

THE NATIONAL ARCHIVES
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MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 11 NUMBER 7

Washington, Thursday, January 10, 1946

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[Tobacco 13, Supp. 1, Part I]

PART 725—MARKETING QUOTA REGULATIONS, FLUE-CURED AND BURLEY TOBACCO, 1946-47 MARKETING YEAR

The Marketing Quota Regulations, Flue-cured and Burley Tobacco, 1946-47 Marketing Year, Part I, is hereby amended by:

1. Striking out the proviso in § 725.221 and inserting in lieu thereof the following: "Provided, That the acreage allotment so determined shall not exceed the smaller of (a) 75 percent in the case of flue-cured tobacco, and 50 percent in the case of Burley tobacco, of the allotments established pursuant to Section 725.215 for old farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco; or (b) 25 percent of the cropland in the farm."

2. Adding at the end thereof the following new section:

§ 725.226 *Increase of allotments.* The flue-cured tobacco acreage allotments established for all farms as provided in §§ 725.215 through 725.225 shall be increased ten percent. For the purpose of this section the amount of the increase calculated for any farm having an allotment shall not be less than 0.1 acre.

(52 Stat. 38, 47; 54 Stat. 392; 53 Stat. 1261; 56 Stat. 51; 7 U.S.C. 1301 (b), 1313; 52 Stat. 66; 7 U.S.C. 1375; Pub. Law 118, 78th Cong., approved July 7, 1943, 57 Stat. 387, as amended by Pub. Law 276, 78th Cong., approved March 31, 1944, 58 Stat. 136)

Done at Washington, D. C., this 7th day of January 1946. Witness my hand

and the seal of the Department of Agriculture.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-465; Filed, Jan. 8, 1946; 3:28 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial No. 4351]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORM OF REPORT OF FINANCIAL AND OPERATING STATISTICS FOR DOMESTIC AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 3rd day of January, 1946. Amendment No. 4 to Form of Report of Financial and Operating Statistics for Domestic Air Carriers.

The Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (a) thereof, and finding its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder;

It is ordered, That the form of Report of Financial and Operating Statistics for Domestic Air Carriers (C. A. B. Form 2780),¹ as amended, be and the same is further amended to substitute airport-to-airport mileages for course flown mileages, as set forth in Amendment No. 4 attached hereto;² and

It is further ordered, That amendment No. 4 attached hereto shall become effective for reporting operations performed on and after January 1, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-475; Filed, Jan. 9, 1946; 10:54 a. m.]

¹ On file with the Division of the Federal Register.

² Filed as part of the original document.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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NOTICE

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

Book 3: Titles 33-50, including a general index and ancillary tables.

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**PART 202—ACCOUNTS, RECORDS AND RE-
PORTS**

**UNIFORM SYSTEM OF ACCOUNTS FOR DOMESTIC
AIR CARRIERS**

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C., on the 3d day of January 1946. (Amendment No. 9 to Uniform System of Accounts for Domestic Air Carriers.)

The Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 407 (a) thereof, and finding its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for Domestic Air Carriers (CAB Form 2780 Manual 1-1-42),¹ as amended, be and the same is further amended to substitute airport-to-airport mileages for course flown mileages, as set forth in Amendment No. 9 attached hereto;² and

It is further ordered, That Amendment No. 9 attached hereto shall become effective as applied to operations performed on and after January 1, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-474; Filed, Jan. 9, 1946
10:54 a. m.]

¹ On file with the Division of the Federal Register.

² Filed as part of the original document.

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

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

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

[Priorities Reg. 28, Direction 8]

SPECIAL PROVISIONS FOR THE ASSIGNMENT OF CC RATINGS IN ORDER TO ASSURE THE MANUFACTURE AND MAINTENANCE OF CONCRETE BUILDING PRODUCTS MACHINERY AND EQUIPMENT

The following direction is issued pursuant to PR 28:

(a) The supply of concrete building products (such as light and heavy aggregate concrete block, brattice block, silo stave units, and cement brick) for present and anticipated requirements for the required expansion in construction is dependent upon the maintenance and expansion of existing plants producing such products, and the construction of new plants. The supply of concrete building products machinery and equipment is substantially less than present and anticipated requirements; and this shortage is therefore a serious threat to the economy of the country during the reconversion period. Consequently, CPA will assign CC ratings as provided in paragraph (d) (1) (iii) of PR-28 in accordance with the conditions of this direction where necessary to maintain or expand the production of special concrete products machinery.

(b) *Manufacturers of "special" concrete products machinery*—(1) *Production materials.* CC ratings may be assigned to manufacturers of "special" concrete products machinery for production materials (including those to be sold as maintenance, repair and operating supplies for such machinery) where the manufacturer of the concrete products machinery demonstrates that he is unable to obtain delivery of the minimum amount at the latest date practicable without a rating.

(2) *Capital equipment and MRO.* CC ratings for capital equipment and MRO for the machinery manufacturer will be assigned only as provided in PR-28.

(3) *Meaning of "special" concrete products machinery.* "Special concrete products machinery," as used in this direction, means machinery and equipment of a general type designed solely for the production of concrete building products and useful only for that purpose (such as concrete block and brick machines and attachments, including concrete mixers and ship loaders as commonly used in the concrete products industry), but does not include general types of equipment suitable for other use even though a particular piece of equipment is designed and built expressly for the concrete products manufacturer (e. g., an electric motor built by a motor manufacturer specifically for a concrete block manufacturer).

(c) *Denials of CC ratings.* The CC rating will be denied where it appears that the item for which a CC rating will be used is available, but under different terms of sale or from a supplier other than the applicant's customary supplier.

(d) *PR-28 still applies.* In any case not covered by the above, CC ratings will be as-

signed only as provided in Priorities Regulation 28.

Issued this 9th day of January 1946.

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

[F. R. Doc. 46-477; Filed, Jan. 9, 1946;
11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 335, Amdt. 9]

PEANUTS AND PEANUT BUTTER

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 24 is amended to read as follows:

SEC. 24. *Individual adjustment of peanut butter processors' maximum prices*—(a) *When adjustments may be made.* Either on his own motion or upon application in accordance with Revised Procedural Regulation No. 1, the Administrator may adjust a processor's maximum price for any item of peanut butter established under this regulation where it appears that:

(1) The maximum price is below the median price at which sales of the same and similar items may be made by processors;

(2) The processor would be entitled to a price increase under the standards set forth in paragraph (b) (2) below; and

(3) In the judgment of the Administrator, an increase in the processor's maximum price would be furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599.

(b) *Amount of adjustment.* (1) The maximum price, as adjusted under this section, shall in no event, exceed the median price at which sales of the same and similar items may be made by processors.

(2) Subject to the limitation of (1), the adjusted maximum price shall not exceed the following amount:

(i) Processing costs for the item, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of peanut butter,² during the most recent fiscal period, was 2.5 percent or higher; or

(ii) Total costs for the item, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of peanut butter,² during the most recent fiscal period, was

¹ 8 F.R. 6834, 10264, 10987, 12445, 14852; 9 F.R. 10263, 11712, 12413; 10 F.R. 3642, 6589.

² In determining "net operating profits (before income and excess profits taxes) to net sales" appropriate adjustment may be made by the Price Administrator to reflect changes in subsidy payments effective September 1, 1945.

less than 2.5 percent but not lower than 1.3 percent; or

(iii) Total costs for the item plus a profit equal to 1.3 percent of the adjusted maximum price, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of peanut butter,² during the most recent fiscal period, was lower than 1.3 percent.

(c) *Form and place of filing application.* Applications for adjustment under this section shall be filed with the Office of Price Administration, Washington, D. C., in duplicate, on Office of Price Administration Form No. 6031-2555 and shall contain the information specified in the form. Copies may be obtained from any field office of the Office of Price Administration or from the Grocery Specialties Section, Food Price Division, Office of Price Administration, Washington, D. C.

In addition to the information requested on the above form, the applicant must also submit a statement setting forth (a) a breakdown of his total sales showing the number of pounds on which subsidy payments were received and the amount of subsidy received during the fiscal period prior to September 1, 1945, and (b) the actual average delivery costs for the item if the present price is a delivered price.

(d) *Definitions*—(1) "Similar items." Items shall be deemed similar if they afford the same use and fairly equivalent serviceability. In determining equality, differences merely in size, style, grade or design, which do not substantially affect use or serviceability, shall be disregarded.

(2) "Net sales," means total sales less return sales of finished product.

(3) "Processing costs" means current: (1) Actual cost per unit, delivered to the plant, of all ingredients and packaging materials for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs, or, if no maximum prices have been established, figured at no more than their current market prices;

(ii) direct labor cost per unit, figured at no more than lawful current rates;

(iii) other costs of processing per unit, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general administrative and selling expenses.

(4) "Total costs" means processing costs plus general administrative and selling expenses per unit.

(5) "Median price" means the middle price of a series of prices arranged in order of size, or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

(e) *Effect of prior adjustment.* In determining adjustments under this section, changes in prices resulting from the granting of prior adjustments under this section shall, so far as practicable, be disregarded.

This amendment shall become effective January 14, 1946.

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

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

Approved: December 28, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-481; Filed, Jan. 9, 1946;
11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[F.P.R. 1; Incl. Amdts. 1-3]

GENERAL PRICING PROVISIONS FOR CERTAIN FOOD PRODUCTS¹

This compilation of Food Products Regulation 1 includes Amendment 3, effective January 14, 1946. Amendments and revocations by Amendment 3 are indicated by underscoring or notes.

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

EXPLANATION OF THE REGULATION

ARTICLE I—GENERAL DEFINITIONS

- Sec.
- 1.1 Meaning of "person".
 - 1.2 Meaning of "processor".
 - 1.3 Meaning of "distributor".
 - 1.4 Meaning of "repacker".
 - 1.5 Meaning of "primary distributor".
 - 1.6 Meaning of "wholesaler" and "retailer".
 - 1.7 Meaning of "ultimate consumer".
 - 1.8 Meaning of "item".
 - 1.9 Meaning of "container type".
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 - 1.11 Meaning of "price".
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- 2.5 Individual authorization of maximum prices.
- 2.6 When the seller must figure a delivered price.
- 2.7 Uniform prices where the processor or repacker has more than one factory.
- 2.8 Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis.
- 2.9 Maximum prices for primary distributors.
- 2.10 Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers.
- 2.11 Payment of brokers.
- 2.12 Maximum prices for sales to government procurement agencies.
- 2.13 Special packing expenses that may be reflected in maximum prices for sales to government procurement agencies.

¹ 9 F.R. 6711.

² Title amended by Am. 3.

³ Statements of the Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

- Sec.
- 2.14 Treatment of federal and state taxes.
 - 2.15 Units of sale and fractions of a cent.
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- 3.2 Weights.
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- 3.8 Sales slips and receipts.
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- 3.10 How a figured maximum price is established and how an established maximum price may be changed.
- 3.11 Adjustable pricing.
- 3.12 Compliance with the applicable supplement.
- 3.13 Adjustment of maximum prices of food products under "Government contracts" or subcontracts.
- 3.14 Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act.
- 3.15 [Revoked]
- 3.16 Petitions for amendment.

AUTHORITY: § 1351.374 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

EXPLANATION OF THE REGULATION

The purpose of this regulation is to gather into a single document the provisions most commonly used in fixing maximum prices for certain food products in sales by processors, repackers, primary distributors and intermediate sellers (but not wholesalers or retailers).

Taken by itself, the regulation names no maximum prices. These are printed in separate documents which are issued as "supplements" to the regulation. For example, the basic maximum prices for canned grapefruit juice are set forth in a separate supplement which contains the provisions which apply only to packed citrus products. It is only the more general provisions, applicable to a number of commodities, which are collected here. Compliance with maximum prices, it is expected, will be made easier by this standardization of generally applicable provisions and by including them in a single document rather than in many separate regulations.

Moreover, the provisions of this regulation apply to particular food products only as they become parts of these supplements. Thus, for example, whether or not section 1.5 (meaning of "primary distributor") becomes a part of a particular supplement depends upon whether section 1.5 is stated in that supplement to be part of it. Not all the sections of this regulation will apply to every supplement, and when particular sections are not listed in a supplement, they are to be disregarded for the purposes of that supplement.

NOTE: In many sections of this regulation, reference is made to "the effective date of the applicable supplement". Because food products may be added from time to time to a given supplement, "effective date of the applicable supplement" shall mean the date when the item being priced is first included in it.

ARTICLE I—GENERAL DEFINITIONS

NOTE: A seller is sometimes in doubt as to how to determine his maximum price because he is not certain what kind of seller he is under the regulation. This happens most frequently in those cases where the seller manufactures some of the products he sells, and buys the rest. For example, he may manufacture and sell catsup, but only distribute the spaghetti sauce, salad dressing, and other products he sells. When pricing his catsup, he may be in doubt whether to price it as a "distributor" (since that is his general business) or as a "processor" (since he is a manufacturer of catsup). It is desirable, therefore, to explain how the names used in this regulation and its supplements apply to various kinds of sellers.

When classifying a seller, this regulation is concerned only with the way he handles the particular kind and brand (if any) of product which he is pricing. For example, if he is pricing "Atlas" brand canned corn, the only question is how he handles "Atlas" brand corn. How he sells "Atlas" brand peas or "Jones" brand corn makes no difference. Thus, even if the seller is in the general business of wholesaling, and therefore ordinarily thinks of himself as merely a "wholesaler", he is a "processor" when pricing the "Atlas" brand corn he sells if he manufactures that brand of canned corn.

Moreover, the seller is a "processor", with a processor's maximum price, with respect to all the "Atlas" brand canned corn which he sells, even though he makes only a part of it. The reason for this rule is that if in each transaction the seller were to have more than one maximum price for the same product, the buyer would have no way of knowing which price was applicable and the lower ceiling would be unenforceable.

In other words, the important thing is whether the seller manufactures the particular kind and brand of product being priced and not how he carries on his general food business.

SECTION 1.1 Meaning of "person". "Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

SEC. 1.2 Meaning of "processor". "Processor" means a person who processes any part of what he sells of the kind and brand of product being priced. The term includes a person who has the goods "custom-packed" or "toll-packed" by another.

Example: (See note above to Article I)

SEC. 1.3 Meaning of "distributor". "Distributor" means a person who purchases all he sells (for his own account) of the kind and brand of product being priced and resells it without processing any part of it. However, the term does not include such a seller when he is reselling particular goods which he has repackaged (see section 1.4).

Example: (See note above to Article I)

SEC. 1.4 Meaning of "repacker". "Repacker" means a person, other than a processor, wholesaler or retailer, who purchases the particular goods being priced and resells them after repackaging.

Example: Smith buys maraschino cherries in barrels and without further processing packs them in consumer-size bottles for resale to wholesalers. Smith is a "repacker" as to the goods which he handles in this way.

SEC. 1.5 Meaning of "primary distributor". "Primary distributor" means a distributor, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of product being priced and who during the one-year period immediately preceding the time of sale made at least 50% (by dollar volume) of his purchases of the kind from processors in carload quantities delivered for storage into a warehouse not owned or controlled by any of his suppliers or customers, for resale by him in less-than-carload quantities.

[Above paragraph amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

In this section, "carload quantity" means any quantity of the kind of product being priced which equals or exceeds the carload minimum weight specified for the product in Consolidated Freight Classification No. 16, and amendments, issued by Agents Greenly (I. C. C.—O. C. No. 60), Dulaney (I. C. C. No. 92), Fyfe (I. C. C. No. 29), and Raasch (I. C. C. No. 566).

Example: The minimum carload quantity of canned grapefruit juice is 38,000 pounds (see Consolidated Freight Classification No. 16, p. 266, Item 18530). This is the minimum carload quantity even though lesser quantities sometimes take a carload rate.

SEC. 1.6 Meaning of "wholesaler" and "retailer".

NOTE: These definitions of "wholesaler" and "retailer" are derived from Maximum Price Regulations Nos. 421,³ 422,⁴ and 423,⁵ the regulations which apply generally to sales of food products at wholesale and retail. At these levels of distribution, unlike those covered by this regulation and its supplements, sellers are classified on the basis of their overall food operations, and not according to the way they handle any particular product.

"Wholesaler" means a person the larger dollar volume of whose food business is the purchase and resale of food products, without materially changing their form, for distribution out of his warehouse to independent retail stores, or to commercial, industrial or institutional users.

"Retailer" means a person the larger dollar volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers other than commercial, industrial and institutional users.

[Sec. 1.6 amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 1.7 Meaning of "ultimate consumer". "Ultimate consumer" means a person who buys the kind and brand of product being priced for direct consumption. The term includes commercial, industrial and institutional users.

SEC. 1.8 Meaning of "item." "Item" means a kind, variety, grade, brand, style of pack, container type and size of product.

SEC. 1.9 Meaning of "container type". "Container type" refers to the composi-

tion or style of the container used (a separate price must be figured for each container type).

Examples: Tin, glass and paper containers are all different container types. Likewise, a glass container of one design is a different container type from a glass container of a substantially different design.

SEC. 1.10 Meaning of "sale". "Sale" includes sales, dispositions, exchanges, leases and other transfers, and contracts and offers to do any of those things. The terms "sell", "seller", "buy", "buyer", "purchase" and "purchaser" shall be construed accordingly.

SEC. 1.11 Meaning of "price". "Price" means the consideration requested or received in connection with the sale of a commodity or the supplying of a service.

SEC. 1.12 Meaning of "net delivered cost". "Net delivered cost" means the lawful amount the seller pays for the item (in a purchase which is customary, for him, in quantity, type of supplier, receiving point and means of transportation), less all discounts allowed him, except the discount for prompt payment. However, except in the case of raw agricultural commodities, the expense of local trucking or unloading may not be included in figuring "net delivered cost".

SEC. 1.13 Meaning of "delivered to the customary receiving point". "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the product. In any case where the buyer has no customary receiving point, "delivered to the customary receiving point" means delivered to that point where it is customary in the industry to receive the product. (Maximum prices named at the customary receiving point include all transportation to that point. Any amount the buyer himself pays to get the goods to that point must be subtracted from the maximum price named. Any amount the seller pays to move the goods beyond that point may be added to the maximum price.)

SEC. 1.14 Meaning of "records". "Records" means written evidences of transactions and includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

ARTICLE II—PRICING PROVISIONS

SECTION 2.1 Processors who have two seasonal packs. This section applies only to processors.

Any processor who has two seasonal packs of a food product during the calendar year may, if he wishes, figure maximum prices for it as if each pack were a separate commodity. If the maximum prices so figured for the two packs are different, the processor shall plainly indicate on the invoice in each case, and on each consumer package, whether the product is the "spring pack" or the "fall pack."

SEC. 2.2 Maximum prices for products in new container types or sizes. This section applies to processors and repackers.

The maximum price per unit for any item which is packed in a new container type or size for which no maximum price is otherwise provided and which meets the requirements of paragraph (a), below, shall be figured under the following pricing method.

"New container type or size", in the case of products for which maximum prices are established on the basis of sales which the seller made during a base period named in the applicable supplement, means a container type or size which the seller did not sell during that period. In the case of products for which dollars-and-cents maximum prices are named, it means a container type or size for which no maximum price is named.

For each such item, the seller shall:

(a) *Determine the base container.* If the seller has sold the same product (that is, the same kind, variety, grade, brand, and style of pack), but only in other container types or sizes, he shall first determine the most similar container type for which he is able to figure a maximum price for that product (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger than the new size, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the base container. If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to determine the base container. However, no container type and size which has been priced under this section shall be used as a base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the seller is adding to or replacing, like the tin which he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(b) *Find the base price.* The seller shall take as the "base price" his maximum price under the applicable supplement for the product when packed in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the seller's shipping point, the seller shall first convert it to a base price f. o. b. shipping point by deducting whatever transportation charges were included in it.

(c) *Deduct the container cost.* Taking his base price f. o. b. shipping point, the seller shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the seller's plant, of the container, cap, label, and proportionate part of the outgoing shipping carton, but it does not include cost of filling, closing, labeling or packing.

(d) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of units in the base container and multiplying the result by the number of the same units in the new container.

³ 10 F.R. 1496, 5037, 5369, 7251, 11302.

⁴ 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9263, 9430, 11303.

⁵ 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015, 8656, 9272, 9263, 9431, 11303.

(e) Add the new container cost to get the price f. o. b. shipping point. Next, the seller shall add to the adjusted figure the "direct cost" of the container in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. shipping point price, the resulting figure is the seller's maximum price f. o. b. shipping point.

(f) Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis. If the seller's maximum price for the product in the base container is a delivered price, he shall figure transportation charges to be added as follows: The seller shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion to the difference in shipping weight. If for any reason the product in the new container will move under a different freight tariff classification, the seller shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification on March 17, 1942. Changes in tariff rates or transportation taxes made since March 17, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The seller shall then add these transportation charges to his f. o. b. shipping point price for the commodity in the new container. The resulting figure is the processor's or repacker's maximum delivered price.

Examples: Case 1. The maximum price f. o. b. factory if the base container is the same in size as the new container but different in type. Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum price per doz. f. o. b. factory in base container ("base price")	\$0.55
Subtract "direct cost" of base container	-.20
	.35
Add "direct cost" of new container	+.34
New maximum price (f. o. b. factory)	\$0.69

Case 2. The maximum price f. o. b. factory if the base container is different in size from the new container and either the same or different in type. Assume the base container is a 10½ oz. tin and the new container is an 8 oz. tin or glass.

Maximum price per doz. f. o. b. factory in base container ("base price")	\$1.20
Subtract "direct cost" of base container	-.15
	1.05

Adjust to new container:
Divide by number of ounces of commodity in base container

	\$1.05
	÷ 10½
	.10

Multiply by number of ounces of commodity in new container

	× 8
	\$0.80

Add "direct cost" of new container (glass)	.26
New maximum price (f. o. b. factory)	\$1.06

Case 3. The maximum delivered price if the base container is the same in size as the new container but different in type. Assume the

base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per doz. in base container (figured carload)	\$0.60
Subtract transportation charges	-.05

Price f. o. b. factory ("base price")	.55
Subtract "direct cost" of container	-.20

	.35
Add "direct cost" of new container	+.34
Add new transportation charges:	
\$0.05 (old transportation charges) ×	
40 lb. (new shipping weight/case)	
34 lb. (old shipping weight/case)	= .058

New maximum delivered price	\$0.75
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Case 4. Same except that the new container type puts the commodity in a different freight tariff classification. Assume the base container is a 16 oz. tin and the new container is a 16 oz. glass.

Maximum delivered price per doz. in base container (figured less than carload)	\$0.60
Subtract transportation charges	-.05

Price f. o. b. factory ("base price")	.56
Subtract "direct cost" of container	-.20

	.35
Add "direct cost" of new container	+.34
Add new transportation charges:	
40 lb. (new shipping weight)	×
100	

\$.185 (rate per cwt. under new classification)	= .074
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New maximum delivered price (doz.)	\$0.76
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SEC. 2.3 Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function. This section applies only to processors. Moreover, the adjustments provided by it apply only to dollars-and-cents maximum prices and not to maximum prices figured on a formula basis.

(a) Sales by processors from branch warehouses. Any processor who sells the item being priced, from a branch warehouse owned or controlled by him, to retailers or to commercial, industrial or institutional users, shall figure his maximum prices for these sales, f. o. b. branch warehouse, as follows: He shall add to his dollars-and-cents maximum price, f. o. b. factory, the freight, if any, incurred from factory to branch warehouse, and multiply the resulting figure by the markup named in Maximum Price Regulation No. 421 for cash-and-carry wholesalers or for service wholesalers, depending on whether delivery is made in the particular sale to the buyer's place of business. These markups shall be used only when the particular goods have been warehoused at the branch warehouse and are being sold in less-than-carload quantities. (A processor who has more than one factory or branch warehouse may, if he wishes, figure freight on a weighted average basis from factory to branch warehouse, in the manner provided in section 2.8 of Food Products Regulation No. 1.)

"Branch warehouse" means a plant or warehouse (1) which is physically apart from the seller's factory and is separately operated for the principal purpose of selling (in contrast to storing) food products manufactured by him, (2) from which he sells a larger

volume of the product to independent retail stores or commercial, industrial or institutional users than he sells to other classes of purchasers, and (3) at which he maintains a sales organization separate from the factory sales organization.

(b) Sales by processors to ultimate consumers. Processors who sell the items they manufacture to ultimate consumers, other than commercial, industrial and institutional users, are normally persons whose general business is selling at retail items manufactured by others. Retailers are covered by Maximum Price Regulations Nos. 422 and 423, which also provide special pricing methods for items that a retailer may happen to manufacture himself (see section 25 of MPR 422). Manufacturing retailers, therefore, shall figure their maximum prices under those regulations.

SEC. 2.4 Elective pricing method for processors. This section applies only to processors.

If the processor cannot otherwise determine his maximum price for an item under the pricing methods of the applicable supplement, he may, if he wishes, figure his maximum price under the pricing method of this section. However, if any ingredient is a raw agricultural commodity, he may use this pricing method only if each of the raw agricultural commodities actually used in the item is either subject to maximum prices, or is covered by announced prices (including support prices) recommended by the Department of Agriculture for payment to growers, or is covered by the Commodity Credit Corporation's purchase and resale program.

(a) Pricing method for sales to purchasers other than government procurement agencies. Under this section, the processor's maximum price per dozen or other unit for sales to purchasers other than government procurement agencies shall be figured as follows. (A maximum price shall be figured for each factory at which he processes the item being priced, although the processor may later elect to combine prices as provided in section 2.7 of Food Products Regulation No. 1, where applicable to the particular supplement.) He shall:

(1) Figure the "direct cost" of the item. The processor's "direct cost" per dozen or other unit of the item shall be figured by adding together the following:

(i) His actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs or, if no maximum price has been established, figured at no more than its current market price;

(ii) His actual cost per unit of all raw agricultural ingredients included in the Commodity Credit Corporation's purchase and resale program, figured in each case at no more than the Commodity Credit Corporation's resale price for the area in which his customary receiving point is located;

(iii) His actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs;

(iv) His actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has either recommended prices for payment to growers or announced support prices, figured in each case at no more than that price;

(v) His direct labor cost per unit, figured at no higher than lawful current rates; and

(vi) Transportation charges per unit by the usual mode of transportation from his customary supplier to his factory with respect to any cost used in (i), above, and from his customary receiving point to his factory with respect to any cost used in (ii), (iii) and (iv), above, if that cost is not a delivered cost and if these charges are customarily incurred.

[Above portion of paragraph (a) amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

(2) Multiply by the "markup percentage." The processor shall multiply his "direct cost" per dozen or other unit of the item by a "markup percentage," figured by dividing:

(i) The current maximum price per unit for sales of the most closely comparable commodity then being produced by him, to purchasers other than government procurement agencies, by:

(ii) The current cost per unit of ingredients, packaging materials and direct labor of that commodity, figured in the same manner as he figures his "direct cost" under subparagraph (1), above, for the item being priced.

The resulting figure is the processor's unadjusted price for sales of the item to purchasers other than government procurement agencies.

(3) Adjust for any applicable subsidy payment. The processor shall finally adjust the maximum price by deducting any direct subsidy payment, payable per unit of the finished product, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being sold.

(b) Meaning of "most closely comparable commodity." As used in this section, "most closely comparable commodity" means a food product, covered by the same supplement, (1) whose maximum price does not exceed the percentage of its "direct cost" named in the applicable supplement; (2) whose current "direct cost" is closest to but not less than two-thirds of the "direct cost" of the item being priced; and (3) for which the methods employed in its sale and merchandising are similar to those which will be used in the sale and merchandising of the item being priced. As between two or more such commodities having the same "direct cost", the one whose maximum price represents the smallest percentage of its own "direct cost" shall be used.

(c) Meaning of "current." As used in this section, "current" means at the time of figuring the new maximum price.

(d) Meaning of "actual cost per unit of all other raw agricultural ingredients." "Actual cost per unit of all other raw agricultural ingredients" means net cost per dozen or other unit after the deduction of any direct subsidy payment, payable per unit of ingredients, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy, and which is applicable to the ingredients used in the particular goods being sold.

(e) Direct labor cost. In deciding whether items of labor cost are to be treated as direct cost in figuring the price or are to be treated as overhead, the processor shall follow his customary practice. Thus, if a processor has treated cleaning labor as an item of overhead with respect to the comparable commodity used in determining the markup percentage, he shall continue to treat it in this way when figuring the maximum price.

(f) Other cost factors. The processor shall employ no cost factors, direct or indirect, in addition to those entering into the cost of the comparable commodity used in determining the markup percentage and he shall make no changes in the method of application of those factors which would result in a higher price.

(g) Examples illustrating the method of selecting the "most closely comparable commodity".

Example 1: Pricing of a new item of pancake mix. The processor is pricing Commodity A, for which the direct cost is \$1.48, as itemized below. He also produces Commodities B and C, listed below, for which he has established maximum prices, under the applicable supplement, for sales to

wholesalers. The maximum markup percentage named in the supplement is 165%. The sales unit is twenty-four 20-ounce packages, and sales of the new item are to be made to wholesalers only. All maximum prices are on an f. o. b. shipping point basis.

	Commodity A (being priced)	Commodity B	Commodity C
Ingredients.....	\$1.13	\$1.26	\$0.97
Packaging materials....	.24	.24	.24
Direct labor.....	.11	.13	.10
Total direct cost.....	1.48	1.63	1.31
Maximum price.....		2.53	2.16
Markup percentage.....		155%	165%

The maximum price of neither Commodity B nor Commodity C exceeds 165% of direct cost; the direct cost of each is not less than two-thirds of Commodity A; and both are sold to wholesalers. However, the direct cost of Commodity B is closer than that of Commodity C to the direct cost of Commodity A. Hence, Commodity B must be used. Application of its markup percentage of 155% ($\$2.53 \div 1.63$) to the \$1.48 direct cost of the new item results in a maximum price of \$2.29 per twenty-four 20-ounce packages of the new pancake mix, f. o. b. shipping point, for sales to wholesalers.

Example 2: Pricing of a new item of blackberry preserves, made from fresh blackberries. In 1945 the Department of Agriculture announced that 12 cents per pound was recommended to be a proper payment to growers for fresh blackberries. Hence, ingredient cost for fresh blackberries may not exceed that figure. The preserver packs the additional commodities listed below, for which he has established maximum prices under the same applicable supplement, for sales to wholesalers. The maximum markup percentage named in the supplement is 150%. The sales unit is one dozen 1-pound jars, and sales of the new item are to be made to wholesalers only. All maximum prices are on an f. o. b. factory basis.

[Above paragraph amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

	Blackberry preserves (commodity being priced)	Apple jelly, Commodity A	Apricot preserves, Commodity B	Peach preserves, Commodity C	Boysenberry preserves, Commodity D	Loganberry preserves, Commodity E
Ingredients.....	\$2.20	\$0.85	\$1.60	\$1.80	\$2.05	\$2.10
Packaging Materials.....	.30	.30	.30	.30	.30	.30
Direct labor.....	.20	.15	.15	.15	.25	.20
Total direct cost.....	2.70	1.30	2.05	2.25	2.60	2.60
Maximum price (to wholesalers).....		1.65	3.20	3.00	3.38	3.25
Markup percentage.....		127%	156%	133%	130%	125%

The preserver also packs grape jelly, which he sells to retailers only. He may not use this commodity, regardless of other circumstances, since the methods employed in its sale and merchandising are not similar to those which will be used with respect to the new commodity.

Commodity A cannot be used because its direct cost is less than two-thirds of the direct cost of the new item.

Commodity B cannot be used because its maximum price exceeds 150% of its direct cost ($\$3.20 \div \$2.05 = 156\%$).

Commodity C cannot be used because Commodities D and E have a direct cost closer than that of Commodity C to the direct cost of the new item.

Commodity E must be used instead of Commodity D, although each has the same direct cost, because the maximum price of Commodity E represents a smaller percentage of its direct cost than the percentage of direct cost represented by the maximum price of Commodity D. Thus, since the

other necessary conditions are present, loganberry preserves must be used as the comparable commodity. Application of its markup percentage of 125% ($\$3.25 \div \2.60) to the \$2.70 direct cost of the new item results in a maximum price of \$3.375 per dozen one-pound jars of blackberry preserves, f. o. b. factory, for sales to wholesalers.

(h) Refiguring the maximum price. The processor shall refigure his maximum price under paragraph (a), for sales to purchasers other than government procurement agencies, in any case where the amount of any direct subsidy payment, applicable to the particular goods being sold, is announced by the Commodity Credit Corporation, or other agency responsible for the administration of the subsidy, after he has established his price. The refigured maximum price shall apply to sales of such

goods made after the date of the announcement.

(i) *Pricing method for sales to government procurement agencies.* The processor's maximum price for sales of the item to government procurement agencies shall be determined as provided in section 2.12 of Food Products Regulation No. 1, which for this purpose shall be considered part of this section. However, if any other pricing method is provided in the applicable supplement for sales of the item to government procurement agencies, that pricing method shall be used.

(j) *Discounts and allowances.* The maximum price figured under this section shall be subject to discounts, transportation and other allowances and price differentials no less favorable than those given with respect to the comparable commodity used in determining the "markup percentage." However, in the case of sales to government procurement agencies, the processor is not required to give a discount either for prompt payment or for "brokerage."

[Paragraph (j) amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

(k) *Reporting and approval of prices.* Before delivering the item to any purchaser, the processor shall file with the Office of Price Administration, Washington, D. C., a report setting forth the following:

(1) A description of the item for which he has figured a maximum price under this section and the reasons why the price cannot be otherwise determined by him;

(2) The maximum price so figured, together with a true copy of the calculations showing his determination of the price, and, for the purposes of comparison, itemized cost breakdowns of both the item being priced and the comparable commodity used in determining the markup percentage, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs, such as raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or estimated cost;

(3) The method of distribution to be employed by the processor in marketing the item (i. e., whether it is to be sold to wholesalers, retailers, ultimate consumers or other classes of purchasers);

(4) A list of his customary discounts, transportation and other allowances and price differentials; and

(5) The volume of the item which he has on hand and which he expects to produce during the following twelve months.

Upon receipt of the report, the Office of Price Administration will either approve the maximum price or disapprove it and authorize a maximum price. The maximum price approved or authorized will be one which bears a proper relationship to those for comparable commodities and sellers.

After filing the report, the processor may deliver the item, but he may not receive payment for it until a maximum price has been approved or authorized.

The reported price shall be considered approved 30 days after the report is mailed (or all additional information that may have been requested) unless, within that time, the processor has received notice from the Office of Price Administration that it has either disapproved the price or authorized a maximum price.

If the processor does not submit all additional information that may have been requested, within 30 days after the request is mailed, his report shall be considered withdrawn and the docket closed. The docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Administration will not be given unless the report is refiled.

[Above two paragraphs added by Am. 1, 10 F.R. 11298, effective 9-10-45]

Where any cost factor set forth in the report is an estimated amount, the processor shall file with the Office of Price Administration, Washington, D. C., not earlier than three months nor later than six months after a maximum price has been approved or authorized, a statement showing the actual cost of that factor in his production of the item since the maximum price was approved or authorized.

Whenever a processor refigures a maximum price under paragraph (h), above, he shall file with the Office of Price Administration, Washington, D. C., within two weeks after the date of the announcement of the direct subsidy payment, a report stating his new maximum price and the amount of the subsidy.

Any maximum price established under this section shall be subject to revision at any time by the Office of Price Administration.

SEC. 2.5 Individual authorization of maximum prices. This section applies to processors and repackers.

If the processor or repacker cannot otherwise determine his maximum price for an item under any of the pricing methods of the applicable supplement and he cannot or elects not to price under section 2.4 of Food Products Regulation No. 1 (where adopted by the applicable supplement), before delivering the item to any purchaser he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price, for each factory at which he processes the item, subject to the conditions set forth below.

(a) *Information that must be given in all cases.* In all cases, the seller shall submit the following information as part of his application:

(1) A description in detail of the item for which a maximum price is sought, including its grade and brand name (if any) to be used, a statement of the facts that make it different from the most similar item for which he has determined a maximum price, identifying the similar item and stating its maximum price, and a statement giving the reasons why a maximum price cannot be established under the pricing methods of the appli-

cable supplement. (The statement of reasons should indicate whether sales of the item have previously been made and if so how its maximum price was determined, and the reasons why the seller cannot price the item under section 2.2 of Food Products Regulation No. 1 or other differential method provided in the applicable supplement.)

(2) The weighted average raw material cost per ton or other unit figured in the manner and subject to any limitations set forth in the general pricing methods of the applicable supplement, and a statement showing his current case (unit) yield.

(3) The maximum price proposed for the item, indicating whether it is for sales to purchasers other than government procurement agencies (in this case he should make due allowance for applicable subsidy payments) or to government procurement agencies (or both), any discounts or allowances that should be made applicable to the proposed price and a list of his customary discounts, transportation and other allowances and price differentials.

(4) The method of distribution to be used by the seller in marketing the item (i. e., whether it is to be sold to wholesalers, retailers, consumers or other classes of purchasers).

(5) The volume of the item which he has on hand and which he expects to produce during the following twelve months.

(b) *Supplementary information that must be given if required by the applicable supplement or specifically requested.* If required by the applicable supplement or specifically requested by the Office of Price Administration, the seller shall submit the following information in addition to that set forth in paragraph (a):

(1) An itemized current cost breakdown per dozen or other unit of the item to be priced, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs, such as raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead, and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or an estimated cost.

If the seller is a processor, the cost breakdown shall show the cost of all raw agricultural commodities used as ingredients, as follows:

(i) Actual cost per unit of all raw agricultural ingredients included in the Commodity Credit Corporation's purchase and resale program, figured in each case at no more than the Commodity Credit Corporation's resale price for the area in which his customary receiving point is located.

(ii) Actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs.

(iii) Actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has either recommended prices for payment to growers or announced support prices, figured in each case at no more than that price, or, if no recommended or support price has been announced, figured at no more than its current market price.

"Actual cost per unit of all other raw agricultural ingredients" means net cost per dozen or other unit after the deduction of any direct subsidy payment, payable per unit of ingredients or per unit of the finished product, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy, and which is applicable to the particular goods being priced. The processor shall state separately in his application the amount of any such direct subsidy payment.

(2) The maximum price and an identical current cost breakdown (for comparison) of the most closely comparable food item that contributes substantially to his total volume of business, including a list of the discounts, transportation and other allowances and price differentials given with respect to that item.

"Most closely comparable food item" means the most closely comparable food item (i) which is covered by the same general pricing method of the applicable supplement; or, if the processor has not established a maximum price for another item under that pricing method, one which is covered by the same supplement; or, if the processor has not established a maximum price for another item under that supplement, any food item; (ii) whose current direct cost is closest to the direct cost of the item being priced; and (iii) for which the methods employed in its sale and merchandising are similar to those which will be used in the sale and merchandising of the item being priced. As between two or more items having the same direct cost, the one whose maximum price represents the smallest percentage of its own direct cost shall be used.

"Current" means at the time of applying for the new maximum price.

(c) *Disposition of application.* Upon receipt of the application, the Office of Price Administration will authorize a maximum price for sales to purchasers other than government procurement agencies, or a method for determining the maximum price, for the applicant or for sellers of the item generally, including purchasers for resale or for a class of such resellers. The maximum price authorized will be one that bears a proper relationship to those for comparable commodities and sellers.

Separate maximum prices will be authorized for sales to government procurement agencies. For a processor, consideration will be given to the Commodity Credit Corporation's purchase price for the area in which his factory is located, in the case of a raw agricultural ingredient included in the Commodity Credit Corporation's purchase and resale program. Similarly, consideration will be given to any direct subsidy payment, the

amount of which is stated in the applicable supplement or has been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being priced or their ingredients.

A proposed price shall be considered authorized 30 days after the application is mailed (or all additional information that may have been requested) unless, within that time, the applicant has received from the Office of Price Administration a notice to the contrary.

If the applicant does not submit all additional information that may have been requested, within 30 days after the request is mailed, his application shall be considered withdrawn and the docket closed. The docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Administration will not be given unless the application is refiled.

(d) *Delivery before authorization of prices.* After filing the application, the seller may deliver the item, but he may not receive payment for it until a maximum price is authorized. In the case of sales to government procurement agencies, payments up to 75% of the maximum price proposed by him may be made, provided that the contract in each case stipulates that final settlement (including any necessary refunds) shall be made consistently with the maximum price as finally established.

(e) *Subsequent statement of actual cost.* Where any cost factor set forth in the application is an estimated amount, the seller shall file with the Office of Price Administration, Washington, D. C., not earlier than three months nor later than six months after a maximum price has been authorized, a statement showing the actual cost of that factor in his production of the item since the maximum price was authorized.

(f) *Failure to apply when required.* If the seller fails to apply for a maximum price under this section, when required to do so, the Office of Price Administration may authorize a maximum price for his sales of the item bearing a proper relationship to those for comparable commodities and sellers. This will not relieve the seller of his obligation to comply with this section or with any other provision of the applicable supplement, nor will it relieve him of any penalty for failure to do so.

(g) *Revision of prices by the Office of Price Administration.* Any maximum price established under this section shall be subject to revision at any time by the Office of Price Administration.

[Sec. 2.5 amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 2.6 *When the seller must figure a delivered price.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only to maximum prices based on sales which the seller made during a base period named in the supplement.

Any seller who regularly sold a purchaser the item being priced on a delivered basis during the base period named in the applicable supplement shall figure

a maximum delivered price by adding to the maximum price for the item, figured f. o. b. shipping point, the amount of the transportation charge, per unit of that item, which he added to his f. o. b. shipping point price during that period (but only before March 18, 1942). Any seller whose transportation charge during the base period was based on the use of his own trucks or of ocean freight and who is now compelled to use a common or contract carrier, or was based on the use of a different type of common or contract carrier, may add transportation charges to the same destination by the new means of transportation but at the rate in effect for that freight tariff classification during that period (but only before March 18, 1942). The resulting figure is the seller's maximum delivered price to that purchaser.

[Above paragraph amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

The seller, of course, is free to sell his goods on an f. o. b. shipping point basis. However, in that event, the f. o. b. price charged plus the actual transportation charges incurred by the buyer shall not exceed the seller's maximum price figured on a delivered basis.

SEC. 2.7 *Uniform prices where the processor or repacker has more than one factory.* This section applies to processors and repackers.

Any processor or repacker who processes or repacks the item being priced at more than one factory and whose maximum prices for the item vary by factory may, if he wishes, establish a uniform maximum price for the item for any group of factories by figuring a weighted average of their separate maximum prices.

For any two or more factories selected by the seller, this "weighted average maximum price" shall be figured by him as follows: He shall (a) determine the total estimated receipts which would have been obtained if his production of the item at those factories during the one-year period immediately preceding the date of calculation had been sold at the separate maximum prices which are in effect under the applicable supplement on the date of calculation, and (b) divide that figure by the total number of units of the item (like pounds, dozens, etc.) included in that production.

In the case of seasonal commodities, the seller shall refigure his weighted average maximum price at the beginning of each subsequent pack on the basis of sales made during the one-year period immediately preceding the date of recalculation. In other cases, the seller shall refigure at the end of each subsequent one-year period.

[Above paragraph amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 2.8 *Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

[Above paragraph amended by Am. 1]

A seller whose maximum price for an item is on an f. o. b. shipping point basis

may, if he wishes, establish a uniform maximum delivered price for the item, by zone or area, by adding to his f. o. b. shipping point price his weighted average transportation charge from shipping point to purchasers' receiving points.

For any zone or area, this "weighted average transportation charge" shall be figured by him as follows: He shall (a) determine the total estimated transportation charges which would have been incurred if the shipments of the item which he made during the one-year period immediately preceding the date of calculation, to purchasers in that zone or area, had been at rates in effect on that date, and (b) divide that figure by the total number of pounds or other units of the item included in those shipments. (Where more than one means of transportation is used, averages may be taken separately for each.)

The seller shall refigure his weighted average transportation charge at the end of each six months' period on the basis of shipments made during the one-year period immediately preceding the date of recalculation and at rates in effect on that date.

[Above paragraph amended by Am. 1]

Sec. 2.9 Maximum prices for primary distributors. There are two pricing methods for primary distributors.

(a) *First pricing method.* A seller may use the following pricing method only (1) if at the time of sale he is a primary distributor, as defined in section 1.5 of Food Products Regulation No. 1, of the kind and brand of product being priced, (2) if he sold the kind of product being priced (regardless of brand) as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942, (3) when he is selling, in less-than-carload quantities, goods that he has purchased from the processor and actually warehoused, and (4) as to sales and deliveries made on and after October 10, 1945, if he has been notified in writing by the Regional Administrator of the Office of Price Administration that, subject to the foregoing limitations, he is qualified to use this pricing method for the kind of product being priced.

If the processor's maximum price for the item under the applicable supplement is greater than the processor's maximum price under the maximum price regulation previously applicable to the processor, the primary distributor shall add the difference to the maximum price he had immediately prior to the effective date of the applicable supplement. If the processor's maximum price for it under the applicable supplement is less than the processor's maximum price under the maximum price regulation previously applicable to the processor, the primary distributor shall subtract the difference from the maximum price he had immediately prior to the effective date of the applicable supplement. However, in no event may the primary distributor's maximum price be greater than his net delivered cost (based upon purchases directly from the processor) plus the markup named in the applicable supplement. The resulting figure is the

primary distributor's maximum price for the item when warehoused by him and sold in less-than-carload quantities. (When selling particular goods that he has repackaged, the seller prices as a "repacker".)

If the primary distributor sold the kind of product being priced (regardless of brand) as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942, but did not sell the particular variety, grade, brand, style of pack, container type or size being priced before the effective date of the applicable supplement, his maximum price for the new item shall be his net delivered cost (based on his first purchase of the item after that date direct from the processor) multiplied by a markup factor. This markup factor shall be figured by dividing his maximum price (as figured under this section) for the most closely comparable item of that kind and variety of product already handled by him by the current net delivered cost to him of that item. He may apply this markup factor only when he is selling, in less-than-carload quantities, goods that he has purchased from the processor and actually warehoused.

(b) *Second pricing method.* For all items, and for sales of such items, that are not covered by the first pricing method, the primary distributor's maximum price, f. o. b. shipping point, shall be:

(1) The maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by the primary distributor, if he purchased the particular goods being priced from a supplier other than a wholesaler or retailer.

(2) The "net cost" of his supplier under Maximum Price Regulation No. 421, 422 or 423, plus incoming freight paid by the primary distributor, if he purchased the particular goods being priced from a wholesaler or retailer.

(c) *Application by primary distributor.* (1) The primary distributor's application for notice of qualification provided by paragraph (a) shall be made in writing to the Regional Office of the Office of Price Administration for the region in which his principal place of business is located. His application shall state, in addition to his name and address:

[Above paragraph amended by Am. 2, 10 F.R. 12446, effective 9-10-45]

(i) Whether he now prices any product as a wholesaler or retailer under Maximum Price Regulation No. 421, 422 or 423.

(ii) For the kind of product being priced, his total dollar purchases during each of the one-year periods ending April 28, 1940, 1941 and 1942; his total dollar purchases from processors in carload quantities during each of those periods that were delivered for storage into a warehouse not owned or controlled by any of his suppliers or customers; and the name and address of the warehouse.

(iii) For the kind of product being priced, his total dollar sales during each of the one-year periods ending April 28, 1940, 1941 and 1942; and the total dollar sales, during each of those periods, that

were made in less-than-carload quantities.

(iv) The names and addresses of his principal suppliers of the kind of product being priced during the three-year period ending April 28, 1942.

(2) Each Regional Administrator of the Office of Price Administration may act upon applications filed under this paragraph by persons located within his jurisdiction.

(3) As to sales and deliveries made on and after October 10, 1945, until receipt of written notice from the Regional Office of the Office of Price Administration that the applicant is qualified to use the first pricing method, his maximum prices for the kind of product being priced shall be figured under paragraph (b).

Examples: The processor's ceiling prices for tomato juice under Supplement 7 and under the supplement presently applicable are the same. Therefore, the primary distributor's maximum price remains the same under the applicable supplement as it was under Supplement 7.

The processor's ceiling price under Supplement 7 for asparagus (all green spears) in No. 2 size cans was \$3.85 per dozen for colossal size, A—fancy grade. Under the supplement presently applicable it is now \$3.95 per dozen. The primary distributor therefore adds the increase of 10 cents to his own ceiling price under Supplement 7; *Provided*, That, the maximum price so determined does not exceed his net delivered cost plus the markup named in the supplement.

The primary distributor handled packed grapefruit juice as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942. He added packed orange juice to his line in October 1942. Although he may use the first pricing method for packed grapefruit juice, he must use the second pricing method for packed orange juice because he did not sell it as a primary distributor during any one of those periods.

During at least one of the three successive one-year periods ending April 28, 1942, the primary distributor handled "X" brand fancy sweetened grapefruit juice in No. 2 size cans, for which his maximum price under the applicable supplement is \$1.24 per dozen and his current net delivered cost is \$1.15 per dozen. He now adds to his line "X" brand fancy sweetened grapefruit juice in No. 3 cyl. cans, which he handles as a primary distributor and for which the net delivered cost of his first purchase from the processor is \$2.60 per dozen. Because the No. 2 can size is the most closely comparable item of the same kind and variety, he divides \$1.24 by \$1.15 and obtains a markup factor of 108%. Application of 108% to \$2.60 results in a figure of \$2.81, which is his maximum price for the new item when he sells, in less-than-carload quantities, goods that he has purchased in cartons from processors and actually warehoused.

Sec. 2.10 Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers. The maximum price, f. o. b. shipping point, of a distributor who is not a primary distributor, wholesaler or retailer shall be:

(a) The maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by the distributor, if he purchased the particular goods being priced from a supplier other than a wholesaler or retailer.

(b) The "net cost" of his supplier under Maximum Price Regulation Nos. 421, 422 or 423, plus incoming freight

paid by the distributor, if he purchased the particular goods being priced from a wholesaler or retailer.

[Secs. 2.9 and 2.10 amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 2.11 Payment of brokers. When this section applies to a supplement, it applies to all sellers covered by the supplement.

In accordance with trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than the maximum price, including allowable transportation so paid, less any amount which the buyer pays the broker.

The term "broker" includes a "finder."

SEC. 2.12 Maximum prices for sales to government procurement agencies. When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only where no maximum price is specifically provided by the applicable supplement for sales of the item being priced to government procurement agencies.

(a) The seller's maximum price, f. o. b. shipping point, for sales to government procurement agencies shall be 96% of his maximum price, f. o. b. shipping point, to purchasers other than government procurement agencies (for processors and repackers, "f. o. b. shipping point" means "f. o. b. factory"), after that maximum price has been adjusted, where necessary, as follows:

(1) If the seller is the processor and if any raw agricultural commodity used as an ingredient of the item is covered by the Commodity Credit Corporation's purchase and resale program, the processor shall first increase the maximum price per dozen or other unit, f. o. b. factory, by the difference, per dozen or other unit, between the Commodity Credit Corporation's purchase price for the area in which his customary receiving point is located and its resale price for that area. This difference shall be converted to units of the finished product by applying the yield factor (if any) named by the applicable supplement for use in figuring the maximum price for sales to purchasers other than government procurement agencies.

(2) If the seller is the processor, he shall increase the maximum price per dozen or other unit, f. o. b. factory, by the amount of any direct subsidy payment the amount of which is stated in the applicable supplement or has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being sold or their ingredients. If the subsidy is not payable per unit of the finished product, it shall be converted to units of the finished product by applying the yield factor (if any) named by the applicable supplement for use in figuring the maximum

price for sales to purchasers other than government procurement agencies.

(b) If the processor or repacker has no maximum price for sales f. o. b. factory to purchasers other than government procurement agencies, he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price for sales to government procurement agencies in accordance with the rules established by the applicable supplement.

SEC. 2.13 Special packing expenses that may be reflected in maximum prices for sales to government procurement agencies.

NOTE: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 106,⁹ issued by the Office of Price Administration.

When this section applies to a supplement, it applies to all sellers covered by the supplement.

(a) *Conditions under which special packing expenses may be reflected in maximum prices.* Special packing expenses are a basis for increasing maximum prices for sales of goods ultimately destined for government procurement agencies if the following conditions are satisfied:

(1) The commodity must be packed in a manner, package or container that is different from and more expensive than standard packing, according to specifications of a government procurement agency.

(2) The seller must pack the goods for sale by himself and not for another on a custom or toll basis.

(b) *Maximum prices for sales that meet the conditions of paragraph (a).* For sales that meet the conditions of paragraph (a), the maximum prices of the seller shall be the maximum prices otherwise applicable, increased by the following amounts:

(1) The cost of packing according to the specifications of the government procurement agency minus the cost of standard packing, if the seller packs the commodity himself.

(2) The amount actually paid to another person for packing according to the specifications of the government procurement agency minus the cost of standard packing, if the seller does not pack the commodity himself.

(c) *Invoice and record-keeping requirements.* In cases where maximum prices are increased under paragraph (b) the seller shall:

(1) Show separately the amount of the increase in his contract of sale or on his invoice.

(2) In addition to the records otherwise specified by the applicable supplement, prepare and 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, accurate records showing the cost of standard packing and the cost of packing according to the specifications of the government procurement agency.

(d) *Computations of cost.* Costs must be figured, subject to review by the government procurement agency, according to the established accounting methods of

the seller. Appropriate allowances shall be made for any materials salvaged in unpacking and repacking.

(e) *Meaning of "packing" and "standard packing".* "Packing" means the providing of wrappings, inner containers, or outer containers; the placing of commodities in such wrappings or containers; the application of any special coverings or coatings; and any unpacking and repacking necessary to conform to the specifications of the government procurement agency.

"Standard packing" means the most expensive packing the cost of which was included in figuring the maximum price established by the applicable supplement and any other type of packing expressly referred to and expressly priced in the applicable supplement.

[Secs 2.12 and 2.13 amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 2.14 Treatment of federal and state taxes. When this section applies to a supplement, it applies to all sellers covered by the supplement. However, paragraph (b) applies only to maximum prices based on sales which the seller made during a base period named in the supplement.

(a) *As to the tax on transportation of property imposed by section 620 of the Revenue Act of 1942.* The tax on transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the maximum price of any item, be treated as if it were an increase of 3% in the amount charged by persons engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price. (This provision is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 31,⁹ issued by the Office of Price Administration.)

(b) *As to taxes other than the tax on transportation of property imposed by section 620 of the Revenue Act of 1942.* Any tax incident to the sale, delivery, processing, or use of an item, imposed by any statute or ordinance (other than the tax on transportation of property imposed by section 620 of the Revenue Act of 1942), shall be treated as follows in determining the seller's maximum price for the item, and in preparing the records required by the applicable supplement:

(1) *As to a tax in effect during the base period.* (i) If the seller paid the tax or if the tax was paid by any prior seller, irrespective of whether the amount was separately stated and collected from the seller, but during the base period named in the applicable supplement he did not customarily state and collect, separately from the purchase price, the amount of tax paid by him (or tax reimbursement collected from him by his supplier), the seller may not collect the amount in addition to the maximum price under the applicable supplement.

(ii) In all other cases, if at the time the seller determines his maximum price the statute or ordinance imposing the tax does not prohibit him from stating and collecting the tax separately from the

⁹ 10 F.R. 2015.

⁹ 7 F.R. 9894; 8 F.R. 1312, 3762, 9521.

purchase price, and he does state it separately, he may collect, in addition to the maximum price, the amount of the tax actually paid by him (or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by his supplier). In this case the seller shall not include the amount in determining his maximum price under the applicable supplement.

(2) As to a tax or tax increase which becomes effective after the base period. If the statute or ordinance imposing a tax or tax increase effective after the base period named in the applicable supplement does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and he does separately state it, he may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him (or an amount equal to the amount of tax paid by any prior seller and separately stated and collected from the seller by his supplier).

SEC. 2.15 *Units of sale and fractions of a cent.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

(a) Maximum prices shall be stated in terms of the same general units (like pounds, dozens, etc.) in which the seller has customarily quoted prices for the product, except when the applicable pricing method shows that another unit shall be used.

(b) Amounts computed in the process of figuring a maximum price (other than the maximum price itself) shall be carried to four decimal places (hundredths of a cent). For sales to government procurement agencies, the maximum price itself shall be carried to four decimal places. If any figured maximum price (other than for sales to government procurement agencies) includes a fraction of a cent, the seller shall adjust the maximum price to the nearest fractional unit of a cent (like 1¢, ½¢, etc.) in which he has customarily quoted prices for the product.

SEC. 2.16 *Maintenance of customary discounts and allowances.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

No person shall change any customary allowance, discount or other price differential to a purchaser or class of purchasers, if the change results in a higher net price to that purchaser or class. However, in the case of sales to government procurement agencies figured under section 2.12 of Food Products Regulation No. 1, the seller is not required to give a discount either for prompt payment or for "brokerage".

Where the maximum prices for the product being priced are based generally on sales made during a base period (as named in the applicable supplement) in which the seller made sales of the same or similar products, the word "customary" refers to the seller's practices in effect prior to and during that period. Otherwise, it refers to the seller's practices in effect on the effective date of the applicable supplement.

[Sec. 2.16 amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 3.1 *Restrictions on sales to primary distributors.* For sales of each kind of product produced in any calendar year, which are made after the effective date of the applicable supplement, no processor shall sell to primary distributors a greater percentage (by dollar volume) than he sold to primary distributors during the one-year period ending April 28, 1942.

[Sec. 3.1 amended by Am. 1]

SEC. 3.2 *Weights.* Where label weights are used, prices figured by weight shall be based on the weights named on the label and not on actual fill.

SEC. 3.3 *Storage.* Storage costs incurred by the seller on goods owned by him shall not be added to his maximum prices. Storage by the seller of goods owned by the buyer may be charged for in accordance with the maximum price regulation applicable to such services.

SEC. 3.4 *Export sales.* The maximum price at which a person may export any item covered by the applicable supplement shall be determined in accordance with the Second Revised Maximum Export Price Regulation,⁷ and amendments.

SEC. 3.5 *Notification of new maximum price.* With the first delivery of an item after the effective date of any provision changing the seller's maximum price, he shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice, reading as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack, and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (insert effective date of the applicable supplement, amendment or order). You must refigure your selling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each processor or repacker shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(b) Supply each purchaser of the item who is a distributor other than a wholesaler and retailer with written notice of the establishment of the new maximum price. The notice, which shall be at-

⁷ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9835, 11273, 12919, 14436; 10 F.R. 863, 923, 2432, 6590, 8746, 8611, 9586, 10029.

tached to, or stated on, the invoice covering the first delivery to such purchaser after the effective date of the provision changing the maximum price, shall read as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack, and container type and size) has been changed from \$---- to \$---- under the provisions of Supplement No. ---- to Food Products Regulation No. 1. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier purchasing the item from you after (insert effective date of the applicable supplement, amendment or order) of any change in your maximum price. This notice must be made in the manner prescribed in section 3.5 of Food Products Regulation No. 1.

SEC. 3.6 *Records which must be kept.* Every person who makes sales covered by the applicable supplement shall:

(a) Make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged in those sales, and

(b) Preserve for examination by the Office of Price Administration, for the same period, all his existing records which were the basis of figuring his maximum prices in the manner directed by the applicable supplement, showing the method used in figuring the maximum prices.

SEC. 3.7 *Authority of regional and district offices to audit reports.* Any Regional Administrator of the Office of Price Administration, or any District Director authorized by his Regional Administrator, may (a) approve or disapprove reports filed with his office under the reporting provisions of this regulation and its supplements, and (b) require any seller filing a report with it which does not comply with the reporting provisions to correct and re-submit his report.

SEC. 3.8 *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, shall continue to do so. Upon request, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name and quantity of each item sold, and the price received for it.

SEC. 3.9 *Transfers of business or stock in trade.* If the business, assets or stock in trade of a seller subject to the applicable supplement are sold or otherwise transferred on or after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of food product, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and

make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of the applicable supplement.

SEC. 3.10 *How a figured maximum price is established and how an established maximum price may be changed.* On and after the effective date of the applicable supplement, a price figured for any item becomes established (that is, fixed) as the seller's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind, provided that the figured price is not higher than the applicable pricing method allows. A maximum price for any item may be established only once, and it may not be changed by the seller except (a) with the written permission of the District Director of the Office of Price Administration for the area in which he is located in cases where the seller has figured his maximum price lower than the applicable pricing method allows, (b) in cases where a change in this regulation or the applicable supplement changes the seller's applicable pricing method, and (c) in cases where a provision of this regulation or the applicable supplement directs the seller to refigure his price. District Directors are authorized to give this permission.

If the seller wishes to disclose a price lower than the one he figured, he may establish the higher (figured) price as his maximum price at the time of disclosure only by recording it and naming it as such, in ink on his books, before he discloses the lower price. A seller who has not figured a price for an item may deliver the item, but he may not receive payment for it until he has established a maximum price in accordance with the rules of this section.

Exception: This section does not apply to prices figured under section 2.4 of Food Products Regulation No. 1 (elective pricing method for processors).

[Exception amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

SEC. 3.11 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. But no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 3.12 *Compliance with the applicable supplement—(a) No selling or buying above maximum prices.* Regardless of any contract or obligation no person shall sell or deliver, or buy or receive in the course of trade, any item at a price higher than the maximum price established for it by the applicable supplement. However, prices lower than the maximum price may be charged and paid.

However, the prohibition of this paragraph does not apply to (1) any war procurement agency of the United States, or its contracting or paying finance officers, or (2) the government (or its agencies) of any country the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." No such purchaser or person shall be subject to the liabilities otherwise imposed by this section or by the Emergency Price Control Act of 1942. "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: the Defense Plant Corporation, the Rubber Reserve Corporation, the Metals Reserve Corporation, and the Defense Supplies Corporation, or any of their agencies. (This exception is derived from, and for the purpose of the applicable supplement supersedes, Supplementary Order No. 7,⁸ issued by the Office of Price Administration.)

(b) *Evasion.* Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying-requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling, or packaging, or in any other way.

(c) *Enforcement.* Any person violating a provision of the applicable supplement is subject to the criminal penalties, civil enforcement actions, license suspension provision, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

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

SEC. 3.13 *Adjustment of maximum prices of food products under "Government contracts" or subcontracts.*

Note: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 9,¹⁰ issued by the Office of Price Administration.

⁸ 7 F.R. 5176.

⁹ 8 F.R. 13240.

(a) The Office of Price Administration, either on its own motion or on application for adjustment in accordance with Procedural Regulation No. 6,¹¹ and amendments, may adjust the maximum price of any seller who has entered into or proposes to enter into a Government contract (or subcontract) for the sale of an item of a food product essential to the war program, whenever it appears that the maximum price impedes or threatens to impede its production, manufacture, or distribution. (The applicant's over-all profits will be an important consideration in determining the action to be taken.)

If the commodity is one for which the applicable supplement also provides other adjustment provisions, the applicant may invoke any or all of them by submitting the information required by each. In these cases the relief granted shall be the greatest relief, permitted by any of those provisions or by this section, for which the applicant can qualify.

While any application for authorization of a maximum price or method of determining the applicant's maximum price is pending the applicant may file a written notice under Procedural Regulation 6 of his intention to seek such an adjustment if the maximum price subsequently established is less than the price named in the notice. When such a notice is filed, contracts, bids, payments and deliveries may be made on the basis of the named price, provided that the contract in each case stipulates that final settlement (including any necessary refunds) shall be made consistently with the maximum price as finally established. If the maximum price authorized is less than the amount to which it may be adjusted under this section, any adjustment granted under this section shall be retroactive to the filing of the notice, provided that the application for adjustment is filed within fifteen days of the receipt of the order upon which the maximum price is based.

[Above two paragraphs added by Am. 1]

(b) From 5 days prior to the filing of an application for adjustment until its final disposition, contracts may be entered into or proposed and bids submitted at the price requested in the application, and deliveries may be made under such contracts. However, no amount by which the price exceeds the maximum price may be paid or received until an order granting a higher price has been issued. In each sale, contract to sell, or offer to sell, at a price requested in the application, the seller shall furnish the buyer with a statement showing the following:

- (1) The maximum price for the item; and
- (2) The filing of an appropriate application with the Office of Price Administration, or the intention to file it within five days.

(c) Any government agency may appear as an interested party in connection with the application.

(d) "Food product essential to the war program" means any food product

¹⁰ Revised: 8 F.R. 6175; 10 F.R. 9394.

¹¹ 9 F.R. 10628; 10 F.R. 1382, 9394.

purchased (1) for the ultimate use of the Army, Navy, the Maritime Commission, or the War Shipping Administration of the United States, or for the Lend-Lease Section of Procurement Division of the Treasury Department, or (2) by any government (or its agencies) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or (3) for use in the production or manufacture of any such food product, provided that a certificate of the necessity of the procurement is received from the Chief of the particular procurement service named above. This certification should include the following information:

- (i) A description of the commodity.
- (ii) The quantities involved.
- (iii) A statement that no other adjustment provisions are available under the applicable supplement.

[Above portion of paragraph (d) amended by Am. 1, 10 F.R. 11298, effective 9-10-45]

"Government contract" means a contract with the United States, or an agency, or with the government (or its agencies) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act named above,

"Subcontract" means a purchase order or agreement to perform all or part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract.

SEC. 3.14 Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act.

NOTE: This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 41,¹⁸ issued by the Office of Price Administration.

(a) The Office of Price Administration may adjust the maximum price established for any seller in any case in which he shows:

(1) That he has been found by the Federal Trade Commission, or any court of competent jurisdiction, to have discriminated in price between different purchasers of commodities in violation of the provisions of the Robinson-Patman Act (49 Stat. 1526) or of any state statute prohibiting price discriminations; and

(2) That the elimination of the discrimination by lowering his price to the purchasers against whom he has been found to have discriminated would cause him substantial hardship; and

(3) That the elimination of the discrimination by increasing his price to the purchasers in whose favor he has been found to have discriminated is prohibited by the applicable supplement.

(b) Applications for adjustment under this provision shall be filed with the Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.¹⁹

SEC. 3.15 [Revoked]

[Sec. 3.15 amended by Am. 1, 10 F.R. 11298, effective 9-10-45 and revoked by Am. 3, effective 1-14-46]

SEC. 3.16 Petitions for amendment. Any person seeking a general modification of this regulation or the applicable supplement may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

Effective date. This regulation shall become effective June 21, 1944. [Food Products Regulation 1 originally issued June 16, 1944]

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

[Amendment 3 approved by Clinton P. Anderson, Secretary of Agriculture, on December 17, 1945]

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

Issued this 9th day of January 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-478; Filed, Jan. 9, 1946; 11:38 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 577, Amdt. 2]

ICE CREAM, LIQUID ICE CREAM MIX, SHERBET,
AND OTHER FROZEN DESSERTS

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

Maximum Price Regulation No. 577 is amended in the following respects:

1. The head note of section 3.2 is amended to read as follows:

SEC. 3.2 Records, reports, and notification.

2. Section 3.2 is amended by adding the following paragraph (e):

(e) *Notification to buyers of new maximum prices.* With the first delivery of any product covered by this regulation for which a maximum price has been adjusted under this regulation, the seller shall supply each wholesaler and retailer, who purchased from him, with a written notice in the following form:

(Insert date)

Our OPA ceiling price for (describe product by name, percentages of butterfat and solids not fat content, weight per gallon, package and container size) has been adjusted by the Office of Price Administration. We are required to inform you that our price has been adjusted ----- cents per gallon (or package). The seller shall supply the written notice set forth above by attaching it to, or stating it in the invoice covering the shipment for a period of 30 days after his maximum price has been adjusted, and with the first shipment after the 30 day

period to each person who has not made a purchase within that time.

3. Section 4.1 is revoked.

4. A new section 4.1 is added to read as follows:

SEC. 4.1 Individual adjustment of manufacturer's maximum prices—(a) When adjustments may be made. Either on his own motion or upon application in accordance with Revised Procedural Regulation No. 1, the Administrator may adjust a manufacturer's maximum price for any product covered by this regulation where it appears that:

(1) The maximum price is below the median price at which sales of the same and most similar products may be made by manufacturers located in the general processing area; and

(2) The manufacturer would be entitled to a price increase under the standards set forth in paragraph (b) (2) below; and

(3) In the judgment of the Administrator, an increase in the manufacturer's maximum price would be in furtherance of the purpose of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, and 9599.

(b) *Amount of adjustment.* (1) The maximum price, as adjusted under this section, shall, in no event, be higher than the median price at which sales of the same and most similar products may be made by other manufacturers located in the same general processing area.

(2) Subject to the limitation of (1), the adjusted maximum price shall not exceed the following amount:

(i) Processing costs for the product plus direct delivery costs, if the manufacturer's percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was 7 percent or higher; or

(ii) Total costs for the product, if the manufacturer's percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was less than 7 percent but no lower than 3½ percent; or

(iii) Total costs for the product plus a profit equal to 3½ percent of the adjusted maximum price, if the manufacturer's percentage of net operating profits (before income and excess profits taxes) to net sales, during the most recent fiscal year, was lower than 3½ percent.

(c) *Form and place of filing application.* Applications for adjustment under this section shall be filed with the Office of Price Administration, Washington, D. C., in duplicate, on Office of Price Administration Form 6031-2555, and shall contain the information requested in the form. In Part I—General, Item C of the form, the applicant shall state specifically the percentages of the various ingredients and the weight per gallon of the product for which he seeks an adjustment. In Part II—Financial Data, Item E, the applicant shall state separately direct delivery costs as defined in paragraph (d) subparagraph 4 be-

¹⁸ 8 F.R. 4782.

¹⁹ 9 F.R. 10476, 13715; 10 F.R. 11295.

¹ 10 F.R. 1968, 11363.

low. Copies of the form may be obtained from any district office of the Office of Price Administration.

(d) *Definitions* (1) "Most similar product" means a product as defined in paragraph (p) of section 1.5.

(2) "Net sales" means total sales less return sales of finished product.

(3) "Processing costs" means:
 (i) Actual cost per unit, delivered to the plant, of all ingredients and packaging materials for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the manufacturer belongs, or, if no maximum prices have been established, figured at no more than their current market prices;
 (ii) Direct labor cost per unit, figured at no more than lawful current rates;
 (iii) Other costs of processing, per unit, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general administrative and selling expenses.

(4) "Direct delivery costs" means the manufacturer's actual direct costs of delivering the product, including such commissions paid to drivers as constitute part of their wages, but not including other selling expense or commissions paid to sales people who do not make deliveries.

(5) "Total costs" means processing costs plus general administrative and selling expenses per unit.

(6) "Median price" means the middle price of a series of prices arranged in order of size, or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices. In determining the median price under this section 4.1, changes in prices resulting from the granting of any prior adjustments to other manufacturers under this section shall, so far as practicable, be disregarded.

5. A new section 4.1a is added to read as follows:

Sec. 4.1a Adjustment for sellers other than manufacturers. Where a maximum price has been increased for any product covered by this regulation under the provisions of section 4.1, any seller purchasing from a manufacturer may add to his established maximum price for such product only the amount of the increase actually added by the manufacturer. Any subsequent seller of such product, other than a manufacturer, may add to his established maximum price only that amount actually added by his supplier. If a maximum price so figured results in a fraction of $\frac{1}{4}\text{¢}$ or more on sales at retail, per packaged unit of sale, it may be rounded to the next higher cent.

This amendment shall become effective January 14, 1946.

NOTE: All record-keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942.

Issued this 9th day of January 1946.

CHESTER BOWLES,
 Administrator.

Approved: December 28, 1945.

CLINTON P. ANDERSON,
 Secretary of Agriculture.

[F. R. Doc. 46-483; Filed, Jan. 9, 1946; 11:37 a. m.]

PART 1305—ADMINISTRATION
 [SO 144]

REVOCATION OF DESIGNATED PROVISIONS OF CERTAIN SUPPLEMENTS TO FOOD PRODUCTS REGULATION NO. 1

A statement of the considerations involved in the issuance of this supplementary order has been issued and filed with the Division of the Federal Register.

§ 1305.172 *Revocation of designated provisions of certain Supplements to Food Products Regulation No. 1.* (a) The designated section of each Supplement to Food Products Regulation No. 1 listed below is hereby revoked.

Supplement No.:	Section No.
1.....	8 (o)
2.....	8 (o)
3.....	8 (o)
4.....	6 (k)
5.....	12 (n)
6.....	12 (n)
7.....	14 (l)
8.....	10 (m)
9.....	9 (l)
10.....	12 (k)
11.....	12 (l)
12.....	12 (m)
13.....	14 (l)
14.....	8 (l)

(b) This supplementary order shall become effective January 14, 1946.

Issued this 9th day of January 1946.

JAMES G. ROGERS, Jr.,
 Acting Administrator.

Approved: December 17, 1945.

CLINTON P. ANDERSON,
 Secretary of Agriculture.

[F. R. Doc. 46-495; Filed, Jan. 9, 1946; 11:38 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT
 [MPR 540, Amdt. 12]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

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.

Maximum Price Regulation No. 540 is amended in the following respects:

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

(1) *Definition of used passenger automobile ("used car").* "Used passenger automobile" (called "used car" in this regulation) means any passenger auto-

10 F.R. 1383, 1911, 5037, 6954, 7930, 11556, 12924.

mobile having a seating capacity of less than eleven persons which has been used for any purpose and the chassis or body of such an automobile, except that a 1945 or later model year automobile which is a demonstrator, dealer company owned, or dealer executive car shall not be considered a used car subject to this regulation. This definition includes, among others, used taxicabs and station wagons having a seating capacity of less than eleven persons.

2. The headnote of paragraph (a) of section 5 and the narrative preceding subparagraph (1) in paragraph (a) are amended to read as follows:

(a) *For sales prior to January 1, 1946 of 1942 and earlier model year used cars.* To figure the maximum price of a 1942 or earlier model year used car when sold and delivered prior to January 1, 1946, the seller must:

3. The headnote of paragraph (b) of section 5 and the narrative preceding subparagraph (1) in paragraph (b) are amended to read as follows:

(b) *For sales on and after January 1, 1946 of 1942 and earlier model year used cars.* For any used car of 1942 or earlier model year when sold on and after January 1, 1946, the price a seller may charge is the total of the following applicable charges:

4. The headnote of section 6b is amended to read as follows: "Maximum prices of used cars which cannot be priced under section 5, 6a or 7a."

5. The first sentence in section 6b following the headnote is amended to read as follows: "The maximum price for a used car which cannot be priced under section 5, 6a or 7a shall be a price in line with the level of maximum prices established by this regulation, specifically authorized by the National Office of the Office of Price Administration, Washington, D. C."

6. A new section 7a is added to Article II to read as follows:

Sec. 7a Maximum prices for used 1945, 1946 and subsequent model year passenger automobiles—(a) Explanation. Notwithstanding the provisions of any other section or any appendix in this regulation, maximum prices for used 1945, 1946 and subsequent model year used cars shall be determined in accordance with the provisions of this section. Also a certification of prices charged for sales of such used cars shall be made to purchasers and to Price Control Boards in accordance with the provisions of this section. The Certificate of Transfer provisions in section 11 and Appendix F shall not apply to maximum prices established under this section.

(b) *Method for determining maximum prices.* The maximum price for a used 1945, 1946 and subsequent model year used car shall be the retail price paid for such car when new, not to exceed the maximum price under Maximum Price Regulation 594.

(c) *Certification of selling prices to local Price Control Boards and to purchasers.* When a used car covered by this section is sold, the seller shall fur-

nish to his local Price Control Board not later than five days from the date of sale the original of the following certification and a copy of the following Certificate of Transfer, and shall furnish to the purchaser at the time of sale a copy of such certification and such Certificate of Transfer:

(1) *Certification.* The certification which the seller must furnish to his Price Control Board and to the purchaser shall be a statement addressed both to the Board and the purchaser and signed by the seller containing the following:

I hereby certify that the price of \$----- charged -----
 Name of purchaser Full ad-
 ----- for ----- used
 dress (Make) (Model)
 car of ----- model year bearing mo-
 Model year
 tor number ----- and/or serial num-
 ber ----- does not exceed the lower
 of (a) the retail price paid for such used
 car when sold new or (b) its maximum price
 under Maximum Price Regulation 594.

 Signature of seller or authorized
 representative

 Address of seller

(2) *Certificate of Transfer.* There shall be attached to each certification required by subparagraph (1) a copy of the Certificate of Transfer covering the sale under Maximum Price Regulation 594 of the used car when new which was furnished to the Price Control Board and the purchaser at retail of the used car when new.

7. The first paragraph in section 11 following the headnote is amended to read as follows:

Every person when he sells a 1942 or earlier model year used car covered by this regulation shall prepare a Certificate of Transfer, Appendix F, in duplicate, in accordance with instructions in that appendix, sign both copies of the certificate and turn in the original to his Price Control Board not later than five days from the date of sale, and give the other copy to the purchaser at the time of sale.

8. The first paragraph of the instructions in Appendix F, Certificate of Transfer, is amended to read as follows:

The seller is to prepare the certificate in duplicate, sign both copies, and turn in the original copy to his Price Control Board not later than five days from the date of sale and give the other copy to the purchaser at the time of sale.

This amendment shall become effective this 14th day of January 1946.

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

Issued this 9th day of January 1946.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 46-482; Filed, Jan. 9, 1946;
 11:37 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR
 VEHICLE EQUIPMENT

[MPR 594, Amdt. 2]

MAXIMUM PRICES FOR NEW PASSENGER
 AUTOMOBILES

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.

Maximum Price Regulation No. 594 is amended in the following respects:

1. The narrative following the headnote in paragraph (a) of section 1 and preceding subparagraph (1) in that paragraph is amended to read as follows:

The regulation applies to all sales by all persons of new passenger automobiles and their extra, special or optional equipment. However, a manufacturer who has customarily priced accessories which he affixes to the new automobile in the same manner as he prices replacement automotive parts may price such accessories under Maximum Price Regulation 452 or such other regulations as is applicable. When the manufacturer so prices accessories the resale prices shall be determined under Maximum Price Regulation 453 or other regulation establishing applicable maximum resale prices.

2. The second sentence in section 5 (d) is amended to read as follows: "In the case of the new automobile the 'highest price' is also exclusive of the charge for a fifth tire and tube."

3. Step 5 (1) in section 8 (a) is amended to read as follows:

(1) The dollar amount obtained by multiplying your adjusted total costs by your average percentage profit margin over cost for the years 1936-1939 in the divisions and subsidiaries covered by the composite profit and loss statement constructed in Step 1.

4. A new section 9a is added to read as follows:

SEC. 9a. *Maximum prices for modified new automobiles or extra, special or optional equipment—(a) Explanation.* This section establishes maximum prices for modified new automobiles or extra, special or optional equipment. A modified new automobile or piece of extra, special or optional equipment is one which is changed in specification, design, material or equipment, resulting in lowering or raising the direct labor and material costs it had when a price was established for it under section 6, 7, 8, or 9. If the change results in increasing the direct labor or material costs, you may continue to use the established price under section 6, 7, 8, or 9, whichever is applicable, if you so desire. However, where there is a decrease in such costs, you must price under this section.

(b) *Method.* You shall establish a maximum price under this section by increasing or decreasing, whichever the case may be, your maximum price of the automobile or extra, special or optional equipment, prior to modification, by the

amount which represents the net difference (which may be a minus amount) between its direct labor and material costs prior to the change and such costs after the change. This net difference shall be determined in accordance with section 5 (c).

(c) *Report of maximum price for modified new automobile or extra, special or optional equipment.* You shall file a report of each maximum price you determine under this section with the Automotive Branch, OPA National Office, Washington, D. C. The report shall contain the following information and certification. (The information shall be given separately for the new automobile and the extra, special or optional equipment. Report information only for the commodity in which the change is made, e. g. the automobile; heater; air cleaner).

(1) The net wholesale price prior to the modification, exclusive of charges for outbound transportation, taxes, handling and delivery operations, and for advertising when charged separately (when you price to the particular class of purchaser by using a list price less a discount furnish the list price instead of a net wholesale price);

(2) The amount which represents the net decrease or increase (indicate which) in direct labor and material costs resulting from the change in specification, design, material or equipment (when you price on a list price basis to the particular class of purchaser give the amount which after the application of required discounts represents the net increase or decrease in direct labor and material costs);

(3) The discount which you are required to apply to obtain a net price when you price to the particular class of purchaser on a list price basis;

(4) An explanation of the change in specification, design, material or equipment resulting in the change in direct labor and direct material costs;

(5) A certification that the increase or decrease in direct labor and direct material costs, whichever it is, has been determined in accordance with this section.

(d) *Action by OPA.* The Office of Price Administration by order shall approve or disapprove the maximum price submitted for approval, or shall establish a different maximum price, in accordance with this section. Resale prices shall be determined whenever an adjustment is authorized which affects prices to resellers. These resale prices shall reflect the same markup over cost that the reseller is permitted to charge on sales under section 6, 7, 8, or 9, whichever is applicable. This action shall be taken not less than seven days from the date the request for approval is filed with the Office of Price Administration or from the date all required information is filed with the Office of Price Administration.

(e) *Charging of maximum price.* The manufacturer may charge a maximum price determined under this section from the date the request for approval is mailed to the Automotive Branch, OPA National Office, Washington, D. C. However, no payment in excess of the prior maximum price may be collected by the

manufacturer until the proposed maximum price is approved. No adjusted resale prices may be charged or collected until they are authorized in an order by OPA.

5. Section 11 (a) is amended to read as follows:

(a) The list price in Appendix A for the most similar 1942 model of the same make reduced by the charge in subparagraph (1) for a fifth tire and tube of the same size as is on the automobile, less the factory recommended discount as of November 1, 1944 to the same class of purchaser (Where a manufacturer did not have a recommended discount in effect on November 1, 1941, a reseller shall use his highest price, exclusive of charges for transportation, taxes and handling and delivery operations as of that date, to the same class of purchaser for the most similar 1942 model of the same make less the charge in subparagraph (1) below for the fifth tire and tube.):

(1) Charge for fifth tire and tube.

Fifth tire size:	Charge
5.50-15-----	\$7.00
5.50-16-----	7.00
6.00-16-----	7.00
6.25-16-----	9.75
6.50-15-----	9.75
6.50-16-----	9.75
7.00-15-----	10.50
7.00-16-----	11.00
7.00-16 (6 ply)-----	14.00
7.50-15 (6 ply)-----	17.50
7.50-16 (6 ply)-----	18.50

and

6. Section 11 (c) is amended to read as follows:

(c) A charge to cover transportation expense which shall not exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the new automobile and extra, special or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, plus transportation tax, except that where the new automobile and extra, special or optional equipment is transported by truck-away and the reseller is charged at the truck-away rate, the charge may be the truck-away charge, at truckload rate, for the most direct route from the factory to the place at which delivery is made to the purchaser, plus transportation tax; and

7. Section 12 (a) is amended to read as follows:

(a) The list price in Appendix A for the most similar 1942 model of the same make reduced by the charge in subparagraph (1) of section 11 (a) for a fifth tire and tube of the same size as is on the automobile; and

8. Section 12 (c) is amended to read as follows:

(c) A charge to cover transportation expense which shall not exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the new automobile and extra, special or optional equipment from the factory to the receiving station nearest to the place at which delivery is made to the purchaser, plus transportation tax, ex-

cept that where the new automobile and extra, special or optional equipment is transported by truck-away, and the reseller is charged at the truck-away rate, the charge may be the truck-away charge, at truckload rate, for the most direct route from the factory to the place at which delivery is made to the purchaser, plus transportation tax; and

This amendment shall become effective January 14, 1946.

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-484; Filed, Jan. 9, 1946; 11:38 a. m.]

PART 1381—SOFTWARE LUMBER

[MPR 253, Amdt. 11]

REDWOOD LUMBER AND MILLWORK

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

Maximum Price Regulation 253 is amended as follows:

1. In § 1381.409, paragraph (b) is amended to read as follows:

(b) An addition of \$2.75 per thousand feet board measure may be made by the seller to the maximum f. o. b. mill price on lumber which is delivered F. A. S. on sales for export shipment, where the seller performs all services necessary to proper dispatch of off-shore lumber cargo including assembling, switching, unloading, tallying, dock insurance and other necessary services for which charges are not otherwise provided in the regulation. Any demurrage charges occurring by reason of delay at the docks that is not in any way the fault of the seller, shall be for the account of the buyer and may not be deducted from the purchase price, unless the seller so agrees.

This amendment shall become effective January 14, 1946.

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-480; Filed, Jan. 9, 1946; 11:37 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 175, Amdt. 4]

ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

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

Maximum Price Regulation No. 175 is amended in the following respects:

1. Section 1408.12 (e) is amended to read as follows:

(e) *Discounts.* On all of the prices and charges set forth under paragraph

(c) and (d) of this Appendix A, a discount of 10 percent shall be given by the manufacturer to all purchasers, and such discount shall be prominently set forth on any and all price lists issued by the manufacturer as an integral part thereof.

2. Section 1408.12 (f) is amended to read as follows:

(f) Manufacturers may increase their maximum net prices resulting from the application of the discount set forth in paragraph (e) to the list prices and charges set forth in paragraphs (c) and (d), by an amount not in excess of 7 percent.

3. Paragraphs (g), (h), (i), (j), and (k) of § 1408.12 are redesignated (h), (i), (j), (k), and (l), respectively.

4. A new § 1408.12 (g) is added to read as follows:

(g) *Maximum prices for all rolled and wire glass not expressly listed in Tables 1-5 of this Appendix A.* The maximum price for rolled and wire glass not expressly listed in Tables 1 to 5 of paragraph (c) of this Appendix A shall be such that the cost to the purchaser from the manufacturer shall not exceed by more than 7 percent what it was or would have been to such purchaser on October 1, 1941, (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer) for the quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the purchaser or demanded by the manufacturer to negotiate the sale.

5. Section 1408.13 (c) is amended to read as follows:

(c) *Maximum prices for certain standard items of rolled and wire glass.* Manufacturers may increase the prices listed in the following tables by not more than 7 percent.

6. Section 1408.13 (d) is amended to read as follows:

(d) *Maximum prices for rolled and wire glass not expressly listed above in Tables 1-5 of this Appendix B.* The maximum prices for rolled and wire glass not expressly listed above in Tables 1 to 5 of paragraph (c) of this Appendix B shall be such that the cost to the purchaser from a manufacturer shall not exceed by more than 7 percent what it was or would have been to such purchaser on October 1, 1941 (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer and upon the basis of the freight and delivery practices recognized by the manufacturer on October 1, 1941) for like quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the pur-

chaser or demanded by the manufacturer to negotiate the sale.

7. Section 1408.14 is amended to read as follows:

§ 1408.14 *Appendix C: Maximum prices for sales and deliveries of rolled and wire glass by jobbers and dealers.* The maximum prices for sales and deliveries of rolled and wire glass by jobbers and dealers shall be those established under the General Maximum Price Regulation plus the following additions:

(a) An addition of an amount not exceeding the actual dollars-and-cents increased cost incurred by each reseller by reason of the increase of 4.4 percent on glass and 8 percent on boxing charges permitted manufacturers on July 22, 1944 (Amendment 2 to Maximum Price Regulation 175).

(b) A further increase of an amount not exceeding the actual dollars-and-cents increased cost incurred by each reseller by reason of the increase of 2.5 percent on glass permitted manufacturers on January 14, 1946 (Amendment No. 4 to Maximum Price Regulation 175), but in no event more than the amount necessary to make the reseller's adjusted maximum price equal to (1) 115 percent of his acquisition cost in the instance of case lots and (2) 125 percent of his acquisition cost in the instance of less-than-case lots.

This Amendment No. 4 shall become effective January 14, 1946.

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-479; Filed, Jan. 9, 1946; 11:37 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard: Department of the Treasury

MODIFICATION OF WAIVER WITH RESPECT TO DIMMING OR EXTINGUISHING LIGHTS

By virtue of the authority vested in me by Executive Order No. 8976, dated December 12, 1941 (3 CFR Cum. Supp.), as modified by Executive Order No. 9083, dated February 28, 1942 (3 CFR Cum. Supp.), and as further modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), I hereby rescind and vacate so much of the order dated March 19, 1942 (7 F.R. 2478), as amended by the order dated September 23, 1942 (7 F.R. 7513), as waived compliance with the Navigation and Vessel Inspection Laws to the extent necessary to permit conformity with instructions and orders to dim or extinguish lights.

Except as herein rescinded and vacated, the order dated March 19, 1942, as amended by the order dated September 23, 1942, remains in effect.

Dated: January 8, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-469; Filed, Jan. 9, 1946; 9:49 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PERMITS

Section 2.40 is amended by adding a new paragraph (h), reading as follows:

§ 2.40 *Permits.* * * *

(h) No permit is required for the operation of an automobile, motorcycle, or house trailer in the General Grant grove section of Kings Canyon National Park.

(39 Stat. 535; 16 U.S.C. sec. 3)

Issued this 18th day of January 1945.¹

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 46-472; Filed, Jan. 9, 1946; 9:58 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waivers of Navigation and Vessel Inspection Laws and Regulations

MODIFICATION OF WAIVER WITH RESPECT TO DIMMING OR EXTINGUISHING LIGHTS

CROSS REFERENCE: See Chapter I of
Title 33, *supra*.

CANCELLATION OF WAIVER WITH RESPECT TO PLACING LICENSE UNDER GLASS

By virtue of the authority vested in me by Executive Order No. 8976, dated December 12, 1941 (3 CFR Cum. Supp.), as modified by Executive Order No. 9083, dated February 28, 1942 (3 CFR Cum. Supp.), and as further modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), I hereby rescind and vacate, effective February 1, 1946, the order dated March 21, 1942 (7 F.R. 2477), which waived so much of R.S. 4446, as amended, (46 U.S.C. 232), as requires the master, mate, engineer, or pilot employed on board ocean and coastwise vessels to place his certificate of license under glass, in some conspicuous place on the vessel upon which he is employed.

Dated: January 8, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-470; Filed, Jan. 9, 1946; 9:49 a. m.]

CANCELLATION OF WAIVER WITH RESPECT TO POSTING OF FORMS, NOTICES OR OTHER DOCUMENTS UNDER GLASS

By virtue of the authority vested in me by the order of the Acting Secretary of the Navy dated October 1, 1942 (7 F.R. 7979), as amended by the order of the Secretary of the Navy dated June 5, 1945 (10 F.R. 6848), and continued in effect by order of the Secretary of the Treasury dated January 1, 1946 (11 F.R. 185), the order dated April 6, 1944 (9 F.R.

¹ So in original document.

3826) which waived compliance with the requirements of any navigation and vessel inspection law or regulation issued thereunder applicable to ocean and coastwise vessels and administered by the United States Coast Guard, requiring the posting of forms, notices, or other documents under glass, is hereby cancelled.

Dated: January 7, 1946.

J. F. FARLEY,
*Admiral, U. S. Coast Guard,
Commandant.*

[F. R. Doc. 46-471; Filed, Jan. 9, 1946; 9:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Ex Parte No. 72 (Sub-No. 1)]

PART 60—CLASSIFICATION OF EMPLOYEES AND SUBORDINATE OFFICIALS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of December, A. D. 1945.

Supervisors of telegraph lines, general track foremen, general foremen of bridges and buildings, and general signal foremen of the Union Pacific Railroad Company and leased lines.

In the matter of regulations concerning the class of employees and subordinate officials to be included within the term "employee" under the Railway Labor Act.

It appearing, that the American Railway Supervisors' Association, Incorporated, has filed a petition herein requesting this Commission to amend or interpret its orders defining work as that of employees or subordinate officials so as to include the work of the persons described in the next succeeding paragraph hereof, and full investigation of the matters and things involved having been made, and the division having, on the date hereof, made and filed a report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof:

It is ordered, That the orders heretofore issued by the Commission under authority of section 300 (5) of the Transportation Act, 1920, and section 1 (fifth) of the Railway Labor Act, defining work as that of employees or subordinate officials, now in effect, be, and they are hereby, amended by adding the following:

§ 60.16 *Supervisors of telegraph lines.* The work performed by the supervisors of telegraph lines of the Union Pacific Railroad Company and the lines leased by it of the Los Angeles and Salt Lake Railroad Company, and the Oregon-Washington Railroad & Navigation Company is defined as that of subordinate officials.

§ 60.17 *General track foremen, general foremen of bridges and buildings, and general signal foremen.* The work performed by general track foremen,

general foremen of bridges and buildings, and general signal foremen of the Union Pacific Railroad Company and the lines leased by it of the Los Angeles and Salt Lake Railroad Company, the Oregon Short Line Railroad Company, and the Oregon-Washington Railroad & Navigation Company is defined as that of subordinate officials.

(Sec. 300, 41 Stat. 469, sec. 1, 44 Stat. 577, 48 Stat. 1186; 45 U.S.C. 131, 151)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-429; Filed, Jan. 8, 1946;
11:07 a. m.]

Notices

AGRICULTURE DEPARTMENT.

Production and Marketing Administration.

ANGLO-AMERICAN DIRECT TEA TRADING CO.
ET AL.

AMENDMENT TO DESIGNATION OF QUALIFIED DISTRIBUTORS

The designation of qualified distributors of tea pursuant to War Food Order No. 21, as amended (8 F.R. 2077; 8 F.R. 150, 1084, 4321, 4319, 9584; 10 F.R. 103, 10419), issued by the Director of Food Distribution on February 5, 1944 (9 F.R. 1561), as amended, is further amended by deleting therefrom the name North American Trading Corporation and inserting, in lieu thereof, the name Isbrandtsen Company, Inc.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 21, 8 F.R. 2077; 9 F.R. 150, 1084, 4321, 4319, 9584; 10 F.R. 103, 10419)

Issued this 8th day of January 1946.

[SEAL] C. W. KITCHEN,
Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 46-466; Filed, Jan. 8, 1946;
3:28 p. m.]

[Docket No. AO 23-A 5]

GREATER KANSAS CITY, MO., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Greater Kansas City, Mo., marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp. 900.1 et seq., 10 F.R. 11791), notice is hereby given of a public hearing to be held in the Auditorium, Porter Building, 406 West Thirty-fourth Street, Kansas City, Missouri, beginning at 10:00 a. m., c. s. t., January 16, 1946, with respect to proposed amendments to the

tentatively approved marketing agreement and order, as amended, regulating the handling of milk in the Greater Kansas City, Missouri, marketing area (7 CFR, Cum. Supp. 913.2 et seq.; 7 CFR 1943 Supp. 913.16; 8 F.R. 2521, 3688, 8294). These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the amendments, or any modification thereof, which are hereinafter set forth. The proposed amendments are set forth below.

The Pure Milk Producers Association of Greater Kansas City, the Leavenworth Cooperative Pure Milk Association, and the Bates County Milk Producers Association propose the following amendments:

Delete the present base rating plan (§ 913.10) and substitute a plan to have the market administrator deduct from the announced blended price for milk to producers an amount of 20 cents per hundredweight during the months of May, June, and July, and return the total amount deducted from producers in three equal payments during the months of October, November, and December.

The Dairy Branch, Production and Marketing Administration, proposes that consideration be given at the hearing to the following specific amendments as a means of effectuating the general proposals set forth above of the Pure Milk Producers Association of Greater Kansas City, the Leavenworth Cooperative Pure Milk Association, and the Bates County Milk Producers Association.

1. Amend § 913.9 (b) to read as follows:

(b) *Computation and announcement of the uniform price.* The market administrator shall compute and announce the uniform price per hundredweight of milk received during each delivery period in the following manner:

(1) Combine into one total the net pool obligations of all handlers, computed pursuant to (a) of this section, who made the reports prescribed by § 913.5 and who made the payments prescribed by § 913.11 for the previous delivery period:

(2) Add the amount of the location differentials applicable pursuant to § 913.11 (d);

(3) For each of the delivery periods of May, June, and July subtract an amount equal to 20 cents per hundredweight of the net pooled milk of all handlers whose milk is included in these computations and pay such amount into the producer-settlement fund to be reserved for the purposes specified in (4) of this paragraph;

(4) For each of the delivery periods of September, October, and November, add from the producer-settlement fund one-third of the total amount deducted and reserved under (3) of this paragraph;

(5) Add an amount equal to one-half of the unreserved cash balance in the producer-settlement fund;

(6) Divide by a figure equal to the total hundred-weight of milk delivered

by producers to handlers whose milk is included in these computations;

(7) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk included in these computations for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for the milk of producers containing 3.8 percent butterfat; and

(8) On or before the tenth day after the end of such delivery period, mail to all such handlers (i) such of these computations as do not disclose information confidential pursuant to the act; (ii) the blended price per hundredweight which is the result of these computations; (iii) the Class I, II, and III prices; and (iv) the butterfat differentials computed pursuant to § 913.7 (c) and § 913.11 (c).

2. Delete § 913.10.

3. Amend § 913.11 (a) to read as follows:

(a) *Time and method of payment.* On or before the twelfth day after the end of each delivery period, each handler, after deducting the amount of the payment made pursuant to (b) of this section, and subject to the differentials set forth in (c) and (d), respectively, of this section, shall make payment to producers at the uniform price per hundredweight computed pursuant to § 913.9 (b) for the total quantity of milk received from such producers.

4. Delete § 913.3 (a) (7) and insert in lieu thereof the following:

(7) "Uniform price" means the price per hundredweight of milk computed pursuant to § 913.9 (b).

5. Make such other changes as may be required to make other portions of the order conform with the foregoing proposed amendments.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington 25, D. C., or may be there inspected.

Dated: January 8, 1946.

[SEAL] C. W. KITCHEN,
Assistant Administrator for
Regulatory and Marketing
Service Matters, Production
and Marketing Administration.

[F. R. Doc. 46-476; Filed, Jan. 9, 1946;
11:09 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2068]

AMERICAN AIRLINES, INC.; ACQUISITION OF MID-CONTINENT AIRLINES

NOTICE OF HEARING

In the matter of the application of American Airlines, Inc., under section 408 of the Civil Aeronautics Act of 1938,

as amended, for approval of the acquisition of control of Mid-Continent Airlines.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said Act, that hearing in the above-entitled proceeding is assigned to be held on January 21, 1946, at 10:00 a. m. (eastern standard time) in Conference Room A, Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets, N. W., before Examiners William F. Cusick and J. Earl Cox.

Dated Washington, D. C., January 8, 1946.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-473; Filed, Jan. 9, 1946;
10:54 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5444]

CARL E. REICHERT

In re: estate of Carl E. Reichert, deceased, and Trust u/w of Carl E. Reichert, deceased; File D-28-9962; E.T. sec. 14132.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emil Reichert, Issue of Emil Reichert, names unknown, Elsa Reichert Ohl, Betty Reichert (married name unknown) and Issue of Alfred Reichert, names unknown, and each of them, in and to the Estate of Carl E. Reichert, deceased, and in and to the trust created under the will of Carl E. Reichert, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emil Reichert, Germany.
Issue of Emil Reichert, names unknown, Germany.
Elsa Reichert Ohl, Germany.
Betty Reichert (married name unknown), Germany.
Issue of Alfred Reichert, names unknown, Germany.

That such property is in the process of administration by Northern Trust Company, as Executor and Trustee, acting under the judicial supervision of the Orphans' Court of Montgomery County, Norristown, Pennsylvania;

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

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

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on December 4, 1945.

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

[F. R. Doc. 46-464; Filed, Jan. 8, 1946;
11:13 a. m.]

[Vesting Order 5465]

CHRIS H. HAMDORF

In re: Estate of Chris H. Hamdorf, deceased; File D-28-9810; E. T. sec. 13831.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Decker, Louise Stornacker and Minna Niegrieh, and each of them, in and to the Estate of Chris H. Hamdorf, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Decker, Germany.
Louise Stornacker, Germany.
Minna Niegrieh, Germany.

That such property is in the process of administration by H. C. McLean, as Administrator of the Estate of Chris H. Hamdorf, acting under the judicial supervision of the County Court of Chaffee County, State of Colorado;

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

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

hereby vests in the Alien Property Custodian the property described above, to be

held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on December 10, 1945.

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

[F. R. Doc. 46-432; Filed, Jan. 8, 1946;
11:13 a. m.]

[Vesting Order P 2]

FURUKAWA PLANTATION Co.

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

1. That Yoshizo Furukawa, Katsuji Matsumoto, Daido Boeki Kaisya, Kotaro Takuma, Asakichi, Tsutaya, Kaoru Nakagawa, Chisato Yamasaki, Koichiro Uyemura, Tomizo Yabe, Tamio Mizobe and Nase Itakura, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:
a. 9,975 shares of the \$100 par value capital stock of Furukawa Plantation Company, a corporation organized and doing business under the laws of the Commonwealth of the Philippines and a business enterprise within the United States,

b. Any and all additional shares of stock of Furukawa Plantation Company or the right to subscribe to and receive such additional shares which accrued or may accrue to the shares described in subparagraph 2-a hereof, or the holders thereof, by virtue of any action taken to increase the capital stock of Furukawa Plantation Company, and

c. Any and all obligations, contingent or otherwise and whether or not matured, owing by Furukawa Plantation Company to the persons named in subparagraph 1, and each of them, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control

of and/or represents an interest in Furukawa Plantation Company by the persons named in subparagraph 1 hereof;

and determining:

3. That Furukawa Plantation Company is controlled by the persons named in subparagraph 1 hereof, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

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

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

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, together with all declared and unpaid dividends on said stock, and all right, title and interest of whatsoever kind or nature of each and all other nationals, whomsoever they may be, of Germany and Japan in and to said property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

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

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

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

Executed at Washington, D. C., on January 7, 1946.

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

[F. R. Doc. 46-433; Filed, Jan. 8, 1946; 11:13 a. m.]

[Vesting Order P3]

OHTA DEVELOPMENT Co., INC.

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

1. That Sakutaro Ohta, Onotaro Hiramoto, Otoji Hashimoto, Kozo Oshiro, Yasaku Morokuma, Sekichi Taniguchi, Saisuko Shigesawa, Unosuke Tokunaga, Shintaro Kawata, Ichisuke Agari, Seijiro Seto, R. S. Ohta, A. Oshiro, Yoshinobu Tatsuye, Yasusuke Kumagai, Torao Takahashi, Fumiki Ohmori, Tosaku Tanaka and Uichi Kojima, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:
a. 2,430 shares of the \$100 par value capital stock of Ohta Development Company, Inc., a corporation organized and doing business under the laws of the Commonwealth of the Philippines and a business enterprise within the United States.

b. Any and all additional shares of stock of Ohta Development Company, Inc., or the right to subscribe to and receive such additional shares which accrued or may accrue to the shares described in subparagraph 2-a hereof, or the holders thereof, by virtue of any action taken to increase the capital stock of Ohta Development Company, Inc., and

c. Any and all obligations, contingent or otherwise and whether or not matured, owing by Ohta Development Company, Inc., to the persons named in subparagraph 1, and each of them, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control of and/or represents an interest in Ohta Development Company, Inc., by the persons named in subparagraph 1 hereof;

and determining:

3. That Ohta Development Company, Inc., is controlled by the persons named in subparagraph 1 hereof, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

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

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

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, together with all declared and unpaid dividends on said stock, and all right, title and interest of whatsoever kind or nature of each and all other nationals, whomsoever they may be, of Germany and Japan in and to said property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to

the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

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

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

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

Executed at Washington, D. C., on January 7, 1946.

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

[F. R. Doc. 46-434; Filed, Jan. 8, 1946; 11:13 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 136, Corr. to Amdt. 2 to 3d Rev. Order 158]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

Third Revised Order No. 158 under Revised Maximum Price Regulation 136, correction to Amendment 2. Chevrolet Motor Division, General Motors Corporation (Docket No. 3136-389).

The amendment to Third Revised Order 158 under Revised Maximum Price Regulation 136, issued December 28, 1945, was incorrectly designated Amendment No. 2. It is hereby corrected to read Amendment No. 1.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-449; Filed, Jan. 8, 1946; 11:27 a. m.]

[ISO 142, Order 6]

A. B. FARQUHAR CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 6 under Supplementary Order 142—Adjustment provisions for sales of industrial machinery and equipment. A. B. Farquhar Company. (Docket No. 6083-136.21-619).

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order 142, *It is ordered:*

(a) The maximum prices for sales of saw mill machinery and attachments by A. B. Farquhar Company, York, Pennsylvania, shall be determined as follows:

The manufacturer shall increase the maximum prices he had in effect to a purchaser of the same class just prior to the issuance of this order by 16.4%.

(b) The maximum prices for sales of saw mill machinery and attachments by resellers shall be determined as follows: The resellers shall add to the maximum prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, the same dollar-and-cents amount as his net invoiced cost has been increased as a result of the adjustment granted the manufacturer by this order.

(c) A. B. Farquhar Company shall notify each person who buys saw mill machinery and attachments for resale of the dollar-and-cents amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-448; Filed, Jan. 8, 1946; 11:27 a. m.]

[MPR 188, Amdt. 1 to Order 4109]

KENT PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation 188; *It is ordered:* That Order No. 4109 under § 1499.158 of Maximum Price Regulation 188 be and it hereby is amended in the following respects:

1. Paragraph (a) (1) is amended to include the following:

Article	Maximum prices for sales by all persons to—			
	Distributors or jobbers	Retailers		Consumers
		1-5	5 or more	
Upper bowl—any color....	Each \$0.90	Each \$1.20	Each \$1.08	Each \$1.80
Lower bowl—any color....	.75	1.00	.90	1.50
Kent time filter.....	.65	.87	.78	1.30
Completely new streamlined tray.....	1.45	1.93	1.74	2.90

(b) All other provisions of Order No. 4109 under Maximum Price Regulation 188 remain unchanged.

(c) This amendment may be revoked or amended by the Price Administrator at any time.

(d) This amendment shall become effective on the 9th day of January 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-450; Filed, Jan. 8, 1946; 11:27 a. m.]

[MPR 188, Order 4811]

EDWARDS AND CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of electric door chimes manufactured by Edwards and Company, Incorporated, Norwalk, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—	
		Wholesalers (Jobbers)	Consumers
Mirror electric door chime.	1614 Lady Jane.	Each \$5.80	Each \$11.59

These maximum prices are for the article described in the manufacturer's application dated November 9, 1945. They include the adjustments allowed under Supplementary Order No. 119.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. destination in shipments of 100 pounds or more, and are subject to a cash discount of 5% 15th proximo. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$11.59
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of January 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-451; Filed, Jan. 8, 1946; 11:28 a. m.]

[MPR 260, Amdt. 1 to Order 510]

ALBIN NELSON

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered:* That:

The maximum prices for the "Boston Strait-Londres", "La Salle Supreme-Perfecto" and "Hand Made-Perfecto" cigars set forth in paragraph (a) of Order No. 510 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Boston Strait.....	Londres 1.....	50	Per M \$56.00	Cents 7
La Salle Supreme.....	Perfecto 1.....	50	50 101.25	2 for 27
Hand Made.....do. 1.....	50	56.00	7

¹ Prices apply to this brand and frontmark using only long filler of types and proportions specified in amended application.

This amendment shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-452; Filed, Jan. 8, 1946; 11:28 a. m.]

[MPR 260, Amdt. 1 to Order 1807]

DAVID A. GLASS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered:* That:

The maximum prices for the "Witz-Hav-Cuban" cigars set forth in paragraph (a) of Order 1807 under Maximum Price Regulation No. 260, are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Witz.....	Hav-Cuban....	50	Per M \$75	Cents 10

This amendment shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-453; Filed, Jan. 8, 1946; 11:28 a. m.]

[MPR 260, Order 2059]

FREDERICK'S CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Frederick's Cigar Company, 123 High Street, Pottstown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lord Frederick..	Invincible.....	50	Per M \$82.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maxi-

mum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-454; Filed, Jan. 8, 1946; 11:29 a. m.]

[MPR 260, Order 2060]

LA BONITA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) La Bonita Cigar Co., 4520 W. Pico Blvd., Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Bonita.....	Little King...	50	Per M \$82.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales

of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-455; Filed, Jan. 8, 1946; 11:29 a. m.]

[MPR 260, Order 2061]

VALDES CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Valdes Cigar Company, 2320 17th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Sol De Cuba..	Blunts.....	50	Per M \$90	Cents 12
	Kings.....	50	105	14

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing

differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-463; Filed, Jan. 8, 1946; 11:29 a. m.]

[MPR 260, Order 2062]

CLYDE B. WAGNER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Clyde B. Wagner, R. D. # 2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vinc-A-Cal.....	Vinc-A-Cal....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-456; Filed, Jan. 8, 1946; 11:29 a. m.]

[MPR 260, Order 2063]

D. MARTINEZ Y CA.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) D. Martinez y Ca., 1815 10th Avenue, Tampa 5, Fla. (hereinafter called

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tres Capitanes..	Nacionales....	50	Per M \$192	Cents 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-457; Filed, Jan. 8, 1946; 11:30 a. m.]

[MPR 580, Amdt. 1 to Order 27]

CHATHAM MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

MPR No. 580, Amendment 1 to Order 27; establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-421.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 27 is amended by adding the following:

Article	Style name	Manufacturer's selling price	Retail ceiling price in Western States listed below	Retail ceiling price except in Western States listed below
Chatham blanket.	Newport...	\$5.37	\$9.50	\$8.95
	Woolshire...	7.425	12.95	12.50
	Magnolia...	7.54	13.50	12.95

Western States—Arizona, Montana, Utah, California, Nevada, Washington, Idaho, Oregon, Wyoming.

The retail ceiling price of an article manufactured for the first time after the effective date of this order which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price established for that other article in paragraph (a).

This amendment shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-458; Filed, Jan. 8, 1946; 11:30 a. m.]

[MPR 591, Order 175]

ANDERSON PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (c) of Maximum Price Regulation No. 591; it is ordered:

(a) *Adjustment of maximum prices for Anderson Products, Inc., of Cambridge, Massachusetts.* (1) The Anderson Products, Inc. of Cambridge, Massachusetts may adjust its properly established maximum net prices on sales to wholesalers under Maximum Price Regulation No. 591 for the following air valves to the following prices:

No. 1.....	\$0.99
No. 66.....	6.00

No. 7—4

(2) Anderson Products, Inc. shall determine its maximum net prices on sales to classes of purchasers other than wholesalers, by applying to the maximum prices set forth in (1) the same discounts which Anderson Products, Inc. extended or rendered or would have extended or rendered to such classes of purchasers during March 1942.

(3) The maximum net prices set forth in (1) and (2) above are subject to cash discounts, allowances including transportation allowances at least as favorable as those granted as a deduction from net prices to each class of purchaser during March 1942 on comparable sales of similar commodities.

(b) *Maximum prices for resellers.* The maximum prices for sales by resellers of any of the commodities for which adjustment is granted Anderson Products, Inc. under this order shall be his maximum price to each class of purchaser in effect prior to the effective date of this order plus the actual dollars-and-cents increase in present acquisition cost resulting from the adjustment granted Anderson Products, Inc. under this order.

(c) *Notification to all purchasers.* Anderson Products, Inc. shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment is put into effect:

Order No. 175 under section 16 (c) of Maximum Price Regulation No. 591 provides for increases in net prices for sales of the No. 1 and No. 66 air valves manufactured by Anderson Products, Inc. Resellers may add the actual dollars-and-cents increase in their acquisition cost resulting from the adjustment granted the manufacturer to their maximum prices in effect prior to the effective date of this order.

(d) All prayers of the application of Anderson Products, Inc. not granted in this order are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-459; Filed, Jan. 8, 1946; 11:30 a. m.]

[MPR 591, Order 207]

RHEEM MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum price, excluding Federal Excise Tax, for sales by any person to consumers of the following farm electric water heater manufactured by the Rheem Manufacturing Company of New York, New York and as described in its application dated November 21, 1945, shall be:

Model 0712—Farm electric water heater, galvanized tank, 12 gallon boiler, 5 gallon reservoir.....	\$65.00
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(b) The maximum net prices, excluding Federal Excise Tax, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less a discount of 25 percent.

(c) The maximum net price, excluding Federal Excise Tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less successive discounts of 25 and 20 percent.

(d) The maximum prices established by this Order shall be subject to such further discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum price on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) The Rheem Manufacturing Company shall attach to each farm electric water heater covered by this order a tag containing the following:

OPA maximum retail price not installed, including actual Federal excise tax paid at source—\$-----

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-460; Filed, Jan. 8, 1946; 11:30 a. m.]

[MPR 591, Order 208]

UNITED REFRIGERATOR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following beverage coolers manufactured by the United Refrigerator Manufacturing Company of St. Paul, Minn., and as described in the applications dated December 11, 1945, which are on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
Beverage cooler:			
4 ft.-----	\$192	\$230	\$384
6 ft.-----	220	266	442
8 ft.-----	250	300	500
10 ft.-----	284	340	568
12 ft.-----	332	399	664
Beverage cooler S C:			
4 ft.-----	316	380	632
6 ft.-----	358	430	716
8 ft.-----	444	532	888

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The United Refrigerator Manufacturing Company of St. Paul, Minnesota, shall stencil on the lid or cover of the beverage coolers covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 208, under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-461; Filed, Jan. 8, 1946;
11:31 a. m.]

[MPR 591, Order 209]

UNITED REFRIGERATOR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. Connellsville, Pennsylvania, for sales by any person of the following double duty display cases, manufactured by the United Refrigerator Manufacturing Company, Eastern Division, Inc., of Connellsville, Pennsylvania, and as described in the application dated December 13, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
Top display cases, double duty:			
6 ft.-----	\$368	\$442	\$736
8 ft.-----	439	550	918
10 ft.-----	548	657	1,096
12 ft.-----	647	776	1,294

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The United Refrigerator Manufacturing Company, Eastern Division, Inc., Sixth and Liesenring Street, Connellsville, Pennsylvania, shall stencil on the lid or cover of the Double Duty Display Cases covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 209 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 9, 1946.

Issued this 8th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-462; Filed, Jan. 8, 1946;
11:31 a. m.]

[RMPR 136, Order 568]

PRINTING MACHINERY

MANUFACTURERS' MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 30 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum price for sales of any new printing trades machinery and equipment by any manufacturer shall be established as follows:

(1) For any printing trades machinery and equipment for which the manufacturer had a published list price in effect on October 1, 1941, or an established price in effect on the base date, the maximum price shall be the price computed under section 7 of Revised Maximum Price Regulation 136, plus 12% of that price.

(2) For any printing trades machinery and equipment for which the manufacturer can compute a price under section 8 of Revised Maximum Price Regulation 136, the maximum price shall be computed under that section using the price computed under the preceding subparagraph (1) as the maximum price for the product before modification.

(3) If a manufacturer is unable to establish a maximum price for a product under the provisions of the preceding subparagraphs (1) and (2), he may apply to Machinery Branch, Office of Price Administration, Washington 25, D. C., for permission to establish a maximum price for the product under the provisions of this paragraph. The application for such permission shall include: (i) Profit and Loss Statement for the year 1941 (if not previously filed); and (ii) a proposed price determining method to be applied under the provisions of this paragraph. The price determining method shall be the method of determining price by relation to cost that a manufacturer had in effect on the base date for determining selling prices of products of the same or similar type, adjusted to reflect the ratio that general selling and administrative expense and profit bore to sales in 1941. Upon receipt of approval, in writing, from OPA, a manufacturer may establish a maximum price for any product for which he is unable to establish a price under the provisions of the preceding subparagraphs (1) and (2) by applying the price determining method, filed with and approved by OPA under the provisions of this paragraph, to cost of production as provided in section 10, except that for the cost of purchased parts and subassemblies to be included in the cost of production, the manufacturer shall use his cost on October 1, 1941,

or if the manufacturer cannot determine his cost on October 1, 1941, the price for the parts or subassemblies in effect to a purchaser of the same class as the manufacturer in the same location on October 1, 1941. To the price which the manufacturer computes for his product by use of his price determining method as provided in this paragraph, a manufacturer shall then add 12% of such price and the resulting figure shall be the maximum price of such product.

If a manufacturer is unable to compute a price for any printing trades machinery and equipment under the provisions of subparagraphs (1), (2) and (3) above, the maximum price shall be computed under sections 9 and 10 of Revised Maximum Price Regulation 136, without reference to the provisions of this order.

(b) If a manufacturer sells his printing trades machinery and equipment both direct to users at a fixed price and to resellers at a discount off that price, the manufacturer may apply the increase factor provided by this order unevenly to the two types of sales in the following manner:

(1) Without application to OPA, the manufacturer may apply to his sales the following table: *Provided*, That his total dollar sales are not increased by reason of the use of percentages in the table, instead of the increase factor set forth in paragraph (a). A manufacturer using

the table shall report to OPA on the fifteenth days of January, April, July and October in each year, and shall state separately the sales to resellers and discounts allowed and the sales to users for the preceding three months period, and what percentages in the table were used. If any quarterly report shows that the total dollar sales have been increased by more than the 12% factor by reason of the use of the table, the manufacturer shall submit to OPA, with his report, a proposed method of adjusting his prices so that the excess in dollar sales shown by the report may be absorbed in a reduction of total dollar sales. The table shows in the first column the percentages of sales which the manufacturer normally makes through resellers; the succeeding columns headings show the average discount which the manufacturer allows to resellers. In applying the table the manufacturer finds in the first column the percentage of sales which he normally makes to resellers, and in the line of that percentage, he finds under the column heading showing his average discount the percentage increase factor by which he increases his sales price to resellers and his sales price to users. He may then substitute in the case of each type of sale the applicable increase factor for the percentage increase factor of 12% set forth in paragraph (a).

Percent of sales made through resellers	5% discount		10% discount		15% discount		20% discount		25% discount		30% discount		35% discount		40% discount	
	Re-seller	User	Re-seller	User	Re-seller	User	Re-seller	User	Re-seller	User	Re-seller	User	Re-seller	User	Re-seller	User
1-9.9	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
10-29.9	12.5	11.9	13.0	11.9	14.0	11.9	14.8	11.9	15.7	11.8	16.8	11.8	18.0	11.7	19.4	11.6
30-49.9	12.4	11.7	12.8	11.5	13.2	11.2	13.7	10.9	14.1	10.6	14.6	10.2	15.2	9.9	15.8	9.5
50-69.9	12.2	11.6	12.5	11.2	12.8	10.9	13.1	10.4	13.3	10.0	13.6	9.6	14.0	9.1	14.3	8.6
70-89.9	12.1	11.5	12.3	11.0	12.4	10.5	12.5	10.0	12.6	9.5	12.8	8.9	12.9	8.4	13.0	7.8
90-99.9	12.1	11.4	12.1	10.8	12.1	10.3	12.1	9.7	12.2	9.1	12.2	8.5	12.2	7.8	12.3	7.4
100	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0

(2) If the manufacturer wishes to apply the increase factor unevenly to sales to resellers and sales to users in any manner other than that set forth in the above table, he may apply to OPA for adjustment of his maximum prices under the provisions of section 2 (c) of Supplementary Order 142.

(c) For the purposes of this order the phrase "printing trades machinery and equipment" shall be taken to mean the following machinery, mechanical accessories (such as repair and replacement parts, interchangeable parts, jigs, fixtures, work-holding and positioning devices and rests) and mechanical equipment when designed and sold exclusively for use by the printing trades: (The numbered and lettered headings of the list are indicative and do not include machines or equipment not listed under the headings).

- I. *Typesetting, Type-Composing and Composing Room Machinery:*
 - A. Typesetting, type-composing and type-casting machinery:
 - Slug line (linotype and similar) machines
 - Single character (monotype and similar) machines

- I. *Typesetting, Type-Composing and Composing Room Machinery—Continued.*
 - A. Typesetting, type-composing and type-casting machinery—Continued.
 - Lead slug and rule casting machines
 - Typefoundry machines (for type casting)
 - Matrices (for typecasting and typecasting machines)
 - B. Attachments and Complementary type-casting equipment:
 - Magazine and matrix cases
 - Molds
 - Automatic metal feeders
 - Lino-saws and similar saws for attachment to typesetting machines
 - Space band cleaners
 - Plunger cleaners
 - Slug profilers
 - Shell-high slug shears
 - Type surface finishing machines
 - C. Saw Trimmers and Mitering Machines:
 - Hand lead, slug and rule cutters
 - Saw trimmers
 - Printers' band saws
 - Hand miterers
 - Power miterers
 - D. Other Typesetting and Composing Room Machinery:
 - Remelting furnaces for type metal
 - Remelting molds for type metal
 - Broaching machines, rule form

II. *Composing Room Equipment (Other Than Machinery):*

- The following storage cabinets:
 - Type and type matrix cabinets, type case frames or stands, and type cases
 - Galley cabinets and galleys
 - Page form lift and storage cabinets
 - Cut storage cabinets
 - Material cabinets
 - Imposing tables and imposing surfaces
 - Foundry type, rules, leads, slugs, borders and ornaments
 - Typographic numbering machines (typographs)
 - Form transfer trucks
 - Chase racks
 - Lock-up "furniture" (accessories and devices for locking up printing forms)

III. *Photoengraving and Lithographic Platemaking Equipment:*

- A. *Photographic equipment:*
 - Gallery cameras
 - Dark room cameras
 - Overhead cameras
 - Vertical cameras
 - Strip-film cameras
 - Vacuum backs for cameras
 - Photo-composing machines (step and repeat machines)
 - Projectors for use in photoengraving and lithographic plate making
 - Photo lettering machines
 - Half-tone screens
 - Screen holders
 - Copy boards
 - Diaphragm controls
- B. *Other Photoengraving Machinery and Equipment:*
 - Temperature control sinks
 - Developing tanks
 - Negative drying ovens
 - Powdering cabinets
 - Monel silver baths
 - Bath holders
 - Silver bath evaporators and evaporating dishes
 - Ben Day machines
 - Photoengravers' whirlers
 - Burning-in ovens
 - Etching machines
 - Routing machines
 - Beveller and trimmer, combination
 - Planing machines
- C. *Other Lithographic Platemaking Equipment:*
 - Plate graining machines
 - Plate coating machines (whirlers) (lithographic)
 - Contact printers
 - Vacuum printing frames
 - Stripping tables
 - Rub-up tables
 - Opaquing tables
 - Lay-out, register and line-up tables
- IV. *Electrotyping and Stereotyping Machinery and Equipment:*
 - Matrix rollers
 - Direct pressure matrix moulding presses
 - Matrix shrinkers and formers
 - Matrix drying tables
 - Matrix scorchers:
 - Flat stereotype casting boxes, hand operated
 - Curved stereotype casting boxes, hand operated
 - Tubular stereotype casting boxes
 - Automatic stereotype plate casting machines
 - Plate shaving machines—flat, curved, tubular
 - Tail cutters or trimmers—curved and tubular
 - Plate routing machines—flat, curved, combination flat and curved
 - Plate bevelling machines
 - Plate mortising machines
 - Curved plate shipping blocks
 - Stereotype metal melting furnaces
 - Stereotype form tables
 - Wax tables
 - Wax shaving machines

IV. *Electrotyping and Stereotyping Machinery and Equipment*—Continued.

Wax ruling machines
Electrotype moulding presses
Wet leading machines
Plate curving machines
Cooling tables
Plate depth gauges
Plate thinning machines
Saws, trimmers, combination
Block levelers

V. *Presses*

A. Letterpress (typographical, relief):

(1) Sheet-fed:

Platen-job, hand fed and automatic fed cylinder-job automatics up to 22" x 28" sheet size

Flat-bed cylinders over 22" x 28" sheet size:

Single cylinder, hand fed and automatic fed

Two-color presses

Perfecting presses

Rotary presses

Proof presses:

Hand-operated

Power-driven

Envelope presses & imprinting machines

Textile bag printing presses

Thermographic (raised printing) presses

(2) Web-fed and roll-fed presses:

Newspaper and magazine:

Unit type

Multi-color

Tubular

Flat-bed perfecting web

Other:

Platen web presses

Aniline ink presses

Tabulating card presses

Tag printing presses

Paper can printing presses

Textile bag printing presses

B. *Offset, Lithographic (including photolithographic, planographic):*

Sheet-fed, up to 22" x 28" sheet size, and over 22" x 28" sheet size

Stone lithographic presses

Web-fed presses

Offset proving and transfer presses

C. *Gravure (Intaglio):*

Platen engraving presses, hand-fed and automatic fed

Power plate engraving presses

Die-stamping and embossing presses

Cylinder sheet-fed gravure presses

Web-fed newspaper and magazine presses

Rotogravure presses

Wallpaper presses

Metal foil presses

D. *Cutting & Creasing Presses:*

Platen cutting & creasing presses

Cylinder cutting & creasing presses

Combination printing & cutting & creasing presses

E. *Accessories & Attachments for Printing Presses, and Complementary Press Room Equipment:*

Automatic sheet feeders

Reels, press magazine

Web tension devices

Automatic web pasters

Paper roll stands

Sheeting devices for web presses

Automatic extension pile deliveries

Rewinding machines

Automatic paper lifts

Feeder and delivery tables

Jackets, cutting and creasing press

Ink fountains, portable

Ink distributors

Ink agitators

Wash-up devices, roller

Fountain dividers

Ink drying and ink setting devices

Non-offset, spray equipment

Punching, perforating, scoring and numbering attachments

V. *Presses*—Continued.E. *Accessories & Attachments for Printing Presses, and Complementary Press Room Equipment*—Continued.

Chases

Plate mounting bases

Electric die-heater attachments

Paper seasoners and conditioners

Varnishing machines

Eronzing machines

Newspaper conveyors

Paper roll trucks

VI. *Bookbinding and Printers' Finishing Machinery and Equipment:*A. *Paper Cutting Machinery:*

Hand lever guillotine cutters up to 30½"

Power driven guillotine cutters, 30½"

and larger

Trimmers, single knife, three knife and continuous

Bookbinders shears

Knife grinding machines

B. *Paper Folding Machinery:*

Sheet folders, up to 22" x 28", and over 22" x 28"

Newspaper folders for attachment to flat-bed cylinder presses

Automatic feeders for folding machines

C. *Gathering and Inserting Machinery:*

Gathering machines

Inserting machines

Gang stitchers

Stitcher feeders

Perfect binders

Pamphlet gathering tables

D. *Paper Ruling Machinery:*

Pen ruling machines, single and "L" type

Disc ruling machines, single and "L" type

Automatic feeders for ruling machines

Numbering and paging machines

E. *Edition Binding Machinery:*

Finders' board rotary cutters

Feeders for binders' board cutters

Bookbinders' cloth cutters

Corner cutting machines

Case making machines

Cover bending machines

Cover cleaning machines, foil

Stamping and embossing presses

Corner cutting racks

Bookbinders' sewing machines (for book stitching)

Signature bundling presses

Smashing machines

Standing presses

Letter boards

Back forming machines

Rounding and backing machines

Nipping machines

Forwarding machines

Backlining and headbanding machines

Book back-gluing machines

Casing-in machines

Indexing machines

Stippling and roughing machines

Tipping machines

Stripping machines

F. *Other Bindery and Finishing Machinery:*

Banding machines

Mechanical binding machinery:

Plastic binding machines

Spiral wire binding machines

Other mechanical binding equipment

Die-cutting presses

Label cutting machines

Collating and interleaving machines

Jogging machines

Paper drilling machines, single & multiple drill

Paper punching machines, single & multiple punch

Cornering machines

Paper perforating machines, round hole and slot:

Vertical (straight-line) perforators

Rotary perforators

Postage stamp (photo-electric) perforators

VI. *Bookbinding and Printers' Finishing Machinery and Equipment*—ContinuedF. *Other Bindery and Finishing Machinery*—Continued.

Fixed gauge type paper pad counters

Wire stitching machines (book and pamphlet types) single and multiple head, not including tackers and staplers.

VII. *Printers' Hand Tools:*

Line gauges

Composing sticks

Quoins and keys

Mallets

Planers

Press room, plate-making and bindery hand tools

VIII. *Repair and Replacement Parts:*

All repair and replacement parts for the machinery and equipment listed above, except saws and knife blades.

Upon application by a manufacturer, OPA may include in this definition additional machinery or equipment if it appears to be specifically designed for use in the printing trades.

(d) The maximum prices for sales of printing trades machinery and equipment by resellers shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased, due to the increases in maximum prices of manufacturers provided by paragraph (a) of this order.

(e) Every manufacturer of printing trades machinery and equipment shall notify each person who buys such machinery and equipment for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net prices.

(f) All prices established under paragraph (a) of this order shall be subject to the same discounts, credits and allowances in effect to any purchasers and classes of purchasers just prior to the issuance of this order.

(g) Notwithstanding any of the provisions of this order, a manufacturer of printing trades machinery and equipment may charge and collect the maximum prices for sales of his products which he had in effect just prior to the issuance of this order.

(h) This order may be amended or revoked at any time by the Price Administrator.

This order shall become effective January 9, 1946.

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-491; Filed, Jan. 9, 1946; 11:36 a. m.]

[MPR 591, Amdt. 3 to Order 48]

DOMESTIC OIL BURNERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order 48 under section 22 of Maximum Price Regulation No. 591 is amended in the following respects:

1. A new section 2.4 is added to read as follows:

SEC. 2.4 Domestic oil burners—(a) Manufacturers increase for items having an October 1, 1941 price. The maximum price for sales by any manufacturer of domestic oil burners and repair and service parts therefor shall be his price to each class of purchaser in effect on October 1, 1941, increased by 9 percent.

(b) *Manufacturers increase for items not having an October 1, 1941 price.* A manufacturer may not increase his properly established maximum price for any domestic oil burner and repair and service parts therefor for which he does not have an October 1, 1941 price without specific authorization from the Office of Price Administration.

A manufacturer desiring to modify his presently established maximum price for any domestic oil burner and repair and service parts therefor for which he does not have an October 1, 1941 price shall file an application for such modification of his maximum price to reflect the increases obtained by other manufacturers for similar articles under (a) above, setting forth the following:

1. Full description of the item. Cuts or detailed sketches should be supplied.
2. Established maximum price for the item and the section and regulation under which the maximum price was established.
3. If possible, the name of competitors marketing a similar item for which they had October 1, 1941 prices.

(c) *Optional use of this section.* Since the provisions of this section are not intended to reduce properly established maximum prices, any manufacturer whose price in effect to each class of purchaser on October 1, 1941, plus the increase provided for under (a) is less than his maximum price as established under Maximum Price Regulation No. 591, may continue to use as his maximum price the maximum price properly established under that regulation.

(d) *Notification by manufacturers.* Any manufacturer who applies the increase permitted under (a) shall notify each purchaser, in writing, at or before the issuance of the first invoice after January 14, 1946, of the actual dollar-and-cents increase for each type of oil burner over his maximum price to that class of purchaser in effect on January 13, 1946.

(e) *Resellers increase.* The maximum price for sale by any reseller of the types of oil burners or repair and service parts therefor covered by this section shall be his maximum price to each class of purchaser in effect on January 13, 1946 plus the actual dollar-and-cents increase in present cost resulting from the increase granted the manufacturer under this section, and of which he is notified by the manufacturer.

A seller shall not be considered a "reseller" within the meaning of this paragraph when he uses the types of oil burners covered by this section on or in connection with the sale of another article (such as furnace, etc.) and his maximum price for the burner and the other article is established on the basis of a lump sum.

(f) *Profit factor for use in connection with adjustments under section 1.2 (a)*

or (b). Any manufacturer of the types of oil burners or repair and service parts therefor filing an application for adjustment in accordance with section 1.2 (a) or (b) may use in connection with such an application the industry profit factor of 6.5 percent.

(g) The term "domestic oil burner" means all types of burners using lighter than No. 5 oil as well as horizontal rotary and gun type burning No. 5 and No. 6 oils.

The term also includes sub-assemblies and repair and service parts for domestic oil burners when such sub-assemblies, repair and service parts are specifically designed and produced for use on or in connection with domestic oil burners.

This amendment shall become effective January 14, 1946.

NOTE: All reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-499; Filed, Jan. 9, 1946;
11:35 a. m.]

**GAS-FIRED AND LIQUID PETROLEUM-FIRED
FURNACES AND UNIT HEATERS**

[MPR 591, Amdt. 4 to Order 48]

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order 48 under section 22 of Maximum Price Regulation No. 591 is amended in the following respects:

1. A new section 2.5 is added to read as follows:

SEC. 2.5 Gas-fired and liquid petroleum-fired furnaces and unit heaters—(a) Manufacturers' increase for items having an October 1, 1941 price. The maximum price for sales by any manufacturer of gas-fired and liquefied petroleum-fired furnaces and unit heaters and repair and service parts therefor shall be his price for the item to each class of purchaser in effect on October 1, 1941, increased by 12.5 percent.

(b) *Manufacturers' increase for items not having an October 1, 1941 price.* A manufacturer may not increase his properly established maximum price for any gas-fired and liquefied petroleum-fired furnace and unit heater and repair and service parts therefor for which he does not have an October 1, 1941 price, without specific authorization from the Office of Price Administration.

A manufacturer desiring to modify his presently established maximum price for any gas-fired and liquefied petroleum-fired furnace and unit heater and repair and service parts therefor for which he does not have an October 1, 1941, price shall file an application for such modification of his maximum price to reflect the increases obtained by other manufacturers for similar articles under (a) above setting forth the following:

- (1) Full description of the item. Cuts or detailed sketches should be supplied.

(2) Established maximum price for the item and the section and regulation under which the maximum price was established.

(3) If possible, the name of competitors marketing a similar item for which they had an October 1, 1941 price.

Such applications shall be filed with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(c) *Optional use of this section.* Since the provisions of this section are not intended to reduce properly established maximum prices, any manufacturer whose price in effect to each class of purchaser on October 1, 1941, plus the increase provided for under (a) is less than his maximum price as established under Maximum Price Regulation No. 591, may continue to use as his maximum price, the maximum price properly established under that regulation.

(d) *Notification by manufacturers.* Any manufacturer who applies the increase permitted under this section shall notify each purchaser, in writing, at or before the issuance of the first invoice after January 14, 1946, of the actual dollar-and-cents increase for each type of furnace or unit heater over his maximum price to that class of purchaser in effect on January 13, 1946.

(e) *Resellers increase.* The maximum price for sale by any reseller of the types of furnaces or unit heaters or repair and service parts therefor covered by this section shall be his maximum price to each class of purchaser in effect on January 13, 1946, plus the actual dollars-and-cents increase in present cost resulting from the increase granted the manufacturer under this section and of which he is notified by the manufacturer.

(f) *Profit factor for use in connection with adjustments under section 1.2 (a) and (b).* Any manufacturer of the types of furnaces or unit heaters or repair and service parts therefor covered by this section, filing an application for adjustment in accordance with section 1.2 (a) or (b) may use in connection with such an application the industry profit factor of 7.5 percent.

(g) The term "gas-fired and liquefied petroleum-fired furnaces" means any warm air furnace using gas or liquefied petroleum as fuel, not including portable space heaters. The term "unit heater" means any unit heater using gas, oil, steam or hot water as the fuel.

The term also embraces sub-assemblies, repair and service parts specifically designed and produced as a sub-assembly therefor, repair or service parts for use on or in connection with a gas-fired or liquefied petroleum fired warm air furnace or a unit heater.

This amendment shall become effective January 14, 1946.

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

Issued this 9th day of January 1946.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 46-500; Filed, Jan. 9, 1946;
11:35 a. m.]

Regional and District Office Orders.

[Region II Rev. Order G-18 Under RMPR 122, Am. 13]

SOLID FUELS IN ROCHESTER, AND MONROE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

1. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF UNDERGROUND MINE BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED

Kind and size of bituminous coal	Per net ton
High volatile bituminous coal from district Nos. 1, 3 or 4:	
Lump, egg, nut, and stoker.....	\$7.50
Nut and slack.....	7.40
Slack.....	7.20
Low volatile bituminous coal from district No. 1—Pennsylvania all lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:	
1. Coal in Price Classification "A".....	8.90
2. Coal in Price Classification "B" through "E" inclusive.....	8.10

(2) "Yard sales."

FOR SALES OF UNDERGROUND MINE BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous	Sales to dealers (per net ton for sales of 3/4 ton or more)	Sales to consumers (per net ton, for sales of 3/4 ton or more)
High volatile bituminous coal from districts Nos. 1, 3 or 4:		
Lump, egg, nut and stoker.....	\$6.50	\$6.80
Nut and slack.....	6.40	6.70
Slack.....	6.20	6.50
Low volatile bituminous coal from district No. 1, Pennsylvania, all lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:		
1. Coal in price classification "A".....	7.90	8.20
2. Coal in price classification "B" through "E" inclusive.....	7.10	7.40

This Amendment No. 13 to Revised Order No. G-18 shall become effective as of December 19, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9599, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued December 21, 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-338; Filed, Jan. 7, 1946; 1:45 p. m.]

[Region V Order G-1 Under MPR 592 Amdt. 1]

SAND AND GRAVEL IN ST. LOUIS, MO., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emer-

gency Price Control Act of 1942, as amended, section 17 of Maximum Price Regulation No. 592, and Supplementary Order No. 28, it is hereby ordered:

(a) *What this order does.* This order permits adjustment of maximum prices by producers and sellers of sand and gravel in the St. Louis, Missouri, area to reflect the wage increases granted by the War Labor Board in Case No. 7-23907 dated August 23, 1945 and No. 7-25907 dated August 28, 1945. The St. Louis, Missouri area is defined as being and constituting the City of St. Louis, Missouri and the County of St. Louis, Missouri.

(b) *Adjustment.* (1) Producers and sellers of the sand and gravel specified in Order No. G-1 under Section 17 of Maximum Price Regulation 592, who place into effect the wage increases hereinabove described are permitted by this order to adjust their maximum prices as computed by them under the provisions of Order No. G-1 aforesaid for such sand and gravel by not to exceed 6¢ per ton.

(2) Resellers of the sand and gravel specified in Order No. G-1 under section 17 of Maximum Price Regulation No. 592 who purchase such sand and gravel from producers and sellers thereof who have placed into effect the wage increases hereinbefore described and who have increased their maximum prices for such sand and gravel by not to exceed 6¢ per ton are permitted by this order to adjust their maximum prices for such sand and gravel up to but not to exceed on a per ton basis the dollars-and-cents increase added to the invoice.

(c) Except as herein amended Order No. G-1 under section 17 of MPR 592 shall be and remain in full force and effect.

(d) This order is subject to revocation or amendment at any time hereafter, either by special order or by any amendment or supplement hereafter issued to any price regulation, the provisions of which may be contrary hereto.

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

Issued at Dallas, Texas, and effective this 28th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-346; Filed, Jan. 7, 1946; 1:47 p. m.]

[Region V Order G-4 Under RMPR 122]

SOLID FUELS IN WICHITA, KANS., AREA

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons stated in the opinion issued herewith; *It is ordered:*

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels covered by Revised Maximum Price Regulation No. 122 in the city of Wichita, Kansas, and the area lying immediately adjacent thereto within the following boundary lines:

Beginning at the intersection of 21st Street Road and West Street Road;

thence south along West Street Road to the intersection of West Street Road and an unnamed and unnumbered road lying immediately south of the Kansas City, Mexico and Orient Railroad tracks; thence east on said unnamed and unnumbered road to a point where it intersects with Seneca Street Road; thence east across the Midland Valley Railroad tracks and the Big Arkansas River to Pawnee Avenue; thence east on Pawnee Avenue to the intersection of Pawnee Avenue and Hillside Avenue; thence north on said Hillside Avenue to the intersection of Hillside Avenue and Lincoln Street; thence east on Lincoln Street to the intersection of Lincoln and Oliver Street; thence north on Oliver Street to Kellogg; thence east on Kellogg to Glendale Avenue; thence north on Glendale Avenue to 9th Street; thence west on 9th Street to Oliver Street; thence north on Oliver Street to the 13th Street Road; thence west on the 13th Street Road to the corporate limits of the city of Wichita lying immediately east of Gentry Avenue; thence north on Gentry Avenue to 21st Street; thence west on 21st Street to the intersection of Piatt Avenue with 21st Street; thence north on the line marking the boundary of the corporate limits of the city of Wichita at that point to 24th Street; thence west to Hydraulic Avenue; thence north on Hydraulic Avenue to the intersection of Hydraulic Avenue with 29th Street; thence west on 29th Street to the intersection of 29th Street and Guthrie Avenue; thence west on Cyrus Avenue to the intersection of Cyrus Avenue and Amidon Avenue; thence south on Amidon Avenue to the intersection of Amidon Avenue and 21st Street Road; thence west on 21st Street Road to the place of beginning at the intersection of 21st Street Road and West Street Road.

The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the area set forth above.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established in this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What the order prohibits.* Regardless of any obligations, no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G-4; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(1) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) **Price schedule.** (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. The sizes of coal and the size group numbers used in this schedule for District Nos. 14 and 15 are defined in paragraph (8) of this section.

MAXIMUM PRICE SCHEDULE

Description of fuel	Maximum price per ton produced at—		
	Under ground machine cut	Mines, solid shot	Strip mines
I. Low volatile bituminous coal from district 14 (Arkansas and Oklahoma) (size group number descriptions will be found in section (c) (8):			
(A) Production Group 1—“Arkansas anthracite” from mines in Pope County and the “Spadra Field” of Johnson County, Arkansas:			
(1) Grate; furnace; egg (size groups 6, 7 and 8)	\$13.45		\$12.90
(2) Nut (size group 11)	13.70		13.15
(B) Production groups 2 and 3—From mines in the Paris Basin, and the Altus and Denning-Coal Hill Fields of Logan, Franklin and Johnson Counties, Arkansas, excepting the sizes produced at the A & M, Jewel, New Union, Victor and Watson No. 4 mines, Indexes “40”, “55”, “77”, “116” and “117” respectively, all located in the Paris Basin, set forth in Items 3 and 4 below:			
(1) Lump; grate; furnace; egg (size groups 4, 6, 7 and 8)	13.20		
(2) Small egg; stove; nut (size groups 9, 10 and 11)	11.90		
Produced at the Jewel Mine, Index No. 55:			
(3) Lump; grate; furnace; egg (size groups 4, 6, 7 and 8)	13.40		
Produced at the A & M, New Union, Victor and Watson No. 4 mines, Indexes “40”, “77”, “116” and “117” respectively:			
(4) Lump; grate; furnace; egg (size groups 4, 6, 7 and 8)	13.65		
(C) Production groups 5, 7 and 8—From mines in Sebastian County, Arkansas (except that produced at the “Jenny Lind” and “Clark” mines, Indexes “1001” and “1005”), and the Bokoshe-Milton, McCurtain and Poteau-Wister fields of Haskell and LeFlore Counties, Oklahoma:			
(1) Lump; grate; furnace; egg (size groups 3, 3A, 4, 5, 6, 7, and 8)	12.35	\$11.50	10.90
From the “Jenny Lind” and “Clark” mines, Indexes “1001” and “1005”:			
(2) Lump; grate; furnace; egg (size groups 3, 3A, 6, 7 and 8)			11.30
(D) Production group 6—From mines in the Panama Field of LeFlore County, Okla.:			
(1) Lump; grate; furnace; egg (size groups 4, 6, 7 and 8)	11.90		

MAXIMUM PRICE SCHEDULE—Continued

Description of fuel	Maximum price per ton produced at—	
	Under-ground mines	Strip mines
II. High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma) size group number descriptions will be found in Section (c) (8):		
(A) Production group 1—From strip mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump, egg (size groups 1, 2 and 3)		\$8.37
(2) Fancy nut (size group 5)		8.37
(3) No. 2 nut (size group 7)		8.07
(B) Production group 2—From strip mines located in Linn County, Kansas, Bates, Henry, St. Clair, Miller, Morgan, Pettie, and Johnson Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada, Missouri:		
(1) Lump, egg (size groups 1, 2 and 3)		7.87
(2) Standard nut (size group 6)		7.92
(C) Production group 8—From mines operating on the Wilburton-Hartshorne seams in Pittsburg and Latimer Counties, Oklahoma:		
(1) Lump, egg (size groups 1, 2 and 3)	\$11.85	10.57
(2) Standard nut (size group 6)	9.80	8.82
(D) Production group 16—From underground mines located in McIntosh and Okmulgee Counties, Oklahoma:		
(1) Lump, egg (size groups 1, 2 and 3)	10.25	
(2) Standard nut (size group 6)	9.20	
(3) Stoker (size group 11)	8.05	
(E) Production group 11—From strip mines located in Tulsa, Wagoner, Rogers, Craig, and Nowata Counties, and that part of Muskogee County, north of a line drawn straight east and west across Muskogee County along the southern limits of the town of Forum, all in Oklahoma:		
(1) Lump, egg (size groups 1, 2 and 3)		8.37
(2) Standard nut (size group 6)		8.07
(3) Stoker (size group 11)		7.07
		All mines
III. High volatile bituminous coal from district 17 (Colorado):		
(A) Subdistrict No. 1:		
(1) Lump, all single-screened lump coals, bottom size larger than 1½” but not exceeding 3”	\$12.50	
(2) Nut, all double-screened coals top size larger than 1½” but not exceeding 3” and bottom size larger than 1” but not exceeding 1½”		11.65
(B) Subdistrict No. 2:		
(1) Lump, all single-screened lump coals, bottom size larger than 1½” but not exceeding 3”		13.00

(2) The prices set forth in the foregoing schedule are on a net per ton basis (2,000 lbs. to the ton). No dealer may

add to the schedule prices any additional charge for the extension of credit.

(3) The prices set forth in the foregoing schedule are for untreated coal. The dealer may charge an amount not to exceed 10¢ per ton in addition to the scheduled price when the coal is thoroughly and adequately treated chemically or with oil to allay dust or prevent freezing. (See section (J)).

(4) A deduction from the prices set forth in the foregoing schedule of not less than 75¢ per ton must be made on sales of one or more tons of any solid fuel covered by this regulation where the buyer purchases the fuel for his own use as a fuel and loads it onto his conveyance at the dealer's yard or siding.

(5) A deduction from the prices set forth in the foregoing schedule of not less than \$1.25 per ton must be made on sales of one or more tons of any solid fuel covered by this regulation by one dealer to another dealer, who purchases the coal for resale and loads it onto his conveyance at the seller's yard or siding.

(6) An addition not to exceed 50¢ may be added to the fractional per net ton price set out in the foregoing schedule where the dealer sells and delivers one-half ton.

(7) An addition not to exceed 35¢ may be added to the fractional per net ton price set out in the foregoing schedule where the dealer sells and delivers one-fourth ton.

(8) Description of Size Group Numbers used in Section (c) Price Schedule:

(i) Size group numbers applicable to coals produced in district 14 (Arkansas and Oklahoma):

3A, 3: Lump, all single-screened lump coals produced by the solid-shot or strip methods of mining.

4, 5: Lump, all single-screened lump coals produced by the machine-cutting method of mining.

6, 7, 8: Grate; Furnace; Egg, all double-screened coals top size larger than 4”. All double-screened coals top size larger than 3” but not exceeding 4” and bottom size larger than 2”.

9, 10: Small egg; stove, all double-screened coals top size larger than 2½” but not exceeding 4” and bottom size not exceeding 2”.

All double-screened coals top size not exceeding 2½” and bottom size larger than 1½”.

11: Nut, all double-screened coals top size larger than 1½” but not exceeding 2½” and bottom size larger than ¾” but not exceeding 1½”.

12, 13: Range; chestnut, all double-screened coals top size larger than 1¼” but not exceeding 2½” and bottom size not exceeding ¾”.

All double-screened coals top size not exceeding 1¼” and bottom size larger than ¾”.

14, 15, 16: Nut Run; Slack, all single-screened slack coals top size not exceeding 2½” x 0.

(ii) Size group numbers applicable to coals produced in District 15 (Missouri, Kansas and Oklahoma):

1, 2, 3: Lump; egg, all single-screened lump coal. All double-screened egg coal size larger than 3” and bottom size larger than 1¼”.

5, 6: Nut, all double-screened coals top size larger than 2” but not exceeding 3”.

11: Household stoker, all double-screened coals top size 1¼” and smaller and bottom size larger than ¼” but not exceeding ¾”.

13: Washed screenings top size not exceeding 1¼” x 0.

14: Raw screenings, top size larger than ½” x 0 but not exceeding 1¼” x 0.

(d) *Service charges.* (1) Below and as a part of this section (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding section (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service.

(i) A service charge not to exceed \$1.00 per ton may be charged for a "carry-in" service. A "carry-in" service means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(ii) A service charge not to exceed \$0.50 per ton may be charged for "wheel-in" service. A "wheel-in" service means the service of wheeling in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. This service does not include the service of carrying fuel up or down stairs.

(iii) An additional charge not to exceed 25¢ per ton per story may be added to the charge specified in (i) or (ii) where it is necessary to carry the coal up or down stairs.

(e) *Transportation tax, Kansas state sale tax.* (1) Only the transportation tax imposed by section 62.0 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State Government or any political subdivision thereof. (See § 1340.265 (a) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or less quantities.

(2) *The Kansas state sales tax:* The seller may add to the prices listed in the schedule in section (c) the sales tax required to be collected by the laws of the State of Kansas. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in his maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petitioner shall be filed with the Regional Administrator and acted upon by him.

(i) *License.* (1) Every dealer subject to this order is governed by the li-

censing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Sales slips and receipts—records.*

(1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this Order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated. This section shall not apply to sales of solid fuel in less than quarter ton lots unless requested by the purchaser.

(k) *Posting of maximum prices.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Wichita, Kansas District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "purchase",

"buy" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, when direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group", "Price group" and their plurals as used in this order refer to the production groups and or price groups within each producing district as established by the former Bituminous Coal Division of the Department of the Interior and incorporated and/or modified in Maximum Price Regulation No. 120 by the Office of Price Administration.

(6) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(7) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(8) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(9) "Solid fuel" or "solid fuels" means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(10) The size group numbers used in the price schedule for coal from each producing district refer to the size groups of coal as numbered and defined in the appendix to Maximum Price Regulation No. 120 which relates to each such producing district.

(11) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

(12) "Strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(13) "Machine-cut coal" is coal produced from an underground mine which is cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading either by hand or by mechanical means.

(14) "Solid-shot coal" is coal produced from an underground mine which is shot from the solid and is not cut mechanically by the use of a "cutting machine" before the coal is dislodged for loading.

(15) "Arkansas anthracite" as used in this order is coal whose analysis and non-cooking characteristics are similar to anthracite produced in the Pennsylvania field.

(16) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G-4 shall become effective this the 1st day of May, 1944.

NOTE: The provisions in this order which require approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 have been approved by the Bureau of the Budget.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 24th day of April 1944.

Collated to include amendments 1 through 4 this 21st day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-341; Filed, Jan. 7, 1946; 1:46 p. m.]

[Region II Order G-63 Under RMPR 122, Amdt. 2]

SOLID FUELS IN WASHINGTON, FREDERICK AND MONTGOMERY COUNTIES, MD.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-63 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the prices for bituminous coal from District 1 to read as follows:

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "A" to "E" inclusive).....	\$0.60	\$5.05	\$0.60
Run-of-mine (size group 3, price classification "D" to "H" inclusive).....	9.00	4.75	.55
Nut and slack (size groups 4 or 5).....	9.00	4.75	.55

(2) "Yard sales".

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)	
			To dealers for resale
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "A" to "E" incl.).....	\$8.85	\$0.55	
Run-of-mine (size group 3, price classification "D" to "H", incl.).....	8.25	.50	
Nut and slack (size groups 4 or 5).....	8.25	.50	

2. Paragraphs (e) (1) and (e) (2) are amended by revising the prices for bituminous coal from District 1 to read as follows:

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "D" to "E," incl.).....	\$0.10	\$5.05	\$0.60
Run-of-mine (size group 3, price classification "D").....	8.65	4.85	.55

(2) "Yard sales".

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "D" to "E" incl.).....	\$8.10	\$0.55
Run-of-mine (size group 3, price classification "D").....	7.65	.50

3. Paragraphs (f) (1) and (f) (2) are amended by revising the prices for bituminous coal from District 1 to read as follows:

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "E" to "H").....	\$8.40	\$4.45	\$0.55
Run-of-mine (size group 3, price classification "D" to "H", incl.).....	7.60	4.05	.50

(2) "Yard sales".

FOR SALES OF BITUMINOUS COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS.

Kind and size of coal	Per net ton for sales of ½ ton or more		Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
	To dealers for resale	To consumers	
Low volatile bituminous coal from district No. 1 (underground mines): Lump or egg (size group 1, price classification "E" to "H" incl.).....	\$7.40	\$7.65	\$0.50
Run-of-mine (size group 3, price classification "D" to "H" incl.).....	6.60	6.85	.45

This Amendment No. 2 to Order G-63 shall become effective as of December 19, 1945.

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

Issued December 21, 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-340; Filed, Jan. 7, 1946; 1:45 p. m.]

[Region V Supp. Order 3 Under RMPR 122]

SOLID FUELS IN DALLAS REGION

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(A) Dealers making sales of bituminous coal subject to any general order issued by the Regional Administrator of Region V under Revised Maximum Price Regulation No. 122 which general orders are listed in paragraph (A) of this order may increase the maximum prices for all sizes of "Arkansas Anthracite" coal produced at all mines in Production Group 1, District 14 by adding to the dollars and cents maximum prices established in said order an amount not to exceed 55¢ per ton.

(B) Orders affected: The provisions of paragraph (A) above shall apply to the following Region V Orders as amended or revised which have been issued under Revised Maximum Price Regulation No. 122:

Area

- Order No.: Revised—
- G-1—City of St. Louis and St. Louis County, Missouri.
- G-2—Cities of Kansas City, Missouri, and Kansas City, Kansas, and parts of the counties adjacent thereto.
- G-3—City of Topeka, and parts of Shawnee County, Kansas, adjacent thereto.
- G-5—City of St. Joseph, Missouri.

(C) Wherever applicable the definitions set forth in the general orders described in (B), as amended or revised,

are incorporated by reference and made a part of this order.

(D) This Supplementary Order No. 3 may be revoked, amended, or corrected at any time.

This supplementary order shall become effective as of December 21, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 21st day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-342; Filed, Jan. 7, 1946;
1:46 p. m.]

[Region V Supp. Order 4 Under RMPR 122]
SOLID FUELS IN DALLAS REGION

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(A) Persons who, subject to general orders issued by the Regional Administrator of Region V under Revised Maximum Price Regulation No. 122, which General Orders are listed in paragraph (E) of this order, make delivered sales of solid fuels to persons other than resellers are hereby permitted to increase the applicable maximum prices established in such orders by not more than ten cents per net ton.

(B) The amounts of all required discounts established for yard sales under such general orders are hereby increased by ten cents per net ton. Under orders heretofore providing no discount for yard sales, a discount of ten cents per net ton is hereby established.

(C) "Delivered sale" means a sale in which the solid fuel is transported by the dealer to the premises of the purchaser in his own equipment or in equipment hired by him and excludes all sales made f. o. b. seller's yard.

(D) "Yard sale" means a sale in which the purchaser himself arranges transportation and accepts delivery f. o. b. conveyance at the seller's yard.

(E) Orders affected: The provisions of Paragraph (A) and (B) above shall apply to the following Region V orders as amended or revised which have been issued under Revised Maximum Price Regulation No. 122:

Order and Area

Revised:

- G-1—City of St. Louis and St. Louis County, Missouri.
- G-2—Cities of Kansas City, Missouri, and Kansas City, Kansas, and parts of the counties adjacent thereto.
- G-3—City of Topeka, and parts of Shawnee County, Kansas, adjacent thereto.
- G-4—City of Wichita and a part of Sedgwick County, Kansas, adjacent thereto.
- G-5—City of St. Joseph, Missouri.
- G-6—Cities of Cape Girardeau, and Jackson, Missouri.
- G-7—City of Springfield, Missouri.
- G-8—City of Sedalia, Missouri.

(F) Wherever applicable the definitions set forth in the general orders described in (E) as amended or revised are incorporated by reference and made a part of this order.

(G) This Supplementary Order No. 4 may be revoked, amended, or corrected at any time.

(H) This Supplementary Order No. 4 shall become effective as of January 2, 1946, and shall not be effective after April 30, 1946.

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

Issued at Dallas, Texas, the 29th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-343; Filed, Jan. 7, 1946;
1:46 p. m.]

[Region V Order G-12 Under RMPR 251]

INSTALLED MINERAL WOOL INSULATION IN CLAY AND JACKSON COUNTIES, MO., AND WYANDOTTE AND JOHNSON COUNTIES, KANS.

Order No. G-12 issued under section 9 of Revised Maximum Price Regulation No. 251 establishing maximum prices for sales of installed mineral wool insulation when sold in the area comprising the counties of Clay and Jackson, Missouri, and the counties of Wyandotte and Johnson, Kansas.

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by Section 9 of Revised Price Regulation No. 251, it is ordered:

(a) *Transactions covered by this order.* This order covers sales of mineral wool insulation on an installed basis in existing structures. All items of incidental construction work as defined below remain covered by Revised Maximum Price Regulation 251.

"Mineral wool" means rock wool, slag wool and glass wool blown from molten materials and used to retain or exclude heat.

"Existing structures" means completed structures whether occupied or unoccupied, and includes ordinary changes, improvements, remodeling and additions.

"On an installed basis" means a transaction in which the seller furnishes mineral wool insulation, together with the labor, services and material required to incorporate such insulation into an existing structure. Installation may be performed by the pneumatic or blowing method, by the hand-packing method, or by the use of the batts and blankets.

"Incidental construction work" means work performed or services rendered with respect to a building or structure apart from the installation of mineral wool insulation. It also includes those materials and operations the cost of which are expressly described as not included in the prices of certain items listed in Table I of section (d) of this order.

(b) *Relationship of this order to Revised Maximum Price Regulation No. 251.* The provisions of this order supersede sections 6, 7, and 8 of Revised MPR 251, except as otherwise provided in this order, with respect to sales of mineral wool insulation on an installed basis and incidental construction work. Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Revised MPR 251, together with all amendments that have been or hereafter may be issued.

On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver mineral wool insulation on an installed basis or incidental construction work as herein defined, at prices higher than the maximum prices established by this order.

(c) *Geographical applicability.* This order shall apply to all sales of installed mineral wool in structures located in the Counties of Clay and Jackson, Missouri and the Counties of Wyandotte and Johnson, Kansas.

(d) *Maximum prices.* The maximum prices for sales of mineral wool insulation on an installed basis shall be those shown in Table I of this section. Prices apply to all types and thicknesses of blown mineral wool and to all types and thicknesses of hand packed loose mineral wool and to batts and blankets. The prices listed in Table I are based upon an insulation thickness of 4 inches. For each inch or fraction of inch of insulation over 4 inches, when ordered by the buyer, the seller may make an additional charge of 2¢ per inch per square foot. For each inch of thickness under 4 inches the seller shall deduct 2¢ per square foot. A 3/8 inch tolerance may be allowed for thicknesses of 4 inches or over, but no tolerance shall be allowed for thicknesses under 4 inches.

The drawings referred to in Table I are on file with the Division of the Federal Register, and are hereby made a part of this order. For the convenience of sellers and buyers, and in the interest of simplification and clarity of description, copies of these drawings are attached to this order and distributed by the Office of Price Administration.

Where a machine or a crew of two or more workers is used on mineral wool insulation jobs and the total charge as determined in accordance with the maximum prices listed in Table I is \$40 or less, the seller may add \$10 to such charge.

TABLE I—MAXIMUM PRICES

FLAT AREAS

	Prices per sq. ft. (4" thickness basis) (cents)	
	Exposed ceilings	
1. Open attics with over 24" clearance to roof. No roof opening necessary, open blowing conditions. Drawing 1--		12
2. Under flat built up roofs (suspended ceiling) with over 24" clearance between roof and hung ceiling; open blowing conditions. (Price includes cost of opening and closing for area 500 square feet and over. Price does not include opening and closing for areas under 500 square feet.) Drawing 2---		13

TABLE I—MAXIMUM PRICES—Continued

FLAT AREAS—continued

Covered ceilings

(Prices include cost of removing and replacing flooring)

	Prices per sq. ft. (4" thickness basis) (cents)
3. Open attics with a single rough flooring and accessible. No roof opening necessary. Drawing 3.....	14
4. Open attics with finished single floors. Drawing 4.....	15
5. Open attics with finished double floors. Drawing 5.....	16

Flat ceilings in closed spaces

(Prices do not include cost of opening and closing)

6. Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is necessary, such as pocket areas behind knee walls, areas under roof ridges, or extensions which are practically flat. Drawing 6.....	14
7. Ceilings in closed space under ridge of pitched roofs, where openings for the full length of ridge is necessary because of small clearance between ridge and ceiling area. Drawing 7.....	14
8. Flat built up roof types including row house construction and commercial buildings. Drawings 2 and 8.....	15
9. Flat roof decks covered with tin, copper or canvas. Drawing 9.....	16
10. Overhang. Drawing 10.....	17
11. Dormer tops. Drawing 11:	
(a) Where no retainer material is necessary.....	17
(b) Where retainer material is necessary.....	17
12. Bay window top or bottom. Drawing 12.....	17

Floors

(Prices include cost of opening and closing)

13. Any exposed floors over garage ceilings, open porches or similar types of areas where the underside of the area to be insulated is closed and finished. Drawing 13.....	18
14. Any exposed floors where the areas to be insulated are not closed and finished and where retaining materials are required. Drawing 14.....	18

Floors over unexcavated areas

(Prices do not include cost of retaining materials)

15. Batts and blankets. Drawing 15.....	15
16. 4" fill over retaining material and lath retaining surface. Drawing 16.....	17

SLOPING AREAS

17. All slopes where closed and finished on the interior side of the rafters. (Price does not include cost of opening and closing.) Drawing 17.....	14
18. Open rafters and slopes where batts or blankets are used, such as pockets outside of knee walls where blow is impractical. (Prices do not include cost of opening and closing.) Drawing 18.....	16
19. Open rafters and slopes. Insulation held in place by retaining material. (Price includes cost of retainer material, if used.) Drawing 19.....	17

Knee walls and partitions

20. Interior plastered walls where no decoration is necessary except plaster patching. Drawing 20. (Price includes opening and closing).....	18
21. Knee walls adjacent to slopes and easily accessible, no openings required. (Price includes cost of retaining material.) Drawing 21.....	17

TABLE I—MAXIMUM PRICES—Continued

SLOPING AREAS—continued

Knee walls and partitions—Continued

Prices per sq. ft.
(4" thickness
basis) (cents)

22. Knee walls not accessible, requiring retaining material. (Price includes cost of retaining material but does not include opening and closing.) Drawing 22.....	17
23. Stairwells. (Prices include opening and closing) Drawing 23:	
(a) Soffitts.....	22
(b) Walls (Measurement of walls may be taken as rectangle from floor to ceiling).....	16

Exterior walls

(Prices include cost of opening and closing)

24. Exterior walls with inner finish whose outer surface is composed of:	
(a) Wood or asphalt shingles.....	16
(b) Wood clapboard.....	16
(c) Brick or stone veneer.....	18
(d) Stucco.....	19
(e) Asbestos-cement shingles.....	18
(f) Insulated brick, Drawings 24 and 30.....	18
25 and 26 Gable and end walls with inner finish:	
(a) Wood or asphalt shingles.....	16
(b) Wood clapboard.....	16
(c) Brick or stone veneer.....	19
(d) Stucco.....	19
(e) Asbestos-cement shingles.....	18
(f) Insulated brick. Drawings 25, 26 and 27.....	18
27. Gable and end walls without inner finish, requiring standard retaining material. (Price includes cost of retaining material.) Drawings 25, 26 and 27.....	15
28. Dormer cheeks and faces with inner finish. Drawings 28 and 29:	
(a) Wood or asphalt shingles.....	16
(b) Wood clapboard.....	16
(c) Brick or stone veneer.....	20
(d) Stucco.....	18
(e) Asbestos-cement.....	18
(f) Insulated brick.....	17
29. Dormer cheeks and faces without inner finish, requiring retaining material. (Prices include cost of retaining material.) Drawings 28 and 29.....	15

Openings and closings: A separate additional charge may be made for openings and closings only in those cases where opening and closing are not specifically included in the price applicable to the category. The charge includes payment for all labor and material including that used for replacement of material where necessary. This charge applies only to work performed by the installer in connection with installation of mineral wool insulation.

The above prices shall be cash prices. They shall not be increased even though the seller may elect to extend credit for 30 days. If credit is provided according to F. H. A. plans, the prices set forth in the Table I above shall not be increased but a charge for credit may be made in accordance with F. H. A. rules where credit is provided in accordance with such rules.

(e) **Measurements.** It shall be the seller's responsibility to ascertain that all measurements are accurate. Measurements for exterior walls are to be taken overall, with no deduction for openings, except for sun porch walls, store fronts or similar areas where windows and door areas must be deducted. In the case of elevator wells, ventilators, skylights, monitors and pent houses on flat roofs the entire such area must be deducted where they are more than 16 square feet in area and extend through the flat ceiling area to be insulated. For attic floors outside gross dimensions may be taken. In measuring the height of knee walls, to the height between floor, joists and rafters add one foot for floor seal piling of granulated insulation. For slopes add six inches to length of clear span for capping intersecting surfaces. For flat ceilings which intersect slopes add one foot to length of span taken at right angles to intersecting slopes. For stairwell walls measurement may be taken as a rectangle from floor to ceiling and not as triangles.

In determining the total of the square foot area for each category of insulation installed a tolerance of 5 percent will be recognized.

(f) **Maximum prices for special insulation and related work and incidental construction.** The maximum prices that may be charged by sellers for special insulation and related work and incidental construction work for which no separate dollars-and-cents price has been set out in Table I of this order shall be the maximum prices established in accordance with Revised MPR 251.

(g) **Quoting a "guaranteed price".** The seller may offer to sell an insulation job covered by this order on the basis of a "guaranteed price" wherein the seller agrees to charge a fixed amount; *Provided, however,* That the so-called "guaranteed price" must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order. The seller shall stamp or otherwise mark conspicuously on each invoice or statement a statement in substantially the following form: "Prices are at or below ceiling prices set by OPA Regional Order G-12 under MPR 251".

(h) **Records and invoices.** Every seller of mineral wool insulation on an installed basis, whether the sale is made as a part of a general contract calling for installation of other commodities or not, shall: (1) Preserve records showing the information given in compliance with subparagraphs (i) to (vi) of this section. (2) Upon completion of the work or within a reasonable time thereafter, if requested by the purchaser, give to the purchaser an invoice or similar document showing:

(i) The date on which the installation was completed.

(ii) The name and address of the seller and buyer.

(iii) The number of square feet and type of insulation installed, the thickness of insulation material, and the areas in which such installation material was installed.

(iv) The price charged for each separate category exactly as stated in table I including category number and drawing number.

(v) The terms of sale.

(vi) A statement shown separately on the invoice of any special insulation and related work and incidental construction work.

Every person making sales subject to this order shall notify the purchaser of the existence of this order, and, if requested, show the purchaser a copy of

this order and Revised Maximum Price Regulation No. 251.

(i) *Revocation.* This order may be revised, amended, or revoked at any time by the Office of Price Administration.

This Order No. G-12 shall become effective December 20, 1945.

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

Issued at Dallas, Texas, this 7th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-344; Filed, Jan. 7, 1946;
1:46 p. m.]

[Region V Order G-13 Under RMPR 251]

**PLUMBING SERVICES SUPPLIED IN ORLEANS,
JEFFERSON AND SAINT BERNARD PARISHES, LA.**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by Section 9 of Revised Maximum Price Regulation No. 251, it is hereby ordered:

(a) *What this order does.* Except as hereinafter provided this order establishes maximum prices for all sales of plumbing services and all sales of plumbing fixtures and materials on an installed basis when sold in the geographical area comprising Orleans, Jefferson and Saint Bernard Parishes, Louisiana.

(b) *Exception.* (1) Jobs which exceed \$250.00. If the maximum price for any job covered by this regulation computed pursuant to the provisions of Section 7 of Revised Maximum Price Regulation No. 251 exceeds \$250.00, such job shall be exempt from this order and the maximum price therefor must be determined pursuant to the provisions of Revised Maximum Price Regulation No. 251.

(2) The cleaning of cesspools and septic tanks is exempt from this order. Maximum prices for this service must be determined under Revised Maximum Price Regulation No. 165.

(3) Charges for use of electric sewer cleaning machine and electric thawing devices are excepted from this order. Maximum charges for use of this equipment must be determined under RMPR 165 or RMPR 251 whichever is applicable.

(c) *Maximum prices.* Maximum prices for plumbing services covered by this order shall be the sum of a charge based on the hourly rate computed in accordance with the provisions of Subparagraph (1) below, plus the maximum price of fixtures, materials and specialties and sub-contracted work, as provided in subparagraphs (2) and (3) below.

(1) *Maximum hourly service rate.* The maximum hourly service rates established by this order shall be determined as follows:

(i) Maximum hourly rates for plumbing services supplied during all hours except where employes are paid at overtime rates:

Maximum hourly service charge

Where authorized hourly wage rate paid employee is—	
\$1.75 and over-----	\$3.25
\$1.58 to but not including \$1.75-----	3.00
\$1.50 to but not including \$1.58-----	2.75
\$1.25 to but not including \$1.50-----	2.50
\$1.15 to but not including \$1.25-----	2.00
\$1.00 to but not including \$1.15-----	1.75
\$0.90 to but not including \$1.00-----	1.50
\$0.70 to but not including \$0.90-----	1.25
Less than \$0.70-----	1.00

(ii) If plumbing services are supplied at the specific request of a customer during hours for which employes are paid either time and a half or double time, the maximum hourly service rate set forth in (1) (i) may be increased by 50% where time and one half is paid and 100% where double time is paid.

(2) *Maximum prices for fixtures and materials.* (i) Maximum prices for fixtures and materials shall be computed by adding to the legal cost of such materials or fixtures delivered to seller's shop or storeroom a markup of 30% on fixtures and 30% on materials.

(ii) The maximum price for any plumbing specialty item for which a charge of \$5.00 or less is made shall not exceed the sellers present legally established maximum price determined under the applicable price regulation. Any other specialty item must be priced in the same manner as materials.

(3) Maximum charge for work-subcontracted shall be computed by adding to the amount paid to the sub-contractor (not to exceed his legal maximum price determined under this order) a markup of 15%.

(4) *Minimum labor service charges.* The following minimum labor service charge may be made for any job covered by this order:

(i) \$3.00 or

(ii) The amount which the seller is authorized to charge for one hour of journeyman's services as provided for in this order.

(5) *Sales at a guaranteed price.* A seller may offer to supply plumbing services covered by this order on the basis of a guaranteed price, the seller agreeing to charge a fixed amount: *Provided, however,* That the price charged may not exceed the maximum price determined and established by this order.

(d) *Special pricing practices to be used in computing maximum prices—*

(1) *Measurement of hours.* The number of hours to be charged against any job shall be counted from the time the workman leaves the shop or the previous job (whichever is later) until he completes the job if he proceeds to another job or until he returns to the shop if he proceeds there directly. The hours for which charges are made shall not exceed those shown in the seller's payroll records nor those shown in records which Paragraph (g) of this order requires the seller to keep.

(2) Hourly service rates for a plumber's team consisting, for example, of one or more journeyman plumbers and/or more helpers, apprentices, or laborers shall not exceed the sum of the maximum service charges as computed for the

individual workman comprising the team.

(3) A journeyman or master plumber, owning his own establishment, shall compute his maximum hourly service rate for plumbing services actually performed and supplied by him, as follows:

(i) An hourly service charge of \$3.00 per hour, or

(ii) The hourly service charge which he is authorized to charge for journeyman services as established in paragraphs (c) (1) (i) and (c) (1) (ii).

(e) *Definitions.* (1) "Plumbing" as used in this order, includes all services performed by plumbers or plumbing establishments in the installation, maintenance, and repair of materials and fixtures used in providing means for control of the supply and distribution of water and gas, for reception and removal of waste or surplus water and sewage, and for the heating of buildings by the use of furnaces.

(2) "Fixtures" include such plumbing facilities as bath-tubs, lavatories, commodes, hot water tanks, water heaters, floor furnaces, stokers and all other plumbing appliances except those defined below as "Materials" or "Specialties".

(3) "Plumbing specialties" include small items used in the repair of plumbing fixtures which are generally not obtainable from general plumbing supply houses and which are known to the trade as plumbing specialties. The term includes items such as washers, flush valves, float balls and trip levers and other items, except those defined below as materials.

(4) "Materials" include all items used in the installation or repair of plumbing fixtures except fixtures and plumbing specialties which are necessary for the installation, maintenance or repair of plumbing facilities, including but not limited to all pipe, pipe fittings and lead.

(5) "Wage rates" mean the hourly wage rates in effect on October 3, 1942, or hourly wage rates which have been established or authorized subsequently by proper governmental agencies.

(6) The term "journeyman plumber" refers to a person licensed by any municipal authority to perform plumbing services as a journeyman plumber.

(7) The term "master plumber" refers to a person duly licensed by a municipal authority as a master plumber.

(8) "Hourly service rate" means the hourly rate charged to the customer for each hour of labor expended in the performance of a plumbing job.

(f) *Filing and reporting of maximum prices.* Every person selling or offering to sell the services covered by this order in Orleans, Jefferson and Saint Bernard Parishes, Louisiana, shall, within 15 days after the effective date of this order or, in the case of new sellers, within 3 days after first offering to sell such services, file with the Industrial Materials Section of the New Orleans District Office of the Office of Price Administration the following information:

(1) For plumbing jobs of \$250.00 or less which are subject to this order.

(i) His legal authorized or approved straight time hourly wage rate in effect

at the date of filing for each class of workman employed in the supply of plumbing services.

(ii) His maximum hourly service rate for each class of workman determined in accordance with the pricing provisions of this order.

(iii) His legally established maximum prices and description of 30 plumbing specialty items which are most frequently used by him in performing plumbing services: *Provided, however,* This list shall not contain any items which sell for more than \$5.00 and should contain a representative group of specialty items selling for less than 50¢ and for more than 50¢, but less than \$5.00.

(2) For jobs which exceed \$250.00 and which are excepted from this order by Section (b) (1).

(i) His overall percentage markup which he applies to the sum of the cost of labor, fixtures, materials and specialties.

(ii) His percentage markup which he applies to his total cost of work sub-contracted.

(g) *Record keeping, sales slips and notification to purchasers.* Every person making sales subject to this order must keep a record showing the time spent by his employes on any job involving plumbing services and the wage rate for each such employee. Such records shall be kept by the seller at his place of business and shall be available for inspection by the Office of Price Administration. Every person subject to this order shall furnish to each purchaser of plumbing services covered by this order a sales slip or invoice showing the amount charged for labor, materials, fixtures, specialties, and charges for work sub-contracted. If the invoice or sales slip includes charges for services or commodities not priced under this order, such services or commodities must be described and the charges therefor stated separately. This invoice or sales slip must contain a statement that the prices charged do not exceed maximum prices established by this Order No. G-13. Duplicates of such invoices or such sales slips shall be kept by the seller at his place of business and shall be available for inspection by the Office of Price Administration.

(h) *The effect of this order with reference to other regulations.* This order supersedes sections 6, 7 and 8 (a) and (b) of Revised Maximum Price Regulation No. 251 with respect to plumbing services subject to this order when supplied in the described areas, except where it is otherwise provided herein.

(i) This order may be revoked or amended at any time, either by a specific action on the part of the Regional Administrator, Region V, or the issuance of any price regulation or amendment by the Price Administrator, the provisions of which are contrary hereto.

(j) Lower than maximum prices may be charged, paid, or received.

This order shall be effective December 31, 1945.

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

Issued at Dallas, Texas, this 20th day of December 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-345; Filed, Jan. 7, 1946; 1:47 p. m.]

[Peoria Order G-3 under General Order 68]

HARD BUILDING MATERIALS IN JOLIET, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of general order 68, it is ordered:

SECTION 1. What this order does. This order establishes dollars-and-cents ceiling prices for all retail sales made by any seller, except a manufacturer, of commodities specified in Appendices A and B attached hereto, delivered to the purchaser in the Joliet, Illinois area. The Joliet, Illinois area covered by this order consists of the area within the townships of Joliet and Lockport in the County of Will, State of Illinois, including the Cities of Joliet and Lockport, Illinois.

SEC. 2. Definition of retail sales. For the purposes of this order, a retail sale means a sale to an ultimate user, or to any person for resale on an installed basis within the meaning of section 1 (b) of Revised Maximum Price Regulation No. 251.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendices A and B.

SEC. 4. Discounts, allowances and delivery practices. 1. The seller shall grant a cash discount of five percent (5%) if paid by the 10th day of the month following date of delivery, with respect to all sales of commodities specified in Appendix B to any person for resale on an installed basis.

2. The maximum prices fixed by this order are maximum delivered prices and no amount may be added for deliveries in the area covered by this order.

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. An additional copy of Appendix A and Appendix B is attached to this order and the posting required hereby shall be accomplished by removing the second copy of each Appendix attached to this order and posting it in a conspicuous place where it is plainly visible to all purchasers.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the

price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order: *Provided,* That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and he must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

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

SEC. 7. On and after the effective date of this order, any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No person subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular hard building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

This order may be modified, amended or revoked at any time.

APPENDIX. The Appendices, containing the dollars-and-cents ceiling prices established by this order are attached hereto, marked Exhibit A and Exhibit B and made a part hereof. Exhibit A contains the ceiling prices applicable to sales to an ultimate user therein designated as a "consumer." Exhibit B contains the ceiling prices applicable to sales to any person for resale on an installed basis, therein designated as a "contractor."

This order shall become effective January 7, 1946.

Issued this 27th day of December 1945.

BEN J. BECKER,
Acting District Director.

APPENDIX A

Area covered. The area within the townships of Joliet and Lockport in the County of Will, State of Illinois, including the cities of Joliet and Lockport, Illinois.

SALES TO CONSUMERS

(Dollars-and-Cents Ceiling Prices)

Commodity and Unit	Maximum price ¹
Plaster, hard wall, 50-lb. bag	80.75
Plaster, hard wall, 100-lb. bag	1.15
Plaster, hard wall, per ton	20.00
Plaster, gauging (superwhite), 100-lb. bag	1.75

Footnote at end of tables.

SALES TO CONSUMERS—continued
(Dollars-and-Cents Ceiling Prices)

Commodity and unit	Maximum price ¹
Plaster, gauging, local, 100-lb. bag	\$1.15
Plaster, moulding, 100-lb. bag	1.75
Keene's cement, 100-lb. bag	2.00
Finishing lime, 50-lb. bag	.75
Gypsum lath, 3/8", sq. ft.	.025
Metal lath, 2.2 lb. painted diamond mesh, sq. yd.	.20
Metal lath, 2.5 lb. painted diamond mesh, sq. yd.	.275
Metal lath, 3.4 painted diamond mesh, sq. yd.	.30
Metal lath, corner bead, expanded type, lin. ft.	.05
Portland cement, standard paper bags, 94-lb. bag	.80
Masonry mortar, paper sacks, 70-lb.	.70
Mason's hydrated lime, 50-lb. bag	.65
Waterproof cement (gray), 94-lb. bag	.95
Gypsum block, partitions 4" hollow, sq. ft.	.11
Gypsum block, partitions 6" hollow, sq. ft.	.18
Fire brick, 9" straight, first quality, Missouri, per 1,000	92.80
Fire clay, 100-lb. bag	1.00
Clay drain tile, 3", lin. ft.	.06
Clay drain tile, 4", lin. ft.	.06
Clay drain tile, 6", lin. ft.	.10
Vitrified clay sewer pipe No. 1SS-4", lin. ft.	.181
Vitrified clay sewer pipe No. 1SS-6", lin. ft.	.24
Flue lining, 8 1/2 x 8 1/2, lin. ft.	.35
Flue lining, 8 1/2 x 12 1/2, lin. ft.	.50
Flue lining, 12 1/2 x 12 1/2, lin. ft.	.65
Gypsum wallboard, 3/8", sq. ft.	.04
Gypsum sheathing, 1/2", sq. ft.	.04
Asphalt roofing, 90-lb., mineral surface, per square	2.57
Asphalt shingles, 210-lb., (3 in 1), thickbutt, per square	6.18
Fibre insulation board, 1/2", standard lath and board, sq. ft.	.05
Fibre insulation board, 2 3/8", asphalt sheathing, sq. ft.	.06
Standard density synthetic fibre board, 3/16", 4 x 8, sq. ft.	.045
Hard density synthetic fibre board, 1/8", tempered (standard size), sq. ft.	.085
Thermal insulation, blankets, paper backed balsam wool standard, sq. ft.	.05
Thermal insulation blankets, paper backed balsam wool double thick, sq. ft.	.075
Thermal insulation batts, paper backed 2" thick, sq. ft.	.05
Thermal insulation batts, paper backed full thick, sq. ft.	.065
Thermal insulation, loose in bags (plain), 35-lb. bag	1.05
Thermal insulation, loose in bags nodulated, 35-lb. bag	1.20

¹ Ceiling prices to contractors available upon request.

APPENDIX B

Area covered. The area within the townships of Joliet and Lockport in the County of Will, State of Illinois, including the Cities of Joliet and Lockport, Illinois.

SALES TO CONTRACTORS
(Dollars-and-Cents Ceiling Prices)

Commodity and unit	Maximum price ¹
Plaster, hard wall, 50-lb. bag	\$0.60
Plaster, hard wall, 100-lb. bag	1.00
Plaster, hard wall, per ton	20.00
Plaster, gauging (superwhite), 100-lb. bag	1.50
Plaster, local gauging, 100-lb. bag	1.00
Plaster, moulding, 100-lb. bag	1.50
Keene's cement, 100-lb. bag	1.75

Footnote at end of tables.

SALES TO CONTRACTORS—continued
(Dollars-and-Cents Ceiling Prices)

Commodity and unit	Maximum price ¹
Finishing lime, 50-lb. bag	\$0.50
Gypsum lath, 3/8", sq. ft.	.025
Metal lath, 2.2 lb. painted diamond mesh, sq. yd.	.20
Metal lath, 2.5 lb. painted diamond mesh, sq. yd.	.25
Metal lath, 3.4 lb. painted diamond mesh, sq. yd.	.28
Metal lath, corner bead, expanded type, lin. ft.	.05
Portland cement, standard paper bags, 94-lb. bag	.80
Masonry mortar, paper sacks, 70-lb.	.60
Mason's hydrated lime, 50-lb. bag	.50
Waterproof cement (gray), 94-lb.	.95
Gypsum block, partitions 4", hollow, sq. ft.	.09
Gypsum block, partitions 6", hollow, sq. ft.	.16
Fire brick, 9" straight first quality, Missouri, per 1,000	87.80
Fire clay, 100-lb. bag	1.00
Clay drain tile, 3", lin. ft.	.06
Clay drain tile, 4", lin. ft.	.06
Clay drain tile, 6", lin. ft.	.10
Vitrified clay sewer pipe No. 1SS-4", lin. ft.	.181
Vitrified clay sewer pipe No. 1SS-6", lin. ft.	.24
Flue lining, 8 1/2 x 8 1/2, lin. ft.	.35
Flue lining, 8 1/2 x 12 1/2, lin. ft.	.50
Flue lining, 12 1/2 x 12 1/2, lin. ft.	.65
Gypsum wallboard, 3/8", sq. ft.	.04
Gypsum sheathing, 1/2", sq. ft.	2.57
Asphalt roofing 90-lb. mineral surface, per square	2.57
Asphalt shingles 210-lb. (3 in 1), thickbutt, per square	6.18
Fibre insulation board 1/2" standard lath and board, sq. ft.	.05
Fibre insulation board 2 3/8" asphalt sheathing, sq. ft.	.06
Standard density synthetic fibre board 3/16", 4 x 8, sq. ft.	.045
Hard density synthetic fibre board, 1/8" tempered (standard size), sq. ft.	.085
Thermal insulation blankets, paper backed balsam wool standard, sq. ft.	.05
Thermal insulation blankets, paper backed balsam wool double thick, sq. ft.	.075
Thermal insulation batts (paper backed) 2" thick, sq. ft.	.05
Thermal insulation batts (paper backed) full thick, sq. ft.	.065
Thermal insulation, loose in bags (plain), 35-lb. bag	1.05
Thermal insulation, loose in bags (nodulated), 35-lb. bag	1.20

¹ All sales subject to five (5) per cent cash discount if paid by the 10th day of the month following date of delivery.

[F. R. Doc. 46-347; Filed, Jan. 7, 1946; 1:48 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 78]

SOLID FUELS IN JACKSONVILLE, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 27 which covers the Jacksonville, Illinois, area, is amended by adding a new sub-section (5) in section (b), Price Schedule, following sub-section (4) to read:

(5) If payment is not made by the purchaser within 30 days after delivery,

the sum of 25¢ per ton may be added to the above maximum prices.

Issued this 26th day of December 1945.

This Amendment No. 78 to Order No. G-16 shall be effective retroactively as of December 10, 1945.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 46-348; Filed, Jan. 7, 1946; 1:48 p. m.]

[Region II Rev. Order G-19 under RMPR 122, Amdt. 7]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-19 is amended in the following respect:

1. Paragraphs (d) (1) and (d) (2) are amended by revising the prices for bituminous coal from District No. I to read as follows:

(1) Sales on a "direct-delivery" basis.

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net 1/2 ton	Per net 1/4 ton
Bituminous (from underground mines)			
Low volatile from district No. 1: Run-of-mine	\$0.95	\$5.25	\$2.75

(2) "Yard sales."

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net 1/2 ton	Per net 1/4 ton
Bituminous (from underground mines)			
Low volatile from district No. 1: Run-of-mine	\$8.95	\$4.75	\$2.50

This Amendment No. 7 to Revised Order No. G-19 shall become effective as of December 19, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 333, 78th Cong., E.O. 9599, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued December 21, 1945.

LEO F. GENTNER,
Regional Administrator.

[F. R. Doc. 46-339; Filed, Jan. 7, 1946; 1:45 p. m.]

[Region VII Order G-15 Under RMPR 251] INSTALLED RE-SIDING MATERIALS IN BOISE, IDAHO, DISTRICT

Order No. G-15 under Revised Maximum Price Regulation No. 251. Construction services and sales of installed building materials. Docket No. 7-251-9-18.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by Section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for all sales of re-siding materials on an installed basis into a residential structure, as defined herein, in the area hereinafter described, together with the services required to incorporate such materials into the structure or structures and the re-siding accessories and extra charges permissible in connection with the installation, whether or not such sales or services are made as a part of a general contract.

(b) The provisions of section 8 and 9 of this order shall apply to all sellers of re-siding materials on an installed basis into any type of structure, together with the services, accessories, and extra charges involved.

(c) The term "residential structure" means any building, structure, or part thereof, used entirely or principally for living or dwelling purposes and includes buildings or structures in connection therewith, or adjacent thereto, at the same site, such as garages, barns, milk houses, sheds, granaries, and other out-buildings, but does not include hotels.

(d) The term "re-siding materials" means any material used for re-siding a residential structure in whole or in part, including but not limited to types of siding used such as asbestos-cement shingles and composition siding materials such as insulated brick or stone and roll brick siding, but does not include materials covered by Revised Maximum Price Regulation No. 215, such as lap siding, drop siding, wood shingles, and similar materials.

Sec. 2. Geographical applicability. This Order No. G-15 applies only to the Boise District, which includes Malheur County, Oregon, all counties in the State of Idaho, excepting Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone, included in the Spokane District, and Franklin included in the Salt Lake City District.

Sec. 3. Relationship of this order to Revised Maximum Price Regulation No. 251. This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order and any maximum prices for re-siding materials heretofore approved by the Regional Administrator of Region VII or by the District Director of the Boise District under section 6 (b) of Revised Maximum Price Regulation No. 251 are hereby revoked. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued, except to the extent they are inconsistent with the provisions of this order, shall apply to sales covered by this order.

SEC. 4. Maximum prices for sales of re-siding materials and accessories on an installed basis. The maximum prices for sales covered by this order shall be as shown in Table I and Table II. Table I covers prices for re-siding materials on an installed basis and Table II covers prices for re-siding accessories and other items for which extra charges may be made.

(A) TABLE I—INSTALLED RE-SIDING PRICES
ASBESTOS-CEMENT SIDING

Standard surface hardness, and extra hard surface, white or standard colors, 12" x 24", 12" x 27", 8½" x 9", or 9½" x 22" or 24": \$25.00 per square.

ASPHALT SIDING

Insulated brick, 14¾" x 43¾", 13¾" x 43¾" or 14" x 43": \$29.00 per square.
Roll brick: \$14.00 per square.

The above prices include nails, caulking, joint strips, and one bundle of lath.

(B) TABLE II—INSTALLED RE-SIDING ACCESSORIES FOR WHICH EXTRA CHARGES MAY BE MADE AS STATED BELOW

- (1) Corner pieces for asphalt brick re-siding: 35¢ per foot.
- (2) Preformed corners on roll brick re-siding: 25¢ per foot.
- (3) Soldier course on insulated brick: 15¢ per foot.
- (4) Soldier course on roll brick: 10¢ per foot.
- (5) Zinc corner bead: 15¢ per foot.
- (6) Lath (400 ft. per bundle) after first bundle: \$4.00 per bundle.
- (7) 15 lb. felt: \$1.50 per square.
- (8) 30 lb. felt and smooth surface rolls: \$2.50 per square.
- (9) 35 lb. felt smooth surface rolls in 12" widths: \$3.00 per square.
- (10) Building paper (rosin sized): \$1.00 per square.
- (11) Moulding (quarter round to ¾" and band up to 1½"): 5¢ per foot.
- (12) Rabbitted mouldings: 14¢ per foot.
- (13) Backer board: \$4.50 per square.
- (14) All shingles above the second floor ceiling, extra charge: \$3.00 per square.
- (15) Applying shingles to the second floor when the first floor is not covered, extra charge: \$2.00 per square.
- (16) No additional charges for transportation may be made within a distance of five miles from the corporate limits of the city where the seller's place of business is located. However, an additional charge of 10¢ per square for each mile thereafter may be made: *Provided*, The total additions permitted by this sub-paragraph may not exceed \$1.00 per square.

(17) Where the re-siding job is performed at a distance of more than 40 miles from the corporate limits of the city where the seller's place of business is located, the seller may include any additional transportation charges actually incurred for transporting the re-siding materials from said city to the site of the job but not to exceed the lowest common carrier freight charges therefor.

(18) A charge of \$5.00 per day may be made for each workman on a re-siding job when he is required to remain overnight out of the city to complete such a job.

(19) For any re-siding job requiring less than 5 squares, an additional charge of \$2.00 per square may be made.

SEC. 5. Guaranteed price. A seller may sell a re-siding job covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price figured

in accordance with the requirements of this order.

SEC. 6. Related and incidental construction work. If on any re-siding job, any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regulation No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

SEC. 7. Measurements. It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A "measurement with reasonable accuracy" shall be considered to have been made if the price based on such estimate does not vary more than 10% from the maximum price computed under the terms of this order, on the basis of the actual measurement.

SEC. 8. Notification. (a) Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement showing the following:

- (1) The names and addresses of the seller and purchaser.
- (2) The location of the job.
- (3) The date the job was completed.
- (4) A description of the work performed and the total charged for the job, together with an itemized statement of the accessories and other items included in Table II of section 4 of this order for which an extra charge was made, and the quantities and prices of each, and a separate statement of the related and incidental construction work performed, as provided in Section 6 of this order.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in sub-paragraphs (1), (2), and (3) of paragraph (a) of this section, together with an itemized statement showing the number of squares, the prices charged per square of re-siding materials installed, together with an itemized statement of the accessories and other items included in Table II of Section 4 of this order for which an extra charge was made, and the quantities and prices of each, and a separate itemized statement of any related and incidental construction work performed, as provided in Section 6 of this order.

(c) Each seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 9. Records. Each seller must keep and retain at his principal place of business records concerning each sale covered by this order, showing the following:

- (1) The name and address of the purchaser.

- (2) The location of the job.
- (3) A copy of any and all contracts pertaining to each sale.
- (4) The date the job was completed.
- (5) A description of the re-siding materials and services involved.
- (6) The number of squares and the price charged per square of re-siding materials.
- (7) A list of all accessories and other items included in Table II of Section 4 of this order, for which an extra charge may be made, showing the quantity and price of each.
- (8) A separate itemized statement of any related and incidental construction work and the prices charged for such work.

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

SEC. 10. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell re-siding materials on an installed basis covered by this order at prices higher than the maximum prices established by this order: *Provided*, That installations made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 11. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of re-siding materials on an installed basis than is permitted by this order shall be deemed a violation of this order and subjects the seller to all the civil liabilities and criminal penalties provided by the Emergency Price Control Act of 1942, as amended, and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the re-siding materials on an installed basis covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of a re-siding job, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes, or devices, or by any other plan, scheme, or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or any other consideration whatsoever in addition to the maximum prices established in this order for the sale of any re-siding materials on an installed basis.

SEC. 12. Less than maximum prices. Prices lower than the maximum prices

for sales covered by this order may, of course, be charged and paid.

SEC. 13. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This Order No. G-15 shall become effective December 24, 1945.

Issued this 14th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46-349; Filed, Jan. 7, 1946; 1:48 p. m.]

[Region VII Order G-16 under RMPR 251]
INSTALLED INSULATION IN BOISE, IDAHO, DISTRICT

Order No. G-16 under Revised Maximum Price Regulation No. 251. Construction services and sales of installed building materials. Docket No. 7-251-9-19.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for sales of installed insulation by any person, hereinafter called the seller, to any person, hereinafter called the purchaser, in connection with a building, structure or construction project at a fixed site.

(b) *Definitions.* As used in this order, the term: (1) "insulation" means any

material used to retain or exclude heat, including but not limited to mineral wool, both nodulated and loose, expanded mica, other loose material such as ground newsprint paper and all types of batts and blanket insulation such as those containing mineral wool, cotton, spun glass, and balsam wool.

(2) "Sale of installed insulation" means a transaction in which the seller furnishes "insulation" materials together with the services required to incorporate such materials into a building structure or construction project at a fixed site. Installation may be performed by the pneumatic or blowing method, by the hand-packing method, by the use of batts and blankets, or otherwise.

SEC. 2. Geographical applicability. This Order G-16 applies only to the Boise District which includes Malheur County, Oregon, all counties in the State of Idaho excepting Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone, included in the Spokane District, and Franklin included in the Salt Lake City District.

SEC. 3. Relationship of this order to Revised Maximum Price Regulation No. 251. Except as otherwise provided in this order, this order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to sales covered by this order and any maximum prices for such sales heretofore approved by the Regional Administrator of Region VII or by the District Director of the Boise District under section 6 (b) of Revised Maximum Price Regulation No. 251 are hereby revoked. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued shall, except to the extent they are inconsistent with the provisions of this order, apply to sales covered by this order.

SEC. 4. Maximum prices of installed insulation and extra work for which charges may be made—(a) Installed insulation. The maximum prices for the sale of installed insulation covered by this order shall be as shown in categories (1) to (29) inclusive, below. (The drawings referred to are attached to this order and are made a part hereof.)

MAXIMUM PRICES PER SQUARE FOOT OF AREA

Categories	Table 1	Table 2	Table 3	Table 4	Table 5
	Mineral wool 4" depth	Expanded mica, 4" depth	Other loose materials, 4" depth	Mineral batts or blankets, 3" thickness or over	Other batts or blankets, 3" thickness or over
EXPOSED CEILINGS					
(1) Open attics with over 24" clearance to roof. Drawing 1.....	\$0.12	\$0.10	\$0.06	\$0.12	\$0.10
(2) Under flat built up roofs (suspended ceiling): open blowing conditions. (Price includes cost of opening and closing for area.) Drawing 2.....	.13	.10	.06	.13	.10
COVERED CEILINGS					
(Prices include the cost of removing and replacing flooring)					
(3) Open attics with a single rough flooring and accessible. Drawing 3.....	.13	.11	.07	.13	.11
(4) Open attics with finished single floors. Drawing 4.....	.13	.11	.07	.13	.11
(5) Open attics with double floors, the top floor finished. Drawing 5.....	.16	.14	.08	.16	.13

MAXIMUM PRICES PER SQUARE FOOT OF AREA—Continued

Categories	Table 1 Mineral wool 4" depth	Table 2 Ex- panded mica, 4" depth	Table 3 Other loose materials, 4" depth	Table 4 Mineral batts or blankets, 3" thick- ness or over	Table 5 Other batts or blankets, 3" thick- ness or over
FLAT CEILINGS IN CLOSED SPACES					
(Prices do not include cost of opening and closing)					
(6) Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is necessary, such as pocket areas behind knee walls, areas under roof ridges or extensions which are practically flat. Drawing 6:					
(a) Unfloored.....	\$0.12	\$0.10	\$0.06	\$0.12	\$0.10
(b) Floored:					
i. With single rough floor.....	.13	.11	.07	.13	.10
ii. With single finished floor.....	.13	.11	.07	.13	.10
iii. With double finished floor.....	.14	.12	.08	.14	.11
(7) Ceilings in closed space under ridge or pitched roofs, where openings for the full length of ridge is necessary because of small clearance between ridge and ceiling areas. Drawing 7.					
Unfloored.....	.12	.10	.06	.12	.10
(8) Flat built up roof type including row house construction and commercial buildings. Drawing 8.....	.12	.10	.06	.12	.10
(9) Flat roof decks covered with tin, copper or canvas. Drawing 9.....	.13	.11	.07	.13	.10
(10) Overhang. Drawing 10.....	.13	.11	.07	.13	.10
(11) Dormer tops. Drawing 11.....	.12	.10	.06	.12	.10
(12) Bay window top or bottom. Drawing 12:					
(a) Top.....	.12	.10	.06	.12	.10
(b) Bottom.....	.14	.12	.10	.14	.11
FLOORS					
(Prices do not include cost of opening and closing.) (Prices do not include cost of retaining material.)					
(13) Any exposed floors over garage ceilings, open porches or similar types of areas where the under side of the area to be insulated is closed and finished. Drawing 13.....	.14	.12	.08	.14	.11
(14) Any exposed floors where the areas to be insulated are not closed and finished and where retaining materials are required. Drawing 14.....	.13	.11	.07	.13	.11
FLOORS OVER UNEXCAVATED AREAS					
(Prices do not include cost of retaining material)					
(15) Batts and blankets. Drawing 15.....	.16	.14	.09	.16	.13
(16) 4" fill blown in over retaining material. Drawing 16.....	.14	.12	.08	.14	.11
SLOPING AREAS					
(Prices do not include opening or closing.)					
(17) All slopes where closed and finished on the interior side of the rafters. Drawing 17.....	.14	.12	.08	.14	.11
(18) Open rafters and slopes where batts or blankets are used, such as pocket outside of knee walls where blow is impracticable. Drawing 18.....	.15	.13	.09	.15	.12
(19) Open rafters and slopes. Application of batts or blankets. Drawing 19. (No retainer used).....	.15	.13	.09	.15	.12
KNEE WALLS, PARTITIONS, AND STAIRWELLS AND APPURTENANCES					
(20) Interior plastered walls where no decoration is necessary except plaster patching. Drawing 20. (Price includes opening and closing of plastered walls).....	.15	.13	.09	.15	.12
(21) Knee Walls. Drawing 21:					
(a) Batts and blankets.....	.14	.12	.08	.14	.11
(b) Blown.....	.12	.10	.10	.12	.09
(22) Knee Walls not accessible. Drawing 22.....	.18	.16	.10	.18	.15
(23) Stairwells and appurtenances. (Prices include opening and closing of plastered wall):					
(a) Soffits. Drawing 23.....	.17	.15	.10	.17	.14
(b) Walls (Measurement of walls may be taken as rectangular from floor to ceiling).....	.15	.13	.09	.15	.12
EXTERIOR WALLS					
(Prices include cost of opening and closing)					
(24) Exterior walls with inner finish whose outer surfaces are composed of (Drawing 24 to 30):					
(a) Wood or asphalt shingles.....	.17	.15	.10	.17	.14
(b) Wood clapboard.....	.22	.18	.12	.22	.19
(c) Brick or stone veneer.....	.22	.18	.12	.22	.19
(d) Stucco.....	.22	.18	.12	.22	.19
(e) Asbestos cement shingles.....	.20	.16	.11	.20	.17
(f) Insulated brick and stone novelty siding.....	.20	.16	.11	.19	.17
(25 and 26) Gable and end walls with inner finish. Drawings 25, 26, and 27. Apply the prices listed under Categories 24 (a) to 24 (f), inclusive, depending upon the type of outer finish.					
(27) Gable and end walls without inner finish. Drawings 25, 26, and 27. (Batts or blankets).....	.16	.14	.09	.16	.13
(28) Dormer cheeks and faces with inner finish. Drawings 28 and 29.....	.15	.13	.09	.15	.12
(29) Dormer cheeks and faces without inner finish. Drawings 28 and 29. (Batts or blankets).....	.16	.14	.09	.16	.13

NOTE: The maximum prices listed above in Tables 1, 2, and 3 are based upon an insulation thickness of 4 inches. For each inch of insulation over 4 inches, when ordered by

the purchaser, the seller may make the following additional charges: 1½¢ per square foot for flat areas, 2¢ per square foot for vertical areas; and 2¢ per square foot for

sealed slopes, while for each inch of thickness under 4 inches, the seller shall deduct 1¢ per square foot. A ¾ inch tolerance may be allowed with respect to any such measurements.

The maximum prices listed above in Tables 4 and 5 are based upon an insulation thickness of 3 inches and over. For each inch or fraction of an inch of thickness of batts and blankets under 3 inches, the seller shall deduct 1¢ per square foot.

Where a machine or crew of two or more workers is used on installed insulation jobs, and the total charge as determined in accordance with the maximum prices listed in the tables set forth above, is \$40.00 or less, the seller may make an additional charge of \$10.00 for the job.

(b) Work for which extra charges may be made. Maximum prices for certain work for which extra charges may be made are shown below in categories (1) to (13), inclusive. The work listed in categories (1) and (2) will ordinarily be done by a sub-contractor but whether done by a seller or a sub-contractor the purchaser of an insulation job shall not be charged more than the seller or the sub-contractor, as the case may be, may lawfully charge under Revised Maximum Price Regulation No. 251. When the work listed in categories (3) to (13), inclusive, is performed by a seller or a sub-contractor, the seller or sub-contractor shall not charge more than the prices set forth in the specific category of work done.

Openings and closings. An extra charge may be made for openings and closings only in those cases where openings and closings are not specifically included in the price applicable to Categories (1) to (29), inclusive, set forth in sub-section (a) of this section. The extra charges for openings and closings set forth in Categories (1) to (5), inclusive, set forth below in this sub-section (b) include payment for all labor and materials including that used for replacement of material where necessary.

Categories	Maximum prices	
	Manhole size	Strip openings
(1) Metal roofs.....	Lawful price charged by a seller or a sub-contractor as determined under RMPR 251.	
(2) Plaster wall or ceiling openings and closings.	Lawful price charged by a seller or a sub-contractor as determined under RMPR 251.	
(3) Common wood or asphalt shingles or rolled asphalt roofing.....	\$5.00	1 \$0.50
(4) Slate, tile and asbestos shingles.....	7.50	2.60
(5) Wood openings or openings through similar materials, including beaded ceilings.....		1.50
<i>Retaining materials. Includes material and installation (maximum prices per square foot)</i>		
(6) Building paper and lath, retaining surface (such as Sisal-kraft).....		\$0.04
(7) Paper wall boards.....		.07
(8) Rock lath (approximately 16" x 45").....		.07
(9) Plaster board and insulating board.....		.11

1 Per lineal foot (minimum \$5.00).
2 Per lineal foot (minimum \$7.50).

Categories	Maximum prices
<i>Miscellaneous. Includes materials and labor (maximum prices)</i>	
(10) Insulate expansion tank.....	\$5.00
(11) Insulate knee wall doors with insulating board (per opening).....	2.50
(12) Louvers or ventilators (all types and sizes) (each).....	5.00
(13) 2 x 4 framing lumber necessary to installation, installed (per lineal foot).....	.20

(c) *Measurements.* It shall be the seller's responsibility to ascertain that all measurements are accurate. Measurements for exterior walls are to be taken overall, with no deduction for openings, except for sun porch walls, store fronts or similar areas where windows and door areas must be deducted. In the case of elevator wells, ventilators, skylights, monitors and pent houses on flat roofs the entire such area must be deducted where they are more than 16 square feet in area and extend through the flat ceiling area to be insulated. For attic floors outside gross dimensions may be taken. In measuring the height of knee walls, to the height between floors, joists and rafters, add one foot for floor seal piling of granulated insulation. For slopes add six inches to length of clear span for capping intersecting surfaces. For flat ceilings which intersect slopes add one foot to length of span taken at right angles to intersecting slopes. For stairwell walls measurement may be taken as a rectangle from floor to ceiling, and not as triangles.

In determining the total of the square foot area for each category of insulation installed, a tolerance of 5 percent will be recognized.

(d) *Distant installations.* The maximum prices provided in paragraph (a) of this section shall apply to all installations made within 10 miles of the seller's nearest place of business. For installations at more distant points the following additions may be made. Mileage shall be calculated to the nearest mile.

(i) For installations from 10 to 25 miles distant 1¢ per square foot.

(ii) For installations from 25 to 100 miles distant 2¢ per square foot.

(iii) For installations distant 100 miles or more 3¢ per square foot.

SEC. 5. *Guaranteed price.* A seller may sell an installed insulation job, covered by this order, on the basis of a guaranteed price but such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order.

SEC. 6. *Related and incidental construction work.* If on any insulation job, any installed building materials are furnished or any construction services performed by the seller for which specific maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental construction work shall be determined under Revised Maximum Price Regula-

tion No. 251, or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

SEC. 7. *Notification.* (a) Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement and keep a copy thereof at his principal place of business, showing the following:

(1) The names and addresses of the seller and purchaser.

(2) The location of the job.

(3) The date the job was completed.

(4) A description of the work performed and the total charged for the installed insulation job, and a separate statement of the related and incidental construction work performed.

(b) If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in subparagraphs (1), (2), and (3) of paragraph (a) of this section, together with an itemized statement showing the number of square feet, type, thickness and unit price for each category of insulation installed, the total thereof, the area in which installed with reference to the drawing number, and any additional charges made pursuant to this order, together with a separate itemized statement of any related and incidental construction work performed. A copy of any such statements so furnished shall be kept by the seller at his principal place of business.

(c) Each seller making a sale covered by this order, shall, if requested by the purchaser, make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the Office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 8. *Records.* Each seller must keep and retain at his principal place of business, records concerning each sale covered by this order, showing the following:

(1) The name and address of the purchaser.

(2) The location of the job.

(3) A copy of any and all contracts pertaining to each sale.

(4) The time the job was completed.

(5) An itemized statement showing the number of square feet, type, thickness and unit price for each category of insulation installed, the areas in which installed with references to drawing numbers and the totals thereof.

(6) A separate itemized statement of any related and incidental construction work and the prices charged for such work.

SEC. 9. *Prohibitions against sales at higher than maximum prices.* On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell installed insulation covered by this order at prices higher than the maximum prices established by this order: *Provided:* That installations made not more than thirty days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 10. *Evasions.* (a) Any practice, scheme or device which results in a higher price to the purchaser of installed insulation than is permitted by this or-

der shall be deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended, and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of any of the installed insulation covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever, nor shall the seller, either directly or indirectly, acquire or receive the benefit of any services, transportation agreements, or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of installed insulation, nor shall the seller lower the quality of the materials furnished below that called for by the specifications or agreement.

(d) No seller shall, by any of the foregoing plans, schemes, or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of installed insulation.

SEC. 11. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

This Order No. G-16 shall become effective December 24, 1945.

Issued this 14th day of December 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46-350; Filed, Jan. 7, 1946; 1:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 27, 1945.

REGION II

Philadelphia Order 33, Amendment 6, covering poultry in the city and county of Philadelphia. Filed 10:49 a. m.

Altoona Order 2-F, Amendments 52 and 53, covering fresh fruits and vegetables in the counties of Bedford, Blair, Cambria, Clearfield, Fulton, Huntingdon, Indiana, Jefferson and Somerset. Filed 10:48 a. m.

Pittsburgh Order 1-C, Amendment 8, covering poultry in Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland counties. Filed 10:50 a. m.

Pittsburgh Order 3-F, Amendment 41, covering fresh fruits and vegetables in Erie and Warren county, Pa. Filed 10:49 a. m.

Pittsburgh Order 6-F, Amendment 28, covering fresh fruits and vegetables in Armstrong, Butler, Beaver, Clarion, Fayette, Greene, Lawrence, Mercer, Washington and Westmoreland county, Pa. Filed 10:49 a. m.

Pittsburgh Order 7-F, Amendment 22, covering fresh fruits and vegetables in Allegheny county, Pa. Filed 10:50 a. m.

Scranton Order 18, Amendment 3, covering dry groceries in the counties of Lackawanna, Luzerne, Wayne, Wyoming, Pike, Monroe, Susquehanna, Schuylkill, Carbon and Columbia. Filed 10:50 a. m.

Scranton Order 19, Amendment 3, covering dry groceries in the above counties. Filed 10:50 a. m.

Scranton Order 5-W, Amendment 2, covering dry groceries in the above counties. Filed 10:50 a. m.

REGION III

Toledo Order 10-C, Amendment 8, covering poultry in the Toledo District. Filed 9:51 a. m.

Escanaba Order 2-D, Amendment 1, covering butter and cheese in the counties of the upper peninsula of Michigan, except Mackinac Island, Michigan. Filed 10:46 a. m.

Escanaba Order 3-C, Amendment 1, covering poultry in the above area. Filed 10:45 a. m.

Escanaba Order 4-C, Amendment 1, covering poultry in the above area. Filed 10:45 a. m.

Indianapolis Order 38, Amendment 6, covering dry groceries in certain areas in Indiana and Ohio. Filed 9:53 a. m.

Indianapolis Order 39, Amendment 6, covering dry groceries in certain areas in Indiana and Ohio. Filed 9:54 a. m.

Indianapolis Order 40, Amendment 6, covering dry groceries in certain areas in Indiana and Ohio. Filed 9:55 a. m.

Indianapolis Order 19-W, Amendment 6, covering dry groceries in certain areas in Indiana and Ohio. Filed 9:56 a. m.

Indianapolis Order 20-W, Amendment 6, covering dry groceries in certain areas in Indiana and Ohio. Filed 9:56 a. m.

Indianapolis Order 14-F, Amendment 47, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe counties. Filed 9:51 a. m.

Indianapolis Order 15-F, Amendment 47, covering fresh fruits and vegetables in Wayne, Delaware and Allen counties. Filed 9:52 a. m.

Indianapolis Order 16-F, Amendment 47, covering fresh fruits and vegetables in the county of St. Joseph. Filed 9:52 a. m.

Indianapolis Order 17-F, Amendment 47, covering fresh fruits and vegetables in the county of Vanderburg. Filed 9:53 a. m.

Detroit Order 5-F, Amendment 52, covering fresh fruits and vegetables in Clinton, Eaton, Ingham, Livingston, Washtenaw, Monroe, Lenawee, Hillsdale, Jackson, St. Clair and Oakland. Filed 10:00 a. m.

Detroit Order 4-C, covering poultry in Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, counties in Michigan. Filed 9:51 a. m.

Detroit Order 5-C, covering poultry in the county of Wayne. Filed 9:51 a. m.

Louisville Order 4-C, Amendment 1, covering poultry in the area formerly under the Lexington District and Owen and Gallatin counties. Filed 10:46 a. m.

Louisville Order 12-F, Amendment 49, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 9:57 a. m.

Louisville Order 17-F, Amendment 15, covering fresh fruits and vegetables in Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Livingston, Lyon, Marshall and McCracken counties in Kentucky. Filed 9:57 a. m.

Louisville Order 18-F, Amendment 9, covering fresh fruits and vegetables in the counties of Breckinridge, Caldwell, Crittenden, Daviess, Grayson, Hancock, Henderson, Hopkins, McLean, Meade, Muhlenberg, Ohio, Union and Webster, Kentucky. Filed 9:57 a. m.

Louisville Order 19-F, Amendment 9, covering fresh fruits and vegetables in the counties of Allen, Barren, Butler, Christian, Edmonson, Logan, Metcalfe, Monroe, Simpson, Todd, Trigg, and Warren, Kentucky. Filed 9:58 a. m.

REGION IV

Richmond Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain areas. Filed 1:09 p. m.

Richmond Order 8-F, Amendments 7 and 8, covering fresh fruits and vegetables in certain areas. Filed 1:21 p. m. and 1:09 p. m.

Richmond Order 1-C, covering poultry in the Richmond District. Filed 1:09 p. m.

Montgomery Order 13-C, covering poultry in Montgomery county, Alabama. Filed 1:09 p. m.

Montgomery Order 7-O, covering eggs in Montgomery county, Alabama. Filed 1:09 p. m.

Montgomery Order 26-F, Amendment 9, covering fresh fruits and vegetables in Mobile county. Filed 10:55 a. m.

Montgomery Order 27-F, Amendment 10, covering fresh fruits and vegetables in Montgomery county. Filed 10:56 a. m.

Montgomery Order 28-F, Amendment 9, covering fresh fruits and vegetables in Houston county. Filed 10:56 a. m.

Montgomery Order 29-F, Amendment 9, covering fresh fruits and vegetables in Dallas county. Filed 10:56 a. m.

Memphis Order 8-F, Amendment 9, covering fresh fruits and vegetables in the county of Shelby and city of Memphis, Tenn. Filed 1:13 p. m.

Memphis Order 27, Amendment 5, covering certain food items in the Memphis District. Filed 1:14 p. m.

Memphis Order 13-C, Amendment 1, covering poultry in Memphis and Shelby county, Tenn. Filed 1:14 p. m.

Memphis Order 2-O, Amendment 1, covering eggs in Memphis and Shelby county, Tenn. Filed 1:14 p. m.

Memphis Order 10-W, Amendment 5, covering dry groceries in the Memphis District. Filed 1:14 p. m.

Charlotte Order 4-F, Amendments 4 and 5, covering fresh fruits and vegetables in the counties of Rockingham, Guilford, Randolph, Montgomery, and Richmond, and all counties lying west thereof. Filed 10:45 a. m. and 10:44 a. m.

Roanoke Order 13-F, Amendment 9, covering fresh fruits and vegetables in certain areas. Filed 10:57 a. m.

Roanoke Order 1-O, Amendment 1, covering eggs in the city and county of Roanoke, Va. Filed 10:57 a. m.

Roanoke Order 13-F, Amendment 10, covering fresh fruits and vegetables in certain areas. Filed 9:58 a. m.

Birmingham Order 4-O, covering eggs in Jefferson county, Ala. Filed 1:07 p. m.

Birmingham Order 5-F, Amendment 10, covering fresh fruits and vegetables in Jefferson county, Ala. Filed 10:54 a. m.

Atlanta Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain counties. Filed 1:10 p. m.

Atlanta Order 12-F, Amendment 8, covering fresh fruits and vegetables in the Atlanta-Decatur area. Filed 1:10 p. m.

Atlanta Order 13-F, Amendment 8, covering fresh fruits and vegetables in certain areas. Filed 1:10 p. m.

Atlanta Order 14-F, Amendment 8, covering fresh fruits and vegetables in Clark,

Dawson, Floyd, Gilmer, Gordon, Haralson, Heard, Jackson, Jasper, Meriwether, Morgan, Oconee, Pickens, Polk, Troup, and Whitfield counties. Filed 1:11 p. m.

Atlanta Order 15-F, Amendments 8 and 9, covering fresh fruits and vegetables in Bibb and Muscogee counties, Ga., and Phenix City, Ala. Filed 1:11 p. m. and 9:58 a. m.

Atlanta Order 16, Amendment 11, covering eggs in Zone 15. Filed 10:50 a. m.

Atlanta Order 17, Amendment 11, covering eggs in Zone 15. Filed 10:51 a. m.

Atlanta Order 18, Amendment 11, covering eggs in Zone 18. Filed 10:51 a. m.

Atlanta Order 19, Amendment 11, covering eggs in Zone 18. Filed 10:51 a. m.

Atlanta Order 36, Amendment 3, covering dry groceries in the Atlanta District area. Filed 10:51 a. m.

Atlanta Order 22-O, covering eggs in the Atlanta-Decatur area. Filed 1:17 p. m.

Atlanta Order 37, Amendment 3, covering dry groceries in the Atlanta District area. Filed 1:17 p. m.

Atlanta Order 6-W, Amendment 3, covering dry groceries in the Atlanta District area. Filed 1:17 p. m.

Miami Order 7, Amendment 3, covering dry groceries in Monroe county. Filed 10:55 a. m.

Miami Order 8, Amendment 3, covering dry groceries in the Miami area. Filed 10:55 a. m.

Miami Order 5-F, Amendment 10, covering fresh fruits and vegetables in Miami and Miami Beach and the towns of Surfside, Coral Gables, S. Miami, Hialeah, Miami Shores, and Miami Springs, Fla. Filed 1:08 p. m.

Miami Order 6-F, Amendment 8, covering fresh fruits and vegetables in the Tampa, Fla. area. Filed 1:08 p. m.

Miami Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Fla. Filed 1:08 p. m.

Miami Order 8-F, Amendment 5, covering fresh fruits and vegetables in Monroe county, Fla. Filed 1:08 p. m.

Miami Order 12-O, covering eggs in Dade county, Fla. Filed 1:12 p. m.

Miami Order 13-C, covering poultry in Dade county, Fla. Filed 1:11 p. m.

Savannah Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia. Filed 1:12 p. m. Correction filed 1:12 p. m.

Savannah Order 15-F, Amendments 8 and 9, covering fresh fruits and vegetables in certain counties in Georgia. Filed 9:59 a. m.

Jackson Order 6-W, Amendment 2, covering dry groceries in the Mississippi area. Filed 1:18 p. m.

Jackson Order 21, Amendment 2, covering dry groceries in the Mississippi area. Filed 1:17 p. m.

Jackson Order 22, Amendment 2 covering dry groceries in the Mississippi area. Filed 1:18 p. m.

Jackson Order 23, Amendment 2, covering dry groceries in the Mississippi area. Filed 1:18 p. m.

Jackson Orders 9-C, through 16-C. Revocation, covering poultry in the Jacksonville, Fla. District area. Filed 1:11 p. m.

REGION V

Houston Order 6-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Texas. Filed 1:13 p. m.

Little Rock Order 4-O, Amendment 1, covering eggs in Pulaski county, Arkansas. Filed 10:46 a. m.

San Antonio Order 6-F, Amendment 20, covering fresh fruits and vegetables in Bexar county, Texas. Filed 1:06 p. m.

San Antonio Order 7-F, Amendment 20, covering fresh fruits and vegetables in Austin, Tex. Filed 1:07 p. m.

San Antonio Order 8-F, Amendment 20, covering fresh fruits and vegetables in Corpus Christi, Tex. Filed 1:07 p. m.

San Antonio Order 9-F, Amendment 9, covering fresh fruits and vegetables in Culverson, El Paso, Hudspeth and Presidio counties, Tex. Filed 1:07 p. m.

San Antonio Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain areas in the San Antonio District. Filed 1:07 p. m.

New Orleans Order 3-F, Amendment 20, covering fresh fruits and vegetables in Louisiana, Parishes of Orleans, St. Bernard and Jefferson (except Grand Isle). Filed 10:59 a. m.

New Orleans Order 5-F, Amendment 12, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe, and West Monroe in the New Orleans District. Filed 10:59 a. m.

New Orleans Order 6-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:59 a. m.

Kansas City Order 5-C and Order 7-O, covering poultry and eggs in Johnson and Wyandotte counties, Kansas; North Kansas City and Jackson county, Mo. Filed 11:04 a. m.

Kansas City Order 6-C and Order 8-O, covering poultry and eggs in Buchanan county, Mo. Filed 11:04 a. m.

Kansas City Order 7-C and Order 9-O, covering poultry and eggs in Greene county, Mo. Filed 11:04 a. m.

Kansas City Order 8-C and Order 10-O, covering poultry and eggs in Jasper county, Mo. Filed 1:06 p. m.

Kansas City Order 9-C and Order 11-O, covering poultry and eggs in Johnson and Wyandotte counties, Kansas; North Kansas City, Jackson and Buchanan counties, Mo. Filed 10:59 a. m.

Kansas City Order 10-C and Order 12-O, covering poultry and eggs in Greene and Jasper counties. Filed 10:59 a. m.

Kansas City Order 11-F, Amendment 6, covering fresh fruits and vegetables in Jasper county, Mo. Filed 10:58 a. m.

Kansas City Order 4-F, Amendment 21, covering fresh fruits and vegetables in the Kansas City District. Filed 1:13 p. m.

Kansas City Order 4-F, Amendment 22, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Mo., and North Kansas City, Mo. Filed 10:57 a. m.

Kansas City Order 9-F, Amendment 6, covering fresh fruits and vegetables in Buchanan county, Mo. Filed 10:58 a. m.

Kansas City Order 9-F, Amendment 5, covering fresh fruits and vegetables in the Kansas City District. Filed 1:13 p. m.

Kansas City Order 10-F, Amendment 5, covering fresh fruits and vegetables in the Kansas City District. Filed 1:06 p. m.

Kansas City Order 10-F, Amendment 6, covering fresh fruits and vegetables in Greene county, Mo. Filed 10:58 a. m.

Kansas City Order 11-F, Amendment 5, covering fresh fruits and vegetables in the Kansas City District. Filed 11:04 a. m.

REGION VI

Des Moines Order 3-O, Amendment 2, covering eggs in Fort Dodge and Mason City area. Filed 10:45 a. m.

Des Moines Order 4-W, Amendment 1, covering dry groceries in Sioux City, Iowa. Filed 10:48 a. m.

Des Moines Order 5-W, Amendment 1, covering dry groceries in the counties of Cedar, Clinton, Dubuque, Jackson and Jones, Iowa. Filed 10:47 a. m.

Des Moines Order 6-W, Amendment 1, covering dry groceries in the counties of Des Moines, Henry, Lee, Louisa, Muscatine and Scott, Iowa. Filed 10:48 a. m.

Des Moines Order 20, Amendment 1, covering dry groceries in Sioux City, Iowa and South Sioux City, Nebraska area. Filed 10:47 a. m.

Des Moines Order 21, Amendment 1, covering dry groceries in the Cherokee, Crawford, Ida, Monona, O'Brien, Plymouth, Sac, Sioux, Buena Vista and Woodbury counties except Sioux City, Iowa. Filed 10:47 a. m.

Des Moines Order 41, Amendment 1, covering dry groceries in the counties of Cedar,

Clinton, Dubuque, Jackson and Jones, Iowa. Filed 10:47 a. m.

Des Moines Order 42, Amendment 1, covering dry groceries in the counties of Des Moines, Henry, Lee, Louisa, Muscatine and Scott, Iowa. Filed 10:47 a. m.

Omaha Order 1, Amendment 2, covering certain food items in North Platte and McCook, Nebraska. Filed 1:15 p. m.

Omaha Order 2, Amendment 2, covering certain food items in Hastings, Grand Island, Holdrege, and Kearney, Nebraska. Filed 1:15 p. m.

Omaha Order 4, Amendment 2, covering certain food items in Arthur, Deuel, Cheyenne, Grant, Kimball, Banner, Morrill, Garden, Box Butte, Sioux, Dawes except the City of Crawford, and Sheridan in Nebraska. Filed 1:15 p. m.

Omaha Order 1-W, Amendment 2, covering certain food items in North Platte and McCook, Nebraska. Filed 1:15 p. m.

Omaha Order 2-W, Amendment 2, covering certain food items in Hastings, Grand Island, Holdrege, and Kearney, Nebraska. Filed 1:16 p. m.

Milwaukee Order 6, Amendments 3 and 4, covering dry groceries in Milwaukee county, and Racine and Kenosha, Wisconsin. Filed 9:59 a. m.

Milwaukee Order 13, Amendment 4, covering dry groceries in the Milwaukee District. Filed 10:00 a. m.

Milwaukee Order 32, Amendment 1, covering dry groceries in certain counties in Wisconsin. Filed 10:00 a. m.

Milwaukee Order 4-W, amendments 3 and 4, covering dry groceries in Milwaukee county and Racine and Kenosha, Wisconsin. Filed 9:58 a. m.

Milwaukee Order 5-W, Amendment 4, covering dry groceries in the Milwaukee District. Filed 9:58 a. m.

St. Paul Order 1-F, Amendment 48, covering fresh fruits and vegetables in certain areas in the St. Paul District. Filed 1:16 p. m.

St. Paul Order 3-F, Amendment 13, covering fresh fruits and vegetables in Duluth and Proctor, Minn. and Superior, Wisconsin. Filed 1:16 p. m.

St. Paul Order 4-F, Amendment 13, covering fresh fruits and vegetables in Winona, Minn. Filed 1:16 p. m.

St. Paul Order 5-F, Amendment 12, covering fresh fruits and vegetables in Rochester, Minn. Filed 1:16 p. m.

Springfield Order 13-F, Amendment 40, covering fresh fruits and vegetables in Springfield, Illinois. Filed 10:00 a. m.

Springfield Order 14-F, Amendment 41, covering fresh fruits and vegetables in East St. Louis, Illinois, and the Townships of Centerville, Sugar Loaf, Canteen, and Stites in St. Clair county, Illinois. Filed 10:00 a. m.

Springfield Order 15-F, Amendment 40, covering fresh fruits and vegetables in the city of Decatur, Macon county, Illinois. Filed 10:01 a. m.

Springfield Order 22-F, Amendment 7, covering fresh fruits and vegetables in the city of Quincy and Adams county, Ill. Filed 10:01 a. m.

Springfield Order 55, Amendment 1, covering dry groceries in the Springfield area. Filed 10:01 a. m.

Springfield Order 56, Order 57 and Order 58, Amendment 1, covering dry groceries in the Springfield area. Filed 10:01 a. m.

Springfield Order 59, Amendment 1, covering dry groceries in the Springfield area. Filed 9:39 a. m.

Springfield Orders 29-W, 30-W, 31-W and 32-W, Amendment 1, covering dry groceries in the Springfield area. Filed 9:40 a. m. Order 32-W filed 9:41 a. m.

REGION VII

Albuquerque Order 8-F, Amendments 44 and 45, covering fresh fruits and vegetables in the Albuquerque area. Filed 11:04 a. m. and 10:43 a. m.

Boise Order 1-C, Amendment 1, covering poultry in certain counties. Filed 10:52 a. m.

Boise Order 2-C, Amendment 1, covering poultry in Bannock, Bear Lake, Caribou, Franklin, Oneida counties. Filed 10:53 a. m. Boise Order 3-C, Amendment 1, covering poultry in Malheur county, Oregon. Filed 10:53 a. m.

Boise Order 4-C, Amendment 1, covering poultry in certain counties. Filed 10:53 a. m.

Boise Order 5-C, Amendment 1, covering poultry in Bannock, Bear Lake, Caribou, Franklin, Oneida counties. Filed 10:53 a. m.

Boise Order 6-C, Amendment 1, covering poultry in Malheur county, Oregon. Filed 10:53 a. m.

Boise Order 21-W and Amendment 1, covering dry groceries in the Boise city area. Filed 10:54 a. m. and 9:45 a. m.

Boise Order 22-W, Amendment 1, covering certain food items in Twin Falls, Idaho Falls, Pocatello area. Filed 9:46 a. m.

Boise Order 6-F, Amendments 3 through 7, covering fresh fruits and vegetables in Bellevue, Bliss, Burley, Carey, Eden, Gannett, Gooding, Hagerman, Hailey, Hazelton, Heyburn, Ketchum, Jerome, Paul, Picabo, Richmond, Rupert, Shoshone and Wendell, Idaho. Filed 11:00 a. m. Amendment 7 filed 9:42 a. m.

Boise Order 7-F and Amendments 1, 2 and 3, covering fresh fruits and vegetables in certain areas. Filed 9:43 a. m., 11:00 a. m., 11:01 a. m. and 9:43 a. m.

Boise Order 5-F, Amendments 19, 20, 21, 22, 23 and 24, covering fresh fruits and vegetables in Boise city area, Alameda, Buhl, Filer, Idaho Falls, Kimberly, Hansen, Murtaugh, Pocatello and Twin Falls, Idaho. Filed 9:41 a. m. Amendments 22, 23 and 24 filed 9:42 a. m.

Boise Order 43, covering dry groceries in the Boise city area. Filed 11:01 a. m.

Boise Order 44 and Amendment 1, covering dry groceries in certain areas in the Boise District. Filed 11:01 a. m. and 9:43 a. m.

Boise Order 45 and Amendment 1, covering dry groceries in certain areas in the Boise District. Filed 11:01 a. m. and 9:44 a. m.

Boise Order 46 and Amendment 1, covering dry groceries in certain areas in Idaho. Filed 11:01 a. m. and 9:44 a. m.

Boise Order 47 and Amendment 1, covering dry groceries in the Boise District. Filed 10:51 a. m. and 9:44 a. m.

Boise Order 48 and Amendment 1, covering dry groceries in Blackfoot, Boise, Buhl, Idaho Falls, Mountain Home, Nampa, Parma, Pocatello, Twin Falls and Weiser, Idaho, Ontario and Vale, Oregon. Filed 9:44 a. m. and 9:45 a. m.

Denver Order 4-F, Amendments 25 and 26, covering fresh fruits and vegetables in the Denver area. Filed 10:54 a. m. and 10:42 a. m.

Denver Order 5-F, Amendments 25 and 26, covering fresh fruits and vegetables in the Pueblo area. Filed 11:03 a. m. and 10:43 a. m.

Denver Order 6-F, Amendments 25 and 26, covering fresh fruits and vegetables in the Colorado Springs-Manitou area. Filed 11:03 a. m. and 10:43 a. m.

Denver Order 7-F, Amendments 25 and 26, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley area. Filed 11:03 a. m. and 10:43 a. m.

Salt Lake City Order 2-C, Amendment 7, covering poultry in Utah. Filed 10:44 a. m.

Salt Lake City Order 11-F, Amendments 25 and 26, covering fresh fruits and vegetables in Salt Lake, Davis, Wever, Morgan, Utah and Summit county area, Brigham, Willard and Perry in Box Elder county. Filed 11:02 a. m. and 10:43 a. m.

Salt Lake City Order 12-F, Amendments 25 and 26, covering fresh fruits and vegetables in Cache, Carbon, Emery, Piute, Beaver, Sevier, Sanpete, Iron, Millard, Juab, Box Elder, Wasatch, Washington, Kane and Garfield county area, Box Elder, except Brigham, Willard and Perry. Filed 11:03 a. m. and 10:43 a. m.

Salt Lake City Order 13-F, Amendment 25 and 26, covering fresh fruits and vegetables

in Rich, Daggett, Duchesne, Uintah, Grand, Waine and San Juan county area. Filed 11:03 a. m. and 10:44 a. m.

REGION VIII

Nevada Order 11-F, Amendment 11-A, covering fresh fruits and vegetables in the Reno and Sparks area. Filed 9:47 a. m.

Nevada Order 11-F, Amendment 11, covering fresh fruits and vegetables in the Reno and Sparks area. Filed 11:01 a. m.

Nevada Order 12-F, Amendment 11, covering fresh fruits and vegetables in Carson City, Dayton, Fallon, Fernley, Gardnerville, Genoa, Gold Hill, Hazen, Humboldt House, Inlay, Lovelock, Mill City, Minden, Silver City, Smith, Verdi, Virginia City, Wabuska, Wadsworth, Wellington, Winnemucca and Yerington. Filed 11:02 a. m.

Nevada Order 13-F, Amendment 11, covering fresh fruits and vegetables in certain areas. Filed 11:02 a. m.

Nevada Order 14-F, Amendment 11, covering fresh fruits and vegetables in Baker, East Ely, Ely, Kimberly, Lund, McGill, Preston, Reiptown, and Ruth. Filed 11:02 a. m.

Nevada Order 15-F, Amendment 11, covering fresh fruits and vegetables in Blue Diamond, Henderson, Las Vegas, Logandale, North Las Vegas, Pittman, Sloan, and Whitney. Filed 11:02 a. m.

Portland Order 7-W, covering dry groceries in the Eastern Oregon area. Filed 10:46 a. m.

Portland Order 1-B, Revocation, covering dry groceries in certain areas in the Portland District. Filed 9:50 a. m.

Portland Order 20, Amendment 13, covering dry groceries in certain areas in the Portland District. Filed 9:48 a. m.

Portland Order 27, Amendment 10, covering dry groceries in certain areas. Filed 9:48 a. m.

Portland Order 28, Amendment 10, covering dry groceries in certain areas. Filed 9:48 a. m.

Portland Order 29, Amendment 5, covering dry groceries in certain areas. Filed 9:49 a. m.

Portland Order 30, Amendment 10, covering dry groceries in certain areas. Filed 9:49 a. m.

Portland Order 31, covering certain food items in the Klamath Falls extended area. Filed 9:49 a. m.

Portland Order 32, covering dry groceries in the Portland extended area. Filed 9:49 a. m.

Portland Order 33, covering dry groceries in the Northwestern area. Filed 9:49 a. m.

Portland Order 34, covering dry groceries in the Portland area. Filed 9:50 a. m.

Portland Order 35, covering dry groceries in the Southwestern Oregon area. Filed 9:50 a. m.

Los Angeles Order 3-F, Amendment 26, covering fresh fruits and vegetables in the Los Angeles Metropolitan area. Filed 9:46 a. m.

Los Angeles Order 4-F, Amendment 26, covering fresh fruits and vegetables in the San Bernardino-Riverside area. Filed 9:46 a. m.

Los Angeles Order 5-F, Amendment 26, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo area. Filed 9:46 a. m.

Los Angeles Order 6-F, Amendment 26, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo area. Filed 9:47 a. m.

Phoenix Order 9-F, Amendment 21, covering fresh fruits and vegetables in the Phoenix area. Filed 9:47 a. m.

Phoenix Order 10-F, Amendment 17, covering fresh fruits and vegetables in certain areas. Filed 9:48 a. m.

Phoenix Order 11-F, Amendment 16, covering fresh fruits and vegetables in certain areas. Filed 9:48 a. m.

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

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-467; Filed, Jan. 8, 1946;
4:16 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 29, 1945.

REGION I

Montpelier Order 2-F, Amendments 31 and 32, covering fresh fruits and vegetables in certain cities in Vermont. Filed 10:10 and 10:11 a. m.

Montpelier Order 3-F, Amendment 15, covering fresh fruits and vegetables in the State of Vermont except certain cities. Filed 10:11 a. m.

REGION II

New York Order 32, Amendment 1, covering dry groceries in the District of Columbia area. Filed 10:09 a. m.

Philadelphia Order 6-F, Amendment 59, covering fresh fruits and vegetables in city and county of Philadelphia. Filed 10:06 a. m.

Philadelphia Order 11-F, Amendment 34, covering fresh fruits and vegetables in counties of Bucks, Chester, Delaware and Montgomery, Penn. Filed 10:07 a. m.

Philadelphia Order 12-F, Amendment 34, covering fresh fruits and vegetables in Berks, Lehigh and Northampton counties of Penn. Filed 10:07 a. m.

Scranton Order 4-F, Amendment 55, covering fresh fruits and vegetables in certain counties of Pennsylvania. Filed 10:11 a. m.

Syracuse Order 4-F, Amendment 47, covering fresh fruits and vegetables in certain specified areas of New York. Filed 10:10 a. m.

Syracuse Order P-3, Amendments 18 and 19, covering fish in certain specified areas of New York. Filed 10:10 a. m.

Syracuse Order P-4, Amendment 5, covering fish in certain cities of New York. Filed 10:10 a. m.

Syracuse Order P-4, Amendment 6, covering fish in certain cities of New York. Filed 10:10 a. m.

D. C. Order 6-W, Amendments 4 and 5, covering dry groceries in the Washington, D. C. area. Filed 10:08 a. m. and 10:09 a. m.

D. C. Order 14, Amendment 5, covering dry groceries in the Washington, D. C. area. Filed 10:08 a. m.

Wilmington Order 4-F, Amendment 66, covering fresh fruits and vegetables in Delaware. Filed 10:11 a. m.

Williamsport Order 7-W, Amendment 6, covering dry groceries in certain counties of Pennsylvania. Filed 10:08 a. m.

Williamsport Order 26, Amendment 6, covering dry groceries in certain counties of Pennsylvania. Filed 10:07 a. m.

Williamsport Order 27, Amendment 5, covering dry groceries in certain counties of Pennsylvania. Filed 10:07 a. m.

Williamsport Order 28, Amendment 6, covering dry groceries in certain counties of Pennsylvania. Filed 10:08 a. m.

REGION IV

Charlotte Order 4-F, Amendment 9, covering fresh fruits and vegetables in certain counties of North Carolina. Filed 10:12 a. m.

REGION V

Houston Order 4-F, Amendment 22, covering fresh fruits and vegetables in specified areas of Texas. Filed 10:12 a. m.

Houston Order 5-F, Amendment 22, covering fresh fruits and vegetables in Jefferson

and Orange Counties, Texas. Filed 10:12 a. m.

REGION VI

Chicago Order 2-F, Amendment 94, covering fresh fruits and vegetables in certain counties of Illinois and Lake County, Indiana. Filed 10:01 a. m.

Chicago Order 13, Amendment 2, covering dry groceries. Filed 10:12 a. m.

Omaha Order 13-F, Amendment 13, covering fresh fruits and vegetables in certain cities of Nebraska. Filed 10:01 a. m.

Peoria Order 7-F, Amendment 36, covering fresh fruits and vegetables in certain cities of Illinois. Filed 10:01 a. m.

Peoria Order 9-F, Amendment 37, covering fresh fruits and vegetables in the cities of Bloomington and Normal, Illinois. Filed 10:02 a. m.

Peoria Order 11-F, Amendment 11, covering fresh fruits and vegetables in Winnebago County, Illinois. Filed 10:02 a. m.

Peoria Order 12-F, Amendment 4, covering fresh fruits and vegetables in specified areas of Illinois. Filed 10:02 a. m.

Peoria Order 13-F, Amendment 7, covering fresh fruits and vegetables in specified areas of Illinois. Filed 10:02 a. m.

Peoria Order 14-F, Amendment 7, covering fresh fruits and vegetables in specified areas of Illinois. Filed 10:02 a. m.

Peoria Order 15-F, Amendment 7, covering fresh fruits and vegetables in LaSalle County, Illinois. Filed 10:02 a. m.

REGION VIII

Los Angeles Order 3-F, Amendment 27, covering fresh fruits and vegetables in Los Angeles Metropolitan Area. Filed 10:03 a. m.

Los Angeles Order 4-F, Amendment 27, covering fresh fruits and vegetables in San Bernardino-Riverside Area. Filed 10:03 a. m.

Los Angeles Order 5-F, Amendment 27, covering fresh fruits and vegetables in Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:03 a. m.

Los Angeles Order 6-F, Amendment 27, covering fresh fruits and vegetables in Santa Barbara-Ventura and San Luis Obispo Areas. Filed 10:04 a. m.

Los Angeles Order 7-F, covering fresh fruits and vegetables within a ten mile radius of Bakersfield. Filed 10:04 a. m.

Los Angeles Order 7-F, Amendments 3, 4, 5, 6, 7, 8, covering fresh fruits and vegetables within a ten mile radius of Bakersfield. Filed 10:04, 10:05 and 10:06 a. m.

Los Angeles Order 8-F, Amendments 1, 2, and 3, covering fresh fruits and vegetables in the San Diego Metropolitan Area. Filed 10:06 a. m.

Copies of these orders may be obtained from the Office of Price Administration Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-468; Filed, Jan. 8, 1946;
4:16 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register December 20, 1945:

REGION I

Augusta Orders 2-C and 3-C, Amendment 4, covering poultry. Filed 11:14 a. m.

Augusta Order 5-C, Amendment 2, covering poultry. Filed 11:03 a. m.

Boston Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 11:14 a. m.

Boston Order 1-C, Amendment 13, covering poultry in Massachusetts except Dukes & Nantucket counties. Filed 11:13 a. m.

Boston Order 2-W, Amendment 3, covering dry groceries in Massachusetts except Dukes & Nantucket counties. Filed 11:12 a. m.

New England Order 7-F, Amendment 32, covering fresh fruits and vegetables in the Boston area. Filed 11:03 a. m.

New England Order 8-F, Amendment 29, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 11:03 a. m.

New England Order 9-F, Amendment 30, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 11:02 a. m.

New England Order 10-F, Amendment 29, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 11:02 a. m.

New England Order 11-F, Amendment 29, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 11:02 a. m.

New England Order 13-F, Amendment 11, covering fresh fruits and vegetables in the Brockton area. Filed 11:13 a. m.

REGION II

Albany Order 10-F, Amendment 26, covering fresh fruits and vegetables in the cities of Albany, Cohoes, Rensselaer, Schenectady, Troy and Watervliet and the town of Green Island, New York. Filed 11:12 a. m.

Albany Order 10-F, Amendment 27, covering fresh fruits and vegetables in the cities of Albany, Cohoes, Rensselaer, Schenectady, Troy & Watervliet and the town of Green Island, New York. Filed 11:04 a. m.

Altoona Order 2-F, Amendment 51, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 11:09 a. m.

Baltimore Order 4-F, Amendment 67, covering fresh fruits and vegetables in the Baltimore, Maryland area. Filed 11:07 a. m.

Baltimore Order 10-F, Amendment 23, covering fresh fruits and vegetables in Maryland except the Baltimore area. Filed 11:07 a. m.

Baltimore Order 43, Amendment 2, covering dry groceries in certain counties in Maryland and all of the State of Delaware below the Chesapeake & Delaware Canal. Filed 11:06 a. m.

Baltimore Order 15-W and 47, Amendment 2, covering dry groceries in certain counties in Maryland and all of the State of Delaware below the Chesapeake and Delaware Canal. Filed 11:06 a. m.

Binghamton Order 4-W, Amendment 3, covering dry groceries in the Binghamton District. Filed 11:08 a. m.

Binghamton Orders 17 and 18, Amendments 4 and 2, covering dry groceries in the Binghamton District. Filed 11:08 a. m.

Pittsburgh Order 3-F, Amendment 40, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 11:06 a. m.

Pittsburgh Order 6-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 11:04 a. m.

Pittsburgh Order 7-F, Amendment 21, covering fresh fruits and vegetables in Allegheny county, Pennsylvania. Filed 11:04 a. m.

Scranton Order P-3, Amendment 4, covering fresh fish and seafood in Lackawanna

and Luzerne counties including the city of Pottsville in Schuylkill county, Pennsylvania. Filed 11:02 a. m.

Trenton Order 12-F, Amendment 38, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 11:04 a. m.

REGION V

Dallas Order 4-F, Amendment 21, covering fresh fruits and vegetables in Dallas county, Texas. Filed 1:26 p. m.

Dallas Order 6-F, Amendment 10, covering fresh fruits and vegetables in McLennan county, Texas. Filed 1:41 p. m.

Dallas Order 3-C, covering poultry and eggs in the city of Dallas, Texas. Filed 1:41 p. m.

Dallas Order 9-O, covering poultry and eggs in the City of Dallas, Texas. Filed 1:41 p. m.

New Orleans Order 27, Amendment 3, covering dry groceries in certain areas in Louisiana. Filed 1:28 p. m.

New Orleans Order 28, Amendment 5, covering dry groceries in certain areas in Louisiana. Filed 1:30 p. m.

New Orleans Order 28, Amendment 6, covering dry groceries in certain areas in Louisiana. Filed 1:31 p. m.

New Orleans Order 29, Amendment 3, covering dry groceries in certain areas in Louisiana. Filed 1:31 p. m.

New Orleans Order 30, Amendment 5, covering dry groceries in certain areas in Louisiana. Filed 1:32 p. m.

New Orleans Order 30, Amendment 6, covering dry groceries in certain areas in Louisiana. Filed 1:32 p. m.

New Orleans Order 30, Amendment 7, covering dry groceries in certain areas in Louisiana. Filed 1:32 p. m.

San Antonio Orders 4-C and 5-C, revocation covering poultry sold by Groups, 1, 2, 3, and 4 stores. Filed 1:27 p. m.

San Antonio Orders 1-O and 2-O, revocation covering eggs sold by Groups 1, 2, 3, and 4 stores. Filed 1:27 p. m. and 1:28 p. m.

REGION VI

Milwaukee Order 13-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 1:33 p. m.

Omaha Order 10-F, Amendment 40, covering fresh fruits and vegetables in Omaha, Nebraska, and Council Bluffs, Iowa. Filed 1:39 p. m.

Omaha Order 11-F, Amendment 41, covering fresh fruits and vegetables in the city of Lincoln, Nebraska. Filed 1:39 p. m.

Omaha Order 13-F, Amendment 12, covering fresh fruits and vegetables in the cities of North Platte, Kearney, Grand Island, Hastings, Holdrege, and McCook, Nebraska. Filed 1:39 p. m.

Omaha Order 5, Amendment 2, covering dry groceries in the city of Crawford and the county of Scottsbluff, Nebraska. Filed 1:40 p. m.

Omaha Order 5-W, Amendment 2, covering dry groceries in the city of Crawford and county of Scottsbluff, Nebraska. Filed 1:40 p. m.

Omaha Order 3, Amendment 2, covering dry groceries in certain areas in Nebraska. Filed 1:40 p. m.

Peoria Order 7-F, Amendment 35, covering fresh fruits and vegetables in certain cities in the counties of Peoria and Tazewell. Filed 1:33 p. m.

Peoria Order 9-F, Amendment 36, covering fresh fruits and vegetables in Bloomington and Normal, Illinois. Filed 1:33 p. m.

Peoria Order 11-F, Amendment 10, covering fresh fruits and vegetables in the county of Winnebago, Illinois. Filed 1:34 p. m.

Peoria Order 13-F, Amendment 6, covering fresh fruits and vegetables in Knoxville, and Galesburg and Monmouth, Illinois. Filed 1:34 p. m.

Peoria Order 14-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Will and Kankakee counties. Filed 1:34 p. m.

Peoria Order 15-F, Amendment 6, covering fresh fruits and vegetables in the county of La Salle, Illinois. Filed 1:27 p. m.

Sioux Falls Order 2-F, Amendment 19, covering fresh fruits and vegetables in the city of Sioux Falls, South Dakota. Filed 11:56 a. m.

Boise Order 5-F, Amendment 18, covering fresh fruits and vegetables in the Boise city area. Filed 1:40 p. m.

REGION VIII

Los Angeles Order LA-4-C, covering poultry in the Los Angeles-San Diego area. Filed 11:58 a. m.

Los Angeles Order LA-5-C, covering poultry in the Riverside-San Bernardino-Imperial area. Filed 11:58 a. m.

Los Angeles Order LA-6-C, covering poultry in the Santa Barbara-San Luis Obispo area. Filed 11:58 a. m.

Los Angeles Order 3-F, Amendment 25, covering fresh fruits and vegetables in the Los Angeles Metropolitan area. Filed 11:57 a. m.

Los Angeles Order 4-F, Amendment 25, covering fresh fruits and vegetables in the San Bernardino-Riverside area. Filed 11:57 a. m.

Los Angeles Order 5-F and 6-F, Amendment 25, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo areas. Filed 11:57 a. m.

Seattle Order 16-F, Amendment 13, and correction covering fresh fruits and vegetables in Seattle, Tacoma, and Bremerton, Washington. Filed 11:01 a. m.

Seattle Order 16-F, Amendment 15, covering fresh fruits and vegetables in Seattle, Tacoma, and Bremerton, Washington. Filed 1:28 p. m.

Seattle Order 17-F, Amendments 13 and 14, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 1:28 p. m.

Seattle Order 18-F, Amendments 13 and 14, covering fresh fruits and vegetables in Olympia, Aberdeen, Hoquiam, Centralia, and Chehalis, Washington. Filed 1:29 and 1:30 p. m.

Seattle Order 19-F, Amendment 12 and correction, covering fresh fruits and vegetables in Yakima, Wenatchee, and East Wenatchee, Washington. Filed 1:30 p. m.

Seattle Order 19-F, Amendment 12, covering fresh fruits and vegetables. Filed 1:30 p. m.

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

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-424; Filed, Jan. 7, 1946; 4:35 p. m.]