren and Market Streets, Trenton, New Jersey.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on August 14, 1942, respondent transferred four (4) gallons of gasoline to a consumer in exchange for a gasoline ration coupon Class A, No. 3.

Because of the great scarcity and critical importance of gasoline in New Jersey, violations of Ration Order No. 5A, Gasoline Rationing Regulations, have necessarily resulted in the diversion of gasoline from military and essential

civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 170 shall be in effect,

(1) Respondent shall not sell, transfer or deliver any gasoline to any person.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 170 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 170 shall become effective 12:01 A. M. December 1, 1942, and unless sooner terminated, shall expire 12:01 A. M. December 31, 1942.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216))

Issued this 28th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 42-12600; Filed, November 28, 1942;
12:30 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-632]

THE COMMONWEALTH & SOUTHERN CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of November 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by The Commonwealth & Southern Corporation pursuant to sections 6 (a), 7 and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

The Commonwealth & Southern Corporation (Delaware), a registered holding company, proposes, subject to the approval of its stockholders, and without changing the carrying value of its assets, to reduce the stated value of its

presently outstanding 1,500,000 shares of \$6 Cumulative Preferred Stock from \$100 per share, as presently stated, to \$10 per share. It is proposed that the amount of such reduction in the stated value of the Preferred Stock aggregating \$135,000,000, will be maintained in a separate account designated as "Capital Surplus Arising From Reduction of Capital of Preferred Stock from \$100 Per Share to \$10 Per Share" and will be unavailable for the payment of dividends on common stock or for the purpose of permitting purchase of common stock or for the purpose of extinguishing a deficit in earned surplus created by any such payment or purchase or for any other purpose which would reduce the amount of the capital surplus resulting from the reduction in the stated value of the Preferred Stock below an amount equal to \$90 for each such share of Preferred Stock outstanding. The company asserts that the proposed restatement will facilitate the payment of dividends on its \$6 Cumulative Preferred Stock. On September 30, 1942, dividend arrearages on the Preferred Stock aggregated \$37,116,609.75 or \$24.75 per share. As at the same date, the company's capital stock, per balance sheet, was stated as follows: Preferred Stock, \$150,000,000, Common Stock (stated at \$5 per share), \$168,366,640.29. Capital Surplus was \$127,782.44 and Earned Surplus was \$825,998.79. The Commonwealth & Southern Corporation's corporate net income was \$7,149,989.45 in 1941 and \$683,555.52 for the 9 months ended September 30, 1942, per books.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on December 14, 1942 at 10:00 o'clock, A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing-room clerk will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration or application (or both) shall be permitted to become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarant and applicant and to all interested persons, said notice to be given to said declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. In accordance with the agreement of the applicant and declarant; *It is ordered,* That a copy of this Notice and Order be mailed to all preferred stockholders of record as of November 25, 1942.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby

authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. The purpose and appropriateness, in the public interest and in the interests of investors and consumers, of the proposed restatement;

2. The appropriateness of the accounting entries proposed to be made in connection with said restatement;

3. Whether the proposed restatement is detrimental to the carrying out of the provisions of section 11 of the Act;

4. Whether and to what extent it is appropriate, in the public interest or for the protection of investors and consumers, to impose terms and conditions with respect to the proposed restatement.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12575; Filed, November 28, 1942;
11:25 a. m.]

[File No. 70-624]

UNITED GAS CORPORATION, ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of November, A. D. 1942.

In the matter of United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company and Union Producing Company.

United Gas Corporation ("United"), a subsidiary of Electric Power & Light Corporation which in turn is a subsidiary of Electric Bond and Share Company ("Bond and Share") both registered holding companies, Houston Gas Securities Company ("Houston Gas"), United Gas Pipe Line Company ("Pipe Line") and Union Producing Company ("Union"), subsidiaries of United, having filed a joint application or declaration and amendment thereto under sections 9 (a) and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder regarding a series of proposed transactions which may be summarized as follows:

a. United proposes to redeem at face amount plus accrued interest \$3,800,000 principal amount of Twenty Year 6% Gold Debentures, due March 1, 1952, (issued by United Gas Public Service Company, and later assumed upon the merger of United Gas Public Service Company into United), owned by Houston Gas. All such debentures acquired will be cancelled. The funds to be applied toward said proposed redemption are to be obtained by United:

(1) By redemption at face amount plus accrued interest by Pipe Line, a wholly owned subsidiary of United, of \$1,000,000 principal amount of 6% debentures due March 1, 1952 (part of a total issue of \$23,000,000 all of which are owned by United).

(2) By redemption at face amount plus accrued interest by Union, a wholly owned subsidiary of United, of \$3,000,000 principal amount of its 6% Debentures due March 1, 1952 (part of a total issue of \$40,000,000 all of which are owned by United.)

b. Houston Gas proposes to use the funds received by it as a result of the redemption of the debentures above described together with other moneys in its treasury for the purpose of redeeming \$3,900,000 principal amount of its 5% Collateral Trust Gold Bonds due March 1, 1952, \$440,000 principal amount of which are owned by Bond and Share. Houston Gas is then to be merged into United. As a result of such merger United will acquire all of the remaining net assets of Houston Gas, consisting of cash and obligations of United, which obligations will be cancelled; and

A public hearing on said application and declaration having been held after appropriate notice; the Commission having examined the record and having made and filed its findings herein;

It is ordered, That the said application as amended be and hereby is granted, and that the said declaration as amended be and hereby is permitted to become effective forthwith subject however to the transactions therein set forth being carried out in conformity with the representations made and for the purposes stated therein and in compliance with the provisions of Rule U-24 of the Rules of the Commission and the following further terms and conditions:

(1) That prior to consummation of any of the proposed transactions, appropriate provision shall be made and embodied in the record of this proceeding, in a form approved by this Commission, to insure either that the \$440,000 principal amount of Houston Gas Bonds held by Bond and Share shall not be presented for redemption or that, if presented for redemption, all cash received by Bond and Share upon such redemption will be held by Bond and Share in a special fund and will be subject to all infirmities and equities, if any, and all notices and proceedings, to which such bonds are or may be presently subject; and the Commission reserves full jurisdiction to make appropriate disposition of such fund in connection with the proceedings entitled *In the Matter of United Gas Corporation et al.*, File Nos. 70-314, 70-315, 59-21 and 4-33.

(2) That the Commission reserves jurisdiction as to the entries to be recorded on the books of applicants and declarants with respect to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12576; Filed, November 28, 1942;
11:25 a. m.]

[File No. 70-623]

NY, PA, NJ UTILITIES CO., ET AL.

ORDER DENYING REQUEST TO ACCELERATE HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of November 1942.

In the matter of NY PA NJ Utilities Company, Associated Utilities Corporation and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation.

Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, a registered holding company, and NY PA NJ Utilities Company and Associated Utilities Corporation, subsidiaries thereof, and also registered holding companies, having filed declarations pursuant to the Public Utility Holding Company Act of 1935 with respect to the acquisition by NY PA NJ Utilities Company from Associated Utilities Corporation of \$1,000,000 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, due 1981, for a cash consideration of 100% of the face amount thereof, plus accrued interest thereon at the date of closing; and the payment by Associated Utilities Corporation of \$1,000,000 to the Trustees of Associated Gas and Electric Corporation as payment on account of principal on a Convertible Obligation, due March 1, 1962, of Associated Utilities Corporation held by the said Trustees of Associated Gas and Electric Corporation, said \$1,000,000 to be used by the Trustees of Associated Gas and Electric Corporation to pay an installment of \$1,000,000 due December 18, 1942 on the \$5,000,000 Trustees' Certificates, dated December 18, 1941, held by Guaranty Trust Company of New York; and

The Commission on November 14, 1942, having ordered that a hearing on said matter be held on December 8, 1942, at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and

The said declarants having requested that such hearing be accelerated either to December 2, 1942, or to December 4, 1942; and the Commission having considered said request and deeming it appropriate that such request be denied:

It is ordered, That the request of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, and Associated Utilities Corporation to accelerate the hearing in this matter be, and hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12577; Filed, November 28, 1942;
11:25 a. m.]

[File 70-337]

NATIONAL POWER & LIGHT COMPANY

ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of November, A. D. 1942.

Notice of filing of application for extension of period of exchange offer and order for hearing thereon.

The Commission having heretofore, on December 24, 1941, entered its order herein permitting to become effective a declaration or application filed by National Power & Light Company, a registered holding company, pursuant to sections 9 (a) (1), 12 (c), 12 (d), and 12 (e) of the Public Utility Holding Company Act and the applicable rules thereunder respecting a proposed offer to be made by National Power & Light Company to its preferred stockholders to exchange approximately two shares of common stock of Houston Lighting & Power Company for one share of National's preferred stock limited to 90 percent of the holdings of each preferred stockholder of National; and

The Commission having found that such declaration or application should be treated as a plan filed under section 11 (e) and 11 (g) of the Act, and having approved said plan subject to the conditions contained in said order dated December 24, 1941; and

Said exchange offer having become effective on January 30, 1942 for the period ending March 31, 1942, and National Power & Light Company having been permitted successively to extend the period of said exchange offer to and including December 15, 1942, by orders of the Commission dated June 15, 1942, August 13, 1942, and October 12, 1942;

Notice is hereby given that National Power & Light Company, on November 20, 1942, filed an application herein for permission to extend further the period of such exchange offer to and including February 15, 1943.

All interested parties are referred to said application which is on file in the office of the Commission for full details thereof.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held for the purpose of considering said application;

It is ordered, That a hearing on said application be held on December 2, 1942, at 10:00 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk. At said hearing attention will be particularly directed to the question whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to permit an extension of the period within which exchanges may be effected under said offer, and if so, the period of such extension.

It is further ordered, That Robert P. Reeder or any other officer or officers of

the Commission designated by it for that purpose shall preside at the hearing above mentioned. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene shall file with the Secretary of this Commission on or before December 1, 1942, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission;

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to National Power & Light Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-12578; Filed, November 28, 1942;
11:25 a. m.]

[File 30-166]

JOSEPH B. ELY, ET AL.

ORDER CANCELLING HOLDING COMPANY STATUS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of November 1942.

In the matter of Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as trustees under a trust agreement dated January 31, 1939.

Joseph B. Ely, C. Brooks Stevens and Henry G. Wells, as Trustees under a Trust Agreement dated January 31, 1939, a registered holding company, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 for an order of this Commission declaring that said Trustees have ceased to be a holding company;

A public hearing having been held after appropriate notice; the Commission having examined the record and made and filed its findings herein:

It is hereby declared by this order that said applicants have ceased to be a holding company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-12579; Filed, November 28, 1942;
11:25 a. m.]

[File No. 1-524]

LACLEDE GAS LIGHT COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 24th day of November, A. D. 1942.

In the matter of the Laclede Gas Light Company—5% refunding and extension mortgage gold bonds, due 1934, extended to 1939.

The New York Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule I-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% Refunding and Extension Mortgage Gold Bonds, due 1934 Extended to 1939 of The Laclede Gas Light Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on December 3, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-12623; Filed, November 30, 1942;
10:18 a. m.]

[File No. 54-46]

LONE STAR GAS CORPORATION ET AL.

ORDER GRANTING DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of November 1942.

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, the Dallas Gas Company, Council Bluffs Gas Company and Lone Star Gasoline Company.

A plan having been filed by Lone Star Gas Corporation and certain of its subsidiary companies under section 11 (e) and all other applicable sections of the Public Utility Holding Company Act of 1935 proposing a reorganization of the holding-company system of Lone Star Gas Corporation; and

Such plan having included, among other things, a declaration pursuant to section 11 (g) of said Act and Rule U-62 promulgated under said Act, regarding the solicitation of consents of stockholders to the plan; and

The Commission having approved said plan on October 22, 1942 (Holding Company Act Release No. 3865), subject to certain conditions and reservations; and having as a condition to such approval reserved jurisdiction under section 11 (g) of said Act to pass upon the material to be used by the applicant companies in soliciting consents of stockholders to the plan; and

The applicant companies having submitted such solicitation material; and

The Commission deeming it appropriate in the public interest and in the interests of investors and consumers to permit the said declaration pursuant to section 11 (g) and Rule U-62 to become effective:

It is hereby ordered, That said declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12625; Filed, November 30, 1942;
10:18 a. m.]

[File No. 70-601]

FEDERAL WATER AND GAS CORPORATION AND
PEOPLES LIGHT AND POWER COMPANY

ORDER GRANTING APPLICATION AND
DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November 1942.

Peoples Light and Power Company a registered holding company having filed a declaration pursuant to section (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated under said Act with respect to the divestment by sale of all its interest in Mississippi Public Service Company for \$420,000 in cash, and the application of such proceeds to the retirement of its debt; and

The Commission having considered the record in this matter and having found that the said declaration of Peoples Light and Power Company should be treated as a plan filed under section 11 (e) of the Act; and

Peoples Light and Power Company having requested that the order of the commission approving such transactions conform with the requirements of sections 371 (b) and 371 (f) of the Internal Revenue Code as amended by section 171 of the Revenue Act of 1942 and contain the findings therein specified; and

Federal Water and Gas Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 10 of the Act with respect to the acquisition of the securities of the afore-named company; and

The above-described application and declaration having been consolidated for the purpose of a hearing; and

A public hearing having been held after appropriate notice; and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and the Commission having found that the sale of the securities of Mississippi Public Service Company by Peoples Light and Power Company, and the application of the proceeds (\$420,000), to the retirement of (a) five of its serial notes payable to The Pennsylvania Company for Insurance on Lives and Granting Annuities each in the amount of \$75,000 maturing on April 1, and October 1, in each year from April 1, 1943 to and including April 1, 1945, and (b) \$45,000

principal amount of the \$75,000 principal amount of the note maturing October 1, 1945, and the application of treasury funds of Peoples Light and Power Company to the retirement of the balance of the note maturing October 1, 1945 and to the payment of interest and premium due on the retirement of all such notes under the provisions of the agreement pursuant to which such notes were issued, are necessary or appropriate to the integration or simplification of Peoples Light and Power Company System, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

The Commission deeming it appropriate in the public interest and for the interest of investors and consumers to grant the applications of said companies pursuant to the applicable sections of the Act and rules thereunder; and the Commission having found that the statutory requirements have been satisfied; *It is hereby ordered:*

(1) That the sale of the securities of Mississippi Public Service Company by Peoples Light and Power Company, and the application of the proceeds (\$420,000), to the retirement of (a) five of its serial notes payable to The Pennsylvania Company for Insurance on Lives and Granting Annuities each in the amount of \$75,000 maturing on April 1, and October 1, in each year from April 1, 1943, to and including April 1, 1945, and (b) \$45,000 principal amount of the \$75,000 principal amount of the note maturing October 1, 1945, and the application of treasury funds of Peoples Light and Power Company to the retirement of the balance of the note maturing October 1, 1945, and to the payment of interest and premium due on the retirement of all such notes under the provisions of the agreement pursuant to which such notes were issued, are necessary or appropriate to the integration or simplification of Peoples Light and Power Company Holding Company System, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

(2) That the applicable provisions of the Act are in other respects satisfied with respect to the proposed transaction, including the action proposed to be taken by said Peoples Light and Power Company and by said Federal Water and Gas Corporation, and that said application be, and hereby is, approved and that said declaration be, and hereby is, permitted to become effective, subject to the terms and conditions prescribed in Rule U-24

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12626; Filed, November 30, 1942;
10:18 a. m.]

[File No. 70-631]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of November, 1942.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than December 10, 1942, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request, that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

General Gas & Electric Corporation, a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a quarterly dividend on its \$5.00 Prior Preferred stock for the quarterly period ended December 15, 1941. As proposed, the amount of the dividend on the 60,000 outstanding shares of this stock will be \$75,000, of which approximately \$40,125 will be paid to the public holders of 32,110.9 shs. The declaration as filed states that the remaining 27,889.1 shares outstanding are held by the Trustees of Associated Gas and Electric Corporation, a registered holding company, who are to waive their right to the receipt of the dividend which would otherwise be payable to them.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-12627; Filed, November 30, 1942;
10:19 a. m.]

[File No. 1-1798]

HELVETIA OIL COMPANY

ORDER GRANTING APPLICATION TO STRIKE
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 24th day of November, A. D., 1942.

In the matter of Helvetia Oil Company—\$1 par value common stock.

The Boston Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing

and registration the \$1 Par Value Common Stock of Helvetia Oil Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on December 3, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-12624; Filed, November 30, 1942;
10:18 a. m.]

