

References

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Washington, Wednesday, November 27, 1946

The President

EXECUTIVE ORDER 9806

ESTABLISHING THE PRESIDENT'S TEMPORARY COMMISSION ON EMPLOYEE LOYALTY

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States, section 214 of the act of May 3, 1945 (Public Law 49, 79th Congress), and as President of the United States, it is hereby ordered as follows:

1. There is hereby created an inter-agency group to be known as the President's Temporary Commission on Employee Loyalty, which will have the functions and responsibilities defined in this order.
2. The Commission is authorized on behalf of the President to inquire into the standards, procedures, and organizational provisions for (a) the investigation of persons who are employed by the United States Government or are applicants for such employment, and (b) the removal or disqualification from employment of any disloyal or subversive person. During the progress of its study the Commission shall give consideration to the findings and recommendations of the Subcommittee of the Civil Service Committee of the House of Representatives contained in the Subcommittee's Report rendered on July 20, 1946 (Cong. Rec. July 20, 1946, p. 9728).
3. On or before February 1, 1947, the Commission shall make a report of its studies to the President in writing, together with such recommendations as it may deem appropriate, including recommendations, in particular, as to the following:
 - a. Whether existing security procedures in the executive branch of the Government furnish adequate protection against the employment or continuance in employment of disloyal or subversive persons and what agency or agencies should be charged with prescribing and supervising security procedures.
 - b. Whether the responsibility for acting upon investigative reports dealing with disloyal or subversive persons should be left to the respective departments and agencies employing such persons or whether such responsibility should be centralized in a single agency.

c. What procedure should be established for notifying allegedly disloyal or subversive employees or applicants for employment of the charges made against them and what procedures should be established to guarantee a fair hearing on such charges.

d. What standards are desirable for judging the loyalty of employees of the Government and applicants for such employment.

e. Whether further legislation is necessary for the adequate protection of the Government against the employment or continuance in employment of disloyal or subversive persons.

Upon the rendition of its report to the President, the existence and functions of the Commission shall terminate unless otherwise authorized by further Executive order.

4. The Civil Service Commission and all other departments and agencies of the executive branch of the Government are hereby authorized and directed to cooperate with the Commission in its work and to furnish the Commission such information or the service of such persons as the Commission may require in the performance of its duties. Persons employed in any of the executive departments and agencies who are requested by the Commission to testify before it shall do so and shall present to the Commission such documents and other information as the Commission shall require.

5. The President's Temporary Commission on Employee Loyalty shall be composed of one representative of each of the following agencies, namely, the Department of Justice, the Department of State, the Department of the Treasury, the Department of War, the Department of the Navy, to be designated by the respective heads thereof, and the Civil Service Commission to be designated by the Commission. The representative of the Department of Justice shall serve as Chairman of the Commission. The members of the Commission shall serve without compensation in such capacity.

HARRY S. TRUMAN
THE WHITE HOUSE,
November 25, 1946.

[F. R. Doc. 46-20951; Filed, Nov. 25, 1946; 3:42 p. m.]

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Chapter I—Federal Trade Commission

[Docket No. 4848]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KORET, INC.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with the offering for sale, sale, and distribution of leather handbags in commerce (1) using the term "Korantelope" or any other term which includes the word "antelope" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, in advertising, or in any other manner, to describe, designate, or refer to any leather product which is not composed of the skin of the antelope; (2) using any cut or depiction of an antelope as a trade-mark or label upon any leather product not composed of the skin of the antelope; (3) using any cut or pictorial design of an antelope in connection with any description of, or reference to, leather products not composed of the skin of the antelope; (4) using any cut or depiction of an antelope in conjunction with any coined name containing a contraction of the word "antelope" to designate, describe, or refer to leather products not composed of the skin of the antelope; or (5) representing in any manner that leather products made of calfskin are made from the skin of the antelope; prohibited, subject to the provision that nothing contained in the order shall be construed as prohibiting the respondent's use, in general advertising not devoted to any specific product, of the animal figure depicted on the attached Exhibit I,¹ incorporated therein by reference and made a part thereof, or as prohibiting the use by the respondent on or in connection with its leather or simulated leather products of, (a) the animal figure depicted on the aforesaid Exhibit I if such figure is accompanied by a statement, used in immediate conjunction therewith and beginning with the phrase "Made of," clearly and conspicuously indicating the material from which such products are made, or, (b) the word "Koretolope" in conjunction or connection with the animal figure depicted on said Exhibit I if such word and figure are accompanied by a statement, used in immediate conjunction therewith and beginning with the phrase "Made of," clearly and conspicuously indicating the material from which such products are made. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Modified cease and

desist order, Koret, Inc., Docket 4848, October 18, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of October A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission answer of the respondent, the testimony and other evidence in support of the complaint and in opposition thereto taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission, having considered the matter, made and issued its findings as to the facts, conclusion, and order to cease and desist on November 30, 1945. Thereafter, this matter came on for further hearing before the Commission upon motion of the attorneys for the respondent to modify the order to cease and desist, answer to respondent's motion to modify order to cease and desist, and motion to set aside findings as to the facts, conclusion, and order to cease and desist and reopen the proceeding, filed by Richard P. Whiteley, Assistant Chief Counsel for the Commission and respondent's reply to the answer of the Assistant Chief Counsel; and the Commission, having considered said motions, answers thereto, and the record herein and having reconsidered the order to cease and desist heretofore entered and being of the opinion that a modified order to cease and desist should be issued in said cause, issues this its modified order to cease and desist:

It is ordered, That the respondent, Koret, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of leather handbags in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Korantelope" or any other term which includes the word "antelope" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, in advertising, or in any other manner, to describe, designate, or refer to any leather product which is not composed of the skin of the antelope.
2. Using any cut or depiction of an antelope as a trade-mark or label upon any leather product not composed of the skin of the antelope.
3. Using any cut or pictorial design of an antelope in connection with any description of, or reference to, leather products not composed of the skin of the antelope.
4. Using any cut or depiction of an antelope in connection with any coined name containing a contraction of the word "antelope" to designate, describe, or refer to leather products not composed of the skin of the antelope.
5. Representing in any manner that leather products made of calfskin are made from the skin of antelope.

It is further ordered, That nothing herein contained shall be construed as prohibiting the respondent's use, in general advertising not devoted to any specific product, of the animal figure depicted on the attached Exhibit I, which, by reference, is incorporated herein and made a part hereof, or as prohibiting the use by the respondent on or in connection with its leather or simulated leather products of:

a. The animal figure depicted on the aforesaid Exhibit I if such figure is accompanied by a statement, used in immediate conjunction therewith and beginning with the phrase "Made of," clearly and conspicuously indicating the material from which such products are made.

b. The word "Koretolope" in conjunction or connection with the animal figure depicted on the aforesaid Exhibit I if such word and figure are accompanied by a statement, used in immediate conjunction therewith and beginning with the phrase "Made of," clearly and conspicuously indicating the material from which such products are made.

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

By this Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-20877; Filed, Nov. 26, 1946; 8:53 a. m.]

[Docket No. 5202]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EDWARD P. PAUL & CO., INC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Imported product or parts as domestic:* § 3.71 (b) *Neglecting, unfairly or deceptively, to make material disclosure—Imported product or parts as domestic:* § 3.96 (a) *Using misleading name—Goods—Source of origin—Place—Foreign product or parts as domestic.* In connection with the offering for sale, sale and distribution of porcelain products, art ware and gift ware in commerce, (1) using the legend "Imported—Du Barry," or any other legends or words indicative of French origin, to designate or describe products made in whole or in substantial part in Japan, without clearly disclosing such Japanese origin; or, (2) representing in any manner that products made in whole or in substantial part in Japan are of French or British origin; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Edward P. Paul & Company, Inc., Docket 5202, October 24, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of October A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the

¹ Filed with the Division of the Federal Register.

complaint of the Commission, the answer of respondent, evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner and the exceptions thereto, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Edward P. Paul & Company, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of porcelain products, art ware and gift ware in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the legend "Imported—Du Barry", or any other legends or words indicative of French origin, to designate or describe products made in whole or in substantial part in Japan, without clearly disclosing such Japanese origin.

2. Representing in any manner that products made in whole or in substantial part in Japan are of French or British origin.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-20876; Filed, Nov. 26, 1946;
8:53 a. m.]

TITLE 20—EMPLOYEES' BENEFITS
Chapter II—Railroad Retirement Board
PART 204—EMPLOYMENT RELATION

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U. S. C. 228j), Part 204 of the Regulations of the Railroad Retirement Board under such act (4 F. R. 1477) is revised, effective October 17, 1946, by Board Order 46-424 dated October 17, 1946, to read as follows:

- Sec.
204.1 Statutory provision.
204.2 Employment relation; determination by the Board.
204.3 Conditions which preclude an employment relation.
204.4 An employment relation by rendition of service.
204.5 An employment relation by grant of leave of absence.
204.6 Circumstances under which employee status is terminated.
204.7 Employment relation because of continuous disability.
204.8 Failure to be called because of disability.
204.9 Failure to work for a period of six months because of disability.
204.10 Reinstatement.
204.11 Evidence of disability.

AUTHORITY: §§ 204.1 to 204.11 inclusive, issued under sec. 10, 50 Stat. 314; 45 U. S. C. 228j.

§ 204.1 Statutory provision.

An individual shall be deemed to have been in the employment relation to an employer on the enactment date if (i) he was on that date on leave of absence from his employment, expressly granted to him by the employer by whom he was employed, or by a duly authorized representative of such employer, and the grant of such leave of absence will have been established to the satisfaction of the Board before July 1947; or (ii) he was in the service of an employer after the enactment date and before January 1946 in each of six calendar months, whether or not consecutive; or (iii) before the enactment date he did not retire and was not retired or discharged from the service of the last employer by whom he was employed or its corporate or operating successor, but (A) solely by reason of his physical or mental disability he ceased before the enactment date to be in the service of such employer and thereafter remained continuously disabled until he attained age sixty-five or until August 1945 or (B) solely for such last stated reason an employer by whom he was employed before the enactment date or an employer who is its successor did not on or after the enactment date and before August 1945 call him to return to service, or (C) if he was so called he was solely for such reason unable to render service in six calendar months as provided in clause (ii); or (iv) he was on the enactment date absent from the service of an employer by reason of a discharge which, within one year after the effective date thereof, was protested, to an appropriate labor representative or to the employer, as wrongful, and which was followed within ten years of the effective date thereof by his reinstatement in good faith to his former service with all his seniority rights: *Provided,* That an individual shall not be deemed to have been on the enactment date in the employment relation to an employer if before that date he was granted a pension or gratuity on the basis of which a pension was awarded to him pursuant to section 6,¹ or if during the last pay-roll period before the enactment date in which he rendered service to an employer he was not in the service of an employer, in accordance with subsection (C),¹ with respect to any service in such pay-roll period, or if he could have been in the employment relation to an employer only by reason of his having been, either before or after the enactment date in the service of a local lodge or division defined as an employer in section 1 (a).¹

§ 204.2 *Employment relation; determination by the Board.* The existence or non-existence of an employment relation as defined in section 1 (d) of the Railroad Retirement Act of 1937 is a conclusion which must be reached by the Board or its authorized representatives upon the basis of the evidence before it; the burden of formulating the conclusion may not be delegated to the employer or to the individual or to any representative of either; the employer or the individual or their representatives are the principal sources of evidence with respect to the facts constituting the conditions under which the individual was not in active service, but the Board will not make a determination on the basis of a conclusion of the employer or of the individual or of a representative of either to the effect that the individual had or had not an employment relation.

§ 204.3 *Conditions which preclude an employment relation.* (a) An individual

shall not be deemed to have an employment relation to an employer on the enactment date if before that date he was awarded a pension or gratuity by an employer which was the basis of a pension under section 6.¹

(b) An individual shall not have been on August 29, 1935, an employee by reason of an employment relation if during the last pay-roll period in which he rendered service to an employer prior to that date, such service was rendered outside of the United States to an employer not conducting the principal part of its business in the United States.

(c) An individual may not acquire an employment relation solely by virtue of service to a local lodge or division.

§ 204.4 *An employment relation by rendition of service.* Subject to the conditions set forth in § 204.3 an individual shall be deemed to have had an employment relation on the enactment date if he was in the compensated service of an employer, other than a local lodge or division, in six or more calendar months, after August 29, 1935 and before January 1946. The months of service need not be consecutive, and may be either before or after attainment of age sixty-five.

§ 204.5 *An employment relation by grant of leave of absence.* (a) An individual shall be deemed to have been in an employment relation to an employer on the enactment date if on that date he was on a leave of absence expressly granted to him by the employer by whom he was employed and such leave of absence is established to the satisfaction of the Board before July 1947.

(b) A leave of absence may have been granted either orally or in writing but it must have been in consideration of the circumstances in the individual case and must not have come into being automatically through the operation of a rule or practice applicable to a whole class or group of individuals.

(c) A leave of absence is action of the employer permitting or requiring the employee to remain away from active service and relieving the employee from the obligations or conditions attached to active service. It ceases to exist whenever the individual is reached in a reduction in force or when he retires or is retired under the conditions set forth in § 204.6. In order for a leave of absence to exist there must be a position to which the employee has a right to return.

§ 204.6 *Circumstances under which employee status is terminated.* An individual shall be deemed to have retired or to have been retired or discharged if there was a rule or practice in effect on the employer in accordance with which the individual's rights as an employee were terminated, or if he was discharged, was granted a continuing pension or gratuity, was superannuated, or if his record was closed out, or if the employee resigned or relinquished his rights or otherwise separated himself from employer service. Discharge, resignation, superannuation or retirement must be determined according to the substance of the transaction, even though the

¹ Railroad Retirement Act of 1937.

transaction may have been otherwise denominated.

§ 204.7 *Employment relation because of continuous disability.* Subject to the conditions set forth in § 204.3 an individual shall be deemed to have an employment relation on the enactment date if before that date his service was not terminated in accordance with § 204.6 and (a) he ceased to render service to an employer prior to the enactment date solely because of a physical or mental disability which rendered him unable to perform the duties of the position or positions in which he was employed or to which he had rights, and (b) he thereafter remained so disabled until he attained age sixty-five or until August 1945, whichever occurred first. If an employee ceased service because of a physical or mental disability and attained age sixty-five prior to the enactment date, he will have been in an employment relation provided his disability continued until age sixty-five and his employment status was not terminated prior to the enactment date. It is immaterial that had an individual recovered from a disability, after attaining age 65, or after July 1945, he could not have returned to service for some other reason. It likewise is immaterial whether an individual retained rights to return to service after the enactment date and thereafter until he attained age 65, or until August 1945, provided he remained disabled until the earlier of these two events.

§ 204.8 *Failure to be called because of disability.* Subject to the conditions set forth in § 204.3 and provided that retirement, within the provisions of § 204.6, did not occur prior to August 29, 1935, an individual shall be deemed to have an employment relation on the enactment date if on or subsequent thereto, and prior to August 1945, the employer by whom he was employed before the enactment date, or its successor, did not call him to return to service solely because he was physically or mentally disabled to perform the duties of the position or positions to which he otherwise would have been called. If the employee next junior to the individual was called to service from a seniority roster maintained by rule or practice during a period in which the individual was mentally or physically disabled, it will be considered prima facie evidence that the individual would have been called had he not been so disabled. *Provided,* There is nothing otherwise to show that the individual would not have been called and the employer affirmatively states that he would have been called. If an employer is unable to make such a statement because of lack of adequate records concerning the transaction other facts and circumstances will be determinative.

§ 204.9 *Failure to work for a period of six months because of disability.* Subject to the conditions set forth in § 204.3 an individual shall be deemed to have an employment relation on the enactment date if on or subsequent to August 29, 1935 and prior to August 1945, he was called to return to the service of an employer by whom he was employed prior

to the enactment date but solely because of his physical or mental disability he was unable to render service in six calendar months. In order to establish that an individual did not perform employer service in six calendar months solely because of physical or mental disability, it must be determined that no other circumstances existed which would have prevented the rendition of service for such period. It must be shown that the position to which he was called was of not less than six months duration and that he did not cease service prior to the sixth month because of retirement under any of the conditions specified in § 204.6 or because of leave of absence or for any personal reasons, not attributed to disability, or because of a suspension or furlough. If an individual was called for a job of six months duration and was unable to respond solely because of a disability, it is immaterial that he was not disabled either before or after that period. Likewise, it is immaterial whether an individual was disabled before or after each of two or more periods of service aggregating six or more months, if he remained disabled during the time that the positions were in evidence and while he was subject to call.

§ 204.10 *Reinstatement.* An individual shall be deemed to be in an employment relation to an employer on the enactment date if he was absent from the service of an employer on that date by reason of a discharge which was protested as being wrongful to an appropriate labor representative, or to the employer, within one year of the effective date of the discharge, and within ten years of such effective date he was reinstated in good faith to his former service with restoration of all his seniority rights. If the reinstatement was in good faith it is immaterial whether he received pay for time lost or whether he reentered the active service of the employer following the reinstatement. It is immaterial whether the discharge was wrongful; it is sufficient that it was protested as being wrongful. If the employee did not reenter the active service of an employer following his reinstatement, it must be shown that the reinstatement was made in contemplation of a return to active service. If an individual is required to pass a physical test as a condition of the reinstatement and does not do so, the reinstatement will not have occurred. However, if the individual is first reinstated and then fails to pass the required mental or physical examination as a prerequisite to return to active service his failure in this respect is not construed as evidencing any lack of good faith on the part of either the employee or the employer.

§ 204.11 *Evidence of disability.* The term "physical or mental disability" as used in this part relates to the ability of the individual to perform the duties of his regular occupation in accordance with the standards customarily recognized within the industry. Determinations of disability will be made on the basis of medical evidence furnished by the employer and by the employee as well as by other circumstances which are indicative of the individual's ability to

render service in his usual occupation. However, if an individual claiming to be physically or mentally disabled renders six or more months of service for hire and earns remuneration of not less than \$75 per month, or earns the equivalent of this amount in self-employment he will have been deemed to have recovered from his disability unless it is shown by convincing medical evidence that such is not the case.

Dated: November 15, 1946.

By authority of the Board.

MARY B. LINKINS,
Secretary.

[F. R. Doc. 46-20862; Filed, Nov. 26, 1946;
8:45 a. m.]

Chapter III—Social Security Administration (Old-Age and Survivors Insurance), Federal Security Agency

[Reg. No. 3,¹ Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

DISMISSAL OF HEARINGS AND APPEALS AND REMOVAL OF PROCEEDINGS

NOVEMBER 14, 1946.

Regulations No. 3, as amended (20 CFR, Cum. Supp. 403.1 et seq.), are further amended as follows:

1. Section 403.709 is amended by amending paragraph (j) and by adding a new paragraph designated (m) as follows:

§ 403.709 *Hearing.* * * *

(j) *Dismissal of request for hearing.* With the approval of the referee at any time prior to the mailing of the notice of the decision, a request for hearing may be withdrawn or dismissed upon the application of the party or parties filing the request for such hearing. Notice of the referee's action shall be given to the parties or mailed to them at their last known addresses.

A party may request the dismissal by filing a written notice of such request with the referee or orally stating such request at the hearing.

With the approval of the referee, a hearing may also be dismissed upon its abandonment by the party or parties filing the request for hearing. A party shall be deemed to have abandoned a hearing if neither the party nor his representative appears at the time and place fixed for the hearing and, either (1) prior to the time for hearing such party does not show good cause as to why neither he nor his representative can appear or (2) within 15 days after the mailing of a notice to him by the referee to show cause, such party does not show good cause for such failure to appear and failure to notify the referee prior to the time fixed for hearing.

(m) *Removal of hearings to Appeals Council.* The Appeals Council on its own motion may remove to itself or transfer to another referee any request for hearing pending before a referee. Any proceeding so removed to the Ap-

¹ 5 F. R. 1849.

peals Council shall be heard in accordance with the requirements of this section. Notice of such removal shall be mailed to the parties at their last known addresses.

2. Section 403.710 is amended by adding a new paragraph designated (g) as follows:

§ 403.710 *Appeals Council proceedings on certification and review.* * * *

(g) *Dismissal of proceedings before Appeals Council.* At any stage in proceedings pending before the Appeals Council, such proceedings may with the approval of the Appeals Council be withdrawn or dismissed upon the application of the party or parties filing the request for hearing or review. Such application may be made in writing or where appearance is made before the Appeals Council, orally at the time of such appearance. Upon the granting of an application for withdrawal or dismissal, notice thereof shall be given to all parties to the proceeding or mailed to them at their last known addresses.

(49 Stat. 647; secs. 205 (a) and 1102; 53 Stat. 1368; 42 U. S. C. 405 (a), 1302; sec. 4 of Reorganization Plan No. 2 of 1946, 11 F. R. 7873 and sec. 1 of Federal Security Agency Order 57, July 16, 1946, 11 F. R. 7943)

[SEAL] A. J. ALTMAYER,
Commissioner for Social Security.

Approved: November 21, 1946.

WATSON B. MILLER,
Federal Security Administrator.

[F. R. Doc. 46-20874; Filed, Nov. 26, 1946;
8:45 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bull. No. 69]

PART 01—ORGANIZATION, PROCEDURE AND SUBSTANTIVE RULES AND REGULATIONS

Correction

In Federal Register Document 46-15437, appearing at page 177A-868 of the issue for Wednesday, September 11, 1946, the following changes are made:

1. In the list of sections at the beginning of the document the word "relations" should read "regulations".

2. In paragraph (f) of § 01.1 the eighth line should read "missioner in the manner and to the ex-", and in the thirteenth line the word "these" should read "those".

Chapter II—Federal Savings and Loan System

PART 209—INTERPRETATIVE OPINIONS

Correction

In Federal Register Document 46-15115, appearing at page 9480 of the issue for Thursday, August 29, 1946, the following changes are made:

1. In the sixth line of § 209.11 the word "number" should read "member".

2. In the fifth line of § 209.23 the word "or" should read "of".

3. In the heading of § 209.24 the reference to "Federal Regulation 203.0 (d)" should read "§ 203.10 (d)".

4. The twenty-fourth line of § 209.29 (a) should read "applications for membership (with)".

5. In the fifteenth line of the second paragraph of § 209.45 (b) the word "As" should read "An".

6. In § 209.59 (b) the word "mortgages" in the fifth line should read "mortgagees".

7. In § 209.60 the second line of the heading should read "ment on construction loans; E. H. A.", and the twenty-second line of the third paragraph should read "in such loans is limited by § 203.10 (d) itself".

8. The last parenthetical phrase at the end of § 209.61 (a) should read "(See 24 CFR and Supps., 202.9 (a))".

Chapter III—Federal Savings and Loan Insurance Corporation

[Bulletin 31]

PART 0300—ORGANIZATION, PROCEDURE AND SUBSTANTIVE RULES AND REGULATIONS

Correction

In Federal Register Document 46-15434, appearing at page 177A-918 of the issue for Wednesday, September 11, 1946, the following changes are made:

1. The word "complies" in paragraph (b) (5) of § 0300.1 should read "complies".

2. The first line of paragraph (c) of § 0300.1 should read "(c) General counsel. The General Counsel,".

3. In § 0300.3 the fourth line of paragraph (b) should read "(see 24 CFR, and Supps. 2.1), or to the".

PART 303—INTERPRETATIVE OPINIONS

INTERPRETATIONS OF PROVISIONS OF PERTINENT STATUTES, RULES AND REGULATIONS

Correction

In Federal Register Document 46-15116, appearing at page 9499 of the issue for Thursday, August 29, 1946, the following changes are made:

1. The ninth line of the second paragraph of § 303.14 (a) should read "amount of such accounts is used, whether or not any of".

2. The word "access" in the twenty-sixth line of § 303.14 (b) should read "assess".

3. In the ninth line of the second paragraph of § 303.16 (b) the word "broadcast" should read "broadest".

Chapter IV—Home Owners' Loan Corporation

PART 400—ORGANIZATION AND PROCEDURE

Correction

In Federal Register Document 46-15521, appearing at page 177A-870 of the issue for Wednesday, September 11, 1946, the following changes are made:

1. The seventh line of § 400.207 (a) should read "tenancy occupancy, change of ownership".

2. In § 400.215 the nineteenth line should read "44. While substantial portions of the", and the seventh line of paragraph (c) should read "tract of sale, are set forth under 24 CFR".

3. In the first column on page 177A-879 the center headnote should read "Subpart B-2—Property Management Procedures".

4. The last line of § 400.404 should read "ments (§ 404.04-4)."

5. In the sixteenth line of the second paragraph of § 400.601 the following words should be inserted immediately preceding the word "evictions": "acquisition of title by deed in lieu of foreclosure".

6. The last line of paragraph (a) of § 400.601 should read "406.02-4a; 406.02-4b; 406.02-4d.)"

7. The second line of the last sentence of § 400.603 should read "with the approval of Regional Counsel,".

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

CERTAIN EXPORT LICENSES

ORDER EXTENDING VALIDITY

It is hereby ordered, That all outstanding export licenses, except licenses to export coal, Department of Commerce Schedule B No. 500100 and 500200, which expire by their own terms or the terms of the orders of extension dated September 19, 1946 (11 F. R. 10754), September 30, 1946 (11 F. R. 11367), October 10, 1946 (11 F. R. 12229) and October 29, 1946 (11 F. R. 12932), during the period December 2 through December 15, 1946, are extended through December 16, 1946, provided that shipments made under such licenses are exported by ocean carriers.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: November 20, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control,
Commodities Branch.

[F. R. Doc. 46-20871; Filed, Nov. 26, 1946;
8:56 a. m.]

[Amdt. 273]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSE

Section 802.9 *General in transit license "GIT"* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodity:

	<i>Schedule</i>
Commodity and Schedule B No.:	<i>L No.</i>
Beryllium metal, 664905-----	686

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat.

215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: November 19, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control,
Commodities Branch.

[F. R. Doc. 46-20872; Filed, Nov. 26, 1946;
8:54 a. m.]

[Amdt. 272]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The following commodity is hereby added to the list of commodities:

Dept. of Comm. Sched. B No.	Commodity	Unit	G.I.V. dollar value limits country group	
			K	E
664905	Beryllium metal....	Lb.....	None	None

2. The following commodities are hereby deleted from the list of commodities:

Dept. of Comm. Sched. B No.	Commodity
240100	Grass and field seeds: Alfalfa
240700	Kentucky blue grass.

Shipments of the commodity added to the list of commodities which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C.-App. Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: November 19, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control,
Commodities Branch.

[F. R. Doc. 46-20873; Filed, Nov. 26, 1946;
8:54 a. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 383, 79th Congress; 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; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1021]

ALVIN THOMAS AND ROBERT THOMAS

Alvin Thomas and Robert Thomas, 607 South 8th Street, Goshen, Indiana, on or about August 15, 1946, began and thereafter carried on without authorization from the Civilian Production Administration the construction of a building to be used as a service station at the Southeast corner of Sanders Avenue and Route U. S. 33, Goshen, Indiana, at an estimated cost of \$3500. The beginning and carrying on of this construction constituted a violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1021 *Suspension Order No. S-1021.* (a) The temporary suspension order against Alvin Thomas, and Robert Thomas is hereby revoked.

(b) Neither Alvin Thomas, Robert Thomas, their successors or assigns, nor any other person shall do construction on the premises located at the Southeast corner of Sanders Avenue and Route U. S. 33, Goshen, Indiana, including completing, putting up, or the altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(c) Alvin Thomas and Robert Thomas shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Alvin Thomas and Robert Thomas from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 25th day of November 1946.

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

[F. R. Doc. 46-20977; Filed, Nov. 25, 1946;
4:32 p. m.]

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

[Priorities Reg. 13, Direction 23, as amended Nov. 26, 1946]

DISPOSAL OF EDUCATIONAL EQUIPMENT BY GOVERNMENT DISPOSAL AGENCIES

The following direction is issued pursuant to Priorities Regulation 13:

(a) *Purpose of this direction.* There is a critical shortage in the supply of certain educational equipment required by nonprofit institutions participating in the Veterans' Educational Program. These institutions must have the equipment immediately in order to make the benefits of the program

available to the veteran students for whom the program is intended. The institutions are unable to obtain the equipment from other sources in time to take care of this program. The purpose of this direction is to make it possible for nonprofit educational institutions whose needs for equipment are certified by the Federal Works Agency to obtain immediately any of the needed equipment which is available in the hands of the government disposal agencies.

(b) *Effect of orders certified by FWA.*

(1) Unless otherwise specifically directed by the Civilian Production Administration or by the Housing Expediter, government disposal agencies must give precedence over orders from buyers in any other category (except holders of CPA urgency certificates or holders of Housing Expediter certificates) to orders from nonprofit educational institutions for equipment listed on Table A of this direction, when these orders have been certified by FWA as necessary to enable the educational institution to meet the requirements of the Veterans' Educational Program. Nonprofit educational institutions desiring to place purchase orders with a disposal agency under this direction should forward them immediately to the appropriate FWA division office in the region in which the institution is located for certification by FWA and transmission by it to appropriate disposal agencies.

(2) The government disposal agencies must fill each order given precedence under paragraph (b) (1) as quickly as possible, irrespective of the preferences of the Surplus Property Act.

(3) The price and terms of sale of specific equipment to such educational institutions will be determined by the government disposal agencies and are not affected by this direction. This direction does not apply to equipment which has been advertised or publicly offered for sale or to equipment located outside of the 48 states, the District of Columbia, Alaska, Hawaii, or Puerto Rico.

(c) *Expiration date.* This direction expires December 31, 1946.

Issued this 26th day of November 1946.

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

TABLE A

Educational equipment to be made available immediately to educational institutions under this direction. This direction applies only to items included in the indicated Standard Commodity Classification.

Standard commodity classification	Electrical Machinery and Apparatus
32 1200 1	Generator sets, 125 kw and under.
32 1200 2	
32 1200 3	
32 1400	Rotary converters.
32 1900	Miscellaneous electrical rotating equipment.
32 2100	Switchgear.
32 3000	Power conversion equipment (non-rotating rectifiers).
32 5000	Secondary distribution equipment and wiring devices.
<i>Woodworking Machinery and Equipment</i>	
33 6200	Sawing machines (power saws), except sawmills.
33 6300	Surfacing machines.
33 6400	Lathes, woodworking, except veneer lathes.
33 6500	Jointers, matchers, and molders.
33 6600	Mortisers and tenoners.
33 6800	Veneer and plywood machinery, including veneer lathes.

Standard commodity classification	Metalworking Machinery
34 1000	Machine tools.
	Secondary metal forming and cutting machines and equipment:
34 4111 1	Bending machines, plate and sheet roll, under 8' capacity, plate thickness under $\frac{3}{8}$ ".
34 4121 1	Plate and sheet roll levelers, under 8' width capacity, thickness under $\frac{3}{8}$ ".
34 4131 1	Plate and sheet-press and apron brakes, under and over 7' width capacity, but lighter than 15 gage.
34 4132 1	
34 4133 1	
34 4134 1	
34 4141 1	Plate and sheet beading rolls, lighter than 15 gage.
34 4145 1	Plate and sheet combination rolls, up to 15 gage.
34 4145 2	
34 4149	Miscellaneous plate or sheet roll forming machines.
34 4200	Hydraulic presses.
34 4300	Mechanical presses.
34 4400	Shearing and punching machines.
34 4500	Forging machinery.
34 4600	Wire forming machines.
34 4700	Manual presses.
34 4900	Miscellaneous secondary metal forming and cutting machines and equipment.
	Welding machinery and equipment:
34 5100	Electric welding equipment.
34 5200	Gas-welding machinery and equipment.
34 6000	Testing and measuring machines.
34 7100	Heat treating furnaces and devices (including hardening, annealing, tempering, normalizing, cyaniding, carburizing operations).
34 7200	Electroplating and anodizing equipment.
34 7300	Assembled fixtures and apparatus.
34 7400	Riveting machines.
34 7500	Metal heating furnaces and devices.
34 7600	Metal spraying equipment.
34 8000	Portable metalworking machines and tools (power driven).
	Tools, attachments and accessories for machine tools and other metal-working machines:
34 9100	Cutting tools for machine tools.
34 9200	Cutting and forming tools for metal forming machines.
34 9300	Attachments and accessories for machine tools.
34 9400	Tool room specialties.
	<i>Business Education Equipment</i>
38 1100	Punched card, bookkeeping, tabulating and accounting machines and collateral equipment.
38 1200	Billing machines, accounting principles, and collateral equipment except autographic registers.
38 2100	Adding machines.
38 2200	Calculating machines.
38 5000	Duplicating machines.
	<i>Communication Equipment and Electronic Devices</i>
41 1000	Radio broadcast receiving equipment.
41 2000	Radio broadcast transmitting apparatus.
41 3000	Commercial and specialized radio communications equipment, except broadcast.
41 4400	Object detection apparatus (Radar and Loran).
41 4500	Radio Goniometer equipment and similar apparatus (direction finders).
41 5000	Electronic tubes.
41 8000	Electronic equipment components and subassemblies.

Standard commodity classification	Heating Equipment
51 3130	Boilers, gas fired, 50 hp 600 psi.
51 3831	Pumps, circulating, $\frac{1}{2}$ gal. per min., motor driven.
51 4660	Humidifiers, cabinet type.
	<i>Furniture</i>
54 3000	Office furniture.
54 4200	School furniture.
54 4300	Auditorium furniture.
54 5100	Laboratory furniture.
54 8000	Industrial and factory furniture.
	<i>Optical Instruments and Apparatus</i>
56 6000	Laboratory research and testing instruments and apparatus, optical.
56 7000	Magnifying instruments.
56 8000	Optical elements and assemblies.
	<i>Indicating, Recording, and Controlling Instruments and Accessories</i>
57 1000	Temperature and hygrometric instruments and accessories.
57 2000	Electrical quantity instruments and accessories, except watt-hour meters (57 2600).
57 3000	Pressure measuring instruments, gauges, and accessories.
57 4000	Flow and liquid level instruments and accessories, except gas meters, domestic types (57 4400) and water meters, domestic type (57 4500).
57 5000	Mechanical motion, rotation, timing, and cycle instruments and accessories.
57 7000	Control valves and regulators, except voltage.
57 9000	Miscellaneous indicating, recording, and controlling instruments and accessories, except watches and clocks.
	<i>Professional and Scientific Instruments and Apparatus</i>
58 4360	Sterilizers, bacteriology and laboratory.
58 5100	Chemical laboratory apparatus.
58 5200	Laboratory testing instruments and apparatus.
58 5500	Physical chemistry and chemical physics instruments and apparatus.
58 5600	Physics study apparatus.
58 5700	Blowers and vacuum pumps, laboratory.
58 5800	Constant temperature apparatus and devices, laboratory.
58 6000	Balances and weights, laboratory.
	<i>Electrical Instruments and Apparatus</i>
58 8100	Drawing instruments and drafting machines.
58 8200	Drafting tools.
58 8300	Drafting accessories.
58 8400	Slide rules.
58 8700	Surveying instruments.
58 9000	Miscellaneous professional and scientific instruments and apparatus.
	<i>Glass and Clay Products Laboratory Ware</i>
77 5000	Technical and scientific laboratory glassware.
77 6130	China and porcelain laboratory ware.
	<i>Equipment for Cafeterias, Kitchens and Dining Rooms</i>
32 8400	Kitchen cooking appliances.
32 8500	Food preparation appliances, household and commercial.
51 6000	Cooking and warming equipment, commercial, except electric.
52 2000	Household mechanical refrigerator units (16 cu. ft. or less, self-contained).
52 3200	Commercial reach-in refrigerators, mechanical.

Standard commodity classification	Equipment for Cafeterias, Kitchens and Dining Rooms—Continued
52 8100	Refrigerators, ice, household.
52 8220	Ice refrigeration units, reach-in refrigerators.
75 1100	Cooking and kitchen utensils, household and commercial.
75 1300	Kitchen tools, except cutlery.
75 4100	Table and kitchen cutlery, household and institutional.
75 4200	Food processing cutlery.

[P. R. Doc. 46-20396; Filed, Nov. 26, 1946; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM
 [Priorities Reg. 32, Direction 5, as Amended Nov. 26, 1946]

SCRAP DEALERS' INVENTORIES OF LEAD AND TIN SCRAP

The following amended direction is issued pursuant to Priorities Regulation 32:

(a) *Purpose.* In view of the continued shortage of secondary tin and lead, this direction restricts deliveries of scrap containing tin or lead to scrap dealers based upon their inventory and previous sales. It also tells how a person who wants to go into the business of being a scrap dealer may get Civilian Production Administration permission for an initial inventory to start operations. In addition, there is a restriction on brokers' or dealers' receipts of prepared used tin cans.

(b) *Restriction on receipts of scrap.* Except as provided in paragraph (g), no person may accept any delivery of scrap (as defined below) unless:

(1) After accepting the delivery his inventory would be one short ton or less (whether or not he is a scrap dealer), or

(2) (i) He is a scrap dealer; and (ii) his inventory of scrap (excluding the amount to be accepted) on the date of such acceptance of delivery is equal to or less than the amount of scrap by weight which he has delivered to others during the preceding 60 days; and (iii) he shall have filed such reports as may from time to time be required by the Civilian Production Administration.

(c) *Persons not established as scrap dealers.* Any person who is not but wishes to become a regular scrap dealer and therefore has no inventory of scrap must apply by letter to the Civilian Production Administration for permission to get an initial inventory in excess of one ton. This letter should state how much scrap he needs to start operating as a scrap dealer, the classes of persons he intends to buy from and sell to, and any other information to help the Civilian Production Administration decide whether he intends to become a regular scrap dealer.

(d) *Prepared used tin cans.* Except as provided in paragraph (g) no broker or dealer may accept delivery of any prepared used tin cans if his inventory of prepared used tin cans is or will by virtue of the acceptance become more than 60,000 pounds.

(e) [Deleted Nov. 26, 1946.]

(f) *Reports.* All scrap dealers having an inventory of tin and lead scrap of 20 short tons or more shall file with the Bureau of Mines, as agent for the Civilian Production Administration, Ref: PR-32, on or before the 10th day of each month, on form Bureau of Mines 6-1112M, reports showing tin and lead scrap inventory, purchases, sales and such other information as may be required.

(g) *Exceptions.* This direction does not prohibit the acceptance of scrap or prepared used tin cans in transit on October 24, 1945.

This direction also does not apply to smelters, manufacturers, detinners or other users. Their inventories are controlled by other Civilian Production Administration orders and regulations such as M-38, M-43 and Priorities Regulation 32.

(h) *Definitions.* As used in this direction:

(1) "Scrap" means all materials or objects which are the waste or byproduct of industrial fabrication or which have been discarded on account of obsolescence, failure or other reasons, and which contain lead or tin, or alloys or lead products containing lead or tin, in a form making such scrap suitable for industrial use including smelting. However, the word "scrap" as used in this direction does not include used tin cans or used tinplate crowns, screw caps or similar closures for containers.

(2) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap, which includes the functions of baling, sorting, pressing, shearing or otherwise preparing scrap for resale to users.

(3) "User" means any person, other than a scrap dealer, who consumes scrap in his operations, including melters and smelters.

(4) "Used tin can" means any used container made in whole or in part of tinplate which is not to be reused for packing a product.

(5) "Prepared used tin can" means a used tin can which has been thoroughly cleaned so as to remove all organic matter (including paper labels), the ends removed or sufficiently loosened to be folded within the container, and the sides flattened.

(i) *Communications.* All communications concerning this direction, including any appeals, shall, unless otherwise directed, be addressed to the Civilian Production Administration, Tin, Lead and Zinc Division, Washington 25, D. C. Ref.: PR-32, Direction 5.

(j) *Applicability of Priorities Regulation 32.* All provisions of Priorities Regulation 32 apply to the materials covered by this direction except to the extent this direction gives different rules.

Issued this 26th day of November 1946.

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

[F. R. Doc. 46-20998; Filed, Nov. 26, 1946;
11:32 a. m.]

PART 3118—CONSUMERS' GOODS INVENTORIES

[Consumers' Goods Inventory Limitation Order L-219, as Amended, Nov. 26, 1946]

CONSUMERS' GOODS INVENTORIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of consumers' goods for defense, for private account, and for export; and the following order, limiting consumers' goods receipts and providing for inventory reports, is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3118.1 *Consumers' Goods Inventory Limitation Order L-219—(a) Definitions.* For the purposes of this order:

(1) "Consumers' goods" means goods suitable in form and type for sale to individual ultimate consumers for personal or household use, including but not limited to goods on List B, attached to Order L-219. Consumers' goods do not include producers' goods such as farm implements, goods used in rendering personal

services such as shoe repairing, or goods sold for consumption on the vendor's premises such as fountain and restaurant fare. Consumers' goods shall not include any food or beverage for human or animal consumption, or any fuel oil, gasoline, motor oil, grease, or allied petroleum products.

(2) "Mercantile inventory" means the stock of consumers' goods held for sale by a person engaged in marketing such goods, including goods he has purchased for resale, goods he has manufactured for sale, stock consigned to him for sale, and stocks held by him on memorandum for sale.

(i) Mercantile inventory shall not include factory inventory. "Factory inventory" is an inventory of consumers' goods which are stored by the manufacturer of such goods at, or in the immediate vicinity of the place where their manufacture was completed and which are not being offered for sale to individual ultimate consumers, or to independent dealers who sell to individual ultimate consumers, and who in most instances carry in stock less than \$200 worth of consumers' goods of all kinds, at cost value. Nothing contained in this subparagraph shall be construed as indicating that such independent dealers are controlled merchants.

(ii) Stocks on consignment or on memorandum for sale are to be included in the inventory of the person actually holding them for sale, and in such case are to be excluded from the inventory of the owner. Stocks on consignment or on memorandum to a person not holding them for sale are to be included in the inventory of the owner.

(iii) Goods in transit may be either included in or excluded from inventory: *Provided*, That in all computations, records, reports, and other matters pursuant to this order, they are consistently treated by the merchant in accordance with his prior accounting or income tax return practice. Goods shall cease to be considered in transit not later than one business day after they are delivered to a merchant on his premises, to his warehouse, or to a commercial warehouse for his account; except that dutiable imported consumers' goods may be considered in transit until the import duty is paid.

(iv) Goods are held for sale and are considered as part of "inventory" even though they are not currently offered for sale but are stored in a warehouse or elsewhere, with a view to sale at some future time, e. g., seasonal goods during the off season and goods held for speculative purposes. Goods held on the "lay-away" plan pending payment of the purchase price may be included in or excluded from inventory: *Provided*, That in all computations, records, reports and other matters pursuant to this order, they are consistently treated by the merchant in accordance with his prior accounting or income tax practice.

(3) "Merchant" means any person engaged in retailing, wholesaling, jobbing or otherwise marketing consumers' goods, either of his own or another's manufacture, who maintains a mercantile inventory.

(4) "Controlled merchant" means any merchant not in any of the exempt categories established by paragraph (b), who:

(1) On or after December 1, 1946, either had a mercantile inventory of consumers' goods having a cost value of \$100,000 or more at the beginning of any quarter of his federal income tax years, or, during the twelve months preceding the beginning of any quarter of his federal income tax years, had net sales of consumers' goods of \$400,000 or more.

(ii) Any merchant who is or becomes a "controlled merchant" within the foregoing definition shall cease to be a "controlled merchant" if, at the beginning of each of any four consecutive quarters thereafter, his mercantile inventory has a cost value of less than \$100,000 and in addition, he has failed during the preceding twelve months to make net sales of consumers' goods of \$400,000.

(5) "Net sales" means the amount of a merchant's gross sales of goods in dollars, including sales of goods shipped direct from a vendor to the merchant's customer, less all returns, allowances, rebates, discounts and other proper deductions. In the case of a merchant who is also engaged in manufacturing, his net sales shall not include any sales made, as a manufacturer, out of his factory inventory.

(6) "Cost value" or "cost" of goods received, sold or in inventory means the value in dollars of such goods computed by any single method of valuation which the merchant uses consistently and which meets the requirements of generally accepted accounting practice for determining the asset value of goods, e. g., income tax practice. Goods held for sale on consignment and on memorandum are to be valued at not less than the amount which the person holding them for sale would be obligated to remit to the owner if all of them were sold. Incoming transportation costs and work-room charges shall also be included in the value of goods on consignment or on memorandum if they are included in the cost value of comparable purchased goods in the inventory of the person holding them for sale. Retail merchants who consistently employ what is known as the "retail method" of pricing inventories may reduce their inventories to cost by the method prescribed for federal income tax purposes.

(7) "Inventory year" of a merchant means the recurrent twelve calendar month period beginning either December 1, January 1, or February 1, of each year, whichever corresponds with the beginning date of a quarter of his federal income tax year. An inventory year is designated by the number of the calendar year in which most of its months fall. For example, whichever of the inventory years commencing December 1, 1942, January 1, 1943, and February 1, 1943, is selected by a merchant, is his 1943 inventory year within the meaning of this order. Each inventory year shall consist of four "quarterly periods" of three calendar months each except for the

following options: Any merchant who keeps his books of account on the basis of an annual fiscal period divided into four periods of thirteen weeks each may adopt an inventory year of four thirteen-week "quarterly periods", each divided into a four-week "month", a five-week "month" and a four-week "month", in that order. Any merchant who keeps his books of account on the basis of an annual fiscal period divided into thirteen periods of four weeks each may adopt an inventory year of four "quarterly periods", in which the first "quarterly period", shall consist of sixteen weeks, divided into a five-week "month", a six-week "month" and a five-week "month", in that order, and the second, third and fourth "quarterly periods" shall each consist of twelve weeks, divided into three four-week months". Any merchant who keeps his accounts on the basis of either of these types of fiscal year may use a date other than December 1, January 1, or February 1 as the first day of his inventory year: *Provided*, That the date selected is as near as possible to that beginning date of a quarter of his federal income tax year which falls nearest one of those three dates.

(8) "Base period" means a period of three inventory years, commencing with the beginning date of the merchant's 1939 inventory year. Ordinarily, this date will be December 1, 1938, January 1, 1939, or February 1, 1939. Any controlled merchant who lacks records for part or all of the base period so computed shall use as his special base period all the complete consecutive quarterly periods between December 1, 1938, and February 1, 1942, for which he has records. If the number of such quarterly periods is less than four, additional periods shall be taken from his 1942 inventory year sufficient to complete a single year. This treatment of inventory and sales data for such special base period shall conform as strictly as possible to the treatment of inventory and sales data for the base period prescribed in Appendix A attached to Order L-219. If a going business has changed owners since the commencement of the period which, but for such change, would have been its base period, and if the current owner possesses or can obtain the necessary data concerning his predecessor's operations, he shall compute the normal inventory of such business as if he had been its owner throughout. A controlled merchant who is unable to establish a base period, including 1942, of at least four consecutive quarterly periods, shall apply to the Civilian Production Administration for instructions, stating his monthly sales and inventories.

(9) "Normal inventory" means a mercantile inventory at the beginning of a quarterly period with a cost value no larger in relation to a merchant's projected sales during that quarterly period than he would carry at the beginning of that quarterly period when following his normal base period merchandising practices. In no event shall the normal inventory figure used by a merchant in determining his inventory limit exceed a figure correctly computed from his past inventory and sales experience by the method described and illustrated in Ap-

pendix A attached to Order L-219, and employed on Forms CPA or WPB-1620 and CPA or WPB-1621.

(10) "Normal receipts" as used in paragraph (d), means the dollar amount of consumers' goods at cost value which a merchant will need during any quarterly period to complete his anticipated sales during that quarterly period and to begin his next succeeding quarterly period with his normal inventory, less the cost value of the mercantile inventory which he has at the beginning of the quarterly period. Except for merchants who elect, under paragraph (1), to use the "retail method", the normal receipts of a merchant shall be a figure correctly computed from the merchant's previous experience with respect to sales and cost of goods sold by the method described and illustrated in Appendices A and C attached to Order L-219 and employed on Form CPA or WPB-1621. However, if the normal receipts figure thus computed is less than one-third of the cost of goods sold by the merchant during the preceding quarterly period, then he may use as his normal receipts figure an amount not exceeding one-third of the cost of goods sold during the preceding quarterly period.

(i) Nothing in this paragraph shall be construed as permitting a merchant whose mercantile inventory at the beginning of any quarterly period is greater than his inventory limit to receive during such quarterly period an amount of consumers' goods in excess of his "allowable receipts" calculated in accordance with paragraph (d).

(11) "Cost of goods sold" means the cost value of goods removed from mercantile inventory by sale, spoilage, shrinkage reserve, consignment to another person or other proper deduction in accordance with generally accepted accounting practice consistently used by the merchant, plus the cost value of goods shipped direct from a vendor to the merchant's customers.

(12) "Receipts of consumers' goods" means the cost value of consumers' goods acquired by a merchant by purchase, consignment, memorandum, or otherwise, in such a way and to such an extent that they became part of the merchant's mercantile inventory, plus the cost value of consumers' goods shipped direct from a vendor to the merchant's customers. For the purposes of this order consumers' goods manufactured by a merchant are to be considered receipts by him when they first become part of his mercantile inventory. Examples are:

(i) Consumers' goods become mercantile inventory when they are transferred from factory inventory to a stock-carrying branch warehouse inventory.

(ii) Consumers' goods which are held at or in the immediate vicinity of the place where their manufacture was completed become mercantile inventory when the manufacturer first offers them for sale to individual ultimate consumers or to independent dealers as provided in paragraph (a) (2) (i) of this order.

(13) "Frozen goods" means those consumers' goods in the mercantile inventory of a controlled merchant which he

is selling at a substantially less rapid rate than normal, due to governmental regulations which specifically restrict the sale of those consumers' goods, to preferred classes of persons based upon special need.

(14) "Footwear", as used in paragraphs (b) (4) and (i) (2), means the following items, regardless of the materials of which they are made: all types of shoes, including athletic shoes, slippers, moccasins, sandals, rubbers, rubber boots, sneakers, waders, arctics, overshoes, galoshes, and the like. "Footwear" does not include hosiery, leggings, or spats.

(b) *Exemption of certain types of business.* The provisions of paragraph (d) and paragraph (e) of this order shall not apply to any merchant in any of the following exempt categories.

(1) Any merchant more than fifty per cent of whose aggregate net sales of all kinds of goods during his most recently completed inventory year were sales of goods listed on List A.

(2) Any merchant engaged in retailing, wholesaling, jobbing, or otherwise marketing consumers' goods entirely outside the forty-eight States and the District of Columbia.

(3) Any governmental corporation, including any United States Army or Marine Corps post exchange, any United States Navy or Coast Guard ship's service department and any War Shipping Administration training organization ship's service activity.

(4) Any merchant 90% or more of whose aggregate net sales of all kinds of goods during his most recently completed inventory year were sales of footwear.

(c) *Calculation of inventory limit.*

(1) As used in paragraph (d) and paragraph (e), the "inventory limit" of a controlled merchant at the beginning of any quarterly period of his inventory year shall mean his normal inventory as of the beginning of that quarterly period plus the percentage of such normal inventory to which he is entitled as tolerance, computed by the method described and illustrated in Appendix B attached to Order L-219, and employed on Form CPA or WPB-1621. Except for merchants who elect under paragraph (1) to use the "retail method", the percentage of tolerance shall be as follows:

(i) With respect to mercantile inventories in the Eastern and Central Time Zones, the percentage of tolerance shall be 10%. If a merchant's net sales of furniture are at least 75% of his total net sales the percentage of tolerance shall be 15%.

(ii) With respect to mercantile inventories in the Mountain and Pacific Time Zones, the percentage of tolerance shall be 15%. If a merchant's net sales of furniture are at least 75% of his total net sales the percentage of tolerance shall be 22½%.

(2) The Civilian Production Administration may issue specific instructions increasing the normal inventory figure of a controlled merchant. It may also issue specific instructions increasing or decreasing the percentage of tolerance of a controlled merchant. A request for an increased normal inventory figure or an increased percentage of tol-

erance, or both, may be made by filing Forms CPA or WPB-1620, CPA or WPB-1621 and CPA or WPB-1622, accompanied by a letter in triplicate stating the reasons which he considers warrant such an increase.

(d) *Restrictions on receipts of consumers' goods.* (1) No controlled merchant whose mercantile inventory at the beginning of any quarterly period of his inventory years is greater than his inventory limit shall have receipts of consumers' goods during the quarterly period which in dollar amount exceed his "allowable receipts". He shall correctly calculate his allowable receipts as follows:

(i) He shall multiply his normal receipts computed as provided in paragraph (a) (10), by the appropriate percentage selected from the following table, in accordance with the method described and illustrated in Appendix E attached to Order L-219, and employed on Form CPA or WPB-1621:

If the merchant's mercantile inventory exceeds his normal inventory by:	<i>His allowable receipts of consumers' goods shall be the following percentage of his normal receipts:</i>
0 to and including 25% -----	100%
26% to and including 50% -----	75%
51% to and including 100% -----	50%
Over 100% -----	40%

(2) A controlled merchant whose mercantile inventory is greater than his inventory limit at the beginning of any quarterly period of his inventory years shall not receive more than one-third of his allowable receipts for such quarterly period during the first month of that quarterly period, and he shall not receive more than two-thirds during the first two months of that quarterly period.

(3) The Civilian Production Administration may issue specific instructions increasing or decreasing the allowable receipts of a controlled merchant. A controlled merchant may make a request for increased allowable receipts by filing Form CPA or WPB-1620, Form CPA or WPB-1621, and Form CPA or WPB-1622, accompanied by a letter in triplicate, stating the reasons which he considers warrant such an increase.

(4) [Deleted Jan. 29, 1946.]

(e) *Special reports.* Whenever a controlled merchant is required to make a report to the Civilian Production Administration, as provided in paragraph (e) (1), he shall fill out such report in duplicate, mail one copy to the Civilian Production Administration and retain the other copy in his possession.

(1) Any controlled merchant having a mercantile inventory which is greater than his inventory limit at the beginning of any quarterly period of his inventory years, shall make each of the following reports to the Civilian Production Administration:

(i) A report on Form CPA or WPB-1621 on or before the 25th day of the first month of such quarterly period, together with Form CPA or WPB-1620. (Form CPA or WPB-1620 is to be submitted once only, at the time of the first filing of Form CPA or WPB-1621.)

(ii) A report on Form CPA or WPB-1962, on or before the twenty-fifth day

of the third month of such quarterly period.

(iii) A report on Form CPA or WPB-1962, on or before the twenty-fifth day of the third month of such quarterly period.

(iv) A report on Form CPA or WPB-1621, on or before the twenty-fifth day of the first month of the following quarterly period.

(f) *Corporate combinations and similar enterprises*—(1) *Consolidated inventories and reports.* Except as otherwise provided in paragraphs (g) and (h), every person affected by this order shall, when computing the quantity of his sales, his mercantile inventories, his receipts, and other matters pursuant to this order, include the sales, mercantile inventories, receipts and other matters of all stores, branches, divisions and sections of his enterprise and of any other enterprise under common ownership or control with his enterprise. Moreover, the reports relating to such sales, inventories and other matters shall be consolidated and shall include the sales, inventories and other matters of all branches, divisions, or sections of all enterprises under common ownership or control without regard to corporate or other distinctions between such enterprises. Concessions and leased departments shall be treated as enterprises separate from the business of the merchant whose premises they occupy, unless under common ownership or control with such business.

(2) *Intra-company and inter-company sales.* In all computations and reports pursuant to this order, transactions within the enterprise of a single person or between stores, branches, divisions or sections of enterprises subject to common ownership or control, shall not be counted as sales or as receipts of goods, even though designated on the books of such enterprise or enterprises as sales or receipts, with the following exceptions:

(i) If one or more establishments, belonging to a group of establishments under common ownership or control, engage in manufacturing and their records are consolidated under this order, the consumers' goods manufactured by such establishments are to be considered receipts (as defined in paragraph (a) (12)) by that group of establishments when such goods first become part of its mercantile inventory.

(ii) If, pursuant to paragraph (g) or paragraph (h), establishments under common ownership or control are treated as separate entities for the purpose of this order, transfers of consumers' goods from one such establishment to another are to be deducted from the mercantile inventory of the transferor, and counted as receipts by the transferee, but the transferor shall not include in his net sales the amount of money, credit or property received in exchange for such goods.

(g) *Separate accounting for company stores.* (1) If any person, as an incident of his principal business, carries on a business enterprise consisting of one or more company stores, commissaries, industrial stores, or other similar type of business enterprise marketing consumer goods chiefly to the employees of such

person and their families, then that person shall determine whether such incidental enterprise is a controlled merchant as defined in paragraph (a) (4) of this order and not exempt under paragraph (b) when separately considered.

(2) If such incidental enterprise is, in itself, a controlled merchant, then, even though the principal business of that person may consist of sales of goods on List A, such person shall keep the records, report the inventories, and restrict the receipts of goods of such incidental enterprise as a separate entity. Such person shall exclude the sales, inventories, and receipts of goods of such incidental enterprise from computations and other matters respecting his principal business.

(h) *Separate accounting for ownership groups.* If a controlled merchant consists of a number of establishments, each of which would be a controlled merchant if considered separately, which are substantially independent with respect to merchandising, buying, warehousing, selling, advertising, management, and accounting, and in the operation of which the controlled merchant does not practice centralized buying for, centralized storage for, or interchange of stocks among the constituent establishments, such controlled merchant may elect by written notice to the War Production Board, mailed before February 1, 1943, to keep the records, report the inventories, and restrict the receipts of goods of each such constituent establishment as a separate entity.

(i) *Segregation of goods*—(1) *Consumers' goods.* Any merchant who is engaged in marketing both consumers' goods and other goods may include such other goods with consumers' goods in calculating inventories, sales, receipts of goods, and all other matters under this order if such other goods are consistently included and if their exclusion would be impracticable. The exclusion of such goods from consumers' goods may be considered impracticable only when such exclusion would require the compilation of data respecting the base period which that merchant does not already have available and which could be compiled, if at all, only by re-examining his original records of sales, purchases and inventories during the base period.

(2) *Footwear.* A controlled merchant who sells footwear, but who is not exempt under paragraph (b) (4), may, except for the purpose of determining whether he is a controlled merchant, exclude the dollar amount of such footwear in calculating inventories, sales, receipts of goods, and all other matters under this order: *Provided,* That he makes such exclusion of footwear consistently in his base period and current computations. If it is impracticable for him to make such exclusion of footwear, he may apply, by letter in triplicate, to the Civilian Production Administration for instructions, setting forth any method by which he believes such exclusion may be made with reasonable accuracy.

(j) *Consistency in accounting.* In the valuation of inventories, in the computation of net sales and costs of goods

sold, and in all other matters of accounting under this order unless otherwise specifically authorized by the War Production Board or by the Civilian Production Administration, a merchant must use those accounting methods and figures which are in accordance with his books of account or his income tax returns, which meet the requirements of generally accepted accounting practice for the particular purpose, and which he has consistently employed since the beginning of his base period. If, since that date, there has been a material change or inconsistency in his accounting practice affecting valuation of inventories, computation of his net sales, cost of goods sold, or other matters of accounting under this order, or if his customary accounting methods do not meet the requirements of accepted accounting practice, he shall apply by letter to the Civilian Production Administration for specific instructions concerning the adjustments, if any, to be made, stating in such letter the nature of the change or inconsistency, or the variance from accepted practice.

(k) *Inter-relation with Suppliers' Inventory Limitation Order L-63 and other inventory orders and regulations.* (1) Nothing in this order shall be construed to relieve any person of the duty of complying with § 1046.1, Suppliers' Inventory Limitation Order L-63. Any controlled merchants who market supplies, as defined in Order L-63, and who are not exempt from this order by virtue of paragraph (b) (1), shall not only comply with any restrictions of Order L-63 applicable to their operations but shall also comply with the provisions of this order without distinction between those consumers' goods which are supplies and other consumers' goods.

(2) The provisions of this order do not permit the accumulation of inventories of any item of material in contravention of the provisions of any other applicable order or regulation of the Civilian Production Administration. Specifically, a merchant may not accept any item of consumers' goods if his inventory of that item is, or will be, more than a practicable minimum working inventory as defined in Priorities Regulation 32.

(3) [Deleted Nov. 26, 1946.]

(1) *Optional use of the "retail method."* Any retail merchant who employed during his base period what is known as the "retail method" of pricing inventories may elect to value his mercantile inventory and to compute his allowable receipts at retail, rather than at retail reduced to "cost" or "cost value," on the following conditions:

(1) He shall employ a percentage of tolerance two per cent lower than he would otherwise be entitled to use under the provisions of paragraph (c) (1).

(2) He shall consistently value his goods at retail wherever the provisions of this order specify the use of "cost value" or "cost," except for the purpose of determining whether he is a controlled merchant under paragraph (a) (4).

(3) His normal receipts at retail shall be a figure correctly computed from the merchant's previous experience with respect to sales and mark-downs by the method described and illustrated in Appendix D attached to Order L-219, and employed on Form CPA or WPB-1621. However, if the normal receipts figure thus computed is less than one-third of the sum of his net sales and mark-downs during the preceding quarterly period, then he may use as his normal receipts figure an amount not exceeding one-third of the sum of his net sales and mark-downs during the preceding quarterly period.

(i) Nothing in this paragraph shall be construed as permitting a merchant whose mercantile inventory at the beginning of any quarterly period is greater than his inventory limit to receive during such quarterly period an amount of consumers' goods in excess of his allowable receipts calculated in accordance with paragraph (d).

(iii) [Revoked July 10, 1943]

(4) His markdowns at retail used in computing his normal receipts at retail shall not be a greater percentage of his projected sales than his markdown percentage in the corresponding quarterly period of the preceding inventory year.

(m) *Special deductions*—(1) "Frozen goods." Except for the purpose of determining whether he is a controlled merchant, a controlled merchant may deduct from the cost value of his mercantile inventory on hand at the beginning of any current quarterly period an amount in dollars equal to the cost value on that date of his mercantile inventory of any kind of "frozen goods" which he has had in his mercantile inventory more than four months, minus the cost value of the "frozen goods" of that kind sold by him during the immediately preceding quarterly period.

(2) [Deleted Jan. 29, 1946.]

(3) *Military and naval apparel.* Except for the purpose of determining whether he is a controlled merchant, a controlled merchant licensed by the United States Army exchange service or by the United States Navy may exclude from his current computations, provided he does so consistently, his current receipts, sales and inventories of those articles of apparel, and only those, bearing the labels "made and sold under the authority of the United States Navy", or labels properly authorized by the Army exchange service, War Department, and prescribed for articles for the regulation Army officers' uniforms.

(4) *Surplus goods.* Except for the purpose of determining whether he is a controlled merchant, a controlled merchant may exclude from his current computations under Order L-219, if he does so consistently, his current receipts, sales and inventories of all materials and finished products purchased by him from a seller making a special sale under CPA Priorities Regulation 13.

(n) *Special transactions.* (1) Any controlled merchant whose receipts are restricted under paragraph (d), but whose actual receipts are not in excess

of his allowable receipts, may exchange consumers' goods with other persons without including the goods so acquired in computing his receipts of consumers' goods: *Provided, That:*

(i) If, during the quarterly period in which the exchange occurs, his monthly or quarterly receipts up to the date of the exchange have been less than his allowable receipts for the period, he shall include in his receipts of consumers' goods for that quarterly period the amount, expressed in dollars, of any consideration which he pays or contracts to pay to the person with whom he makes the exchange to compensate such person for the difference in dollar value between the consumers' goods exchanged, and

(ii) If, during the quarterly period in which the exchange occurs, his monthly or quarterly receipts up to the date of the exchange equal his allowable receipts for the period, he may not deliver consumers' goods less valuable than those he receives in exchange, if the difference between the values of the goods exchanged, expressed in terms of dollars, exceeds five percent (5%) of the dollar value of the goods delivered.

(2) If a merchant whose receipts are restricted under paragraph (d), but whose actual receipts are not in excess of his allowable receipts, transfers any portion of his mercantile inventory by sale (other than by way of exchange) effected outside his ordinary method of doing business, he may, while his receipts continue to be thus restricted, apply to the Civilian Production Administration, by letter, in triplicate, for an increase of his allowable receipts to the extent of the amount, expressed in dollars, of the consideration he received from such special sales. In making such application he shall state the dollar amount of such sales for which he has not already been granted increased allowable receipts. In addition, he shall state with respect to each such special sale the date of the sale, the goods sold, the amount, expressed in dollars, of the consideration he received, the purchaser's name, address and field of business operation.

(3) A controlled merchant shall not include in his net sales, to be used in calculating his projected sales during succeeding quarterly periods, the amount of consumers' goods transferred, by exchange or otherwise, to other persons in special transactions effected outside his ordinary method of doing business.

(4) Nothing in this paragraph shall be construed to prohibit any controlled merchant, whose inventory was not greater than his inventory limit at the beginning of any quarterly period, from making exchanges of consumers' goods.

(o) *Miscellaneous reports.* Merchants shall execute and file with the Civilian Production Administration such reports and answers to questionnaires as the Civilian Production Administration may from time to time request, including reports concerning the sales and inventories of subsidiaries, branches or sales units, or of separate retailing or wholesaling divisions, or of particular departments or lines of merchandise.

(p) *Records.* (1) Every merchant shall preserve those records concerning his operations necessary to determine whether he is a controlled merchant.

(2) Every controlled merchant shall preserve his records concerning sales and inventories during the base period until further notice. Complete and accurate records kept on Form CPA or WPB-1620, will satisfy this requirement.

(3) Every controlled merchant shall prepare and preserve for a period of at least two years accurate and complete records concerning his sales, inventories, cost of goods sold, and receipts of goods in such form that the extent of his compliance with this order can readily be ascertained. Complete and accurate records kept on Forms CPA or WPB-1620 and CPA or WPB-1621, and such other forms as are issued from time to time will satisfy this requirement.

(q) *Miscellaneous provisions.*—(1) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Civilian Production Administration.

(2) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the Civilian Production Administration, as amended from time to time.

(3) *Appeals.* Any person subject to any requirement of this order, who considers that compliance therewith would work an exceptional or unreasonable hardship upon him, may appeal by filing Forms CPA or WPB-1620, CPA or WPB-1621 and CPA or WPB-1622, accompanied by a letter in triplicate, referring to the particular provisions of this order from which he appeals, and stating fully the grounds of his appeal.

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

(5) *Communications to the Civilian Production Administration.* All reports, when ordered to be filed, and all communications concerning this order shall, unless otherwise directed, be sent to the Civilian Production Administration, Wholesale and Retail Branch, Washington 25, D. C. Ref.: L-219.

(r) *Effective date of this amendment.* Order L-219 as amended January 29, 1946 shall take effect February 1, 1946. Until that time L-219 as amended July 10, 1943 remains in effect.

Issued this 26th day of November 1946.

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

LIST A—LINES OF GOODS (WHETHER OR NOT CONSUMERS' GOODS) QUALIFYING MERCHANTS FOR EXEMPTION

- Antiques.
- Coal, fuel oil, gasoline and miscellaneous heat or power fuel.
- Coffins, burial caskets, and burial vaults.
- Farm machinery and equipment, and attachments and repair parts therefor.
- Coffins, burial caskets, and burial vaults.
- Foods and confections.
- Grain.
- Hay.
- Ice.
- Jewelry having a selling price of \$200 or more per piece.
- Lumber and building materials, except hardware.
- Motor oil and grease.
- Motor vehicles and motor vehicle replacement parts.
- Non-alcoholic beverages.
- Rubber tires.
- Second-hand goods.
- Stock food.
- Seeds for farm use.
- Tobacco products, such as cigarettes, cigars, chewing and smoking tobacco.
- Typewriters.
- "Consumers' goods" imported into the United States.
- Supplies, as defined in § 1046.1 *Suppliers' Inventory Limitation Order L-63*, concerning which the merchant is required to keep and actually keeps records.

LIST B

NOTE: "Furs" and "jewelry and silverware" deleted Jan. 29, 1946.

Consumers' goods shall be considered as including the commodities listed below, but this list is not intended to be exhaustive, and all items coming within the definition contained in paragraph (a) (1) shall be considered consumers' goods for the purpose of the order.

- Women's, misses', wearing apparel.
- Women's, misses' accessories.
- Baby goods.
- Men's and boys' clothing.
- Men's and boys' furnishings.
- Work clothing.
- Footwear.
- Hosiery, underwear, negligees and robes.
- Gloves, handbags and millinery.
- Aprons, house dresses and uniforms.
- Corsets and brassieres.
- Lace, trimmings, and ribbons.
- Notions.
- Toilet articles and toiletries (such as cosmetics, shaving equipment and soaps).
- Clocks and watches.
- Umbrellas.
- Art, needlework and yarns for home use.
- Paper and paper products, stationery, books.
- Giftwares.
- Piece goods (silks, velvets, rayons and synthetics, woolens, cottons, linens, mixtures, wash goods and linings).
- Drugs and drug sundries.
- Sporting goods and cameras.
- Toys and games.
- Luggage and other leather goods.
- Garden supplies and seeds for garden use.
- Motor vehicles, replacement parts, and accessories.
- Types.
- Typewriters.
- Linens, including towels.
- Domestics (muslins, sheetings, etc.).
- Blankets, comforters and spreads.
- Furniture, bedding and domestic floor coverings.
- Draperies, curtains and upholstery.
- Lanterns, lamps and shades.
- Chinaware and glassware.
- Major household appliances, including cooking appliances.

- Small electrical appliances, light bulbs, fixtures and dry cells.
- Phonograph records and supplies.
- Hardware and tools for home use.
- Kitchenware, cutlery and miscellaneous housewares.
- Sheet music.
- Window shades, blinds and wallpaper.
- Brushes, brooms and mops.
- Soaps and household cleaning and sanitation materials.
- Paints, varnishes, waxes and polishes.
- Christmas ornaments and supplies.
- Wheeled goods.
- School supplies.
- Antiques.
- Coal.
- Flowers and plants.
- Smoking equipment.
- Second-hand consumers' goods.

APPENDIX A—COMPUTATION OF A NORMAL INVENTORY

1. Computation of the normal quarterly inventory-sales ratio, using the fourth quarterly period ratio as an example.

A. Add the mercantile inventories for the quarterly periods of the base period years corresponding to the quarterly period for which the normal inventory is being computed.

Example.

1939 Beginning 4th quarterly period inventory	\$-----
1940 Beginning 4th quarterly period inventory	\$-----
1941 Beginning 4th quarterly period inventory	\$-----
Total A	\$-----

B. Add the net sales for the quarterly periods of the base period years corresponding to the quarterly period for which the normal inventory is being computed.

Example.

1939 sales 4th quarterly period	\$-----
1940 sales 4th quarterly period	\$-----
1941 sales 4th quarterly period	\$-----
Total B	\$-----

C. Divide Total A by Total B, computing to three decimal places.

Total A
Total B = normal inventory-sales ratio for all fourth quarterly periods.

II. Computation of projected sales, using the fourth quarterly period of 1943 as an example.

A. First, compute the *Sales Trend Ratio* as follows: Divide the net sales during the second preceding quarterly period by the net sales during the quarterly period of the previous year corresponding to the second preceding quarterly period, computing to three decimal places.

Example.

$$\frac{\text{Sales 2nd quarterly period 1943}}{\text{Sales 2nd quarterly period 1942}} = \text{Sales trend ratio for 4th quarterly period 1943}$$

B. Second, compute the *Sales Projection Ratio* as follows: (1) If the sales trend ratio is between .900 and 1.100, such ratio is the sales projection ratio to be used in calculating a merchant's projected sales.

Example. If the sales trend ratio is 1.050, the sales projection ratio is also 1.050. If the sales trend ratio is .950, the sales projection ratio is also .950.

(2) If the sales trend ratio is less than .900, determine the sales projection ratio in the following manner:

Add to the sales trend ratio one-half the difference between the sales trend ratio and .900 to obtain the sales projection ratio.

Example. Suppose the sales trend ratio is .784.

Sales trend ratio = .784
 Add, 1/2 difference between .900 and the sales trend ratio $\frac{.900 - .784}{2}$ = .058

Sales projection ratio for 4th quarterly period 1943 = .842

(3) If the sales trend ratio is greater than 1.100, determine the sales projection ratio in the following manner:

Subtract from the sales trend ratio one-half the difference between the sales trend ratio and 1.100 to obtain the sales projection ratio.

Example. Suppose the sales trend ratio is 1.368.

Sales trend ratio = 1.368
 Subtract, 1/2 Difference between sales trend ratio and 1.100 $\frac{1.368 - 1.100}{2}$ = .134

Sales projection ratio for 4th quarterly period 1943 = 1.234

C. Third, compute *Projected Sales* as follows: Multiply the sales projection ratio for the quarterly period by the net sales during the corresponding quarterly period of the preceding year.

Example. Sales projection ratio 4th quarterly period 1943 \times sales 4th quarterly period 1942 = projected sales 4th quarterly period 1943.

III. Computation of the normal inventory, using the fourth quarterly period of 1943 as an example.

Multiply the projected sales during the quarterly period by the normal inventory-sales ratio for that quarterly period.

Example. Projected sales 4th qt. '43 \times normal inventory-sales ratio for all 4th qts. = normal inventory beginning 4th qt. '43.

IV. Computation of percentage by which mercantile inventory exceeds normal inventory.

NOTE: This percentage is based on the excess of mercantile inventory over normal inventory, not the excess over inventory limit.

If the mercantile inventory at the beginning of any quarterly period exceeds the normal inventory at the beginning of the same quarterly period, divide the mercantile inventory by the normal inventory, computing to two decimal places. Then subtract 1.00 from the result. Drop the decimal point from the figure thus obtained to secure the percentage by which the mercantile inventory exceeds the normal inventory.

Example. Suppose the mercantile inventory at the beginning of the 4th quarter '43 is \$273,124
 And the normal inventory at the beginning of the 4th quarter '43 is 198,635
 Divide the mercantile inventory $\frac{273,124}{198,635}$ = 1.375

By the normal inventory 198,635
 When, as here, the 3rd decimal is 5 or over, increase the second decimal by 1. 1.38
 Subtract 1.00 from the result. 1.00

Drop the decimal point from the figure thus obtained. .38
 Percentage by which the mercantile inventory exceeds the normal inventory at the beginning of the 4th quarter '43. 38%

APPENDIX B—COMPUTATION OF INVENTORY LIMIT

1. Computation of the inventory limit using as an example the fourth quarterly period of 1943 of a merchant in the Eastern Time Zone operating on the cost method.

A. Compute the tolerance by multiplying the normal inventory for the beginning of the quarterly period by the appropriate percentage of tolerance.

Example. Normal inventory beginning 4th qt. '43 \times .10 = Tolerance beginning 4th qt. '43.

B. Add the tolerance thus secured to the normal inventory.

Example.
 Tolerance beginning 4th quarterly period '43 \$-----
 Normal inventory beginning 4th quarterly period '43 \$-----
 Inventory Limit beginning 4th qt. '43 \$-----

APPENDIX C—COMPUTATION OF NORMAL RECEIPTS AT COST VALUE ON THE BASIS OF PROJECTED SALES

I. Computation of the cost of projected sales for a quarterly period, using the fourth quarterly period of 1943 as an example.

A. Divide the cost of goods sold during the corresponding quarterly period of the preceding year by the net sales during the corresponding quarterly period of the preceding year.

Example. Cost of goods sold 4th qt. '42 \div Net Sales 4th qt. '42 = Cost ratio for 4th qt. '43.

B. If such data are not available, use the cost of goods sold and net sales on the most recent federal income tax return.

Example. Cost of goods sold during taxable year 1942 \div Net sales during taxable year 1942 = Cost ratio for any qt. of '43.

C. Multiply the projected sales for the quarterly period computed in accordance with Appendix A, by the cost ratio for the quarterly period.

Example. Cost ratio \times projected sales 4th qt. '43 = Cost of projected sales for 4th qt. '43.

II. Computation of normal receipts for a quarterly period, using the fourth quarterly period of 1943 as an example.

A. Add the cost of projected sales for the quarterly period to the cost value of a normal inventory at the beginning of the next quarterly period.

Example.
 Cost of projected sales 4th qt. '43 \$-----
 Normal inventory beginning 1st qt. '44 \$-----
 Total A \$-----

B. Subtract from the sum thus secured the mercantile inventory on hand at the beginning of the current quarter.

Total A \$-----
 (Minus) Mercantile Inventory beginning 4th qt. '43 \$-----
 Normal receipts during 4th qt. '43 \$-----

APPENDIX D—COMPUTATION OF NORMAL RECEIPTS AT RETAIL VALUE USING PROJECTED SALES

1. Computation of normal receipts for a quarterly period, using the fourth quarterly period of 1943 as an example.

A. Add the projected sales and the projected markdowns for the quarterly period to the normal inventory at retail value at the beginning of the next quarterly period.

Example.
 Projected sales 4th qt. '43 \$-----
 Projected Markdowns at Retail 4th qt. '43 \$-----
 Normal Inventory at Retail Beginning 1st qt. '44 \$-----
 Total A \$-----

B. Subtract from the sum thus secured the mercantile inventory, at retail on hand at the beginning of the quarterly period.

Example.
 Total A \$-----
 (Minus) Mercantile Inventory at retail value beginning 4th qt. '43 \$-----

Normal Receipts at retail during 4th qt. '43 \$-----

APPENDIX E—CALCULATION OF ALLOWABLE RECEIPTS

I. Every merchant whose receipts during a quarterly period are restricted (see paragraph (d) (1) to determine whether your receipts are restricted), shall calculate his allowable receipts for such quarterly period as follows:

A. Calculate the normal inventory, the normal receipts, and the percentage by which the mercantile inventory exceeds the normal inventory according to the instructions in Appendix A, Sections I, II and III, Appendix C, and Appendix A section IV, respectively.

B. Using the table set forth in paragraph (d) (1) (i) of this Order determine the allowable receipts in the manner illustrated below:

1. If the mercantile inventory exceeds the normal inventory by less than 26% of the normal inventory, the merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 100% of his normal receipts figure, i. e., his allowable receipts equal 100% of his normal receipts figure.

Example. A merchant's mercantile inventory is 15% greater than his normal inventory. His normal receipts figure for the quarterly period is \$210,000.

Since the percentage of inventory excess is less than 26%, such merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 100% of \$210,000 or \$210,000, i. e., his allowable receipts equal \$210,000.

2. If the mercantile inventory exceeds the normal inventory by more than 25% but less than 51%, the merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 75% of his normal receipts figure, i. e., his allowable receipts equal 75% of his normal receipts figure.

Example. A merchant's mercantile inventory is 35% greater than his normal inventory. His normal receipts figure for the quarterly period is \$755,000.

Such merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 75% of \$755,000, or \$566,250, i. e., his allowable receipts equal \$566,250.

3. If the mercantile inventory exceeds the normal inventory by more than 50% but less than 101%, the merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 50% of his normal receipts figure, i. e., his allowable receipts equal 50% of his normal receipts figure.

Example. A merchant's mercantile inventory is 68% greater than his normal inventory. His normal receipts figure for the quarterly period is \$175,000.

Such merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 50% of \$175,000, or \$87,500, i. e., his allowable receipts equal \$87,500.

4. If the mercantile inventory exceeds the normal inventory by more than 100%, such merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 40% of his normal receipts figure, i. e., his allowable receipts equal 40% of his normal receipts figure.

Example. A merchant's mercantile inventory is 120% greater than his normal inventory. His normal receipts figure for the quarterly period is \$432,000.

Such merchant may receive consumers' goods during the quarterly period not exceeding in dollar amount 40% of \$432,000, or \$172,800, i. e., his allowable receipts equal \$172,800.

[F. R. Doc. 46-21003; Filed, Nov. 26, 1946; 11:33 a. m.]

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

[Priorities Reg. 32, Revocation of Direction 9]

SPECIAL INVENTORY RESTRICTIONS FOR MANUFACTURERS OF CERTAIN TEXTILE ITEMS

Direction 9 to Priorities Regulation 32 is revoked. This revocation does not affect any liabilities incurred for violation of the Direction or of actions taken by the Civilian Production Administration under the Direction.

Issued this 26th day of November 1946.

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

[F. R. Doc. 46-20997; Filed, Nov. 26, 1946; 11:32 a. m.]

PART 3118—CONSUMERS' GOODS INVENTORIES

[Limitation Order L-219, Direction 1, as Amended Nov. 26, 1946]

EXCLUSION OF CERTAIN ITEMS

Direction 1 to Limitation Order L-219 is amended to read as follows:

(a) *What this direction does.* Limitation Order L-219 establishes certain restrictions on merchants' inventories of consumers' goods. However, there are certain essential consumer goods which have been slowly coming back into the market during the reconversion period for which merchants have no satisfactory historical pattern of sales, and which cannot therefore readily be controlled by the general provisions of Order L-219. These items are listed in paragraph (b) (1) of this direction. The direction explains that controlled merchants may exclude the items in making their computations under L-219. The direction also provides that, if excluded, merchants' inventories of these items remain subject to the practicable minimum working inventory provisions of paragraph (c) (1) of Priorities Regulation 32. Certain other items which are no longer in short supply or are not considered to be essential to the national economy are listed in paragraph (b) (2) of the direction. If a merchant elects to exclude these items from his computations under L-219 there is no limitation on his inventory of these items.

(b) *Special rules for certain items.* (1) Whether he is a controlled merchant, a controlled merchant may exclude from his current computations under Order L-219, if he does so consistently, his current receipts, sales and inventories of the following consumers' goods:

- Electric mangles.
- Electric water heaters.
- Mechanical refrigerators.
- Ranges—gas and electric.
- Sewing machines.
- Vacuum cleaners.
- Washing machines.

However, if a merchant elects to exclude the above items from his computations, the items remain subject to the practicable minimum working inventory provisions of paragraph (c) (1) of Priorities Regulation 32.

(2) Except for the purpose of determining whether he is a controlled merchant, a controlled merchant may exclude from his current computations under Order L-219, if he does so consistently, his current receipts, sales and inventories of the following consumers' goods:

- All items listed on table 3 of priorities regulation 32.
- All items produced under limitation orders L-85, L-116 and L-118.
- Antiques.
- Art needlework.
- Christmas ornaments and supplies.
- Clocks and watches.
- Drugs and drug-sundries.
- Flowers and plants.
- Furs, fur coats (except fur-trimmed coats).
- Garden supplies and seeds for garden use.
- Giftwares (including jewelry accessories).
- Gloves, handbags and millinery.
- Jewelry and silverware.
- Luggage and other leather goods.
- Musical instruments (including pianos and organs).
- Neckwear and scarfs (men's, women's, and children's).
- Notions.
- Oriental rugs.
- Phonograph records and supplies.
- Phonographs.
- Picture frames and mirrors.
- Radio receiving sets.
- Radio and phonograph combinations.
- School supplies.
- Sheet music.
- Smoking equipment.
- Sporting goods and cameras.
- Stationery and books.
- Toilet articles and toiletries (such as cosmetics and shaving equipment).
- Toys and games.
- Wheeled goods.

If a merchant elects to exclude the above items from his computations, there is no limitation on his inventory of them.

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

[F. R. Doc. 46-21004; Filed, Nov. 26, 1946; 11:33 a. m.]

PART 3278—SALVAGE

[Conservation Order M-325, Revocation]

TINPLATE SCRAP

Section 3278.1 *Conservation Order M-325* is hereby revoked.

This revocation does not affect any liabilities incurred for violation of the Order or of actions taken by the War Production Board or Civilian Production Administration under the order.

Inventories of tinplate scrap remain subject to the provisions of Priorities Regulation 32 and Direction 5 to that regulation.

Issued this 26th day of November 1946.

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

[F. R. Doc. 46-21005; Filed, Nov. 26, 1946; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317C, Revocation]

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

Section 3290.371 *Supplementary Order M-317C* is revoked. Producers may now deliver cotton sale yarn without regard to the set-asides in M-317C, and any person who has obtained any cotton sale yarn with a certificate provided for such set-asides may now use or dispose of the yarn without regard to provisions of the certificate or of former Order M-317C. Cotton sale yarn obtained with a preference rating, however, must still be used or disposed of, if possible, for the purpose for which the rating was granted as explained in § 944.11 of Priorities Regulation 1.

This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board or by the Civilian Production Administration under the order.

Issued this 26th day of November 1946.

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

[F. R. Doc. 46-21002; Filed, Nov. 26, 1946; 11:33 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER
[General Conservation Order M-317, as Amended November 26, 1946]

COTTON TEXTILE DISTRIBUTION

• Section 3290.115 *General Conservation Order M-317* is amended to read as follows:

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

§ 3290.115 *General Conservation Order M-317*—(a) *What this order does.* This order contains general provisions regarding cotton textiles. Special provisions for distribution of cotton fabric are in Supplementary Order M-317A.

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

(1) "Cotton textile" means any of the following:

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

(ii) Cotton fabric 12 inches or more in width woven or braided from cotton yarn; or which contains 50% or more by weight of cotton or cotton waste or any combination of the two. "Cotton Fabrics" includes not only fabrics in the gray and yarn dyed fabrics, original mill or regular finish, but also fabrics which have been bleached, Sanforized, dyed or printed; and includes shorts, seconds, remnants or mill ends. "Cotton Fabrics" does not include blanketing containing 25% or more by weight of wool; or fabrics (other than blanketing) containing wool produced on the woolen or worsted system; or

(iii) The following cotton fabric products: bedsheets, pillow cases, blankets, towels, diapers, face cloths, table "linens", and fish netting.

(2) "Export" means a shipment from any point within the United States and its territories and possessions to any point outside that area.

(c) *Information required on rated orders for cotton textiles.* (1) Each person applying or extending a preference rating for any cotton textile shall add to his rating certificate a statement as to the source of the rating substantially as follows:

This rating has been assigned on Form CPA Serial Number (insert the CPA Form Number and Serial Number; or if the rating was not assigned on a CPA Form, state the source of the rating by specifying the export license number and date of validation, or the military contract number).

(2) The above requirement does not apply to the United States Army, Navy, or Maritime Commission on their direct purchase orders.

(d) *Restriction on serving ratings on another producer.*—(1) *Yarns.* No producer of cotton yarn shall use any preference rating to obtain cotton yarn from another producer, except to the extent authorized by the Civilian Production Administration, upon his showing on Form CPA-2842, that his own production is insufficient or unsuitable.

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

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

(f) *Allocation.* The Civilian Production Administration may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form CPA-2842.

(g) *General provisions.*—(1) *Applicability of regulations.* Except as otherwise provided, this order and Supplementary Order M-317A and all transactions affected by those orders are subject to all applicable regulations of the Civilian Production Administration.

(2) *Appeals.* Any appeal from the provisions of this order, of Supplementary Order M-317A or of any direc-

tion under the orders, shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(3) *Reports.* Producers of cotton textiles shall file reports on Forms CPA-658A, 658B, 658C, and 658E, in accordance with the instructions on those forms. These reporting requirements have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order, of Supplementary Order M-317A or of any direction under these orders, or who, in connection with those orders or directions, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

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

Issued this 26th day of November 1946.

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

[F. R. Doc. 46-21001; Filed, Nov. 26, 1946;
11:33 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Revocation of
Directions 12, 18, 25, 26 and 29]

The following published directions to
Conservation Order M-328 are revoked:

Direction 12.
Direction 18.
Direction 25, Direction 26 and Direction 29.

These revocations do not affect any liabilities incurred for violation of these directions or of actions taken by the War Production Board or by the Civilian Production Administration under the directions.

Issued this 26th day of November 1946.

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

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PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-375, Revocation]

WORK GLOVES

Section 3290.336 *General Conservation Order M-375* is revoked. This rev-

ocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board or Civilian Production Administration under the order.

Issued this 26th day of November 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
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PART 3293—CHEMICALS

[Limitation Order L-354, Direction 1]

APPLICATIONS FOR INCREASES

The following direction is issued pursuant to Limitation Order L-354:

Any producers of lead chemicals who, during the month of December, 1946, is able to obtain and use secondary lead in excess of his quota under Order L-354 for the production of lead chemicals may apply by letter for an increase in his quota to the Civilian Production Administration, Chemicals Division, Ref.: Dir. 1 to L-354, Washington 25, D. C. Such applications must be filed by December 2, 1946 and must state the amount of secondary lead the applicant is able to obtain for delivery in December 1946, and the amount of secondary lead he will be able to use in the month of December in excess of his present quota under Order L-354. In general quotas will not be increased more than 10% above their present level. As used in this direction "secondary lead" means metallic lead obtained mainly from remelting or smelting of scrap materials.

Issued this 26th day of November 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
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11:34 a. m.]

PART 4700—VETERANS' EMERGENCY HOUSING PROGRAM

[Veterans' Housing Program Order 1, Supp. 5,
as Amended Nov. 26, 1946]

WHERE APPLICATIONS SHOULD BE FILED

§ 4700.6 *Supplement 5 to Veterans' Housing Program Order 1*—(a) *What this supplement does.* This supplement tells where applications for authorization under Veterans' Housing Program Order 1 to do construction, repair work or other work restricted by VHP-1 or for priorities assistance for such work should be filed.

(b) *Applications to be filed under regulations of the Housing Expediter.* (1) Applications for the construction of the following kinds of new structures in which 50% or more of the floor space is to be used for residential purposes should be filed under Housing Expediter Priorities Regulation 5 (see paragraph (b) (4) below):

(i) Any building, structure or other construction item to be used for family

housing purposes, whether occupied all year round or seasonally, and any apartment hotel, boarding house, rooming house or other residential accommodations occupied for substantial periods of time, whether by single persons or by families, including also all subsidiary buildings, structures or construction items (whether restricted by VHP-1 or not) on residential property, such as garages, tool sheds, greenhouses, piers, swimming pools, walls, fences, bulkheads, wells and the like. This includes applications for family housing accommodations, either one family houses or apartments, and permanent residential quarters for individuals, whether these are to be built and owned by private individuals, corporations, public organizations or educational or other institutions. It also includes applications for the erection of prefabricated houses, the permanent installation of trailers and the like. This paragraph does not include summer or winter camps or hotels, overnight guest houses, tourist cabins or other accommodations for transients or any dormitories. Restaurants, laundry rooms and toilet facilities built in connection with tourist cabins and trailer camps are not covered by this paragraph.

(ii) Dormitories, and living facilities such as dining halls built and to be used exclusively in connection with a new dormitory, and subsidiary buildings for trailer camps such as laundry rooms, toilet facilities and the like, when they are built by an educational institution or a public organization and dormitories built under the sponsorship of an educational organization. "Educational institution" means a school, including a trade or vocational school, a college, a university or any similar institution of learning. "Public organization" means the United States government, a state, county, city, town, village or other municipal government, or an agency, instrumentality or authority of such a governing body.

(iii) Farm houses and other residential accommodations on farms, and bunkhouses for transient farm labor.

Paragraph (b) (1) does not include accommodations, the primary purpose of which is non-residential, such as wards or rooms for patients or inmates in hospitals, mental hospitals, insane asylums, orphanages, old people's homes or cell blocks in jails. It also does not include military housing.

(2) Regardless of the primary purpose for which a structure as a whole is or is to be used, applications for construction, alterations, additions or repairs in the structure should be filed under regulations of the Housing Expediter if 50% or more of the floor space involved in the

proposed work will be used for residential purposes of the kinds described above.

(3) Applications for amendments to projects approved under Priorities Regulations 33 should be filed in accordance with that regulation.

(4) In general new applications for work covered by paragraphs (b) (1) and (b) (2) should be made on NHA Form 14-56 and filed with the appropriate State or District Office of the Federal Housing Administration, except that (i) applications covering dwelling accommodations or bunkhouses for transient farm labor located on a farm should be filed with the appropriate County Agricultural Conservation Committee, (ii) applications by educational institutions or by public organizations for any kind of residential accommodations to be built by them, and applications for single person residential accommodations to be built or converted under the sponsorship of an educational institution, should be filed with the appropriate Regional Office of the Federal Public Housing Authority and, (iii) applications to construct or erect experimental housing accommodations or to obtain materials for experimental or testing purposes in connection with housing accommodations should be filed with the Technical Office of the Administrator of the National Housing Agency.

(5) Under paragraphs (b) (1) and (b) (2) the amount of floor space to be used for residential purposes and the amount to be used for other purposes will determine where the application is to be filed. In computing floor area for these purposes, hallways and other public spaces should be excluded from the computation. Basement space should also be excluded even though used for storage space for stores or for apartments, except where all or part of the basement is used for an apartment or rooms for living purposes, or for selling or exhibition space for a store, or for a commercial garage which is open to the public.

(c) *Non-housing applications to be filed with the County Agricultural Conservation Committees.* Applications covering non-housing construction on farms (as defined in Supplement 3 to VHP-1) should be filed on Form CPA-4423 with the appropriate County Agricultural Conservation Committee.

(d) *Applications to be filed with the Civilian Production Administration:* All applications for authorization under VHP-1 for construction not covered by paragraph (b) or paragraph (c) should be filed on Form CPA-4423 with the appropriate CPA District Construction Office.

(e) *CPA-541A Applications.* Applications for priorities assistance for materials not listed on Schedule A to Priorities Regulation 33 in connection with housing accommodations, and applications for priorities assistance for all materials in connection with non-housing

construction should be filed under PR-28 on Form CPA-541A. These applications should be addressed to the Civilian Production Administration, Washington 25, D. C., Ref: PR-28.

Issued this 26th day of November 1946.

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

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TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

FISHING IN THEODORE ROOSEVELT NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

NOVEMBER 14, 1946.

§ 29.896 *Theodore Roosevelt National Wildlife Refuge, North Dakota; fishing.* Until further notice, non-commercial fishing is permitted in the waters of the Theodore Roosevelt National Wildlife Refuge, North Dakota, when and as permitted by the laws and regulations of the State of North Dakota.

(35 Stat. 1104, 43 Stat. 98, 45 Stat. 1224, 49 Stat. 383; 18 U. S. C. 145, 16 U. S. C. 715i, 715s and Reorganization Plan No. II, 53 Stat. 1433; Regs. Fish and Wildlife Service dated December 19, 1940, as amended April 14, 1945; 50 CFR Cum. Supp. Part 12, 5 F. R. 5284, 10 F. R. 4267)

CLARENCE COTTAM,
Acting Director.

[F. R. Doc. 46-20855; Filed, Nov. 26, 1946;
8:54 a. m.]

Notices

DEPARTMENT OF JUSTICE.

Office of Alien Property.

[Vesting Order 7548]

LOTHAR BREUER

In re: Stock and bank account owned by Lothar Breuer. F-28-22291-D-1, F-28-22291-D-2, F-28-22291-D-3, F-28-22291-E-1.

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 Lothar Breuer, whose last known address is 52 Iken Strasse, Dueseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Lothar Breuer, to-

gether with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Lothar Breuer, by National Bank of Detroit, National Bank Building, 660 Woodward Avenue, Detroit 32, Michigan, arising out of a savings account, Account Number 7088, entitled Lothar Breuer, maintained at the Jefferson-Beaufait Branch Office of the aforesaid bank located at 6465 Jefferson Avenue, East, Detroit, Michigan, and any and all rights to demand, 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 by, the aforesaid national of a designated enemy country;

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

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

hereby vests in the Alien Property Custodian the property described 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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.

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 September 5, 1946.

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

EXHIBIT A

Name and Address of Issuing Corporation, State of Incorporation, Number of Shares, Par Value, Type of Stock, and Certificate Number

Consolidated Vultee Aircraft Corporation, San Diego, California; Delaware; 10; \$1; common; L15189.

Consolidated Vultee Aircraft Corporation, San Diego, California; Delaware; 10; \$1; common; L35278.

General Motors Corporation, 3044 West Rand Boulevard, Detroit, Michigan; Delaware; 5; \$10; common; C80733.

The Greyhound Corporation, 2600 Board of Trade Building, Chicago, Illinois; Delaware; 40; no par; common; CTF474.
The Greyhound Corporation, 2600 Board of Trade Building, Chicago 4, Illinois; Delaware; 10; no par; common; CTF22742.

[F. R. Doc. 46-20879; Filed, Nov. 26, 1946; 8:51 a. m.]

[Vesting Order 7602]

HELENE VON HOLLAND

In re: Bank account and stock owned by Helene Von Holland. F-28-4634-E-1, F-28-4634-A-1.

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 Helene Von Holland, whose last known address is Parkheim-Berg, Ottostrasse 1, Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Helene Von Holland, by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of an agency account, Account Number 4442, entitled Helene Von Holland, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Helene Von Holland, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

hereby vests in the Alien Property Custodian the property described 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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.

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 September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of issuer	Certificate No.	Number of shares	Par value	Type of stock
Foster-Osage Oil & Gas Co.	1171	120	\$1	Capital.
	830	80	1	Do.
	1092	100	1	Do.
Fruitvale Resort Co.	78	6	25	Do.
Missouri Iron & Steel Corp.	1716	10	10	Do.
	2139	5	10	Do.
	2172	5	10	Do.
	2279	5	10	Do.
	2953	8	10	Do.
Vegex Corp.....	4246	7	10	Do.
	CS 857	2/10	No	Common.
	PS 683	4/10	10	Preferred.

[F. R. Doc. 46-20880; Filed, Nov. 26, 1946; 8:51 a. m.]

[Vesting Order 7700]

FRANZ HAPP

In re: Estate of Franz Happ, deceased. File D-28-4297; E. T. sec. 7326.

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: Cash in the amount of \$44,775.30

is property in the possession of the Alien Property Custodian,

That such property was held by Elmore A. Gripp, Executor of the Estate of Franz Happ and was 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 was evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margarete Happ, Germany.
Rudolph Fuchs, Germany.
Anna Marie Wirsching, Germany.
Helena Wirsching, Germany.
Elsa Wirsching, Germany.
Max Wirsching, Germany.
Elizabeth Pfafl, Germany.

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.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on August 2, 1946, pursuant to the Trading with the Enemy Act, as amended.

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.

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 September 25, 1946.

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

[F. R. Doc. 46-20831; Filed, Nov. 26, 1946;
8:50 a. m.]

[Vesting Order 7715]

KATHERINA ROWLANDS

In re: Estate of Katherina Rowlands, deceased. File D-28-9868; E. T. sec. 13924.

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 Franz Gishmann (Gishman) and Hedweg Schmidt and each of them, in and to the estate of Katherina Rowlands, deceased,

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

Nationals and Last Known Address

Franz Gishmann (Gishman), Germany.
Hedweg Schmidt, Germany.

That such property is in the process of administration by Rev. James P. Walsh, as Executor, acting under the judicial supervision of the County Court of Butte County, Belle Fourche, South Dakota,

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,

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.

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 September 25, 1946.

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

[F. R. Doc. 46-20882; Filed, Nov. 23, 1946;
8:50 a. m.]

[Vesting Order 7717]

GUSTAV SCHOLER

In re: Trust under the will of Gustav Scholer, deceased. File No. D-28-6586; E. T. sec. 5029.

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 the City Library of Heidelberg, Johann Baptist Schmaus and Frieda Schott, and each of them, in and to the Trust created under the Will of Gustav Scholer, deceased,

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

Nationals and Last Known Address

City Library of Heidelberg, Germany.
Johann Baptist Schmaus, Germany.
Frieda Schott, Germany.

That such property is in the process of administration by The German Society of the City of New York, and Emma Scholer, as Trustees under the Will of Gustav Scholer, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

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.

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 September 25, 1946.

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

[F. R. Doc. 46-20883; Filed, Nov. 26, 1946;
8:50 a. m.]

[Vesting Order 7721]

ALVIN VOLL

In re: Estate of Alvin Voll, a/k/a Alvin Julius Foll, deceased. File No. D-28-9720; E. T. sec. 13620.

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 the son of Alvin Voll, a/k/a Alvin Julius Foll, deceased, whose name is unknown, Anna Renz, Frieda Rammmler and Otto Voll, and each of them, in and to the Estate of Alvin Voll, a/k/a Alvin Julius Foll, deceased,

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

Nationals and Last Known Address

The son of Alvin Voll a/k/a Alvin Julius Foll, deceased, whose name is unknown, Germany.

Anna Renz, Germany.
Frieda Rammmler, Germany.
Otto Voll, Germany.

That such property is in the process of administration by Elise Davis, as Administratrix of the Estate of Alvin Voll, a/k/a Alvin Julius Foll, deceased, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

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 September 25, 1946.

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

[F. R. Doc. 46-20884; Filed, Nov. 26, 1946;
8:49 a. m.]

[Vesting Order 7723]

JOSEPH WERDERITSCH

In re: Estate of Joseph Werderitsch, deceased. File No. D-28-9247; E. T. sec. 12125.

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: Cash in the amount of \$844.02,

is property in the possession of the Alien Property Custodian:

That such property was held by Josephine Shaughnessy, Administratrix of the Estate of Joseph Werderitsch, and was 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 was evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carolina Werderitsch, Germany.
John Werderitsch, Germany.
Josephine Werderitsch, Germany.

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.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on November 19, 1945, pursuant to the Trading with the Enemy Act, as amended.

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.

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 September 25, 1946.

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

[F. R. Doc. 46-20885; Filed, Nov. 26, 1946;
8:49 a. m.]

[Vesting Order 7754]

HANS GREENWALD ET AL.

In re: Anna Greenwald, Plaintiff, vs. Hans Greenwald et al., Defendants. File D-28-9092; E. T. sec. 11679.

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: Cash in the amount of \$3,515.14,

is property in the possession of the Alien Property Custodian;

That such property was held by David Greenwald and Bruce R. Clark, Referees, and was 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 was evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henry Meyer, Germany.
Johannes Meyer, Germany.

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.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on August 21, 1946, pursuant to the Trading with the Enemy Act, as amended.

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.

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 September 26, 1946.

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

[F. R. Doc. 46-20886; Filed, Nov. 26, 1946;
8:49 a. m.]

[Vesting Order 7766]

YOSHIHISA KUWADA

In re: Guardianship of the Estate of Yoshihisa Kuwada, a minor. File F-39-4635; E. T. sec. 14710.

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 the property and estate of Yoshihisa Kuwada, of any nature whatsoever, in the possession, custody, or control of Mrs. Kikuko Ariga, as Guardian of the estate of Yoshihisa Kuwada, a minor,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Yoshihisa Kuwada, Japan.

That such property is in the process of administration by Mrs. Kikuko Ariga, as Guardian of the Guardianship Estate of Yoshihisa Kuwada, a minor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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

And having made all determinations and taken all action 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.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 30, 1946.

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

[F. R. Doc. 46-20887; Filed, Nov. 26, 1946; 8:49 a. m.]

[Vesting Order 7772]

HELEN C. VON GRONING

In re: Trust under deed of Helen C. von Groning. File D-28-10640; E. T. sec. 15059.

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 Dorothea Henriette von Groning Kloster-Kemper and Stephan Albert Heinrich von Groning, and each of them, in and to the trust under deed of Helen C. von Groning, deceased,

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

Nationals and Last Known Address

Dorothea Henriette von Groning Kloster-Kemper, Germany.
Stephan Albert Heinrich von Groning, Germany.

That such property is in the process of administration by Safe Deposit and Trust Company of Baltimore, as Trustee, acting under the judicial supervision of the Circuit Court No. 2 of Baltimore City, Maryland;

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.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 30, 1946.

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

[F. R. Doc. 46-20883; Filed, Nov. 26, 1946; 8:47 a. m.]

[Vesting Order 7806]

ANNIE BUCHTMANN DEKKERS

In re: Debt owing to Annie Buchtmann Dekkers. F-28-23908-C-1, F-28-23908-A-1.

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 Annie Buchtmann Dekkers, whose last known address is Kroge, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Annie Buchtmann Dekkers, by Topken & Farley, 250 Park Avenue, New York 17, New York, in the amount of \$2,025.73, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. One Mortgage Certificate dated January 26, 1926, of \$5,000.00 face value, bearing the number E11734 issued by First Mortgage Guarantee Company, Long Island City, New York, registered in the name of Annie Buchtmann Dekkers, and presently in the custody of Topken & Farley, 250 Park Avenue, New York 17, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

national of a designated enemy country (Germany);

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

hereby vests in the Alien Property Custodian the property described 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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.

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 October 9, 1946.

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

[F. R. Doc. 46-20889; Filed, Nov. 26, 1946; 8:47 a. m.]

[Vesting Order 7830]

NATHAN ABRAHAMS

In re: Estate of Nathan Abrahams, deceased. File D-57-377; E. T. sec. 11860.

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 Moses Abramovici, Isiah Abramovici, Zutu Abramovici, Ghizela Abramovici, Lenta Abramovici, Anna Haimovici (named Anna Haimowitz in will), Casia Ghitel Schwartz, Tiporia Lazerivici, Maria Marim Herscovici Ismail and Betti Granath, and each of them in and to the estate of Nathan Abrahams, deceased,

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

Nationals and Last Known Address

Moses Abramovici, Roumania.
Isiah Abramovici, Roumania.
Zutu Abramovici, Roumania.
Ghizela Abramovici, Roumania.
Lenta Abramovici, Roumania.
Anna Haimovici (named Anna Haimowitz in will), Roumania.
Casia Ghitel Schwartz, Roumania.
Tiporia Lazerivici, Roumania.
Maria Marim Herscovici Ismail, Roumania.
Betti Granath, Roumania.

That such property is in the process of administration by Abraham Judah Abrahams and Ida Abrahams, Co-Executors under the will of Nathan Abrahams, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

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 (Roumania);

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.

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 October 14, 1946.

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

[F. R. Doc. 46-20890; Filed, Nov. 26, 1946;
8:47 a. m.]

[Vesting Order 7836]

ELIZABETH BREIER

In re: Estate of Elizabeth Breier, deceased. File No. D-28-2873; E. T. sec. 883.

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 Hans Meier in and to the estate of Elizabeth Breier, deceased,

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

National and Last Known Address

Hans Meier, Germany.

That such property is in the process of administration by Hermy Ruland, as Administratrix, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

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

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

hereby vests in the Alien Property Custodian the property described 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20891; Filed, Nov. 26, 1946;
8:47 a. m.]

[Vesting Order 7839]

ELIZABETH C. DUTT

In re: Estate of Elizabeth C. Dutt, a/k/a Elizabeth Dutt, deceased. File No. D-28-9818; E. T. sec. No. 13827.

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 Peter Weber, Adam Weber and Elsie Weber Ziegler, and each of them, in and to the Estate of Elizabeth C. Dutt, a/k/a Elizabeth Dutt, deceased,

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

Nationals and Last Known Addresses

Peter Weber, Germany.
Adam Weber, Germany.
Elsie Weber Ziegler, Germany.

That such property is in the process of administration by Henry M. Dutt and Valentine Dutt, as co-executors under the Will of Elizabeth C. Dutt, a/k/a Elizabeth Dutt, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York,

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.

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 October 14, 1946.

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

[F. R. Doc. 46-20892; Filed, Nov. 26, 1946;
8:47 a. m.]

[Vesting Order 7850]

PETER MUTH

In re: Estate of Peter Muth, deceased. File No. D-28-9567; E. T. sec. 13103.

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 Joseph Muth, Philip Hukele, Katherine Hukele, Anna Shmelzinger, and Katherine Shmelzinger, and each of them, in and to the estate of Peter Muth, deceased,

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

Nationals and Last Known Address

Joseph Muth, Germany.
Philip Hukele, Germany.
Katherine Hukele, Germany.
Anna Shmelzinger, Germany.
Katherine Shmelzinger, Germany.

That such property is in the process of administration by Carl J. Duveneck, as Executor of the estate of Peter Muth, deceased, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not with-

in 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20893; Filed, Nov. 26, 1946; 8:46 a. m.]

[Vesting Order 7854]

HANS RICHTER

In re: Estate of Hans Richter, deceased. File D-28-9564; E. T. sec. 13124.

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 Martha Richter, in and to the estate of Hans Richter, deceased,

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

National and Last Known Address

Martha Richter, Germany.

That such property is in the process of administration by Floyd A. Frye, as Special and General Administrator, acting under the judicial supervision of the Probate Court of Wayne County, Detroit, Michigan,

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

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

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20894; Filed, Nov. 26, 1946; 8:46 a. m.]

[Vesting Order 7855]

CONRAD RUPP, JR.

In re: Estate of Conrad Rupp, Jr., deceased. File D-28-10290; E. T. sec. 14664.

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 Maria Seufert, Joseph Rupp, Fritz Rupp, and Son of Joseph Rupp, name unknown, and each of them, in and to the Estate of Conrad Rupp, Jr., deceased,

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

Nationals and Last Known Address

Maria Seufert, Germany.
Joseph Rupp, Germany.
Fritz Rupp, Germany.
Son of Joseph Rupp, name unknown, Germany.

That such property is in the process of administration by Anton Rupp, as administrator, acting under the judicial supervision of the District Court of the United States for the District of Columbia, Holding Probate Court;

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.

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 October 14, 1946.

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

[F. R. Doc. 46-20895; Filed, Nov. 26, 1946; 8:46 a. m.]

[Vesting Order 7856]

ANNA E. SCHOEN-RENE

In re: Estate of Anna E. Schoen-Rene, deceased. File No. D-28-10348; E. T. sec. 14729.

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 Helmuth Schoen and Marianne Schoen, and each of them, in and to the estate of Anna E. Schoen-Rene, deceased,

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

Nationals and Last Known Address

Helmuth Schoen, Germany.
Marianne Schoen, Germany.

That such property is in the process of administration by Marshall Bartholomew, Elizabeth Watts, and Hallie Stiles, as Executors, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

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.

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 October 14, 1946.

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

[F. R. Doc. 46-20896; Filed, Nov. 26, 1946;
8:46 a. m.]

[Vesting Order 7858]

STEPHANIE SCHRAMM

In re: Estate of Stephanie Schramm, deceased. File No. D-28-10410; E. T. sec. 14808.

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 Joseph Schramm and Marie Schramm, and Daughter of Marie Schramm, whose name is unknown, and each of them, in and to the estate of Stephanie Schramm, deceased,

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

Nationals and Last Known Address

Joseph Schramm, Germany.
Marie Schramm, Germany.
Daughter of Marie Schramm, Germany, whose name is unknown, Germany.

That such property is in the process of administration by Paul Bechtiger, as executor of the Estate of Stephanie Schramm, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

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 ap-

propriate 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20897; Filed, Nov. 26, 1946;
8:46 a. m.]

[Vesting Order 7859]

JOHANNA SZLOBODA

In re: Estate of Johanna Szloboda, deceased. File No. D-28-10053; E. T. sec. 14269.

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 Martha Kiehl in and to the estate of Johanna Szloboda, deceased,

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

National and Last Known Address

Martha Kiehl, Germany.

That such property is in the process of administration by Evelyn Stang, as administratrix c. t. a. of the Estate of Johanna Szloboda, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

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

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

hereby vests in the Alien Property Custodian the property described 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20898; Filed, Nov. 26, 1946;
8:46 a. m.]

[Vesting Order 7862]

ERNEST WAGNER

In re: Estate of Ernest Wagner, deceased. File No. D-66-2166; E. T. sec. 14098.

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 Karl Gustav Wagner, Paul Bernhard Wagner, Otto Wagner, Emma Bertha Wagner Sturner and Herman Wagner, and each of them, in and to the estate of Ernest Wagner, deceased,

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

Nationals and Last Known Address

Karl Gustav Wagner, Germany.
Paul Bernhard Wagner, Germany.
Otto Wagner, Germany.
Emma Bertha Wagner Sturner, Germany.
Herman Wagner, Germany.

That such property is in the process of administration by Estelle Loretta Nelson, as Administratrix, acting under the judicial supervision of the Camden County Orphans' Court, Camden, New Jersey;

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.

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 October 14, 1946.

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

[F. R. Doc. 46-20899; Filed, Nov. 26, 1946;
8:45 a. m.]

[Supp. Vesting Order 7874]

GENERAL ANILINE & FILM CORP. AND I. G.
FARBENINDUSTRIE A. G.

In re: Dividends on stock of General Aniline & Film Corporation, beneficially owned by I. G. Farbenindustrie A. G.

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

1. Having found and determined in Vesting Order Number 907, dated February 15, 1943, that I. G. Farbenindustrie A. G. is a national of a designated enemy country (Germany) and the beneficial owner of the property described as follows: 500,000 shares of Class B common stock of General Aniline & Film Corporation, a corporation organized under the laws of the State of Delaware, registered in the name of Banque Federale (Eidgenossische Bank, A. G.), Zurich, Switzerland,

and having vested the above-described stock in Vesting Order Number 5, dated April 24, 1942;

2. Finding that on October 10, 1941, and on December 15, 1941, dividends aggregating \$108,750.00 were declared on the aforesaid stock and were thereafter paid into the account of Banque Federale S. A., Zurich, Switzerland, with Bankers Trust Company, 16 Wall Street, New York, New York;

3. Finding that all property, including the aforesaid \$108,750.00, in the account of Banque Federale S. A., Zurich, Switzerland, with Bankers Trust Company was transferred to an account in the name of Banque Federale S. A. Zurich, Switzerland, with The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, and that thereafter all but \$100,147.17 thereof was transferred to another account with The Chase National Bank of the City of New York in the name of Union Bank of Switzerland, Zurich, Switzerland, with which last named bank Banque Federale S. A. had, prior thereto, been consolidated or merged;

4. Finding, therefore, that the property described as follows: An obligation in the amount of \$108,750.00 owed by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, to Union Bank of Switzerland, Zurich, Switzerland, constituting a portion of an account entitled "Union Bank of Switzerland, Zurich, Switzerland", maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

represents dividends declared and paid on the stock described in subparagraph 1 hereof between June 14, 1941 and February 16, 1942, and is property within the United States held by Union Bank of Switzerland, Zurich, Switzerland, for, on behalf of and on account of I. G. Farbenindustrie A. G., the aforesaid national of a designated enemy country (Germany);

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

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

hereby vests in the Alien Property Custodian the property described 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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.

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 October 14, 1946.

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

[F. R. Doc. 46-20900; Filed, Nov. 26, 1946;
8:45 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Land Management.

[Misc. 1890706]

WISCONSIN

NOTICE OF FILING OF PLAT OF SURVEY

NOVEMBER 18, 1946.

Notice is given that the plat of (1) dependent resurvey delineating the retracement and the reestablishment of a portion of the boundaries of sec. 19, T. 36 N., R. 8 E., 4th Principal Meridian, Wisconsin, as shown upon the plat approved March 18, 1864, and (2) extension survey, including lands, hereinafter described, erroneously omitted from the original survey of the township and not shown upon the plat approved March 18, 1864, will be officially filed in the Bureau of Land Management, Washington 25,

D. C., effective at 10:00 a. m. on January 20, 1947. At that time, the lands, hereinafter described, shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days, from 10:00 a. m. on January 20, 1947, to close of business on April 19, 1947, inclusive, the public lands hereinafter described shall be subject to (1) application under the homestead laws, or the small tract act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467; 43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law; (2) applications under the act of February 27, 1925 (43 Stat. 1013, 43 U. S. C. sec. 994), which authorizes the Secretary of the Interior, in his discretion, to sell certain lands situated in the State of Wisconsin which were originally erroneously meandered and shown upon the official plats as water-covered areas, and affords a preference right to purchase to certain owners of adjoining lands and to certain citizens of the United States claiming under color of title or as riparian owners; and (3) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to the preference claims of the classes described in subdivision (2) and the claims of the classes described in subdivision (3). Applications under the act of February 27, 1925, shall be subject to claims of the classes described in subdivision (3).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from December 31, 1946, to 10:00 a. m. on January 20, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on January 20, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filing authorized by the public-land laws.* Commencing at 10:00 a. m. on April 21, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location or selection by the public generally as may be authorized by the public land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from April 1, 1947, to 10:00 a. m. on April 21, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on April 21, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satis-

factory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for the hereinafter described lands, which shall be filed in the Bureau of Land Management, Washington 25, D. C., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I, Chapter I, Subtitle B of Title 43 of the Code of Federal Regulations and applications under the act of February 27, 1925 and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 141 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the Bureau of Land Management, Washington 25, D. C.

The lands subject to application, petition, location or selection hereunder are described as follows:

ONEIDA COUNTY, WISCONSIN

FOURTH PRINCIPAL MERIDIAN

T. 36 N., R. 8 E.,
sec. 19, lot 8, 54.38 acres,
lot 9, 42.18 acres,
lot 10, 28.01 acres.

Lot 8 borders on Squash Lake; lot 9 on Long Lake, and lot 10 borders on both of these lakes.

The lands involved, which are located in the vicinity of Woodboro, lie in a lake section and are composed of principally rolling lands, having a clay soil. There are, however, small ponds or lakes totaling approximately 5 acres and probably 8 acres of swampy lands along the lake fronts. There is also a considerable area along the lakes which has a firm shoreline.

THOS. C. HAVELL,
Acting Assistant Director.

[F. R. Doc. 46-20875; Filed, Nov. 26, 1946;
8:56 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1971, 2288]

EASTERN AIR LINES, INC., AND DELTA AIR LINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Eastern Air Lines, Inc., and Delta Air Lines, Inc., for consolidation of routes under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding has been assigned for December 2, 1946, at 10:00 a. m. (Eastern Standard Time) in Room 5042 Commerce Building, Washington, D. C., before the Board.

Dated Washington, D. C., November 20, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-20856; Filed, Nov. 26, 1946;
8:54 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[C-459]

OSWALD MOTOR CO.

CONSENT ORDER

A. B. Oswald, doing business under the name and style of Oswald Motor Company in the town of Allendale, South Carolina, is engaged in the business of selling and servicing automobiles and parts therefor. He is charged by the Civilian Production Administration with violation of Veterans' Housing Program Order No. 1, in that he began subsequent to March 26, 1946 and on or about June 10, 1946, construction of a brick commercial building of the approximate size of 55 feet by 105 feet on the west side of South Main Street at about 420 feet south of Railroad Avenue, in the town of Allendale, South Carolina, at an estimated cost in excess of \$1,000 and without having obtained authorization for said construction from the Civilian Production Administration, and has expended in carrying on the construction a sum in excess of \$15,000.

A. B. Oswald, doing business as Oswald Motor Company, admits the violation as charged, and does not desire to contest the same and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of A. B. Oswald, doing business as the Oswald Motor Company, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The temporary suspension order issued against A. B. Oswald, doing business as the Oswald Motor Company, dated October 23, 1946 is hereby revoked.

(b) Neither A. B. Oswald individually, nor doing business as Oswald Motor Company, his successors or assigns, nor any other person shall do any further construction on the premises or any part thereof, located on the west side of South Main Street, approximately 420 feet south of Railroad Avenue, in the town of Allendale, South Carolina, including the putting up, completing or altering of any of the structures located on said premises unless hereafter specifically authorized in writing by the Civilian Production Administration.

(c) A. B. Oswald, doing business as Oswald Motor Company shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

Nothing contained in this order shall be deemed to relieve A. B. Oswald, individually, or doing business as Oswald Motor Company, his successors or as-

signs from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 25th day of November 1946.

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

[F. R. Doc. 46-20978; Filed, Nov. 25, 1946;
4:32 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5461]

FARMER'S MAIL ORDER HOUSE

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING TESTI-
MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of November A. D. 1946.

In the matter of Joe Wlodinger, Celia Wlodinger, and Harriet Wlodinger, individually and as copartners trading as Farmers' Mail Order House.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence in this proceeding begin on Thursday, December 5, 1946, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 505, 45 Broadway, New York, New York.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of fact; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-20878; Filed, Nov. 26, 1946;
8:53 a. m.]

UNITED STATES MARITIME COMMISSION.

"MATHILDA THORDEN"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by Administrator, War Shipping Administration, pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress),

Whereas the title to the vessel "Mathilda Thorden" of Finnish registry was requisitioned pursuant to the act of June 6, 1941 (Public Law 101—Seventy-Seventh Congress; 55 Stat. 242), as amended, on or about December 27, 1941; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress; 57 Stat. 45), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, of just compensation therefor that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the expiration of a period of two months after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner * * *;

and

Whereas neither the full amount nor 75 per centum of just compensation for such vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the former owner of the said vessel has consented to a determination that the use of the vessel is no longer required by the United States and to the return of the vessel and the conversion of the requisition of title thereto to a requisition of the use thereof in accordance with the act approved March 24, 1943 (Public Law 17—78th Congress); and

Whereas section 202 of the Act of July 8, 1946 (Public Law 492—79th Congress), provides that effective September 1, 1947, and continuing only during the period ending December 31, 1946, "all functions, powers, and duties of the War Shipping Administration, including all of the foregoing provisions in this act relating to said Administration are hereby transferred to and shall be exercised by the United States Maritime Commission under the same legal authorities and subject to the same conditions and limitations not otherwise altered by the foregoing provisions in this act relating to said Administration, as will be applicable to the War Shipping Administration on August 30, 1946, and the War Shipping Administration shall cease to exist as of September 1, 1946;"

Now, therefore, I, A. J. Williams, Secretary, United States Maritime Commission, do hereby certify that on August 28, 1946, the Administrator, War Shipping Administration, acting pursuant to the act approved March 24, 1943 (Public Law 17—78th Congress), determined that the ownership of said vessel is not required by the United States and that from and after the date

of publication hereof in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: November 22, 1946.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 46-20901; Filed, Nov. 26, 1946; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1363]

WORCESTER GAS LIGHT CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of November 1946.

In the matter of Worcester Gas Light Company, Cambridge Gas Light Company, and New England Gas and Electric Association, File No. 70-1363.

New England Gas and Electric Association (New England), a registered holding company, Worcester Gas Light Company (Worcester) and Cambridge Gas Light Company (Cambridge), subsidiaries of New England, having filed a joint application-declaration, as amended, pursuant to sections 6 (b), 9 (a), 10, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-44 promulgated thereunder regarding the following proposed transactions:

Worcester proposes to issue to Cambridge \$1,900,000 principal amount of 3½% first series unsecured serial notes due 1971 in exchange for a like principal amount of 4% demand notes now held by Cambridge and to issue to New England \$1,000,000 principal amount of 3½% second series unsecured serial notes due 1971 and 45,824 shares of common stock at \$25 par value amounting to \$1,145,600 in exchange for presently outstanding indebtedness of \$2,145,600, consisting of 4% demand notes amounting to \$1,295,600 and open account indebtedness of \$850,000, owed to New England.

A public hearing having been held after appropriate notice and the Commission having considered the record and having filed its findings and opinion herein:

It is ordered, That the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective, forthwith, subject to the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-20857; Filed, Nov. 26, 1946; 8:54 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region III Order G-41 Under MPR 592, Amdt. 2]

CONCRETE BLOCKS IN CLEVELAND REGION

Pursuant to the authority granted the Regional Administrator by section 23 of Maximum Price Regulation No. 592, *It is hereby ordered,* That section 2 of Order No. G-41 be amended to read as follows:

SEC. 2. *Area covered.* This order covers the following area:

The State of Indiana, except the Counties of Clark, Floyd, and Lake.

The counties of Boone, Boyd, Bracken, Campbell, Carter, Elliott, Grant, Greenup, Henderson, Kenton, Lawrence, Lewis, Mason, Pendleton, and Robertson in the State of Kentucky.

The counties of Brooke, Hancock, Marshall, Mason, Ohio, Pleasants, Tyler, Wetzel, and Wood in the State of West Virginia.

The counties of Adams, Athens, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Columbiana, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Harrison, Highland, Hocking, Jackson, Jefferson, Lawrence, Licking, Logan, Madison, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Union, Vinton, Warren, and Washington in the State of Ohio.

This Amendment No. 2 to Order No. G-41 shall become effective November 4, 1946.

Issued October 21, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-20659; Filed, Nov. 20, 1946; 8:57 a. m.]

[Buffalo Adopting Order 34 Under Basic Order 1 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN BUFFALO, N. Y. AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated to all District Directors in Region II, it is hereby ordered:

SECTION 1. *What this order covers.* This adopting order under Basic Order No. 1 as amended, under General Order No. 68 as amended, covers sales by all persons to ultimate users or to purchasers for resale on an installed basis, of certain "hard mason materials." All provisions of Basic Order No. 1 as amended, under General Order No. 68 as amended, are adopted in this order and are just as much a part of this order as if specifically set forth herein. If Basic Order No. 1, as amended, is further amended in any respect, the provisions

of said order as amended, shall likewise without further action, become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 1 as amended under General Order 68 as amended, and should be familiar with the provisions of said order.

SEC. 2. Territory covered by this order. The geographical area covered by order is the area consisting of Erie County, in the State of New York.

SEC. 3. Maximum prices. The maximum prices for the building materials covered by this order are set forth in Schedule A hereto annexed and made a part of this order. The prices fixed in Schedule A cover all sales in the territory covered by this order, regardless of the location of the place of business of the seller.

(a) *Adjustment to reflect increase in supplier's price—(1) Applicability.* The section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area orders issued under General Order 68) may increase their maximum prices for the commodity in question.

(2) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

SEC. 4. Discounts, allowances, and terms of sales. All customary allowances, discounts and differentials must be preserved. The maximum prices set forth in Schedule A are delivered prices unless otherwise stated in such Schedule A.

SEC. 5. Relationship of this order to Basic Order No. 1 as amended, under General Order 68 as amended, and to General Maximum Price Regulation and other maximum price regulations. As previously stated, all provisions of Basic Order No. 1 as amended, are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by the General Maximum Price Regulation, or by any other applicable regulation or order. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulations, or of any other applicable regulation or order shall remain applicable to sales covered by this order.

SEC. 6. 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

place of business within the area covered by this order.

SEC. 7. Records and sales slips—(a) Required information. The provisions of section (e) of Basic Order No. 1 as amended, covering sales slips and records are adopted in and applicable to this order, as if specifically set forth herein, and also on any sale of \$25 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 and price charged.

(b) *Maximum prices for insufficiently described items.* Where the seller's records or sales slip upon a sale of any commodity covered by this order in the

area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size or quantity of the commodity, and thus determine the maximum price fixed by Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Schedule A of this order in accordance with the incomplete description.

SEC. 8. Revocation or amendment. This order may be revised, amended, revoked, or modified at any time by the Office of Price Administration.

This order shall become effective August 30, 1946.

Issued this 26th day of August, 1946.

T. J. REESE,
District Director.

REVISED SCHEDULE A

Maximum prices for certain building and construction materials in the Buffalo area consisting of the county of Erie State of New York, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item	Maximum delivered prices to purchasers for resale on an installed basis (this includes contractors)	Maximum yard prices on sales to purchasers for resale on an installed basis (this includes contractors)	Maximum delivered price to ultimate users (this includes consumers) ¹
1. Plaster, hard wall—neat.....	\$18.90 (ton) less 100 bags.....	\$17.90 (ton).....	\$0.95 (100-lb.).
2. Plaster, sanded.....	\$17.90 (ton) 100 bags or over. \$14.40 (ton) less than 100 bags.....	\$13.40 (ton).....	\$0.75 (100-lb.).
3. Plaster, gauging.....	\$13.40 (ton) 100 bags or over. \$27.40 (ton) 100 bags or over.....	\$1.92 (100-lb.).....	\$1.97 (100-lb.).
4. Plaster, moulding.....	\$1.97 (100-lb. bag) less than 100 bags.....	\$1.92 (100-lb.).....	\$1.97 (100-lb.).
5. Keene's cement.....	\$27.40 (ton) 100 bags and over.....	\$1.92 (100-lb.).....	\$1.97 (100-lb.).
6. Finishing lime.....	\$1.97 (100-lb. bag) less than 100 bags.....	\$2.50 (100-lb.).....	\$2.50 (100-lb.).
7. Gypsum lath, 3/8".....	\$2.50 (100-lb. bag) less than 100 bags.....	\$18 (ton) over 2 1/2 tons.....	\$0.53 (50-lb.).....
8. Metal lath, 2.5 lb.....	\$0.55 (50-lb. bag).....	\$23.25 (M sq. ft.).....	\$0.78 (bundle), \$0.32 (sq. ft.).....
9. Metal lath, 3.4 lb.....	\$0.255 (sq. yd.).....	\$0.255 (sq. yd.).....	\$0.255 (sq. yd.).
10. Metal lath, corner bead standard type.....	\$0.305 (sq. yd.).....	\$0.305 (sq. yd.).....	\$0.305 (sq. yd.).
11. Metal lath, corner bead expanded type.....	\$0.045 (sq. yd.).....	\$0.045 (sq. yd.).....	\$0.045 (sq. yd.).
12. Portland cement, standard.....	\$0.065 (sq. yd.).....	\$0.065 (sq. yd.).....	\$0.065 (sq. yd.).
13. Masonry mortar (brixment).....	\$3 (bbl.) less 100 bags.....	\$2.85 (bbl.).....	\$0.75 (bag 94 lb.).
14. Mason's hydrated lime.....	\$2.85 (bbl.) 100 bags or over. \$2.70 (bbl.) less than 100 bags.....	\$2.55 (bbl.).....	\$0.67 1/2 (65-70 lb. bag).
15. Waterproof cement gray.....	\$2.55 (bbl.) 100 bags or over. \$14.75 (ton) 100 bags or over.....	\$0.46 (60 lb. bag).....	\$0.50 (50 lb. bag).
16. Hi-Early cement.....	\$0.48 (less 100 bags) 50 lb. \$3.80 (bbl.) less than 100 bags.....	\$3.65 (bbl.).....	\$0.95 (94 lb. bag).
17. Gypsum block partitions 3" hollow.....	\$3.65 (bbl.) 100 bags or over. \$3.80 (bbl.) less than 100 bags.....	\$3.65 (bbl.).....	\$0.95 (94 lb. bag).
18. Gypsum block partition 4" hollow.....	\$3.65 (bbl.) 100 bags or over. \$7.45 (100 sq. ft.).....	\$7.13 (100 sq. ft.).....	\$7.45 (100 sq. ft.).
19. Clay drain tile—3".....	\$8.52 (100 sq. ft.).....	\$8.07 (100 sq. ft.).....	\$8.52 (100 sq. ft.).
20. Clay drain tile—4".....	\$57.08 (per M ft.)..... \$46.72 (per M) over 1 M ft. \$0.06 (ft.) less than 1 M ft. \$64.45 (per M ft.) less than 1 M ft. \$0.07 (per ft.).....	\$46.72 (per M)..... \$0.05 (ft.).....	\$0.06 (per ft.).
21. Clay drain tile—6".....	\$33.78 (per M ft.) over 1 M ft. \$134.11 (per M ft.)..... \$0.135 (per ft.)..... \$118 (per M)..... \$0.12 (per ft.).....	\$118 (per M)..... \$0.12 (per ft.).....	\$0.135 (per ft.).
22. Vitrified clay sewer pipe 4".....	\$0.195 (ft.).....	0.19 (ft.).....	\$0.195 (ft.).
23. Vitrified clay sewer pipe 6".....	\$0.295 (ft.).....	\$0.285 (ft.).....	\$0.295 (ft.).
24. Vitrified wall coping, 8" or 9"—2 pitch.....	\$0.26 (ft.).....	\$0.255 (ft.).....	\$0.26 (ft.).
25. Vitrified wall coping, 12" or 13"—2 pitch.....	\$0.395 (ft.).....	\$0.38 (ft.).....	\$0.395 (ft.).
26. Flue Lining, 8 1/2 x 8 1/2.....	\$0.395 (ft.).....	\$0.38 (ft.).....	\$0.395 (ft.).
27. Flue Lining, 8 1/2 x 13.....	\$0.59 (ft.).....	\$0.58 (ft.).....	\$0.59 (ft.).
28. Flue lining, 13 x 13.....	\$0.74 (ft.).....	\$0.72 (ft.).....	\$0.74 (ft.).
29. Asphalt roofing, 90-lb. mineral surface.....	\$2.65 (roll).....	\$2.65 (roll).....	\$2.65 (roll).
30. Gypsum wallboard, 3/4".....	\$36 (M sq. ft.).....	\$36 (M sq. ft.).....	\$0.04 (sq. ft.).
31. Fiber insulation board, 1/2" standard lath and board.....	\$47.50 (M sq. ft.).....	\$47.50 (M sq. ft.).....	\$47.50 (M sq. ft.).
32. Thermal insulation batts, 2" thick.....	\$45 (M sq. ft.).....	\$42.50 (M sq. ft.).....	\$45 (M sq. ft.).
33. Thermal insulation batts, paper backed, full thick.....	\$55 (M sq. ft.).....	\$55 (M sq. ft.).....	\$55 (M sq. ft.).
34. Fiber insulation board, 1/2" asphalt sheathing—celotex.....	\$55 (M sq. ft.).....	\$55 (M sq. ft.).....	\$55 (M sq. ft.).
35. Thermal insulation, loose in bags (plain).....	\$1.30 (35-40-lb.).....	\$1.30 (35-40-lb.).....	\$1.30 (35-40-lb.).

¹ On sales of \$10 and under a delivery charge of 50 cents may be added to these prices.

Opinion Accompanying Adopting Order No. 34 Under Basic Order No. 1 as Amended, Under General Order No. 68, as Amended.

Pursuant to the provisions of General Order No. 68 as amended, Regional Administrators and District Directors authorized to do so, may issue and put into effect orders establishing maximum prices applicable to particular communities or defined areas, for sales by all persons to ultimate users or to purchasers for resale on an installed basis of commodities under the jurisdiction of the Building Materials Price Branch. In accordance with this authority, Basic Order No. 1 as amended, under General Order No. 68 as amended was issued by the Regional Administrator of Region II, setting forth the general provisions common to future area orders known as adopting orders. All District Directors in Region II have been duly authorized by the Regional Administrator to issue such adopting orders.

The prices fixed by the accompanying order are a translation into dollars and cents of existing maximum prices of the commodities covered and do not exceed the general level of prices as fixed by the regulations which would otherwise be applicable, and so far as they affect resellers are in complete compliance with the provisions of the section 2 (t) of the Emergency Price Control Act of 1942, as amended. The provisions of the accompanying order and their effect upon business practices, cost practices, and methods in the industry affected, have been carefully considered, and no provisions which might have the effect of requiring a change in such methods or practices has been included, except to the extent that such change is necessary to prevent circumvention or evasion of the accompanying order.

The order also has a provision in reference to adjustments due to increases in suppliers prices. It is the intention of the Office of Price Administration to specify the amounts by which resellers' maximum prices may be increased as part of any future action which increases manufacturers maximum prices on a nation-wide or area-wide basis. The specified increase will be allowed to all resellers of the commodity in question, including resellers under area orders. Thus, there will be a temporary breakthrough of the area order until such time as the area order is amended to reflect the permitted increase at which time resellers will again be subject to the area order price and the increase factors will no longer be applicable to them.

[F. R. Doc. 46-20500; Filed, Nov. 18, 1946; 8:50 a. m.]

[Region III Order G-66 Under MPR 592]

READY MIXED CONCRETE IN COVINGTON, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order No. G-66 provides adjusted maximum prices for sales of ready mixed concrete produced by producers in the Covington, Kentucky, area. The maximum prices of resellers are also adjusted herein.

(b) *Area covered.* The Covington, Kentucky, area as used herein contains all that area located within the counties

of Kenton, Boone and Campbell in the State of Kentucky.

(c) *Producer's adjusted maximum prices.* (1) The adjusted maximum prices for sales of ready mixed concrete produced by producers located in the Covington, Kentucky, area shall be as follows:

Commodity		Adjusted maximum price			
Mix	Weight	City	Zone 1	Zone 2	Zone 3
1-3-6	2,000 lb. cu. yd.	\$7.60	\$7.90	\$8.60	\$10.80
1-3-5	2,500 lb. cu. yd.	8.05	8.40	9.00	11.20
1-2½-5	2,500 lb. cu. yd.	8.05	8.40	9.00	11.20
1-2-4	3,000 lb. cu. yd.	8.35	8.70	9.35	11.50
1-2¼-4	3,000 lb. cu. yd.	8.35	8.70	9.35	11.50
1-2-3½	3,500 lb. cu. yd.	8.70	9.00	9.70	11.80
1-2-3	3,500 lb. cu. yd.	8.70	9.00	9.70	11.80
1-1½-3	4,000 lb. cu. yd.	9.05	9.40	10.05	12.15
1-3 topping	4,000 lb. cu. yd.	10.60	10.90	11.50	13.60
1-2½ topping	4,000 lb. cu. yd.	11.65	11.95	12.55	14.65
1-2 topping	4,000 lb. cu. yd.	12.70	13.00	13.60	15.70

(2) As used in sub-paragraph (c) (1) above, the following definitions shall apply:

City deliveries include delivery to the following points: Covington, South Hills, Park Hills, Latonia, Newport, Woodlawn, Southgate, Bellevue.

Zone 1 includes Ft. Perry, Decoursey, Sandfortown, Ft. Mitchell, Ft. Wright, Ft. Thomas, Dayton, Wilders, Winston Hills to Mason Road, Forest Hills, Barrington Woods, Kenton Hills, Lakeside, Ludlow.

Zone 2 includes Old Turkey Foot Road including Edgewood, Crestview Hills, Dudley Pike, Erlanger, Elsmere, Florence, Crescent Springs, Bromley, Brent, Highland Heights, Cold Springs, Taylor Mill Pike from Mason Road to Wolfe Road, Dixie Highway to top of Pye's Hill, LLL Highway from Sandfortown to Hands Pike, Licking Pike to Johns Hill Road.

Zone 3 includes Top of Pye's Hill to Visalia, Wolfe Road to Nicholson, Cold Springs to Alexandria, Brent to Ross, Bromley to Constance, Richwood, Union, Burlington, Hebron, Independence.

(d) *Adjusted maximum prices of resellers.* The adjusted maximum prices of ready mixed concrete produced in the Covington, Kentucky Area shall be determined by adding to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of increase in their net invoiced costs resulting from the increases granted the manufacturer by this order.

(e) *Discounts, allowances and special charges.* All sellers described in this order must continue to maintain discounts, allowances and other price differentials, to each class of purchaser, at least as favorable as those which were in effect immediately prior to the effective date of this order and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added immediately prior to the effective date of this order.

(f) *Notification.* The producers described herein, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the products covered by this

order, a notice of the adjustment authorized by this order. Such notice shall contain substantially the following:

Order No. G-66 under section 17 of Maximum Price Regulation No. 592 provides adjusted maximum prices for sales of ready mixed concrete produced by producers located in the Covington, Kentucky area. Resellers may add to their maximum prices in effect immediately prior to the effective date of this order, to each class of purchaser, the percentage amount of increase in their net invoiced costs resulting from the increases granted to the producers by this order.

(g) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective November 7, 1946.

Issued: November 7, 1946.

A. D. RUEGSEGER,
Acting Regional Administrator.

Opinion Accompanying Order G-66 Under Section 17 of Maximum Price Regulation 592

Order No. G-66 under section 17 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of ready mixed concrete produced by producers located in the Covington, Kentucky, area and further provides for the adjustment of the maximum prices of resellers of such products.

Section 17 of Maximum Price Regulation No. 592 authorizes the Regional Administrator, upon application, to adjust the maximum prices of a group of manufacturers and producers of certain commodities, including ready mixed concrete, selling within a limited trading area at substantially the same prices if production thereof is impeded or threatened and if individual adjustments would be impracticable. All of the ready mixed concrete produced in the Covington, Kentucky area is sold at the same prices and is produced by three producers, all of whom have joined in the application for price adjustment. Because of increased wage and material costs, these applicants claim that the production of the subject commodity is threatened. Their supply of ready mixed concrete could not be re-

placed in the event they discontinued production.

Analysis of the financial data submitted indicates that an area adjustment of maximum prices of ready mixed concrete produced in the Covington, Kentucky area should be granted. It is considered that the area adjustment granted in the accompanying order, while constituting the minimum required, will be sufficient to assure the continued supply of the subject commodity in that area.

It has been determined that resellers of the subject commodity would be unable to absorb the price increases authorized by the accompanying order and, accordingly, resellers are permitted to add to their established maximum prices, to each class of purchaser, the percentage amount of any increase in their net invoiced cost due to the adjustment granted to the producers.

The price increases established in the accompanying order are considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-20743; Filed, Nov. 22, 1946; 8:53 a. m.]

[Region VII Order G-3 Under Rev. Gen. Order 65, Amdt. 1]

LUMBER AND LUMBER PRODUCTS IN DENVER REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised General Order No. 65, it is ordered:

1. Order No. G-3 under Revised General Order No. 65 is amended in the following respect:

An addition is made to the footnote of the "Freight Rate Area Table" as follows:

The above additions for truck delivery from railhead to yard may be increased by 30% for lower bracket items and 40% for upper bracket items. Lower and upper bracket items are as defined in section 5 (d) of Revised Maximum Price Regulation No. 215.

This Amendment No. 1 shall become effective November 5, 1946.

Issued this fifth day of November 1946.

DAVID BROFMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G-3 Under Revised General Order No. 65

No provision was made in this order for a markup on the permitted charges for truck delivery from railhead to distribution yard which is required by section 2 (t) of the Emergency Price Control Act of 1942, as amended. This amendment corrects the error.

[F. R. Doc. 46-20663; Filed, Nov. 20, 1946; 8:57 a. m.]

[Region III Rev. Order G-39 Under RMPR 251]

INSTALLED INSULATING MATERIAL IN LOUISVILLE, KY., AREA

Under the authority vested in the Regional Administrator of the Office of

Price Administration by section 9 of Revised Maximum Price Regulation No. 251, and pursuant to the provisions of Regional Basic Order No. 1-B under Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. *What this order does.* This adopting order establishes dollars-and-cents maximum prices for the composition roofing materials specified in section 4, hereof, when sold installed on residential structures in the Louisville, Kentucky Area.

SEC. 2. *Area covered.* For the purposes of this order, the "Louisville, Kentucky Area" consists of the Counties of Jefferson, Bullitt, Hardin, Oldham, Nelson, Shelby, Franklin, Henry, Anderson, Spencer, Trimble, and Meade in the State of Kentucky, and Floyd and Clark Counties in the State of Indiana.

SEC. 3. *Applicability of Basic Order No. 1-B.* All the provisions of Basic Order No. 1-B, consistent with this adopting order, are hereby adopted by, and incorporated by reference into, this order and are just as much a part of this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. *Definition of insulating materials.* "Insulating materials" means blankets, batts, loose and nodulated material of mineral wool (which means rock wool, slag wool, and glass wool blown from molten materials), when installed in a structure.

SEC. 5. *Maximum prices—(a) Price list.* The maximum prices for the specified installations of insulating materials shall be as set forth in Table I, which is annexed to and made a part of this order. Said prices apply to all types of batts and blankets and nodulated insulating materials as defined in section 4, above, of thicknesses of four inches, unless otherwise provided. To determine maximum prices of insulation of thicknesses other than four inches, see subsection (b) below. Table II,¹ which is annexed to and made a part of this order, contains diagrams referred to in Table I, hereof, which explain the types of installations.

(b) *Differentials and extra charges.* (1) For each inch, or fraction thereof, by which the installed insulation exceeds four inches in thickness, the seller may add any of the following amounts, whichever is applicable, to the prices listed in Table I, hereof.

Where insulation is applied to flat areas: \$0.015 per sq. ft.

Where insulation is applied to vertical areas: \$0.02 per sq. ft.

Where insulation is applied in sealed slopes: \$0.02 per sq. ft.

(ii) For each inch or fraction thereof, by which the insulation covered hereby

¹ Filed as part of the original document.

is less than four inches in thickness, the seller shall deduct not less than one cent per square foot from the prices listed in Table I, hereof.

(iii) When a machine or crew of two or more workers is used to install mineral wool insulation, and the maximum price for the work is forty dollars or less, the seller may add not more than ten dollars to said maximum price.

(iv) When the job site is located beyond the limits of Jefferson County in Kentucky or Clark or Floyd Counties in Indiana, sellers may increase their maximum price by an amount not exceeding one dollar (\$1.00) per mile or fraction thereof, by which the point of installation is located beyond the limits of the three counties.

NOTE: This subsection (iv) shall apply only to sellers located in Jefferson County, Kentucky, and Clark and Floyd Counties in Indiana.

SEC. 6. *Relation to Order No. G-39.* Subject to the provisions of Supplementary Order No. G-40, this Revised Order No. G-39 replaces and supersedes Order No. G-39 which is hereby revoked.

SEC. 7. *Effective date.* This Revised Order No. G-39 shall become effective November 8 1946.

OCTOBER 25, 1946.

HENRY J. ZETZER,
Acting Regional Administrator.

TABLE I

Category No.	Categories	Price per square foot, 4" thickness
<i>Exposed ceilings</i>		
1	Open attic with 24" clearance. Drawing 1	\$0.12 ^{1/4}
2	Under flat built-up roofs (suspended ceiling); open blowing conditions. (Price includes cost of opening and closing area). Drawing 2	.14 ^{1/4}
<i>Covered ceilings</i>		
(Price includes the cost of removing and replacing flooring)		
3	Open attic with single rough flooring and accessible. Drawing 3	.14 ^{3/4}
4	Open attic with finished single floors. Drawing 4	.15 ^{1/4}
5	Open attic with double floors, top floor finished. Drawing 5	.17
<i>Flat ceilings in closed spaces</i>		
(Prices do not include cost of opening and closing)		
6	Flat ceilings in closed spaces under pitched or sloping roofs when 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	.13
	(B) Floored:	
	1. With single rough floor	.15
	2. With single finished floor	.15 ^{1/2}
	3. With double finished floor	.17
7	Ceilings in closed space under ridge of pitched roofs, where openings for full length of ridge is necessary because of small clearance between ridge and ceiling areas. Unfloored. Drawing 7	.13 ^{1/2}
8	Flat built-up roof type including row house construction and commercial building. Drawing 8	.14 ^{3/4}
9	Flat roof decks covered with tin, copper, or canvas. Drawing 9	.15
10	Overhand. Drawing 10	.18
11	Dormer tops. Drawing 11:	
	(A) Without retaining material	.14 ^{3/4}
	(B) Retaining material included	.17 ^{1/2}
12	Bay window top or bottom. Drawing 12:	
	(A) Top	.17
	(B) Bottom	.19 ^{1/4}

TABLE I—Continued

Category No.	Categories	Price per square foot, 4" thickness
Floors		
(Prices do not include cost of opening and closing or cost of retaining material)		
13	Any exposed floors over garage ceilings, open porches or similar types of areas when the underside to be insulated is closed and finished. Drawing 13	\$0.19
14	Any exposed floors where the areas to be insulated are not closed and finished and where retaining materials are required. Drawing 14	.10 1/4
Floors over unexcavated areas		
(Prices do not include cost of retaining material)		
15	Batts and blankets. Drawing 15	.18 1/4
16	4" fill blown in on retaining material. Drawing 16	.20 1/4
Sloping areas		
(Prices do not include opening and closing)		
17	All slopes where closed and finished on interior side of rafters. Drawing 17	.17
18	Open rafters and slopes where batts or blankets are used, such as pocket outside of knee walls when blow is impracticable. Drawing 18	.17
19	Open rafters and slopes. Application of batts or blankets. (No retainer used.) Drawing 19	.17
Knee walls, partitions, and stairwalls and appurtenances		
20	Interior plastered walls where no decoration is necessary except plaster patching. Drawing 20. (Price to include open and closing plastered walls)	.17 1/4
21	Knee walls. Drawing 21	.17
	(A) Batts and blankets	.16 3/4
	(B) Blown (no retaining material)	.17
22	Knee walls not accessible. Drawing 22	.17
23	Stairwalls and appurtenances. (Prices to include opening and closing of plastered walls)	.15.00
	(A) Soffits—flat price. Drawing 23	.18 1/4
	(B) Walls (measurement of walls may be taken rectangular from floor to ceiling)	5.00
	(C) Weatherstrip attic door. Flat price	5.00
	(D) Cover attic door with insulating board. Flat price (1 1/2" or more thick)	5.00
	(E) Construct counter balanced trap door. Flat price (not less than 2" of insulation)	15.00
Exterior walls		
(Prices include cost of opening and closing)		
24	Exterior walls with inner finish whose outer surface is composed of: (Drawings 24 and 30.)	
	(A) Wood or asphalt shingles	.19
	(B) Wood clapboard	.19
	(C) Brick or stone veneer	.19
	(D) Stucco	.21 1/4
	(E) Asbestos cement shingles	.20 1/4
	(F) Insulated brick and stone novelty siding	.20 1/4
25	Gable and end walls with inner finish. Drawings 25 and 26	
26	The prices listed under 24 (A) to 24 (F), inclusive, depend on type of outer finish.	
27	Gable and end walls without inner finish (batts or blankets). Drawing 27	.16 1/4
28	Dormer cheeks and faces with inner finish. The prices listed in 24 (A) to 24 (F), inclusive, depending upon the type of outer finish. Drawing 28	
29	Dormer cheeks and faces without inner finish (batts or blankets). Drawing 29	.16 1/4
Openings and closings		
A separate additional charge may be made for openings and closings only in those cases where openings and closings are not included in price applicable to the category. The charge includes payment for labor and material used for replacement of material when necessary. (Governs only work performed by installer).		

TABLE I—Continued

Category No.	Categories	Man-hole openings	Strip openings
30	Metal roofs	\$5.00	\$1.00
31	Common wood or asphalt shingles or rolled asphalt roofing or built-up asphalt roofs	5.00	1.00
32	Slate, tile, and asbestos shingles, minimum per lineal ft.	7.50	1.20
33	Wood openings or openings through similar materials, including beaded ceiling		1.00
34	Plaster walls or ceiling openings and closings		5.00
Retaining materials			
(Governs work only performed by installer)			
35	Building paper and lath, retaining surface. (Such as Sisal-Kraft)		\$0.05
36	Paper wall boards		.05
37	Rock lath (approx. 16" x 48")		.05
38	Plaster board and insulating board		.10
Miscellaneous			
Includes material and labor. (Governs only work by installer)			
39	Insulate expansion tank		(4)
40	Insulate knee wall doors with insulating board		6.65
41	Louvers or ventilators. (All types and sizes)		8.20
42	2 in. x 4 in. framing lumber necessary to installation. Installed		7.15

- ¹ Flat price.
- ² Per lineal foot (\$5 minimum).
- ³ Per lineal foot (\$7.50 minimum).
- ⁴ Lawful price charged by sub-contractor or determined under RMPR 251.
- ⁵ Each.
- ⁶ Per opening.
- ⁷ Per lineal foot.

[F. R. Doc. 46-20658; Filed, Nov. 20, 1946; 8:57 a. m.]

[Region III Basic Order 1-B Under RMPR 251]
CONSTRUCTION SERVICES AND INSTALLED BUILDING MATERIALS IN CLEVELAND REGION

Pursuant to the authority vested in the Regional Administrator of the Office of Price Administration under section 9 of Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. What this order does. (a) This basic order puts into one document the provisions common to all area pricing orders establishing maximum prices for sales of certain construction services and installed building materials issued by the Administrator of Region III of the Office of Price Administration.

(b) The order issued by the Regional Administrator under the authority of section 9 of Revised Maximum Price Regulation No. 251 which adopt and incorporate by reference the applicable provisions of this basic order are referred to herein as "adopting orders."

(c) To the extent they are made applicable, the provisions of this basic order shall apply to all sales of the construction services and/or installed building material specified in the adopting orders

when this basic order is specifically adopted by, and incorporated by reference into, any adopting order issued by the Regional Administrator pursuant to the provisions of section 9 of Revised Maximum Price Regulation No. 251.

SEC. 2. Transactions covered by this order. This basic order, and adopting orders issued hereunder, establish maximum prices for any or all of the transactions listed in subparagraphs (a), (b), (c) and (d) below:

(a) Sales of specified asbestos-cement and/or composition siding on an installed basis when installed on residential structures in the area defined in the applicable adopting order,

(i) Over the previously erected permanent exterior side covering of such structures or,

(ii) On such structures from which the previously erected permanent exterior side covering has been removed.

(b) Sales of specified composition roofing on an installed basis when installed on residential structures in the area defined in the applicable adopting order,

(i) Over the previously erected permanent exterior roof covering of such structures or,

(ii) On such structures from which the previously erected permanent exterior roof covering has been removed.

(c) Sales of construction work preparatory to such re-siding or re-roofing installation.

(d) Sales of incidental construction work unrelated to such re-siding or re-roofing installation but performed in conjunction with such re-siding or re-roofing installation.

SEC. 3. Prohibitions against sales at higher than maximum prices. No person shall sell or offer to sell and no person shall buy or offer to buy, in the course of trade or business, any of the commodities and/or services covered hereunder at prices greater than the maximum prices established by this basic order and adopting orders issued hereunder.

SEC. 4. Relationship to other maximum price regulations and orders. The provisions of this basic order and adopting orders issued hereunder shall supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to the transactions, items and commodities for which dollars-and-cents maximum prices are established hereunder. To the extent that they are consistent with this order and adopting orders issued hereunder, all other provisions of Revised Maximum Price Regulation No. 251, and the provisions of other applicable maximum price regulations and orders, shall apply to transactions covered by this order.

SEC. 5. Maximum prices—(a) Re-siding and re-roofing. (1) The maximum prices set forth in the applicable adopting orders shall be the maximum prices for the re-siding or re-roofing transactions specified therein, when installed according to the manufacturer's specifications, as the term is defined in section 11, hereof.

(ii) The maximum prices for types of re-siding and re-roofing installations not specifically defined in the adopting order applicable to the area wherein the installation is being made shall be computed under Revised Maximum Price Regulation No. 251 or other applicable maximum price regulations or orders.

(b) *Construction work preparatory to residing or re-roofing installation.* The maximum prices for construction work preparatory to any re-siding or re-roofing transactions covered hereunder shall be determined under Revised Maximum Price Regulation No. 251.

(c) *Incidental construction work unrelated to re-siding or re-roofing installation.* The maximum prices for incidental construction work, unrelated to re-siding or re-roofing transactions covered hereunder, but performed in conjunction with such re-siding or re-roofing transactions, shall be determined under Revised Maximum Price Regulation No. 251.

SEC. 6. Contracts and final statements.

(a) Any contract relating to a transaction involving re-roofing, re-siding and/or incidental or preparatory construction work covered hereunder, shall contain an itemized statement as to the approximate number of squares to be covered and the seller's price per square of re-roofing and re-siding to be installed. The contract shall also contain a statement of each and every item of preparatory and/or incidental construction work to be performed, in addition to the re-siding and re-roofing work, and the contract price for each such item. Any modification or alteration of such contracts shall be made in writing and signed by the purchaser before the work covered thereby is undertaken.

(b) Upon completion of the work contracted for, the seller shall recompute the contract prices under the provisions of section 10 (b), hereof, and give the purchaser an itemized statement showing the actual number of squares of re-roofing or re-siding installed.

(c) The seller shall also furnish the purchaser with a separate statement of any preparatory or incidental construction work performed, giving a description of such work and an itemized statement of the services actually performed and the materials actually installed. The seller shall include in such statement the date on which such work was completed, the names and addresses of the seller and purchaser, the job site, and the terms of sale.

SEC. 7. Posting. (a) Every seller making sales covered by this order shall post a copy of the applicable adopting order and a copy of this basic order in each of his places of business in the area defined in the applicable adopting order, in a manner plainly visible to, and accessible by, all customers.

(b) Every person making sales subject to this order shall, if so requested by the purchaser, make available to such purchaser a copy of this order, a copy of the applicable adopting order and a copy of Revised Maximum Price Regulation No. 251, as amended.

SEC. 8. Evasions. The price limitations set forth in this basic order and adopting orders issued hereunder shall not be evaded by direct or indirect methods, in connection with any offer, solicitation, agreement, sale delivery, purchase or receipt of any of the commodities or services covered by this basic order, and adopting orders issued hereunder, whether alone or in conjunction with any other charges, discounts, premiums, or other privileges, or by installing any roofing or siding materials covered hereunder in a manner which does not meet at least the standards set forth in the manufacturer's specifications; or by tying agreement or other understanding or by making the terms and conditions of sale more onerous to buyers than they were during March, 1942, (except as specifically permitted by this basic order, and adopting orders issued hereunder, or applicable regulations).

Persons violating any provision of this order, or of applicable adopting orders issued hereunder, are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses and any other enforcement proceeding provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9. Records. All sellers covered by this order shall keep records concerning each sale subject to said order, including the name and address of the purchaser, the location of the job, the date of the transaction, a description of the materials and services involved, the number of squares covered and the price per square of re-roofing or re-siding installed, a separate statement of any incidental or preparatory construction work performed, and the prices charged therefor, and the total charge for the entire transaction.

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

SEC. 10. Lump sum, guaranteed, or contract prices. (a) Subject to the provisions of section 6, hereof, any seller may offer to or make sales of materials and/or services covered by this order, on the basis of a lump sum, guaranteed, or contract price, but such price shall not be higher than the maximum price calculated in accordance with the pricing methods and requirements specified in the applicable adopting order and in this basic order.

(b) *Recomputation.* Within 30 days after the completion of any transaction covered hereunder for which a price was charged on the basis described in subsection (a) above, the seller shall check his price, by reviewing the categories, measurements, materials, labor, and other factors used in his estimate as compared with the services actually rendered and materials actually installed, and shall determine whether the price which he quoted, charged, or collected is higher than the maximum price computed hereunder. In the event that the price quoted, charged or collected is

higher than the maximum price computed hereunder, the seller shall reduce his price to the proper maximum price and shall either (1) refund to the purchaser, within such period of 30 days after completion of the transaction, any excess which may have been collected, or (2) by written notice to the purchaser, cancel the indebtedness of the buyer for any such excess, or both, as the case may require. Such a charge or collection of an amount in excess of the maximum price properly computed hereunder shall not be considered to be a violation of the basic or adopting orders if the amount thereof is refunded or credited to the purchaser in accordance with the provisions of this paragraph.

SEC. 11. Definitions. (a) "Composition roofing" means the types of roofing defined in the applicable adopting order, such as asphalt shingles and mineral surface roll roofing, but does not include wood, metal, or slate roofing.

(b) "Composition siding" means the types of siding defined in the applicable adopting order such as roll brick siding and insulated brick or stone siding, but does not include wood shingles or wood siding.

(c) "Asbestos-cement siding" means the type of siding specified in the applicable adopting order such as asbestos-cement siding of standard surface hardness and standard colors, but does not include wood shingles or wood siding.

(d) "Construction work preparatory to roofing installation" means all construction services furnished and building materials installed which are necessary to place a structure in repair prior to installation of the roofing specified in the applicable adopting order.

(e) "Construction work preparatory to siding installation" means all construction services furnished and building materials installed which are necessary to place a structure in repair prior to installation of the siding specified in the applicable adopting order.

(f) "Manufacturers' specifications" means the specifications issued by the manufacturers of siding or roofing materials setting forth certain minimum standards relating to the method of installing the particular types of siding or roofing, including, but not limited to, such items as the amount of exposure to the weather, overlap, and the quantity of nails per unit.

(g) "Incidental construction work unrelated to re-siding or re-roofing installation" means separate construction services furnished or building materials installed in addition to the siding or roofing installation specified in the applicable adopting order and not directly necessary for, but performed in conjunction with, such siding or roofing installation.

(h) "Installed basis," with reference to re-siding or re-roofing means a transaction in which the seller furnishes siding or roofing materials and the related materials and services required to incorporate such siding or roofing and related materials into a residential structure.

(i) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, its legal successors or representatives, the United States of any other government, or any of its political subdivisions, or any agency of any of the foregoing, and includes subcontractors as well as prime contractors.

(j) "Related materials and services," with reference to re-roofing installation, means nails, mastic and other necessary materials, labor costs, other job costs directly related to and necessary to such re-roofing installation, commissions or brokerage fees and such other materials and/or services as may be specified in the adopting orders.

(k) "Related materials and services," with relation to re-siding installation, means leveling strips, felt, felt strips, corner beads, caulking, moulding nails and other necessary materials, labor costs, other job costs directly related to and necessary for such re-siding installation, commissions or brokerage fees, and such other materials and/or services as may be specified in the adopting orders.

(l) "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 outbuildings, but does not include hotels.

(m) "Seller" means any person making a sale covered by this basic order or adopting orders issued hereunder.

(n) A "square" means one hundred square feet of surface.

(o) Where relevant and material, the definitions set forth in Revised Maximum Price Regulation No. 251 and in other applicable maximum price regulations and orders, and in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used in this basic order and adopting orders, issued hereunder.

SEC. 12. Revocation or amendments. This order and any adopting order issued hereunder may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 11, 1946.

Issued: June 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-20657; Filed, Nov. 20, 1946; 8:56 a. m.]

[Region III Order G-39 Under Gen. Order 68]
HARD BUILDING MATERIALS IN YOUNGSTOWN, OHIO AREA

Pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B under General Order No. 68, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the hard

building materials listed in the accompanying tables, when sold at retail at or from any point within the Youngstown, Ohio Area.

SEC. 2. Area covered. For the purposes of this order, the "Youngstown, Ohio Area" consists of the County of Mahoning in the State of Ohio.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Adopting Order No. G-39, are hereby adopted by, and incorporated by reference into, this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices—(a) Price list. The maximum prices for hard building materials covered by this order shall be those set forth in the tables which are annexed to, and made a part of, this order, according to the quantity purchased and the class of purchaser. Prices lower than the listed maximum prices may, of course, be charged or paid.

(b) **Delivery.** (i) The maximum prices listed in the accompanying tables, include free delivery of any of the listed hard building materials to any point within a radius of ten miles of the Mahoning County Court house for sellers whose places of business are located within the city of Youngstown. Sellers whose places of business are located within Mahoning County, but outside of the city of Youngstown, shall deliver any of the listed items free of charge to any point within a radius of ten miles of such sellers' places of business.

(ii) When delivery of any of the listed hard building materials is made to any point beyond the free delivery zones, described in subparagraph (i) above, the seller shall charge no more than he charged in March, 1942, for the same or similar delivery service.

(iii) No deduction need be made from the maximum prices listed in the accompanying tables, where the purchaser elects to make his own delivery.

(c) **Discounts.** (i) Separate price lists are contained in the attached tables for sales in quantities to contractors, and in lesser quantities to any purchaser. Sellers shall not charge more for any of the listed items than is set forth in the applicable table.

(ii) Sellers shall grant discounts of not less than two percent (2%) on all cash sales to contractors.

SEC. 5. Effective date. This Order No. G-39 shall become effective October 18, 1946.

Issued: October 4, 1946.

A. C. RUEGSEGGER,
Acting Regional Administrator.

The prices listed in this order include all increases granted to resellers by the OPA through August 8, 1946. (See sec. 6 (b) of Basic Order No. 1-B.)

TABLE I

Commodity and unit	Maximum price
Plaster, hardwall, ton	\$21.00
Plaster, gauging, 100 lb	1.10
Plaster, moulding, 100 lb	2.60
Keene's cement, 100 lb	2.60
Finishing lime, 50 lb	.62
Gypsum lath, 3/8 in., 1,000 sq. ft.	25.75
Metal lath, 2.2 lb., painted diamond mesh, sq. yd.	.2565
Metal lath, 2.5 lb., painted diamond mesh, sq. yd.	.3011
Metal lath, 2.5 lb., galvanized, sq. yd.	.3345
Metal lath, 3.4 lb., painted diamond mesh, sq. yd.	.372
Metal lath, 3.4 lb., galvanized, sq. yd.	.4012
Metal lath, 2.75 lb., flat rib painted, sq. yd.	.341
Metal lath, 3.4 lb., 3/8 inch high rib painted, sq. yd.	.4012
Metal lath, corner bead, expanded type, lin. ft.	.0482
Portland cement (paper sacks) barrel	3.11
Portland cement (cloth sacks) barrel	3.96
Masonry mortar, barrel	2.86
Mason's hydrated lime, 50 lb.	.56
Waterproof cement, gray, barrel	4.26
Gypsum block, partition, 3 in., hollow, sq. ft.	.1114
Gypsum block partition, 4 in., hollow, sq. ft.	.1314
Gypsum block partition, 6 in., hollow, sq. ft.	.2034
Clay drain tile, 3 in., lin. ft.	.0611
Clay drain tile, 4 in., lin. ft.	.0717
Clay drain tile, 6 in., lin. ft.	.1481
Vitrified clay sewer pipe, No. 1SS, 4 in., lin. ft.	.171
Vitrified clay sewer pipe, No. 1SS, 6 in., lin. ft.	.248
Flue lining, 8 in. x 8 in. inside, lin. ft.	.342
Flue lining, 8 in. x 12 in. inside, lin. ft.	.4845
Flue lining, 12 in. x 12 in. inside, lin. ft.	.6185
Gypsum wallboard, 3/8 in., sq. ft.	.045
Asphalt roofing, 90 lb., mineral surface, 108 sq. ft. roll	3.15
Asphalt or tarred felt, 15 lb., 432 sq. ft. roll	2.95
Asphalt or tarred felt, 30 lb., 216 sq. ft. roll	2.95
Asphalt shingles, 210 lb. (3 in 1) thickbutt, sq.	6.71
Thermal insulation batts (paper backed) 2 in. thick, sq. ft. (1,000)	45.00
Thermal insulation batts (paper backed) full thick, 1,000 sq. ft.	62.25
Thermal insulation (loose in bags) nodulated, 40 lb.	1.50

TABLE II

Commodity and unit	Maximum price
Plaster, hardwall, 100 lb	\$1.25
Finishing lime, 50 lb	.84
Gypsum lath, 3/8 in., sq. ft.	.03
Metal lath, 2.2 lb., painted diamond mesh, sq. yd.	.2676
Metal lath, 2.5 lb., painted diamond mesh, sq. yd.	.3345
Metal lath, 2.5 lb., galvanized, sq. yd.	.368

¹ Price for cement in cloth bags includes a refundable deposit of 25¢ per bag. Sellers are required to give refund of 25¢ on each bag returned for which a 25¢ deposit has been made.

TABLE II—Continued

Commodity and unit	Maximum price
Metal lath, 3.4 lb., painted diamond mesh, sq. yd.	\$0.408
Metal lath, 3.4 lb., galvanized, sq. yd.	.4366
Metal lath, 2.75 lb., flat rib painted sq. yd.	.374
Metal lath, 3.4 lb., 3/8 in. high rib painted, sq. yd.	.4366
Metal lath, corner bead, expanded type, lin. ft.	.0535
Portland cement (paper sack), 94 lb.	1.065
Portland cement (cloth sack), 94 lb.	1.315
Masonry mortar, 70 lb.	.815
Mason's hydrated lime, 50 lb.	.84
Waterproof cement—gray, 94 lb.	1.315
Gypsum block, partition, 3 in., hollow, sq. ft.	.12 1/2
Gypsum block, partition, 4 in., hollow, sq. ft.	.14 1/2
Gypsum block, partition, 6 in., hollow, sq. ft.	.22
Clay drain tile—3 in., lin. ft.	.0717
Clay drain tile—4 in., lin. ft.	.0825
Clay drain tile—6 in., lin. ft.	.1643
Vitrified clay sewer pipe, No. 1SS—4 in., lin. ft.	.1881
Vitrified clay sewer pipe, No. 1SS—6 in., lin. ft.	.2822
Flue lining, 8 x 8 (inside), lin. ft.	.399
Flue lining, 8 x 12 (inside), lin. ft.	.5415
Flue lining, 12 x 12 (inside), lin. ft.	.6755
Gypsum wallboard, 3/8 in., sq. ft.	.05
Asphalt roofing, 90 lb., mineral surface, 108 sq. ft. roll.	3.32
Asphalt or tarred felt, 15 lb., 432 sq. ft. roll.	3.12
Asphalt or tarred felt, 30 lb., 216 sq. ft. roll.	3.12
Asphalt shingles, 210 lb., (3 in 1) thickbutt, square.	7.08
Thermal insulation batts (paper backed) 2 in. thick, 1,000 sq. ft.	50.00
Thermal insulation batts (paper backed) full thick, 1,000 sq. ft.	67.35
Thermal insulation (loose in bags) nodulated, 40 lb.	1.50

TABLE III

Commodity and unit	Maximum price
Plaster, hardwall, ton.	\$16.80
Finishing, lime, ton.	17.92
Gypsum, lath 3/8 in., 1,000 sq. ft.	21.40
Portland cement (paper sacks), barrel.	2.54
Portland cement (cloth sacks), barrel.	3.39
Masonry mortar, barrel.	2.30

¹ Price for cement in cloth bags includes a refundable deposit of 25¢ per bag. Sellers are required to give refund of 25¢ on each bag returned for which a 25¢ deposit has been made.

Delivery. (i) The maximum prices listed in Tables I and II, hereof, include free delivery of any of the listed hard building materials to any point within a radius of ten miles of the Mahoning County Court House for sellers whose places of business are located within the city of Youngstown. Sellers whose places of business are located within Mahoning County, but outside of the city of Youngstown, shall deliver any of the listed items free of charge to any point within a radius of ten miles of each sellers' places of business.

(ii) When delivery of any of the listed hard building materials is made to any point beyond the free delivery zones, described in subparagraph (i) above, the seller shall charge no more than he charged in March 1942, for the same or similar delivery service.

(iii) No deduction need be made from the maximum prices listed in Tables I and II, hereof, where the purchaser elects to make his own delivery.

Discounts. (i) Separate price lists are contained in the attached Tables for sales in

quantities to contractors, and in lesser quantities to any purchaser. Sellers shall not charge more for any of the listed items than is set forth in the applicable Table.

(ii) Sellers shall grant discounts of not less than two percent (2%) on all cash sales to contractors.

[F. R. Doc. 46-20656; Filed, Nov. 20, 1946; 8:55 a. m.]

[Region VII Order G-1 Under Gen. Order 65, Amdt. 1]

LUMBER AND LUMBER PRODUCTS IN DENVER REGION

Order No. G-1 under Revised General Order No. 65, Amendment No. 1.

Maximum prices for retail type sales of certain lumber and lumber products in Region VII except Montana and part of Idaho. Docket No. 7-RGO 65-1 (a).

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised General Order No. 65, *It is ordered:*

1. Order No. G-1 under Revised General Order No. 65 is amended in the following respects:

a. The maximum prices set forth in each of the "Freight Rate Area Tables" for softwood shingles are hereby increased by the amounts shown in the table annexed hereto.

b. An addition is made to the footnote of the "Freight Rate Area Table" as follows:

The above additions for truck delivery from railhead to yard may be increased by 30% for lower bracket items and 40% for upper bracket items. Lower and upper bracket items are as defined in section 5 (d) of Revised Maximum Price Regulation No. 215.

c. In the top line of the freight rates in the "Freight Rate Area Table" the amount .50 is added under the word "from" so that the line will read, "from .50 and including .53".

d. The heading for the freight rates is changed to read "Where the carload rate of freight from Portland, Oregon on lumber, and from Seattle, Washington on shingles is from and including".

This Amendment No. 1 shall become effective November 1, 1946.

Issued this first day of November, 1946.

DAVID BROFMAN,
Acting Regional Administrator.

[Freight Rate Areas 1 through 12]

SHINGLES—WESTERN SOFTWOOD (RED CEDAR, REDWOOD, AND OTHER WESTERN SPECIES)

[Price table. Net additions to 100 square foot roof coverage. Applies to green or dry shingles, not stained or otherwise treated]

Class	Length	Thickness	Width	Grade No. 1	Grade No. 2
XXXXX	16"	5/2"	Random.....	\$0.15	\$0.10
			.....	.15	.10
Perfections	18"	5/2 1/4"	Random.....	.15	.15
			.....	.15	.15
Eurekas	18"	5/2"	5" or 6"	.15	.15
Royals	24"	4 1/2"	.....do.....	.20	.15

¹ Number of shingles at butt required to equal indicated thickness.

NOTE: The above additions may be made to shingles priced in Order G-1. Additions are the same for all Freight Rate Areas.

Opinion Accompany Amendment No. 1 to Order No. G-1 Under Revised General Order No. 65, Amendment No. 1

The maximum prices for Softwood shingles set forth in the tables annexed to Order No. G-1 were not computed so as to reflect correctly a recent increase in prices granted to producers of such shingles; no provision was made for a markup on the permitted charges for truck delivery from railhead to distribution yard which is required by section 2 (t) of the Emergency Price Control Act of 1942, as amended; the freight rates in the "Freight Rate Area Tables" did not include freight rates lower than .53, although rates as low as .50 exist; and it has been found that for some distribution yards the difference in freight rate on shingles between Portland, Oregon, and Seattle, Washington, which is the basing point for shingles, is sufficient enough to require a change in the table. This Amendment No. 1 was issued to correct these errors.

[F. R. Doc. 46-20660; Filed, Nov. 20, 1946; 8:57 a. m.]

[Region VII Order G-67 Under 18 (c)]

FIREWOOD IN MONTANA

Order No. 67 under § 1499.18 (c) of the General Maximum Price Regulation. Docket No. 7-18 (c)-58.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-67 is issued.

(a) *What this order does.* This Order No. G-67 supersedes and revokes, as of the effective date hereof, the orders named below in paragraph (g). It also established dollars-and-cents maximum prices for firewood sold delivered at wholesale and at retail throughout the State of Montana. However, such dollars-and-cents maximum prices are not uniform throughout the State of Montana, but vary as to the municipalities of Helena and Kalispell, the community of Missoula, and the rest of the State of Montana at large.

(b) *Dollars-and-cents maximum prices in specified areas.* On and after the effective date of this Order No. G-67, the maximum prices for firewood sold delivered at wholesale and at retail in the municipalities of Helena and Kalispell, the community of Missoula, and in all other parts of the State of Montana, shall be as follows:

(1) Dollars-and-cents maximum prices for the municipality of Helena:

	Wholesale	Retail
Firewood in 4-foot lengths and over, per cord.	\$8.00	\$10.00
Firewood in 10", 12", 14", and 16" lengths, per cord.	10.00	12.00
Firewood in 12" lengths, per rick.	.....	3.25
Firewood in 16" lengths, per rick.	.....	4.25

(2) Dollars-and-cents maximum prices for the municipality of Kalispell:

	Wholesale	Retail
Tie slabs, 8' 6" or longer, per cord.....		\$7.00
4' cord-wood, other than slab, per cord.....	8.00	10.00
Cord-wood sawed in 12", 14", or 16" lengths, per cord.....	9.00	11.00
Rick wood from slab, 12" lengths, per rick.....		3.00
Rick wood from slab, 14" or 16" lengths, per rick.....		3.75
Rick wood from cord-wood, 16" lengths, per rick.....		4.50

(3) Dollars-and-cents maximum prices for the community of Missoula, which means the municipality of Missoula, Montana, and all that area lying within a radius of 20 miles thereof:

	Wholesale	Retail
Un-sawed firewood in 4-foot lengths and over, per cord.....	\$7.50	\$9.00
Sawed firewood in 10", 12", 14", and 16" lengths, per cord.....	9.00	11.00
Firewood in 12" lengths, per rick.....		3.10
Firewood in 16" lengths, per rick.....		4.00
16" slab wood, sold in loads of approximately 1/3 of a cord, per load.....	3.00	5.75
16" slab wood, per cord.....		7.50

(4) Dollars-and-cents maximum prices for all that part of the State of Montana except the municipalities of Helena and Kalispell and the community of Missoula:

	Wholesale	Retail
(i) Un-sawed firewood, in 4-foot lengths or longer, per cord.....	\$7.00	\$9.00
Sawed firewood in cord lots, per cord.....	8.50	10.50
Firewood in 12" lengths, per rick.....		2.75
Firewood in 14" or 16" lengths, per rick.....		3.50
16" slab wood, per cord.....	6.00	7.00

(ii) *Permitted seasonal increases.*—Beginning with 12:01 A. M. on Feb. 1, 1947, and ending with 12:00 o'clock midnight on Apr. 30, 1947, and between these dates every year thereafter, the maximum prices above specified in subparagraph (i) may be increased as follows:
 For Lincoln County, \$2 per cord and 75¢ per rick;
 For Lewis and Clark County, except the municipality of Helena, Mont., \$3.50 per cord wholesale and \$4 per cord retail;
 For Flathead County, \$1 per cord and 25¢ per rick.

(c) *Higher established maximum prices may be maintained.* Any seller who has a price duly established under the General Maximum Price Regulation that is higher than the applicable price specified in paragraph (b) hereof may continue to sell at such duly established higher maximum price.

(d) *Definitions.* (1) "Cord" means that quantity of firewood contained within a height of 4 feet, a width of 4 feet, and a length of 8 feet, when placed in an orderly manner.

(2) "Rick" means that quantity of firewood contained within a height of 4 feet, a width equal to the specified length of the wood in question when less than 4 feet in length, and a length of 8 feet, when placed together in an orderly manner.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this Order No. G-67 shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)
- (5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)
- (6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service. The seller shall keep an exact copy of such invoice or memorandum for a period of two years, and such copy shall be made available for inspection by the Office of Price Administration.

(f) *Bureau of the Budget approval.* The record-keeping provisions of this Order No. G-67 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Relation to other orders.* This Order No. G-67 supersedes and revokes, as of the effective date hereof, the following orders heretofore issued by the Helena, Montana, District Office of the Office of Price Administration, to wit:

Orders Nos. 1, 3, and 5, respectively, issued under Amendment 41 to Supplementary Regulation 14, and dated October 24, 1942; October 27, 1942, and November 25, 1942, respectively.

It also supersedes and revokes, as of the effective date hereof, the following general orders issued by the Denver Regional Office of the Office of Price Administration, to wit:

Second Revised Order No. G-13; Order No. G-53, as amended, and Order No. G-61, respectively, issued under Section 1499.18 (c) of the General Maximum Price Regulation, and dated February 1, 1943; October 27, 1944, and July 10, 1945, respectively.

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

(i) *Right to revoke or amend.* This Order No. G-67 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This Order No. G-67 shall become effective on the 9th day of November 1946.

Issued this 7th day of November 1946.

DAVID BROFMAN,
Acting Regional Administrator.

Opinion Accompanying Order No. G-67 Under § 1499.18 (c) of the General Maximum Price Regulation

A recent survey of the firewood situation throughout the State of Montana made by the Helena, Montana, District Office of the Office of Price Administration disclosed the fact that the maximum prices for sales made delivered at wholesale and at retail are not properly coordinated, resulting in abnormal and uneconomic diversions to the higher-priced areas, thereby leaving many communities without an adequate supply of firewood. The Helena, Montana, District Office has made a very careful study of the entire situation and has reduced its findings to writing in the form of a written report now on file herein as a part of the record in this case. Upon careful consideration by this regional office, said findings and report of the Helena District Office are approved, and, in accordance therewith, it is found that local shortages of firewood now existing in numerous areas of the State of Montana will be eliminated by establishing dollars-and-cents maximum prices throughout the state and readjusting the differentials now existing between certain areas, all in manner and form as is done by this Order No. G-67.

Because this Order No. G-67 covers the entire State of Montana, all other price adjustment orders heretofore issued, either by the Helena District Office or this regional office, are hereby superseded and revoked as of the effective date hereof, and every seller of firewood in the State of Montana making delivered sales at wholesale or at retail will find his applicable maximum prices established by this Order No. G-67.

[F. R. Doc. 46-20664; Filed, Nov. 20, 1946; 8:57 a. m.]

[Milwaukee Order G-7 Under Gen. Order 68, Amdt. 1]

SAND AND GRAVEL IN MILWAUKEE, WIS. AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region VI by the Emergency Price Control Act of 1942, as amended, by General Order 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Milwaukee District Office, *It is ordered:*

1. Appendix A of Order G-7 under General Order 68 is hereby amended and the appendix, as amended, is attached hereto and made a part hereof.

2. The price increases granted in this amendment will enable the producers of sand and gravel to recover their legally increased labor costs and are necessary to maintain the supply of washed sand, gravel, and crushed stone, essential to the building industry in Milwaukee, Ozaukee, and Waukesha Counties.

3. Except as hereby amended, Order G-7 under General Order 68, as amended, shall remain the same and all provision thereof remain in full force and effect.

This amendment shall become effective November 8, 1946.

Issued this 8th day of November 1946.

F. L. EARP,
District Director.

APPENDIX A—MAXIMUM PRICES FOR PRODUCERS' SALES OF WASHED SAND AND GRAVEL IN MILWAUKEE, OZAUKEE AND WAUKESHA COUNTIES, WISCONSIN

TABLE 1—PRODUCERS' MAXIMUM PRICES ON WASHED SAND AND GRAVEL F. O. B. PIT OR YARD

Commodity	Size or grade	Bushel f. o. b. pit	Maximum price per cu. yard	
			F. o. b. pit	F. o. b. yard
Washed sand or gravel.....	All.....	\$0.26	\$1.05	\$1.65

Above prices Table 1 do not apply when shipment is made by rail.
(Producers' sales for rail shipment legal maximum price establishment is under Maximum Price Regulation No. 592.)

TABLE 2—PRODUCER MAXIMUM PRICES TO CONCRETE BLOCK AND READY-MIX PLANTS IN SALES DELIVERED BY TRUCK

Commodity	Size or grade	Producer maximum price cu. yard in sales of 4 cu. yds. or more
Washed sand or gravel.....	All.....	\$1.61

TABLE 3—PRODUCERS' MAXIMUM PRICES ON WASHED SAND AND GRAVEL ON SALES DELIVERED BY TRUCK TO CONTRACTORS OR CONSUMERS OTHER THAN CONCRETE BLOCK OR READY-MIX PLANTS

Commodity	Size or grade	Less than 2 cu. yds.	Producer maximum price per cubic yard		
			2 cu. yds. to 3 cu. yds.	3 cu. yds. to 4 cu. yds.	4 cu. yards or more
Washed sand.....	All.....	\$3.63	\$2.60	\$2.07	\$1.92
Washed gravel.....	All.....	3.63	2.60	2.07	2.02

Producers' maximum prices on washed sand and gravel on all sales to Resellers must carry a discount of 10% per cu. yard to the prices set forth in Table 3.

Opinion Accompanying Amendment No. 1 to Order No. G-7 Under General Order No. 68

Order No. G-7, effective August 5, 1946, established maximum prices for sales of washed sand and gravel. Subsequent to the issuance of this order, producers of washed sand and gravel have been obliged to pay increased labor costs. The price increases granted in the accompanying amendment will enable the producers of sand and gravel to recover their legally increased labor costs and are necessary to maintain the supply of washed sand, gravel, and crushed stone, essential to the building industry in Milwaukee, Ozaukee, and Waukesha Counties.

Order of Delegation No. 141, issued and effective November 13, 1945, by the Regional Administrator of the Office of Price Administration for Region VI, authorized the Director of the Milwaukee

District Office power to exercise within his respective district all functions, duties, power and authority granted under General Order No. 68.

The amendment is issued in conformity with the provisions of General Order 68. The action taken is generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328.

[F. R. Doc. 46-20665; Filed, Nov. 20, 1946; 8:59 a. m.]

[Region VII Order G-2 Under Rev. Gen. Order 65, Amtd. 1]

LUMBER AND LUMBER PRODUCTS IN MONTANA, IDAHO, AND OREGON

Order No. G-2 under Revised General Order No. 65, Amendment No. 1. Docket No. 7-RGO 65-2 (a).

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised General Order No. 65, *It is ordered:*

1. Order No. G-2 under Revised General Order No. 65 is amended in the following respect:

An addition is made to the footnote of the "Freight Rate Area Table" as follows:

The above additions for truck delivery from railhead to yard may be increased by 25% for lower bracket items and 35% for upper bracket items. Lower and upper bracket items are as defined in section 5 (d) of Revised Maximum Price Regulation No. 215.

This Amendment No. 1 shall become effective November 5, 1946.

Issued this fifth day of November 1946.

DAVID BROFMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G-2 Under Revised General Order No. 65

No provision was made in this order for a markup on the permitted charges for truck delivery from railhead to distribution yard which is required by section 2 (t) of the Emergency Price Control Act of 1942, as amended. This amendment corrects the error.

[F. R. Doc. 46-20661; Filed, Nov. 20, 1946; 8:57 a. m.]

[Syracuse Adopting Order 14 Under Basic Order 1 Under Gen. Order 68, Amtd. 3]

BUILDING AND CONSTRUCTION MATERIALS IN BINGHAMTON, N. Y., AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Syracuse District Office, *It is hereby ordered:*

1. Adopting Order No. 14 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the annexed schedule known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 14 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 29th day of August 1946.

GEORGE G. MOORE,
District Director.

SCHEDULE

Maximum prices for certain building and construction materials in the Binghamton Area consisting of the County of Broome in the State of New York, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

[Delivered maximum prices to ultimate users and to purchasers for resale on an installed basis]

Item	
1. Plaster, neat, 100 lb.....	\$0.95
2. Plaster, gauging, 60 lb.....	1.00
3. Keene's cement, 100 lb.....	2.20
4. Finishing lime, bag 50 lb.....	.67
5. Gypsum lath, 3/8" M sq. ft.....	26.25
6. Metal lath, 2.5 lb., painted diamond mesh, sq. yd.....	.29
7. Metal lath, 3.4 lb., painted diamond mesh, sq. yd.....	.36
8. Metal lath corner bead expanded type, ft.....	.058
9. Portland cement, standard (paper bags), bag 94 lb.....	.785
10. Masonry mortar (paper sacks) 65 lb. bag.....	.665
11. Mason's hydrated lime, 50 lb. bag.....	.50
12. Concrete block, 8 x 8 x 16 cinder each.....	.18
13. Clay drain tile—3", ft.....	.068
14. Clay drain tile—4", ft.....	.085
15. Vitrified clay sewer pipe, No. 1SS-4", ft.....	.21
16. Vitrified clay sewer pipe, No. 1SS-6", ft.....	.31
17. Flue lining, 9 x 9, ft.....	.425
18. Flue lining, 9 x 13, ft.....	.62
19. Flue lining, 13 x 13, ft.....	.805
20. Gypsum wallboard, 3/8" M ft.....	40.00
21. Asphalt roofing, 90 lb. mineral surface, roll 100 ft.....	2.87
22. Asphalt or tarred felt, 15 lb., roll 432 ft.....	2.84
23. Asphalt or tarred felt, 30 lb., roll 216 ft.....	2.84
24. Asphalt shingles, 210 lb. (3 in 1) thickbutt, 100 sq. ft.....	6.55
25. Asphalt shingles, 165 lb. 2 tab. hexagon, 100 sq. ft.....	5.13
26. Fibre insulation board, 2 5/8" Asphalt sheathing, M sq. ft.....	78.00
27. Hard density synthetic fiber board, 1/8" tempered (standard size) M sq. ft.....	90.00
28. Thermal insulation—batts (paper backed) full thick, M sq. ft.....	60.00
29. Fiber insulation board, 1/2" standard lath and board, M sq. ft.....	48.37

Date: August 29, 1946.

Opinion Accompanying Amendment No. 3 to Adopting Order No. 14 as Amended, Under Basic Order No. 1, as Amended, Under General Order No. 68, as Amended

The accompanying amendment gives effect to manufacturer's increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to this amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-20502; Filed, Nov. 13, 1946; 8:48 a. m.]

[Seattle 2d Rev. Order G-17 Under 18 (c)]

MILLWOOD IN SKAGIT COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32, and Order of Delegation No. 75 issued by the Regional Administrator of the Eighth Region, and under the authority to revise reserved in Revised Order No. G-17, it is hereby ordered:

(a) The maximum prices for all sales and deliveries at retail in those portions of Skagit County, Washington, specified below of the types and kinds of firewood specified in this Second Revised Order No. G-17 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, as amended, or by any previous order issued pursuant to such regulation or any supplementary regulation thereto are hereby adjusted to the maximum prices provided in this Second Revised Order No. G-17: *Provided, however*, That the area maximum prices established by this Second Revised Order No. G-17 shall have no application to sales or deliveries of the types and kinds of firewood by the producing mill.

(b) When used in this order, the following terms shall have the meanings set forth below:

(1) "Wood fuel" means all wood fuels of the types and kinds described in the tables in paragraph (c), produced by the mills located within the United States.

(2) "Imported wood" means all wood fuel of the types and kinds described in Table II in paragraph (c), produced by mills located within the United States and shipped by rail from the producing mill to retail fuel dealers and such wood fuel produced at Van Horn, Washington and resold by retail dealers located more than ten miles distant from the producing mill.

(3) "Local wood" means all wood fuels of the types and kinds described in Second Revised Order No. G-17 produced by mills located within the United States and not falling within the definition of "imported wood".

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(5) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(6) "Producing mill" means a mill engaged in producing any type or kind of "wood fuel".

(7) "Retail fuel dealer" means a seller who purchases "wood fuel" for resale at retail.

(c) *Maximum prices.* (1) The maximum prices for sales at retail of the kinds and types of wood fuel described in Table I below delivered to the premises of the consumer in all portions of Skagit County, Washington, except that portion within the corporate limits of the city of Anacortes, Washington, and a radius of five miles from the corporate limits thereof, shall be the prices set forth in the appropriate column and line of Table I below:

Table I, Locally produced wood

Green mixed slab, in lengths of 24" or less, \$6.50 per cord.

Green mixed mill wood or mill run in lengths of 24" or less, \$6.50 per cord.

(2) The maximum prices for sales at retail of imported wood fuel described in Table II below delivered to the premises of the consumer in all portions of Skagit County, Washington, except that portion within the corporate limits of the city of Anacortes, Washington, and a radius of five miles from the corporate limits thereof by any seller, shall be the prices set forth in the appropriate column and line of Table II stated below:

Table II, Imported wood

Green mill slab wood in lengths of 24" or less, \$8.25 per cord.

Green mixed mill wood or mill run in lengths of 24" or less, \$8.25 per cord.

(3) The maximum prices provided by this Revised Order No. G-17 are subject to the seller's discounts and differentials in effect in March, 1942, including the discount for prompt payment and the discount for sales of multiple cords.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by the order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time. The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective November 7, 1946.

Issued this 5th day of November 1946.

IRVIN A. HOFF,
District Director.

Opinion Accompanying Second Revised Order No. G-17 Under § 1499.18 (c), as Amended, of the General Maximum Price Regulation

The accompanying order, a revision of Revised Order No. G-17 together with Revised Order No. G-19, establishes adjusted maximum prices for sales at retail of millwood in Skagit and Snohomish Counties, Washington. Previously Revised Order No. G-17 governed the retail pricing of millwood in the major portion of Snohomish and Skagit Counties and G-19 governed the retail pricing of millwood in the city of Everett and the immediate area surrounding that city. By this action Second Revised Order No. G-17 is made applicable only to Skagit County. All references to Snohomish County are deleted from Revised G-17 and transferred to Revised G-19 which is expanded to cover not only the Everett area but the entire area of Snohomish County.

No change in price level results from the present revision of the order affecting Skagit County, nor is any change made in the record keeping or invoicing requirements of the order. It was deemed advisable that the amendatory action be accomplished by revision of the order itself for the reason that complete revision and reproduction of the pricing order will be more easily understood by the retail fuel dealers affected.

[F. R. Doc. 46-20902; Filed, Nov. 26, 1946; 8:56 a. m.]

[Syracuse Adopting Order 9 Under Basic Order 1 Under Gen. Order 68, Amtd. 4]

BUILDING AND CONSTRUCTION MATERIALS IN SYRACUSE, N. Y., AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director Syracuse District Office; *It is hereby ordered:*

1. Adopting Order No. 9 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the annexed schedule known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 9 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 29th day of August 1946.

GEORGE G. MOORE,
District Director.

SCHEDULE

Maximum prices for certain building and construction materials in the City of Utica, the villages of Whitesboro, Oriskany, New York Mills, Yorkville, New Hartford and that adjacent territory extending to Washington Mills, the Herkimer-Onesida County line and the Deerfield Town line, on sales by all persons to ultimate users or to purchasers or resale on an installed basis.

Item	Delivered-maximum price
1. Plaster, sanded, ton.....	\$13.40
Plaster, sanded, 100 lb. bag.....	1.02
2. Plaster, neat, ton.....	23.40
Plaster, neat, 100 lb. bag.....	1.32
3. Plaster gauging, 100 lb. bag.....	1.87
4. Keene's cement, 100 lb. bag.....	2.12
5. Finishing lime, ton.....	29.12
Finishing lime, 50 lb. bag.....	.84
6. Gypsum lath 3/8", M sq. ft.....	27.00
7. Metal lath 2.5 lb. painted diamond mesh, sq. yd.....	.30
8. Metal lath 3.4 lb. painted diamond mesh, sq. yd.....	.36
9. Metal lath 3.4 lb. galvanized, sq. yd.....	.425
10. Metal lath corner bead expanded type, lin. ft.....	.075
11. Portland cement standard, bbl. (Paper bags), 94 lb. bag.....	3.06
12. Masonry mortar, 70 lb. bag.....	.915
13. Mason's hydrated lime, ton.....	29.12
Mason's hydrated lime, 50 lb. bag.....	.84
14. Clay drain tile—3", lin. ft.....	.068
15. Clay drain tile—4", lin. ft.....	.08
16. Clay drain tile—6", lin. ft.....	.15
17. Vitrified clay sewer pipe No. 1SS-4", lin. ft.....	.205
18. Vitrified clay sewer pipe No. 1SS-6", lin. ft.....	.305
19. Flue lining 9 x 9, 2 ft. length.....	.875
20. Flue lining 9 x 13, 2 ft. length.....	1.275
21. Flue lining 13 x 13, 2 ft. length.....	1.66
22. Gypsum wallboard—3/8", M sq. ft.....	45.00
23. Gypsum sheathing—1/2", M sq. ft.....	42.00
24. Asphalt roofing—90 lb. mineral surface, 1 sq. roll.....	2.76
25. Asphalt or tarred felt—15 lb., 4 sq. rolls.....	2.84
26. Asphalt or tarred felt—30 lbs., 2 sq. rolls.....	2.84
27. Asphalt shingles—210 lb. (3 in 1) thickbutt, sq.....	6.03
28. Asphalt shingles—165 lb. 2 tab. hexagon, sq.....	4.72
29. Fibre insulation board 1/2" std. lath and board, M sq. ft.....	53.75
30. Fibre insulation board 3/8" asphalt sheathing, M sq. ft.....	81.90
31. Thermal insulation—blankets (paper backed) thick, sq. ft.....	.06
32. Thermal insulation—batts (paper backed) 2" thick, sq. ft.....	.05
33. Thermal insulation—batts (paper backed) full thick, sq. ft.....	.065
34. Thermal insulation—loose in bags (plain), 40 lb. bag.....	1.35

Date: August 29, 1946.

Opinion Accompanying Amendment No. 4 to Adopting Order No. 9 as Amended, Under Basic Order No. 1 as Amended Under General Order No. 68, as Amended

The accompanying amendment gives effect to manufacturer's increases that

have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to this amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-20504; Filed, Nov. 18, 1946; 8:48 a. m.]

[Seattle Rev. Order G-19 Under § 18 (c)]

MILLWOOD IN SNOHOMISH COUNTY, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, Revised General Order No. 32 and Order of Delegation No. 75, issued by the Regional Administrator of Region Eight and under the authority to revise reserved in Order No. G-19, it is hereby ordered:

(a) The maximum prices for all sales and deliveries at retail in Snohomish County, Washington, of the types and kinds of firewood specified in this Revised Order No. G-19 as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation, as amended, or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices provided in Revised Order No. G-19. Four tables of maximum prices are provided by this Revised Order No. G-19 as follows: Table I, "Everett produced wood" in four specified delivery zones; Table II, "Snohomish produced wood"; Table III, all other locally produced wood, and Table IV, "Imported Wood". It is specifically provided that the area maximum prices established by this Revised Order No. G-19 shall have no application to sales or deliveries by the producing mill.

(b) When used in this order the following terms shall have the meanings set forth below:

(1) "Dry wood" means thoroughly seasoned wood fuel either kiln or air dried provided that air dried wood may not be sold as dry wood unless it has been seasoned for a period of not less than 90 days.

(2) "Imported wood" means all wood fuel of the types and kinds described in Table IV in paragraph (c) produced by mills located within the United States and shipped by rail from the producing mill to retail fuel dealers for resale at retail.

(3) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet loose measure.

(4) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user.

(5) "Producing mill" means a mill engaged in producing any type or kind of "wood fuel".

(6) "Retail fuel dealer" means a seller who purchases "wood fuel" for resale at retail.

(c) *Maximum prices.* (1) Table I set forth below provides adjusted maximum prices for sales at retail of the kinds and types of wood fuel described therein produced by producing mills located within the corporate limits of the city of Everett, Washington, or within an area within four miles thereof. The prices specified in Table I are for delivery to the premises of the consumer in that portion of Snohomish County, within the corporate limits of the city of Everett, Washington, and a radius of four miles. This is called the base delivery area. For delivery into the delivery zones defined in the footnote to Table I, the price provided in Table I may be increased by 50¢ per cord for delivery to zone 1; by \$1.00 per cord for delivery to zone 2; by \$1.50 per cord for delivery to zone 3; and by \$1.75 per cord for delivery to zone 4.

Table I, Everett produced wood

	Per cord
Light green millrun, mill slab, mixed mill, 24' or less (including wood from Weyerhaeuser Mill B but not Mill B).....	\$5.50
Heavy green millrun, mill slab, mixed mill, 24' or less (including wood from Weyerhaeuser Mill B but not Mill C).....	6.50
Green mill slab, millrun, mixed mill, 4 foot lengths.....	6.00
Green edgings.....	5.00
Green inside block, timber ends.....	6.50
Green short blocks.....	5.50
Planer ends, green or dry.....	7.00
Dry light or heavy millrun, mill slab, mixed mill, 24' or less.....	8.50
Dry inside block, timber ends.....	8.50
Sawdust, hogged fuel.....unit..	3.75

Zone 1 includes the area lying outside the base delivery area but within a radius of seven miles from the corporate limits of the city of Everett, Washington, including the communities of Snohomish, Silver Lake and Mukilteo.

Zone 2 includes the area lying outside zone 1 but within a radius of ten miles from the corporate limits of the city of Everett, Washington, including the communities of Tulalip, Paine Field, Murphy's Corner, Lake Stevens, Michias and Hartford, Washington.

Zone 3 includes the area lying outside zone 2 but within a radius of fifteen miles from the corporate limits of the city of Everett, Washington, including the communities of Rex's Corner, Martha Lake and Three Lakes, Washington.

Zone 4 includes all portions of Snohomish County, Washington, except that portion lying within a radius of fifteen miles from the corporate limits of the city of Everett, Washington.

(2) Table II, set forth below, provides adjusted maximum prices for sales and deliveries at retail of wood fuel produced by a producing mill located within the corporate limits of the city of Snohomish, Washington and delivered to the premises of the consumer within the corporate limits of the city of Snohomish, Washington, or within the area lying within a radius of two miles from the corporate limits of the city of Snohomish, Washington.

Table II, "Snohomish produced wood"

Green mixed mill wood or slab wood in lengths of 24' or less, \$5.50 per cord.

(3) Table III, set forth below, provides adjusted maximum prices for sales and deliveries at retail of all local wood for which maximum prices are not provided by the pricing rules set forth above delivered to the premises of the consumer in Snohomish County, Washington. The maximum prices for sales at retail of such wood shall be the prices set forth in the appropriate column and line of Table III, below:

Table III, "All other locally produced wood"

	Per cord
Green mixed slab in lengths of 24" or less.....	\$6.50
Green mixed mill wood or mill run in lengths of 24" or less.....	6.50

(4) Table IV, set forth below, provides adjusted maximum prices for sales and deliveries at retail of imported wood fuel delivered to the premises of the consumer in Snohomish County, Washington. The maximum prices for sales at retail of such wood shall be the prices set forth in the appropriate column and line of Table IV, below:

Table IV, "Imported wood"

	Per cord
Green mill slab wood in lengths of 24" or less.....	\$8.25
Green mixed mill wood or mill run in lengths of 24" or less.....	8.25
Green or dry planer ends.....	8.75
Dry mill run, slab wood or mixed mill 24" or less.....	10.25

(5) The maximum prices for the kinds and types of firewood described in Tables I, II, III and IV set forth above delivered to the premises of the consumer within Snohomish County in fractional cord lots shall be the appropriate fraction of the per cord price provided above plus 50¢ per half cord for sales in half cord lots; 35¢ per third cord for sales in third cord lots and 25¢ per quarter cord for sales in quarter cord lots.

(6) The maximum prices provided by this Revised Order G-19 are subject to the seller's discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by the order shall give the purchaser or his agent, at the time of the sale, an invoice or other memorandum of sale which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold in the same manner as it is described in this order.
- (5) Place of sale.
- (6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time. The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective November 7, 1946.

Issued this 5th day of November 1946.

IRVIN A. HOFF,
District Director.

Opinion Accompanying Revised Order No. G-19 Under Section 1499.18 (c), as Amended, to the General Maximum Price Regulation

The accompanying order, which is a revision of Order No. G-19, establishes adjusted maximum prices for sales at retail of millwood in all portions of Snohomish County, Washington. Previously adjusted maximum prices for retail sales of millwood in the Everett, Washington area were established by Order No. G-19 and adjusted maximum prices for sales at retail of millwood in all other portions of Snohomish County were established by Revised Order No. G-17, an order applicable to both Snohomish and Skagit Counties except certain portions specifically excluded by other outstanding area orders. By the present action and a companion action, a revision of Revised Order No. G-17, it is made applicable only to Skagit County and Order No. G-19 is revised to cover all portions of Snohomish County including the area formerly defined as the Everett, Washington area.

Four tables of prices are provided by Revised Order No. G-19. Table I, "Everett produced wood", in four specified delivery zones; Table II, "Snohomish produced wood"; Table III, all other locally produced wood; and Table IV, "Imported wood".

In providing adjusted maximum prices for Everett produced wood, recognition is given to the delivery zoning system recognized in the area during the base period established by the General Maximum Price Regulation. Information concerning the delivery zoning practice was not made available to the office at the time of the issuance of Order No. G-19; hence, only one price level for sales of Everett produced wood was recognized at that time. The accompanying revision accurately reflects the information derived from an examination and analysis of the base period records of representative retail dealers who sold Everett produced wood during March, 1942. This change is the only change in price levels resulting from the revision of Order No. G-19.

Neither the invoicing or record keeping provisions of Order No. G-19 are changed in the revision.

[F. R. Doc. 46-20903; Filed, Nov. 26, 1946; 8:56 a. m.]

[Region III Order G-57 Under MPR 592, Revocation]

BEREA TILE Co.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it

is ordered that subject to the provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modification of price regulations) Order No. G-57 under Maximum Price Regulation No. 592, Berea Tile Company, Berea, Ohio—Order Adjusting Maximum Prices of Manufacturer and Resellers be and hereby is revoked.

This revocation of Order No. G-57 shall become effective October 29, 1946.

Issued: October 29, 1946.

JOHN F. KESSEL,
Regional Administrator.

Opinion Accompanying Revocation of Order G-57 Under Maximum Price Regulation No. 592

The accompanying revocation revokes Order No. G-57 under section 16 of Maximum Price Regulation No. 592 which provided for an adjustment of the maximum prices of structural tile produced by Berea Tile Company of Berea, Ohio.

The increase granted on September 11, 1946, was based upon an approved wage increase and was granted in advance of final determination. Upon the examination of all financial data involved it has been determined that the manufacturer does not qualify for an adjustment under Maximum Price Regulation No. 592 and an order of denial of the application is being issued simultaneously herewith.

The accompanying revocation will therefore have the effect of restoring the manufacturer to his maximum prices in effect at the time of filing the application.

[F. R. Doc. 46-20742; Filed, Nov. 22, 1946; 8:53 a. m.]

[Syracuse Adopting Order 15 Under Basic Order 1 Under Gen. Order 68, Amdt. 3]

BUILDING AND CONSTRUCTION MATERIALS IN ELMIRA, N. Y., AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director Syracuse District Office; *It is hereby ordered:*

1. Adopting Order No. 15 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the annexed schedule known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 15 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, shall re-

main the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 29th day of August 1946.

GEORGE G. MOORE,
District Director.

Schedule of August 29, 1946, Under Adopting Order No. 15 Under Basic Order No. 1 as Amended, Under General Order No. 68 as Amended.

Maximum prices for certain building and construction materials in the Elmira area consisting of the counties of Chemung, Tioga, Steuben, Schuyler, Tompkins and Yates, all in the State of New York, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

[Maximum prices on sales to ultimate users or to purchasers for resale on an installed basis delivered within a radius of 10 miles from the dealer's yard]

Item	
1. Plaster, hard wall, bag 100 lb.	\$0.90
2. Plaster gauging, bag 100 lb.	2.20
3. Keene's cement, bag 100 lb.	3.00
4. Finishing lime, bag 50 lb.	.67
5. Gypsum lath $\frac{3}{8}$ " M sq. ft.	22.00
6. Metal lath 2.5 lb. painted diamond mesh, sq. yd.	.325
7. Metal lath 3.4 lb. painted diamond mesh, sq. yd.	.38
8. Metal lath 3.4 lb. $\frac{3}{8}$ " high rib painted, sq. yd.	.355
9. Metal lath corner bead expanded type, lin. ft.	.054
10. Portland cement, std. (paper bags), bag 94 lb.	.815
11. Masonry mortar (paper sacks), bag 70 lb.	.765
12. Mason's hydrated lime, bag 50 lb.	.56
13. Concrete block 8 x 8 x 16 cinder, each	.20
14. Clay drain tile 3", lin. ft.	.074
15. Clay drain tile, 4", lin. ft.	.095
16. Vitrified clay sewer pipe, No. 1-SS-4", lin. ft.	.245
17. Vitrified clay sewer pipe, No. 1-SS-6", lin. ft.	.355
18. Flue lining, 9 x 9, lin. ft.	.44
19. Flue lining, 9 x 13, lin. ft.	.665
20. Flue lining, 13 x 13, lin. ft.	.85
21. Gypsum wallboard, $\frac{3}{8}$ " M sq. ft.	38.00
22. Asphalt roofing, 90 lb. mineral surface, roll—100 sq. ft.	.2.65
23. Asphalt or tarred felt, 15 lb., 432 ft. roll.	2.67
24. Asphalt or tarred felt, 30 lb., 216 ft. roll.	2.72
25. Asphalt shingles, 210 lb. (3 in 1), thick butt, 100 sq. ft.	6.29
26. Asphalt shingles, 165 lb., 2 tab., hexagon, 100 sq. ft.	5.03
27. Fibre insulation board, $2\frac{5}{8}$ ", asphalt sheathing, M sq. ft.	84.50
28. Fibre insulation board, $\frac{1}{2}$ " std. lath and board, M ft.	53.75
29. Hard density synthetic fibre board, $\frac{1}{8}$ " tem., std., sq. ft.	.09
30. Thermal insulation—blankets (paper back), thick, M, sq. ft.	69.00
31. Thermal insulation—batts (paper back), 2" thick, per sq. ft.	.05
32. Thermal insulation—batts (paper back), full thick, per sq. ft.	.065
33. Thermal insulation, loose in bags:	
Bag, 35 lb.	1.10
Bag, 40 lb.	1.20
34. Thermal insulation, loose in bags (nodulated), bag, 40 lb.	1.40

NOTE: All prices listed above are delivered prices to all points within a ten mile radius from the seller's yard. On deliveries to points

outside such a 10 mile radius a charge of 25¢ per mile one way for each mile over 10 miles may be made.

Date: August 29, 1946.

Opinion Accompanying Amendment No. 3 to Adopting Order No. 15 as Amended, Under Basic Order No. 1, as Amended, Under General Order No. 68, as Amended

The accompanying amendment gives effect to manufacturer's increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to this amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-20506; Filed, Nov. 18, 1946; 8:47 a. m.]

[Region III Rev. Order G-43 Under RMPR 122, Amdt. 1]

SOLID FUELS IN GRAND RAPIDS, MICH. AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered:*

Subparagraph (3) of paragraph (e) of Revised Order No. G-43 under Revised Maximum Price Regulation No. 122 (Solid fuels sold and delivered by dealers—Maximum prices for specified solid fuels in the Grand Rapids, Michigan Area) be, and the same is, hereby amended to read as follows:

(3) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels. These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in or carry-in from curb	\$1.00
For carrying up or down stairs, add to wheel-in or carry-in charge:	
(i) For first flight	.50
(ii) For each additional flight	.25
Service charge for $\frac{1}{2}$ ton deliveries	.50
Re-screening low volatile coals at the yard	1.00

This amendment shall become effective October 25, 1946.

Issued: October 25, 1946.

HENRY J. ZETZER,
Acting Regional Administrator.

Opinion Accompanying Amendment 1 to Revised Order G-43 Under Revised Maximum Price Regulation 122

Coal dealers in the Grand Rapids, Michigan area have called to the attention of the Regional Administrator the

fact that their labor costs in rendering certain services have increased since the charges for such services provided by Revised Order No. G-43 under Revised Maximum Price Regulation No. 122 were established.

An investigation has been conducted by the Regional Administrator with respect to this claim and as a result thereof it has been determined that the service charges for wheeling or carrying coal in from the curb and carrying up or down stairs are now less than the labor cost thereof and that, accordingly, these charges should be increased.

The accompanying amendment, therefore, provides an increase in such charges to an amount which is not in excess of the cost of the labor involved therein. It is determined to the satisfaction of the Regional Administrator that the adjusted charges are the minimum necessary to assure the continuance of these services.

It is the opinion of the Regional Administrator that the provisions of the accompanying amendment are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-20744; Filed, Nov. 22, 1946; 8:52 a. m.]

[Region VII Order No. G-4 Under Rev. Gen. Order 65, Amdt. 1]

LUMBER AND LUMBER PRODUCTS IN MONTANA, IDAHO, AND OREGON

Order No. G-4 under Revised General Order No. 65, Amendment No. 1. Docket No. 7-RGO 65-4 (a).

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised General Order No. 65, *It is ordered:*

1. Order No. G-4 under Revised General Order No. 65 is amended in the following respect:

An addition is made to the footnote of the "Freight Rate Area Table" as follows:

The above additions for truck delivery from railhead to yard may be increased by 25% for lower bracket items and 35% for upper bracket items. Lower and upper bracket items are as defined in section 5 (d) of Revised Maximum Price Regulation No. 215.

This Amendment No. 1 shall become effective November 5, 1946.

Issued this fifth day of November 1946.

DAVID BROFMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 1 to Order No. G-4 Under Revised General Order No. 65

No provision was made in this order for a markup on the permitted charges for truck delivery from railhead to distribution yard which is required by section 2 (t) of the Emergency Price Control Act of 1942, as amended. This amendment corrects the error.

[F. R. Doc. 46-20682; Filed, Nov. 20, 1946; 8:57 a. m.]