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Washington, Tuesday, September 26, 1944

The President

PROCLAMATION 2623

COLUMBUS DAY, 1944

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS the discoveries of Christopher Columbus and the long line of explorers who followed him have served to bring the continents and peoples of the world into an ever-narrowing circle of geographic relationship; and

WHEREAS we, the heirs to the discoveries of Columbus, have now come to realize that civilized peoples can live safely and develop fully in such an inter-related world only through association for peace and the common good; and

WHEREAS we, in our great task of achieving world peace by victory and of maintaining that peace by association with others, should take thought on the superb faith and resolution of the discoverer of America; and

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate Thursday, October 12, 1944, as Columbus Day; I direct that on that day the flag of the United States be displayed on all Government buildings; and I invite the people of the United States to observe the day with appropriate ceremonies in schools and churches or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the

seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of September, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14710; Filed, Sept. 23, 1944;
12:12 p. m.]

PROCLAMATION 2624

GENERAL PULASKI'S MEMORIAL DAY

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS it is especially fitting at this time, when the vandals of the western world have been pushed back to their own frontiers, that we pay homage to the indomitable spirit of the Poles who were the first to take up arms against the aggression of our common foe; and

WHEREAS that spirit is typified by Count Casimir Pulaski, a Polish patriot who came from overseas to fight for the freedom of America and gallantly gave his life on October 11, 1779 as a result of wounds received at the siege of Savannah; and

WHEREAS, by a joint resolution approved September 7, 1944 (Public Law 422, 78th Congress), the Congress has authorized me "to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1944, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski".

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim

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NOTICE

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

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

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DONE at the City of Washington this 21st day of September, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14709; Filed, Sept. 23, 1944; 12:12 p. m.]

EXECUTIVE ORDER 9484

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE FARRELL CHEEK STEEL COMPANY, LOCATED AT SANDUSKY, OHIO

WHEREAS, after an investigation, I find and proclaim that the plants and facilities of the Farrell Cheek Steel Company, located in and around Sandusky, Ohio, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Farrell Cheek Steel Company, located in and around Sandusky, Ohio, and, to the extent that he may deem necessary, of any real or personal property and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Farrell Cheek Steel Company and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the interim directive order, dated March 18, 1944, and the final directive order, dated April 1, 1944, of the Fifth (Cleveland) Regional War Labor Board, as amended by the directive order of the National War Labor Board, dated July 12, 1944, provided that the Secretary of War is authorized to pay the wage increases specified in said directive orders, which accrued from the effective dates specified in said directive orders to the date possession of said plants and facilities is taken under this Order, only out of the net operating income of said plants and facilities during the period of their operation by the Secretary of War. In the event that it appears to the Secretary of War that the net operating income of said plants and facilities will be insufficient to pay the foregoing accrued wage increases, the Secretary shall make a report to the President with respect thereto.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order, shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 23, 1944.

[F. R. Doc. 44-14753; Filed, Sept. 25, 1944; 11:32 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE
PERSONNEL

Chapter I—Civil Service Commission

PART 56—EFFICIENCY RATINGS BOARDS OF
REVIEW

APPEAL PERIOD FOR "UNSATISFACTORY" EFFICIENCY RATING

Part 56 is amended by the addition of a new provision to be designated § 56.4a which reads as follows:

§ 56.4a *Appeal period when efficiency rating is "unsatisfactory"*. When an employee who has completed his probational or trial period and whose efficiency rating is "unsatisfactory" appeals his rating to the appropriate Board of Review, created under the provisions of section 9 of the Classification Act of 1923, as amended, within 15 days after receiving notice of the rating, action based on

October 11, 1944, the one hundred and sixty-fifth anniversary of the death of General Pulaski, as General Pulaski's Memorial Day; I call upon officials of the Government to have the American flag displayed on all governmental buildings on that day; and I invite the people of the United States to observe the day with appropriate commemorative ceremonies in schools and churches, or other suitable places.

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

the efficiency rating shall be withheld pending the outcome of the appeal.

NOTE: This section has the effect of modifying or changing the procedure prescribed for appeals in § 56.4 of this part concerning the period during which an appeal should be taken in any case in which the employee has received an efficiency rating of "unsatisfactory" from the agency where employed.

Effective date: October 10, 1944.

(42 Stat. 1490, as amended; 5 U.S.C. 669)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

SEPTEMBER 4, 1944.

[F. R. Doc. 44-14736; Filed, Sept. 25, 1944;
9:58 a. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9-13, Rev. 1]

PART 1220—FEED

APPROVAL OF DELIVERIES OF PROTEIN MEAL IN TEXAS, OKLAHOMA AND NEW MEXICO

Pursuant to the authority vested in me by War Food Order No. 9 (formerly Food Production Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767)), War Food Order No. 9-13 (9 F.R. 9711) is hereby revised and amended in its entirety to read as follows:

§ 1220.16 *Approval of deliveries of protein meal in Texas, Oklahoma, and New Mexico.* Effective September 1, 1944, no processor in Texas, Oklahoma or New Mexico shall deliver to any person, including a feeder, more than 500 pounds of protein meal within any thirty-day period unless such person, including a feeder, tenders at or before the time of delivery a signed statement approved, in the case of a feeder, by the County Agricultural Conservation Committee for the county in which the farm or ranch is located and, in the case of any other person, by the County Agricultural Conservation Committee for the county in which his place of business is located: *Provided, however,* That the requirements of this order shall not apply (a) to deliveries of protein meal by a processor to a holder of a certificate of designated buyer issued pursuant to War Food Order No. 9, and (b) to deliveries of protein meal by a processor to any person located outside the States of Texas, Oklahoma, and New Mexico. The signed statement of the person receiving meal from any processor, and the approval of such statement by the County Agricultural Conservation Committee, shall be in substantially the following form:

The undersigned declares to his vendor and to the War Food Administration that he is familiar with the provisions of War Food Order No. 9 and 9.13 and that this purchase, acquisition, or acceptance of protein meal

from such vendor is in compliance with the provisions of such orders.

Purchaser

Address

Date
Approved for _____ of protein meal
(tons) (pounds)
By _____
For the County Agricultural Conservation
Committee
of _____ County, _____

Date

Approval on behalf of the County Agricultural Conservation Committee as herein provided may be given by any member of the committee or by the administrative officer of the County Agricultural Conservation Association. The approval on behalf of the county committee shall be for a specified quantity of protein meal and such approval shall be given only if the delivery of such quantity is in accordance with the provisions of War Food Order No. 9.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 25th day of September 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-14754; Filed, Sept. 25, 1944;
11:15 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-7, Amdt. 2]

PART 1450—TOBACCO

1944 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as amended (8 F.R. 11331; 9 F.R. 4321, 4319), and to effectuate the purposes of such order, as amended, War Food Order No. 4-7 (9 F.R. 8231) issued on July 18, 1944, as amended (9 F.R. 10147), relative to the 1944 crop of flue-cured tobacco, is hereby further amended as follows:

(1) By deleting therefrom the term "88.8 percent" in § 1450.7 (b) (2) of said order and inserting, in lieu thereof, the term "96 percent."

(2) By deleting therefrom the term "135 percent" in § 1450.7 (b) (4) of said order and inserting, in lieu thereof, the term "142 percent."

The provisions in this amendment shall become effective at 12:01 a. m., e. w. t., September 23, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-7, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-7, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any

proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319)

Issued this 23d day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-14699; Filed, Sept. 23, 1944;
11:11 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

PART 534—REGULATIONS GOVERNING THE DISTRIBUTION AND USE OF AVIATION GAS- OLINE

SEPTEMBER 16, 1944.

Acting pursuant to the authority vested in me by War Production Board Directive No. 38, dated September 14, 1944, issued pursuant to Executive Orders Nos. 9024, January 16, 1942; 9040, January 24, 1942; and 9125, April 7, 1942, and finding that my action is in the public interest, I adopt the following regulations for the distribution and use of aviation gasoline:

Sec.
534.1 Definitions.
534.2 Distribution and sale of aviation gasoline.
534.3 Use of aviation gasoline.
534.4 Reports and records.
534.5 Penalties.
534.6 Effective date.

AUTHORITY: §§ 534.1 to 534.6, inclusive, issued under WPB Dir. 38, Sept. 14, 1944; E.O. 9024, Jan. 16, 1942; E.O. 9040, Jan. 24, 1942; E.O. 9125, Apr. 7, 1942.

§ 534.1 *Definitions.* (a) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, having a knock rating of 86 octane number or lower when tested by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of 85 octane number or lower when tested by the ASTM Motor Method (ASTM Designation D-357-43T), including but not limited to aviation gasolines of 73 octane number and 80 octane number hereinafter defined.

"73 Octane Number" shall include all gasoline which, after the addition of not more than 1.0cc tetraethyl lead per U. S. gallon, has a knock rating of not less than 73 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 72 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-23 and Amendment One dated October 19, 1943, for Grade 73 aircraft engine fuel.

"80 Octane Number" shall include all gasoline which, after the addition of not

more than 2.00cc tetraethyl lead per U. S. gallon, has a knock rating of not less than 80 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 79 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-24 and Amendment One dated October 19, 1943, for Grade 80 aircraft engine fuel.

(b) "Person" includes any individual, partnership, association, business trust, government or government agency or any organized group of persons, whether incorporated or not.

(c) "Consumer" means any persons acquiring aviation gasoline for use in an aircraft engine.

(d) "Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air; and "aircraft engine" means an engine used or intended to be used for propulsion of aircraft.

§ 534.2 *Distribution and sale of aviation gasoline.* (a) No manufacturer, wholesaler, or distributor of aviation gasoline shall deliver or cause to be delivered any such gasoline to any consumer (excluding Army, Navy, Marine Corps, or Coast Guard of the United States, or any other agencies or other persons to the extent to which they require such gasoline for export to and use in any foreign country) or retail vendor without securing evidence of written permission from the Administrator of Civil Aeronautics or his duly authorized representatives.

(b) No retail vendor shall sell, transfer, deliver, or dispose of any aviation gasoline except into the tank of an aircraft or of an aircraft engine test stand. Until 12:01 a. m. November 1, 1944, any civilian user of such aviation gasoline shall surrender to the retail vendor appropriate ration coupons issued by the Office of Price Administration.

§ 534.3 *Use of aviation gasoline.* No civil pilot or operator of civil aircraft shall use or permit the use of aviation gasoline except in an aircraft or aircraft engine for the following purposes:

(a) Pilot training;

(b) Transportation of persons and cargo;

(c) Maintenance of pilot skill and aircraft and aircraft engine airworthiness; and

(d) Commercial flying, including charter operations, crop dusting, aerial seeding, soil conservation, forest patrol, power line and pipe line inspection, police missions, and similar essential activities: *Provided*, That such gasoline shall not be used for barnstorming, sight-seeing and pleasure flights, and similar non-essential activities.

§ 534.4 *Reports and records.* The manufacturer, wholesaler, distributor, retail vendor and consumer of aviation gasoline shall execute, keep, and transmit such records pertaining to the disposition and consumption of such gasoline as the Administrator may prescribe.

§ 534.5 *Penalties.* Any person who violates any rule or regulation herein prescribed or any order or instruction issued pursuant thereto by the Administrator or his duly authorized representative may be deprived of further aviation gasoline allotments and shall be subject to such penalties as are prescribed by law.

§ 534.6 *Effective date.* All sections of this part shall become effective immediately, except § 534.2 (a), which shall become effective 12:01 a. m. November 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-14681; Filed, Sept. 23, 1944;
9:56 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4526¹]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ASSOCIATION OF LAW BOOK PUBLISHERS, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27

(d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of law books and related legal publications, and on the part of respondent American Association of Law Book Publishers, and some 27 corporations (constituting the entire membership of said Association, except for certain periods in the case of some), and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out, or directing, instigating or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) establish, fix, or maintain discounts, terms, or conditions of sale for law books and related legal publications or adhere to or promise to adhere to the discounts, terms, or conditions of sale so fixed; (2) maintain or adhere to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books; (3) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and

related legal publications; (4) arrive at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders; (5) establish, fix, or maintain the rates of allowances to be made, used, and applied on books and other publications received in trade, or fix and maintain the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade; (6) jointly or cooperatively induce or promote adherence to, or attempt to induce or promote adherence to, agreements, and understandings relative to the sale and distribution of law books and related legal publications by interchange of correspondence, by personal contact with one another individually or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise; (7) employ or utilize any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications; and (8) employ or utilize American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited, subject to the proviso—it appearing to the Commission that the record does not directly and specifically raise any issue of the legality of joint publication ventures and that it is not necessary to determine any such issue in the present proceeding—that the order to cease and desist herein shall not be construed as prohibiting joint publishers of any specific law book, set of law books or related legal publication, from engaging in the cooperative activities otherwise prohibited by this order: *Provided*, That such activities are pursued in good faith and solely with respect to publishing and selling such jointly published law book, set of law books, or related legal publications in the usual and ordinary course of business and are not used for the purpose of evading the terms of the order, and it being stipulated that by this action the Commission does not now pass upon the legality or illegality of joint publication ventures as such, and that this action is without prejudice to the Commission's right to institute a new proceeding at any time with respect to the legality of such ventures; to the proviso that nothing herein contained shall be construed as prohibiting a parent corporation from directing the prices or terms at which any of its subsidiary corporations shall sell any law book or related legal publication published by the parent corporation or by any of its subsidiaries when such prices or terms have been arrived at by the parent corporation acting separately and independently of any competitor of

¹ 9 F.R. 5289, 8285.

the parent corporation or of any of its subsidiary corporations; and to the further proviso that nothing in the order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act) as amended. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, American Association of Law Book Publishers, et al., Docket 4526, August 23, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of August, A. D. 1944.

In the Matter of American Association of Law Book Publishers, an Unincorporated Association, and its Officers, James R. Spillane, President, Clifford W. Mueller, Vice President, Richard Reiner, Treasurer, R. Walter White, Secretary; and The American Law Book Company, a Corporation; The W. H. Anderson Company, a Corporation; Baker, Voorhis and Company, a Corporation; Bancroft-Whitney Company, a Corporation; Matthew Bender and Company, Inc., a Corporation; Bender-Moss Company, a Corporation; George T. Bisel, an Individual Trading as George T. Bisel Company; Clark Boardman Company, Ltd., a Corporation; Bobbs-Merrill Company, a Corporation; John Byrne and Company, a Corporation; Dennis and Company, Inc., a Corporation; The Harrison Company, a Corporation; The Lawyers Co-Operative Publishing Company, a Corporation; Little, Brown and Company, a Corporation; The Michie Company, a Corporation; National Law Book Company, a Corporation; Public Utilities Reports, Inc., a Corporation; The Frank Shepard Company, a Corporation; Burdette Smith Company, a Corporation; Soney and Sage Company, a Corporation; Thomas Law Book Company, a Corporation; Edward Thompson Company, a Corporation; Vernon Law Book Company, a Corporation; Washington Law Book Company, a Corporation; West Publishing Company, a Corporation; Williamson Law Book Company, a Corporation; Callaghan & Company, a Corporation; Fallon Law Book Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission; the answers of the respondents; a stipulation as to the facts and a supplemental stipulation as to the facts entered into between W. T. Kelley, Chief Counsel for the Federal Trade Commission, and the following corporate respondents: The W. H. Anderson Company, Baker, Voorhis and Company, Bancroft-Whitney Company, Matthew Bender and Company, Inc., Bender-Moss Company, Clark Boardman Company, Ltd., Bobbs-Merrill

Company, John Byrne and Company, Dennis and Company, Inc., The Harrison Company, The Lawyers Co-Operative Publishing Company, Little, Brown and Company, The Michie Company, National Law Book Company, Public Utilities Reports, Inc., Soney and Sage Company, Thomas Law Book Company, Williamson Law Book Company, and Fallon Law Book Company, which stipulations provide, among other things, that the Commission may proceed upon said statement of facts to make its report, stating its findings as to the facts and its conclusion based thereon, and enter its order disposing of the proceeding without the presentation of further testimony, argument, filing of briefs, or other intervening procedure; and also upon testimony and other evidence taken in support of the allegations of said complaint and in opposition thereto as to the respondents American Association of Law Book Publishers, and unincorporated association, and its officers James R. Spillane, president, Clifford W. Mueller, vice president, Richard Reiner, treasurer, and R. Walter White, secretary, and The American Law Book Company, George T. Bisel, an individual trading as George T. Bisel Company, The Frank Shepard Company, Burdette Smith Company, Edward Thompson Company, Vernon Law Book Company, Washington Law Book Company, West Publishing Company, and Callaghan & Company, 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 in support of the complaint and in opposition thereto; and oral argument of counsel; and the Commission having made and entered its findings as to the facts, conclusion, and order to cease and desist April 26, 1944, and modified order to cease and desist June 26, 1944, and thereafter, upon motion by counsel for certain of the respondents, the Commission reconsidered the modified order to cease and desist heretofore entered and being of the opinion that an order modifying such modified order to cease and desist should be issued in said cause and having duly considered the record and being now fully advised in the premises issues this its order modifying its modified order to cease and desist:

It is ordered, That the respondents American Association of Law Book Publishers, an unincorporated association; The American Law Book Company, a corporation, The W. H. Anderson Company, a corporation; Baker, Voorhis and Company, a corporation; Bancroft-Whitney Company, a corporation; Matthew Bender and Company, Inc., a corporation; Bender-Moss Company, a corporation; Clark Boardman Company, Ltd., a corporation; Bobbs-Merrill Company, a corporation; John Byrne and Company, a corporation; Dennis and Company, Inc., a corporation; The Harrison Company, a corporation; The Lawyers Co-Operative Publishing Company, a corporation; Little, Brown and Company, a corporation; The Michie Company, a corporation; National Law Book Company, a corporation; Public Utilities

Reports, Inc., a corporation; The Frank Shepard Company, a corporation; Burdette Smith Company, a corporation; Soney and Sage Company, a corporation; Thomas Law Book Company, a corporation; Edward Thompson Company, a corporation; Vernon Law Book Company, a corporation; Washington Law Book Company, a corporation; West Publishing Company, a corporation; Williamson Law Book Company, a corporation; Callaghan & Company, a corporation; and Fallon Law Book Company, a corporation, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of law books and related legal publications in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining discounts, terms, or conditions of sale for law books and related legal publications or adhering to or promising to adhere to the discounts, terms, or conditions of sale so fixed.

2. Maintaining or adhering to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books.

3. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and related legal publications.

4. Arriving at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders.

5. Establishing, fixing, or maintaining the rates of allowances to be made, used, and applied on books and other publications received in trade, or fixing and maintaining the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade.

6. Jointly or cooperatively inducing or promoting adherence to, or attempting to induce or promote adherence to, agreements and understandings relative to the sale and distribution of law books and related legal publications by inter-

change of correspondence, by personal contact with one another individually or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise.

7. Employing or utilizing any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications.

8. Employing or utilizing American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It appearing to the Commission that the record herein does not directly and specifically raise any issue of the legality of joint publication ventures and that it is not necessary to determine any such issue in the present proceeding, *It is therefore further ordered*, That the order to cease and desist herein shall not be construed as prohibiting joint publishers of any specific law book, set of law books or related legal publication, from engaging in the cooperative activities otherwise prohibited by this order, provided that such activities are pursued in good faith and solely with respect to publishing and selling such jointly published law book, set of law books, or related legal publications in the usual and ordinary course of business and are not used for the purpose of evading the terms of the order. By this action the Commission does not now pass upon the legality or illegality of joint publication ventures as such, and this action is without prejudice to the Commission's right to institute a new proceeding at any time with respect to the legality of such ventures.

It is further ordered, That nothing herein contained shall be construed as prohibiting a parent corporation from directing the prices or terms at which any of its subsidiary corporations shall sell any law book or related legal publication published by the parent corporation or by any of its subsidiaries when such prices or terms have been arrived at by the parent corporation acting separately and independently of any competitor of the parent corporation or of any of its subsidiary corporations.

It is further ordered, That nothing in this order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act), as amended.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to George T. Bisel, an individual trading as George T. Bisel Company.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order,

file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14737; Filed, Sept. 25, 1944;
10:59 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51126]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

BAGGAGE DECLARATIONS

Section 10.20 (c) (1), Customs Regulations of 1943 (19 CFR, Cum. Supp., 10.20 (c) (1)), is hereby amended by deleting the period at the end of the first sentence and adding to that sentence the words "further than that necessarily incidental to wear and use while abroad."

(Sec. 498, 46 Stat. 728; 19 U.S.C. 1498)

W. R. JOHNSON,
Commissioner of Customs.

Approved: September 22, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14727; Filed, Sept. 23, 1944;
4:38 p. m.]

[T. D. 51127]

PART 15—RELIEF FROM DUTIES ON MER- CHANDISE LOST, STOLEN, DESTROYED, IN- JURED, ABANDONED, OR SHORT-SHIPPED

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

ABANDONED AND FORFEITED MERCHANDISE

Section 15.6, Customs Regulations of 1943 (19 CFR, Cum. Supp., 15.6), is hereby amended to read as follows:

§ 15.6 *Disposition of abandoned merchandise and proceeds of sale.* (a) The disposition of merchandise abandoned pursuant to section 506 (1) or 563 (b), Tariff Act of 1930, as amended, and not retained for official use, shall be governed by T. D. 48105, as amended. If the merchandise is cleared for sale, it shall be sold in accordance with the applicable provisions of Part 20, unless it is worthless or it shall appear probable that the expenses of sale will exceed the proceeds. If the merchandise is sold, no part of the proceeds shall be returned to the importer.

(b) If the merchandise or any part thereof is worthless or it appears probable that the expenses of its sale would exceed the proceeds, it shall be destroyed or otherwise disposed of as the collector may direct. No credit for abandonment of such merchandise shall be given unless a customs officer, who has satisfied him-

self as to the quantity of the abandoned portion of the shipment and as to the destruction or removal from the control of the applicant of the entire quantity of the goods covered by the collector's instructions as to disposition, shall certify on customs Form 4513 to those facts to avoid the possibility of any part of the same goods being made the subject of another application. (Secs. 506 (a), 563 (b), 624, 46 Stat. 732, 746, 759; 19 U.S.C. 1506 (a), 1563 (b), 1624)

The caption and paragraph (a) of § 23.17, Customs Regulations of 1943 (19 CFR, Cum. Supp., 23.17 (a)) are hereby amended to read as follows:

§ 23.17 *Disposition of goods after summary forfeiture; value not exceeding \$1,000.* (a) When property has been forfeited pursuant to section 609, Tariff Act of 1930, as amended, the declaration of forfeiture shall be noted on the report of seizure, customs Form 5955. If no petition for relief from the forfeiture is filed or if a petition was filed and has been denied, and the property is not retained for official use, it shall be disposed of in accordance with the provisions of T. D. 48105, as amended. (Sec. 609, 46 Stat. 755; sec. 28 (b), 52 Stat. 1089; sec. 624, 46 Stat. 759; 19 U.S.C. 1609, 1624)

Section 23.19 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 23.19 (a)), is hereby amended by changing the period at the end thereof to a comma and adding the following: "provided it has been cleared for sale pursuant to T. D. 48105, as amended."

(Secs. 611, 624, 46 Stat. 755, 759; 19 U.S.C. 1611, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: September 22, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14726; Filed, Sept. 23, 1944;
4:38 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 1, Sept. 22, 1944, to Re-
vision VIII, Sept. 13, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Na-

tionals, Revision VIII of September 13, 1944 (9 F.R. 11389), is hereby promulgated.¹

By direction of the President.

CORDELL HULL,
Secretary of State.
JESSE H. JONES,
Secretary of Commerce.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
LEO T. CROWLEY,
Administrator, Foreign
Economic Administration.
FRANCIS BIDDLE,
Attorney General.
NELSON A. ROCKEFELLER,
Coordinator of
Inter-American Affairs.

SEPTEMBER 22, 1944.

[F. R. Doc. 44-14711; Filed, Sept. 23, 1944;
12:00 m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 324]

PART 403—PROPERTY MANAGEMENT DIVISION

PLANS AND TERMS OF SALE

Section 403.10 is amended as follows:

The first sentence of paragraph (a) (5 F.R. 4736) of § 403.10 of this Part shall be deleted and the following inserted in lieu thereof: "Unless authorized by the General Manager in the particular case, a sale to the former borrower or to his spouse shall be made only at a price equal to ledger value."

Effective: September 16, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-14671; Filed, Sept. 22, 1944;
1:47 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5405]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1944

PERIOD IN WHICH COMPENSATION UNDER CANCELED GOVERNMENT CONTRACT IS RETURNABLE

Section 29.42-1 (a) of Regulations 111 [Part 29, Title 26, Code of Federal Regu-

¹ Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

lations, Cum. Supp.] is amended by striking out the last sentence and inserting in lieu thereof the following:

§ 29.42-1 *When included in gross income—(a) In general.* * * * Except as otherwise stated in this paragraph, such items as claims for compensation under canceled Government contracts constitute income for the year in which they are allowed or their value is otherwise definitely determined, if the return is rendered on the accrual basis; or for the year in which received, if the return is rendered on the basis of cash receipts and disbursements. In the case of a termination of a war contract as defined by section 3 of the Contract Settlement Act of 1944 (or the termination of any other Government contract as to which the right to compensation is definitely fixed and the measure thereof is determinable with reasonable accuracy), if the return is rendered on a basis other than cash receipts and disbursements, compensation for the termination shall, unless a different method of reporting is prescribed or approved by the Commissioner, constitute income for the taxable year in which falls the effective date of the termination, except that if any part of the compensation is attributable to cost, expenses, or losses incurred in a subsequent year such part of the compensation shall be returned as income for the subsequent year.

Commodity	Cuba (schedule B number)	Mexico (schedule B number)
Cotton semi-manufactures.....		3011.10 thru 3013.20.
Cotton manufactures.....	3015.00, 3016.00, 3018.00, 3031.10 thru 3061.00, 3067.00 thru 3129.00, 3171.00 thru 3181.00, 3187.00 thru 3189.00.	3015.00, 3016.00, 3018.00, 3023.00 thru 3140.00, 3171.00 thru 3181.00, 3187.00 thru 3189.00.
Wool semi-manufactures.....		3633.00.
Rayon, nylon and other synthetic textiles.....	3830.07, 3842.00, 3845.00 thru 3857.70.	3842.00, 3845.00 thru 3857.70.
Miscellaneous textile products.....	3911.00 thru 3918.00.	3911.00 thru 3918.00.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 16, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14716; Filed, Sept. 23, 1944;
3:04 p. m.]

[Amdt. 227]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENT

Part 802 *General Licenses* is hereby amended in the following particulars:

1. By deleting therefrom §§ 802.15, 802.18, 802.19, 802.22 and 802.23.

2. By renumbering all sections after § 802.14 as follows: § 802.16 to § 802.15, § 802.17 to § 802.16, § 802.20 to § 802.17, § 802.21 to § 802.18, §§ 802.24-802.30 to §§ 802.19-802.25 respectively.

(3) By adding thereto § 802.26 as follows:

(Sec. 62, I.R.C. (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL]

HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: September 22, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14712; Filed, Sept. 23, 1944;
1:49 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 226]

PART 811—BLANKET LICENSE "BLT"

GENERAL PROVISIONS; MISCELLANEOUS TEXTILES

Section 811.2 *General provisions* is hereby amended by adding thereto paragraph (g) as follows:

(g) In addition to the commodities set forth in paragraph (f) of this section, the blanket license procedure shall also apply to the following commodities for export to the particular destination specified:

§ 802.26 *General License "GLR"*. A general license designated "GLR" is hereby granted authorizing exportations as follows:

(a) Machinery, or parts of machinery, owned and operated in Mexico and shipped to the United States for repair purposes may be returned to Mexico, as well as replacement parts which are added, and rebuilt parts which are substituted when the identical parts imported are not returned to Mexico.

(b) All articles and materials which have been imported into the Panama Canal Zone from the Republic of Panama for the purpose of being repaired or processed may be returned to the Republic of Panama.

(c) Metal drums, gas cylinders, bags and other containers used in shipping articles and materials to the United States from a destination in Country Groups K, G, V or M as set forth in paragraph (a) of § 802.3 may be returned empty.

(d) Newsprint cores made of any kind of material, whether imported into the United States separately or as a part of the packing of imported newsprint paper, may be returned to the destination in Country Groups K, G, V or M as set forth in paragraph (a) of § 802.3 from which imported.

(e) Sugar-mill machinery, or parts thereof, operated in any of the islands and independent republics listed below and sent to Puerto Rico for repair purposes, as well as replacement parts which are incorporated in or made a part of such sugar-mill machinery, and rebuilt parts for sugar-mill machinery which are substituted for imported parts which cannot be repaired, may be returned to the island or independent republic from which imported:

- Cuba.
- Haiti.
- Antigua.
- Montserrat.
- St. Christopher.
- Nevis.
- Barbuda.
- Redonda.
- Anguilla.
- Sombrero.
- Jamaica.
- Dominica.
- St. Lucia.
- St. Vincent.
- Grenada.
- The Grenadines.
- Barbados.
- Trinidad and Tobago.
- Curacao.
- Dominican Republic.
- British Virgin Islands.
- Aruba.
- Bonaire.
- St. Eustatius.
- Saba.
- St. Martin (southern part).
- Colombia.
- British Guiana.
- French Guiana.
- Surinam.
- Venezuela.
- French West Indies:
 - Desirade.
 - Guadeloupe.
 - Les Saintes.
 - Martinique.
 - Marie Galante.
 - St. Martin (northern part).
 - St. Bartholomew.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: September 21, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14717; Filed, Sept. 23, 1944;
3:04 p. m.]

[Amdt. 228]

PART 802—GENERAL LICENSES

SHIPMENT OF PAPER AND PAPER PRODUCTS

Part 802 *General Licenses* is hereby amended by adding thereto § 802.27 as follows:

§ 802.27 *General License "GLQ"*—(a) *Definitions.* When used in this section: (1) "Single shipment" shall mean all commodities classified under a single Schedule B number which move at the same time from one exporter to one importer on the same exporting carrier.

No. 192—2

(b) A general license designated "GLQ" is hereby granted authorizing the exportation to any destination in Group K as set forth in paragraph (a) of § 802.3 of this part, of the articles and materials listed below where, in a single shipment, the net quantity of all such articles and materials classified under a single Schedule B number does not exceed the quantity limit specified for the commodity in the column headed "Quantity limit":

Commodity	Schedule B number	Quantity limits ¹
		<i>Pounds</i>
Blotting paper.....	4741.00	500
Book paper, not coated.....	4714.00	500
Bristols and bristolboard.....	4732.00	500
Cash-register and adding machine paper.....	4797.00	500
Cover paper.....	4720.00	500
Envelopes.....	4793.00	500
Filing folders, index cards, and other office forms, plain or printed.....	4750.00	500
Paperies (fancy writing paper).....	4760.00	500
Sheathing and building paper.....	4735.00	500
Toilet paper.....	4728.00	500
Waterproof and greaseproof paper (except cellophane).....	4721.00	500
Wrapping paper, except Kraft.....	4723.00	500
Wrapping paper, Kraft.....	4724.00	500
Writing paper, bond, ledger and drawing.....	4761.00	500
Other boxboard (paperboard and strawboard).....	4731.00	500
Other paperboard.....	4733.00	500
Other surface coated paper.....	4725.98	500
Other tissue and crepe paper.....	4726.98	500
Other paper and paper products.....	4799.00	500

¹ Net weight, exclusive of weight of containers.

(c) This general license is designed to permit shipments of commodities in quantities not in excess of the limits specified for the particular commodity in paragraph (b) of this section, when such commodities have been ordered by the purchaser in small quantities not in excess of such limits. Where a purchaser orders such commodities in quantities which exceed the limits specified, the exporter or his agent may not use this general license for the fulfillment of such an order whether this is sought to be accomplished by splitting the order into two or more shipments or by any other device designed to evade the requirement of an individual license.

(d) Collectors of Customs are authorized to limit or prevent shipments of any commodity under this general license if they have cause to suspect that such exportation is being made for the purpose or with the intention of evading any of the regulations of the Foreign Economic Administration.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: September 21, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14718; Filed, Sept. 23, 1944;
3:04 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3693; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATION OF AUTHORITY
[Supplementary Directive 1-G, Revocation]

RATIONING OF NEW ADULT BICYCLES

Section 903.8 *Supplementary Directive 1-G* is hereby revoked.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-14696; Filed, Sept. 23, 1944;
10:55 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Sept. 23, 1944]

PRIORITIES ACTION BY THE FOREIGN
ECONOMIC ADMINISTRATION

§ 903.39 *Directive 27*—(a) *General rating authority.* (1) The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of the following material:

(i) Any material included on any single application (other than Form FEA-471) if all of the material rated on the application has an aggregate value of less than \$2500; and

(ii) Any material applied for on Form FEA-471 which is classifiable under a single Department of Commerce Schedule B Number, if all of the material classifiable under the same Schedule B Number has an aggregate value of less than \$2500.

(2) As an exception to the rating authority given in subparagraph (1), ratings may not be assigned under subparagraph (1) to the following:

(i) Any material as to which there is in effect, at the time the application is acted upon, a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board which establishes an approved quantity for the Foreign Economic Administration, except where and to the extent that the Program Determination or Decision specifically states that the rating authority given by this paragraph (a) may be used;

(ii) Any material as to which an applicable regulation or order of the War Production Board provides that ratings for it may not be obtained on Form WPB-541;

(iii) Any material covered by an application which appears to the Foreign Economic Administration to have been subdivided for the purpose of bringing the application within the rating authority given by this paragraph (a); or

(iv) Any material which the Program Vice Chairman (by specific action or through a Program Determination or an approved Decision of a Division Requirements Committee) may except from the rating authority given by this paragraph (a).

(3) In assigning ratings under this paragraph (a), the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time. Furthermore, the rating policies set forth in Program Determination No. 319 (Revised) and Program Determination No. 500-B (and in their amendments and superseding Program Determinations) must also be followed. (For example, material which is required by Program Determination No. 500-B to be rated lower than AA-3 on a domestic application must be assigned the lower rating on a comparable export application.)

(b) *Rating of programmed material.* In addition, the Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(c) *Form of assignment of ratings.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of ----- Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice

Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) *Effective date.* This directive as amended September 23, 1944, shall become effective on October 1, 1944. Until that date, Directive 27 as amended August 9, 1944, shall remain in effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 23d day of September 1944.

S. W. ANDERSON,
Program Vice Chairman.

INTERPRETATION 1

EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M-148 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. § 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

INTERPRETATION 2

LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

A rating assigned by the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license in the absence of any applicable rule or restriction set forth in an order or regulation of the War Production Board governing transactions in the material covered by the rating. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Foreign Economic Administration revokes the rating,

and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid. (Issued July 5, 1944.)

[F. R. Doc. 44-14724; Filed, Sept. 23, 1944; 4:08 p. m.]

Subchapter B—Executive Vice-Chairman

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

PART 1104—BICYCLES

[Limitation Order L-52-a, Revocation]

RESTRICTIONS ON SALES AND DELIVERIES

Section 1104.2 *Limitation Order L-52-a* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14693; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 1107—TRACK-LAYING TRACTORS AND AUXILIARY EQUIPMENT

[Limitation Order L-53-a, Revocation]

Section 1107.2 *Supplementary Limitation Order L-53-a*, is revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of track-laying tractors remain subject to Order L-53 and to all other applicable regulations and orders of the War Production Board.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14692; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-314, as Amended Sept. 23, 1944]

LUBRICATION EQUIPMENT

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

§ 1226.127 *General Limitation Order L-314—(a) Definitions.* For the purposes of this order:

(1) "Lubrication equipment" means any new machinery, equipment, device, or appliance for dispensing grease, oil, or other lubricant, or for applying a lubricant to any machinery or equip-

ment at any point requiring lubrication; including general and special purpose lubrication equipment, lubrication fittings, oil and grease cups and receptacles and hand oilers as well as furnishings, accessories, appliances, of the types defined in paragraph (c) (1) of this order. It includes repair parts for any of such equipment. The term "lubrication equipment" shall not, however, include any of the following types of equipment designed to be used exclusively for railway locomotives or railway track rails (i) hydrostatic lubricators for steam locomotive valve and cylinder lubrication or for steam locomotive auxiliaries; (ii) mechanical lubricators and lubricating system for steam locomotive valves, cylinders, chassis and running gear members and auxiliaries; (iii) mechanical lubricators for diesel electric and electric locomotive chassis and running gear members; (iv) journal lubricators for driving, engine truck, trailer truck or tender journals using either oil or grease as a lubricating medium; (v) rail and flange lubricators as used on railway track rails.

(2) "Manufacturer" means any person who constructs, manufactures, or assembles lubrication equipment for resale.

(3) [Deleted Sept. 23, 1944.]

(4) [Deleted Sept. 23, 1944.]

(b) [Deleted Sept. 23, 1944.]

(c) *Production restrictions.* (1) No manufacturer shall fabricate or assemble any of the following kinds of lubrication equipment:

(i) Metal shielded grease and oil barrel pumps.

(ii) Metal shielded portable grease pumps and transfers, except that metal shielding may be used in the manufacture of portable grease pumps designed to hold 25 to 50 pounds original grease containers, but only where such shielding acts as the support for the pumping mechanism.

(iii) Metallic wall batteries, compartments, liners and cabinets, whether for individual or multiple installation.

(iv) Metallic backgrounds, panels, shelving and display boards.

(v) Metallic hand gun carriers, gun boards, gun racks, service boards and gun carriages and carts which are not to be delivered to and for use by the Army, Navy, Maritime Commission, War Shipping Administration, the military forces of any Lend-Lease country, or the Veterans' Administration.

(vi) Metallic centerstands, centerwells, lubewells, service or job write-up desks, metal shielded waste oil drains, oil bars, motor oil dispensing cabinets and combination service outlet-waste oil drains.

(2) [Deleted Mar. 24, 1944]

(3) The limitations and restrictions of subparagraph (c) (1) above shall not apply to or prohibit the following:

(i) The completion of any piece of lubrication equipment, from component parts that were fabricated prior to March 24, 1944, and which constitute not

less than 80% of the finished piece of equipment (according to the aggregate weight of such parts), if the manufacturer cannot reasonably anticipate that he can utilize such parts as maintenance or repair parts within six months after that date; or

(ii) The fabrication or assembly of parts to be sold for maintenance or repair of lubrication equipment, where such parts would not be interchangeable with the replaced parts, if manufactured in accordance with this order.

(4) No manufacturer shall fabricate or assemble maintenance or repair parts in any calendar quarter in an amount exceeding, in dollar resale value, 150 per cent of the dollar resale value of maintenance and repair parts sold by him during the corresponding calendar quarter in the period from July 1, 1940 to June 30, 1941. This limitation shall not apply to parts for direct use by the United States Army, Navy, Maritime Commission, War Shipping Administration, the Military Forces of any Lend-Lease country or the Veterans' Administration. As used in this paragraph (c), "maintenance" shall mean the upkeep of lubrication equipment in sound working condition, and "repair" shall mean the restoration without change of design of any portion of lubrication equipment to sound working condition when such portion has been rendered inoperative or unsafe or unfit for service by wear, or tear, damage, destruction, failure of parts, or other similar causes.

(d) *Conservation.* No manufacturer shall fabricate or assemble any lubrication equipment other than in accordance with the following restrictions:

(1) No chromium, bismuth, tin, zinc or nickel, or alloys thereof, shall be used in the fabrication of parts, finishes, or plating, except in solder or bearings, and except that:

(i) Repair parts for lubrication equipment which was fabricated prior to November 20, 1943, may be made of the same material as the part to be repaired or replaced if and to the extent that parts fabricated in accordance with the restrictions of this paragraph (d) would not be interchangeable with such existing parts because of the change in materials used.

(ii) [Deleted Dec. 20, 1943]

(iii) Zinc may be used for galvanizing, plating, and for die cast parts. (See, however, Conservation Order M-11-b for limitations on quantity.)

(iv) Chromium-stainless or chromium-nickel-stainless steel may be used for pump cylinder sleeves, pistons, valve seats or moving valve parts, and indicator rods which require free movement, for central pumping units in centralized lubricating systems.

(v) N. E. alloy steel may be used for cylinder sleeves, pistons, worm and drive shafts for central pumping units in centralized lubricating systems.

(vi) Nickel-copper alloy may be used in the manufacture of monel hydraulic fittings only for use aboard ships or amphibious equipment by the Army, Navy, Maritime Commission or War Shipping Administration where required by applicable specifications (other than performance specifications) of the agency for whose use the fittings are to be delivered.

(2) Rubber and synthetic rubber shall not be used except as permitted in Rubber Order R-1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(3) Cadmium shall not be used except as permitted in General Preference Order M-65, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(4) [Deleted Sept. 23, 1944.]

(5) No metal except aluminum or magnesium shall be used (except in small hardware, such as bolts, nuts, screws, washers, cotter pins and metal corner reinforcements) in the fabrication of tool boxes or structural frames for portable grease service stations; and no metal other than rerolled rail, aluminum, magnesium or Bessemer steel shall be used in individual grease and oil containers or hose reels.

(6) The restrictions of this paragraph (d) do not apply to electric motors and switches, gas engines, and pressure gauges, or component parts of such motors, switches, engines, and gauges.

(e) [Deleted Mar. 24, 1944]

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

(2) [Deleted Mar. 24, 1944]

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

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

(5) [Deleted Sept. 23, 1944.]

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-314.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to fabricate or assemble the kinds of lubrication equipment prohibited by paragraph (c) (1), and any person who wants to fabricate or assemble more maintenance or repair parts than the quota fixed in paragraph (c) (4) (including a person who has no quota under that paragraph) may apply for permission to do so as explained in Priorities Regulation 25. Similar applications may be made under that regulation by any person who wants to use metal in the fabrication of tool boxes or structural frames for portable grease service stations. Authorization under the regulation on an application will not waive the prohibition of paragraph (d) (5) against the use of metal other than rerolled rail, aluminum, magnesium or Bessemer steel in individual grease and oil containers or hose reels.

(2) *Appeals.* Any appeal from the restrictions of this order, other than the restrictions of paragraphs (c) (1), (c) (4) and (d) (5), should be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (c) (1), (c) (4) or (d) (5) except in respect of any requested use of other metal than rerolled rail, aluminum, magnesium, or Bessemer steel in individual grease and oil containers or hose reels.

NOTE: This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 23d day of September 1944.

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

NOTE: Schedules A, B, C, D, and E deleted Mar. 24, 1944.

[F. R. Doc. 44-14690; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 3133—PRINTING AND PUBLISHING
[Order L-240, Direction 4]

NEWSPAPERS; SERVICEMEN'S EDITIONS

The following direction is issued pursuant to Order L-240:

Paper consumed in "servicemen's", "overseas", "pony", or other special editions pre-

pared by a newspaper or identified with it must be charged against the newspaper publisher's consumption quota under Order L-240, even if the edition is printed, financed and distributed entirely by advertisers or other persons.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14691; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 54, as Amended Sept. 23, 1944]

DEFERRED ALLOTMENTS

The following direction is issued pursuant to CMP Reg 1:

(a) *General.* This direction describes the operation of deferred allotments. These allotments and authorized controlled material orders based on them are identified with the letter "Z" as the initial letter of the CMP allotment symbol. In most cases, this symbol will be "Z-1". Deferred allotments and authorized controlled material orders based on them are exactly the same as regular allotments and authorized controlled material orders, except as provided in this direction or as may be provided under other regulations.

(b) *Treatment by a controlled material producer of authorized controlled materials orders based on deferred allotments.* (1) A controlled material producer must accept or reject an authorized controlled material order identified by the symbol "Z" in the same way that he must accept or reject any other authorized controlled material order. However, if after accepting orders identified by a "Z" symbol, he receives orders (other than "Z" orders), which he is otherwise required to accept but would be unable to accept because of the provision of paragraph (t) (2) (III) or Direction 23 of CMP Regulation 1 (relating to the amount of orders that can be accepted), he must defer his most recently accepted "Z" orders to the extent necessary and accept the other order.

(2) A controlled material producer must defer production of his most recently accepted "Z" order to the extent necessary to make deliveries on time on other authorized controlled material orders or other orders which he is required to fill.

(3) If at the time a "Z" order is required to be deferred by paragraph (b) (1) or (b) (2) it is scheduled for delivery within less time than the "lead times" of Schedule III to CMP Regulation No. 1, the producer need not defer such order. For instance, if a steel producer receives an authorized controlled material order with an "N-1" symbol and, under the provisions of paragraphs (b) (1) and (b) (2) he would be required to defer a "Z" order for carbon pipe which is scheduled for delivery in less than 30 days (the lead time specified in Schedule III for carbon pipe) he need not defer such order.

(4) If a "Z" order is deferred because of the provisions of paragraph (b) (1) or (b) (2) of this direction, it may be scheduled for delivery in a later month only if a new "Z" order could be accepted for delivery in such a month under the provisions of this direction and paragraph (b) of CMP Regulation No. 1. However, if the order is scheduled for delivery in a later month and that month is in a later quarter, it is not necessary for the

customer to make any change in his order or have an allotment valid for the later quarter. The provisions of paragraph (v) (4) of CMP Regulation 1 and paragraph (g) of Direction 23 to that regulation, relating to prior scheduling of past due orders, do not apply to "Z" orders.

(5) Whenever a controlled material producer finds that he will be unable to fill a "Z" order within the month promised he must promptly notify the customer, stating approximately when he expects to make delivery.

(c) *Deliveries from mill stock.* A controlled material producer must not fill from mill stock, including mill accumulations of rejected material, any "Z" order until he has filled all other orders which he has received calling for similar items which he is required to fill under CMP regulations. This paragraph does not apply to copper producers.

(d) *Deliveries of controlled material for further conversion to fill "Z" orders.* If a steel producer orders controlled material from another controlled material producer which he will convert into another controlled material form for delivery on a "Z" order, he must place his order by the use of the CMP allotment symbol (instead of the symbol "FC"). It is not necessary to obtain specific permission to use this symbol. The producer on which such an order is placed must treat it as a "Z" order under this direction, and may not schedule it as part of any production-directive setting aside mill capacity for "further conversion" orders.

(e) *Reports to the War Production Board.* Producers shall treat "Z" orders separately on all reports required to be filed with the War Production Board.

(f) Treatment by steel producers of orders identified by the symbol "Z-1E" is explained in Direction No. 44 to CMP Regulation No. 1.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14697; Filed, Sept. 23, 1944; 10:55 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 15, as Amended, Sept. 23, 1944]

USE OF MRO SYMBOL AND RATING TO BUY INSTALLATION MATERIALS WHERE AUTHORIZATION TO CONSTRUCT IS NOT REQUIRED UNDER L-41

The following direction is issued pursuant to CMP Reg. 5:

(a) *Installing or relocating machinery or equipment.* (1) Any person who has obtained machinery or equipment for use in a business listed on Schedule A of CMP Regulation 5 may use the MRO symbol and rating assigned to him for maintenance, repair, and operating supplies by the regulation to get materials to install or relocate such equipment under the following conditions: (i) Where construction (as defined in Order L-41) is involved, he may get materials needed for the installation or relocation of machinery or equipment which Direction 2 to L-41 permits him to install or relocate without getting an authorization under that order. (ii) Where construction is not in-

volved, he may get up to \$500 worth of materials needed to install any piece of machinery or equipment.

(2) Any person who has obtained machinery or equipment for use in a business which is not listed on Schedule A of CMP Regulation 5 may use the MRO symbol and a preference rating of AA-5 to get up to \$500 worth of materials needed to install or relocate any piece of machinery or equipment which Direction 2 to L-41 permits him to install or relocate without getting an authorization under that order or in any case where construction (as defined in L-41) is not involved.

(b) Deleted Aug. 19, 1944.

(c) *MRO quota need not be charged.* A person buying installation materials under this direction need not charge the amount he spends for them against his MRO quota under paragraph (f) of the regulation.

(d) *Relation to minor capital addition provision of CMP Regulation No. 5.* The purchase of installation materials under this direction is not affected by the restrictions on purchases of minor capital additions under paragraph (b) (3) of CMP Regulation No. 5. This direction applies only in cases where machinery or equipment which is installed or relocated is acquired without using the MRO rating for a minor capital addition under paragraph (b) (3) of the regulation. Under this direction, it does not matter whether the machinery or equipment costs more than \$500. However, if machinery or equipment is acquired with the MRO rating under paragraph (b) (3) of the regulation, installation materials are considered part of the same capital addition, in which case the total must not exceed \$500 and the cost of the installation materials as well as cost of the machinery or equipment must be charged to the MRO quota.

(e) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L-41.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14695; Filed, Sept. 23, 1944;
10:55 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended
Sept. 12, 1944, Amtd. 1]

TEXTILE BAGS

Section 3270.23 *Conservation Order M-221* as amended September 12, 1944, is hereby amended as follows:

Amend the first sentence of paragraph (u), *Certification* to read as follows:

"On and after October 10, 1944, no person shall sell or deliver any textile bags in quantities of 1000 or more except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate signed manually

or as provided in Priorities Regulation No. 7."

Issued this 22d day of September 1944.

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

[F. R. Doc. 44-14678; Filed, Sept. 22, 1944;
4:23 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Limitation Order L-215, as Amended
Sept. 22, 1944]

TEXTILES, CLOTHING AND LEATHER MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of textile, clothing and leather machinery 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:

§ 3290.150 *General Limitation Order L-215—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Assignment and use of ratings to obtain textile, clothing and leather machinery.* Any person (including Government Agencies) applying for a rating to obtain any machinery on List A shall use Form WPB-1319, or in cases involving construction, Form WPB-617.

It will be the policy of the War Production Board not to assign any ratings except for military and extremely urgent civilian purposes.

No person shall use any preference ratings to obtain deliveries of items on List A except those assigned on Form WPB-1319 or WPB-617.

Before filing WPB-1319, applicants should consult the current instructions booklet relating to this form.

(c) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C.

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

(e) *Restriction on dismantling textile fabric and yarn mills.* No mill, plant or factory which at any time in the period from January 1, 1944 to August 31, 1944, inclusive, produced any textile fabric or yarn shall be dismantled without specific permission in writing from the War Production Board.

NOTE: Paragraph (f) formerly (e) redesignated Sept. 22, 1944.

(f) *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 and may be deprived of priorities assistance.

Issued this 22d day of September 1944.

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

LIST A

Leather working machinery:

Tanning machinery.

Shoe manufacturing machinery.

Shoe repairing machinery.

Other leather working machinery.

Textile machinery and equipment (machinery and mechanical equipment used in mills for carding, combing, spinning, throwing, weaving, winding, knitting, printing, bleaching, dyeing and otherwise processing or finishing cotton, wool, silk, flax, hemp, jute and other fibers and products of these fibers).

Industrial sewing machines.

Cotton ginning and delinting machinery.

[F. R. Doc. 44-14677; Filed, Sept. 22, 1944;
4:23 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General
Direction 9]

RELEASE OF CERTAIN GROUP I MILITARY SOLES

The following direction is issued pursuant to General Conservation Order M-310:

Notwithstanding paragraph (e) (4) of General Conservation Order M-310, any cutting shoe manufacturer who had on September 1, 1944 more than sufficient Group I military soles cut by him to make all the deliveries required under his military orders for a period of thirty days from said date may release 50 percent of such excess for his own use in civilian shoes or for sale to any other person without restrictions.

Notwithstanding paragraph (e) (4) of Conservation Order M-310 any sole cutter (except cutting shoe manufacturers) who on September 1, 1944 had more Group I military soles than he required to maintain delivery on his military orders is hereby permitted to sell and deliver such excess without restriction.

Each sole cutter (including cutting shoe manufacturers) shall include in his report on Form WPB-1303 required to be filed on or before October 10, 1944 a statement of the number of soles released by him under this direction.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14689; Filed, Sept. 23, 1944;
10:56 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-52, as Amended
Sept. 23, 1944]

BICYCLES AND BICYCLE PARTS

Section 3291.215 *General Limitation Order L-52* is hereby amended to read as follows:

§ 3291.215 *General Limitation Order L-52*—(a) *Definitions.* For the purposes of this order "bicycle" means any new foot pedal propelled, non-motor, two-wheeled vehicle.

(b) *Restrictions on production.* (1) No person shall produce or assemble any bicycles except as authorized by the War Production Board on Form GA-1850. Application should be made by filing Form CMP-4B and Form WPB-3820, with the Field Office of the War Production Board for the district in which the bicycles will be produced. These forms should be executed in accordance with the instructions contained on these forms. In general, permission to manufacture bicycles will be given only if labor and materials are available and if production will not interfere with war contracts. Regardless of the restrictions contained in this paragraph a person who, as a result of having filed an appeal, has been granted permission to manufacture bicycles may continue to manufacture them to the extent that he was authorized. A person who was permitted to manufacture bicycles under Order L-52 before this amendment dated September 23, 1944 may continue to produce under that authorization until October 31, 1944.

(2) In addition to the production which may be authorized on Form GA-1850 under paragraph (b) (1), a person may produce or assemble bicycles to fill orders for delivery to or for the account of the Army or Navy of the United States. Bicycles manufactured to fill such orders may be made without regard to the restrictions contained in paragraphs (b) (3) and (b) (4).

(3) No bicycles shall be manufactured which (i) have a net weight greater than 42 pounds exclusive of tires and tubes; (ii) have a frame measurement from the center of the crank to the top of the saddle post staff of less than 18 inches.

(4) No bicycles or bicycle parts shall be manufactured which contain any crude rubber or metal other than iron, steel, aluminum, magnesium, or zinc except that (i) chromic acid may be used for plating on seat posts, handlebars and stems, cranks, pedals and adjusting nuts and screws; (ii) brass may be used if permitted by Order M-9-c; (iii) lighting and warning equipment may contain such material as is absolutely necessary to satisfy minimum safety requirements and for which there is no satisfactory

substitute; (iv) casings and tubes of tires may contain such crude rubber as permitted by Rubber Order R-1, as amended from time to time; and (v) aluminum pigment may be used.

(5) No person shall produce or assemble the following bicycle accessories: Luggage carriers, tanks, truss rods, braced handlebars, and spring forks.

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

(d) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble more bicycles than the quotas fixed in paragraph (b) (1) or (b) (2) (including a person who has no quota under the order) may apply for permission to do so as explained in Priorities Regulation 25. Restrictions of paragraphs (b) (3), (b) (4), and (b) (5) relating to the production of bicycles and bicycle parts will still be applicable to any production which is authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraphs (b) (1) or (b) (2) should be filed on Form WPB-1477 (in triplicate), with the War Production Board, Washington 25, D. C., Ref.: L-52. No appeal should be filed from the quota restrictions of paragraphs (b) (1) or (b) (2).

(e) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of bicycles and bicycle parts to a greater extent than does this order, the other order shall govern unless it states otherwise.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-52.

Issued this 23d day of September 1944.

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

[F. R. Doc. 44-14694; Filed, Sept. 23, 1944;
10:55 a. m.]

PART 3290¹—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-102 as Amended
Sept. 15, 1944, Amdt. 1]

WATERFOWL FEATHERS

Section 3290.306¹ *Conservation Order M-102* is hereby amended in the following respects:

1. Paragraph (b) (1) is amended to read as follows:

(1) "Waterfowl feathers" means new goose and duck feathers and down, domestic and imported, separated from the fowl, except wing and tail feathers and body feathers over 3 inches in length.

2. Paragraph (b) (3) is deleted.

3. Paragraph (b) (7) is amended to read as follows:

(7) "Military order" means a contract for sleeping bags or flying suits placed directly by the Army or Navy of the United States or any subcontract thereunder.

4. Paragraph (c) (1) is amended by deleting the last two sentences in said paragraph.

5. Paragraph (d) (1) is amended by changing "PDL-2033-B" in the sixth line to read "GA-146 (formerly Form PDL-2033-B)."

6. In paragraph (d) (2) "PDL-2033-B" in the fifth line is amended to read "GA-146 (formerly Form PDL-2033-B)."

7. In paragraph (d) (4) the last two sentences (beginning "on or before September 30") are deleted.

8. In paragraph (g) "Division" in the 7th line is revised to read "Bureau."

Issued this 23d day of September, 1944.

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

[F. R. Doc. 44-14725; Filed, Sept. 23, 1944;
4:08 p. m.]

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

[Priorities Reg. 24, Direction 1]

FILING OF FORM WPB-3940 BY MACHINE TOOL BUILDERS SUBJECT TO GENERAL PREFERENCE ORDER E-1-b

The following direction is issued pursuant to Priorities Regulation 24:

Notwithstanding the provisions of paragraph (d) of Priorities Regulation 24, machine tool producers who file monthly operations reports on Form WPB-417 or WPB-1440 are not required to file Form WPB-3940.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14745; Filed, Sept. 25, 1944;
11:18 a. m.]

¹ Formerly Part 1110, § 1110.1.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended Sept. 25, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials 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:

§ 1042.1 *General Imports Order M-63—(a) Definitions.* For the purposes of this order:

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

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials—(1) General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrange-

ment for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WFB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than \$100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than \$25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any

contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials*—(1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB-1039 (formerly PD-222A), which form shall be addressed to the War Production Board, Ref.: M-63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental

department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB-1040 (formerly PD-222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

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

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 25th day of September 1944.

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

NOTE: List I amended Sept. 25, 1944, effective Oct. 1, 1944.

The numbers listed after the following materials are commodity numbers taken

from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns.....	3417. 010 3417. 110	1/18/43 1/18/43
Carpet yarns of agave, dyed or undyed.....	N. S. C.	7/21/43
Cordage of agave fibers, other than sisal.....	N. S. C.	1/18/43
Cords and twines of agave fibers.....	N. S. C.	1/18/43
Fabrics woven of agave fibers.....	N. S. C.	9/11/42
Other manufactures (including all products in whole or in part of agave fibers).....	N. S. C. 3535. 000- 3535. 400 inc.	1/18/43 7/2/42
Alpaca llama, and vicuna hair.....	0369. 500	6/28/43
Alpargatas.....	0036. 600	5/22/42
Beef and mutton tallow—includes oleo stock.....	0815. 600	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock.....	5120. 600	10/6/42
Brazilian pebble (quartz crystals), unmanufactured.....	N. S. C.	10/6/42
Brazilian pebble (quartz crystals) manufactured and semi-manufactured in blanks, slabs, bars, etc.....	2936. 000	11/23/42
Broomcorn.....	2231. 000	4/8/42
Caster beans.....	6213. 100	4/12/28/41
Chrome ore (Chromite).....	6213. 300 6213. 500	4/12/28/41 4/12/28/41
Cinchona bark or other bark from which quinine may be extracted.....	2201. 000	5/22/42
Cottonseed oil, crude, refined.....	1423. 100 1423. 200	5/22/42 5/22/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used).....	0922. 200	6/28/43
Flaxseed (linseed).....	2233. 000	5/22/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin).....	5730. 100	4/8/42
Crystalline flake.....	5730. 500	12/28/41
Crystalline, erucible lump and chip graphite.....	5730. 610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite.....	5730. 630	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured:		
Hacked including "line of hemp".....	3263. 000	9/11/42
Not hacked.....	3263. 200	9/11/42
Tow.....	3263. 300	9/11/42
Hides and skins:		
Deer: buck or doe.....	0293. 100	9/11/42
Lard oil.....	N. S. C.	3/5/43
Lard (including rendered pork fat).....	6036. 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats.....	0036. 100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species.....	0300. 100- 0317. 900 inc. 0345. 000 0345. 100	7/2/42
Leather made from hides or skins of animals of the equine species.....	N. S. C. 0333. 000- 0333. 500 inc.	7/2/42 7/2/42
Goat and kidskin leather (except vegetable-tanned).....	0335. 400 0340. 800 0345. 200 0345. 300	7/2/42 7/2/42 7/2/42 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil.....	2254. 000	5/22/42
Manganese ore (including ferruginous) or concentrates, and manganese-ferrous iron ore, containing 85 percent and over of manganese.....	6211. 200 6211. 300	5/14/43 5/14/43

See footnotes at end of table.

LIST II—Continued

Table with 3 columns: Material, Commerce Import Class No., and Governing date. Lists various goods like leather products, silk, and minerals.

See footnotes at end of table.

LIST II—Continued

Table with 3 columns: Material, Commerce Import Class No., and Governing date. Lists goods like rapeseed oil, silk, and silver.

1 Moved from List I 1/8/44. 2 Moved from List I 3/30/44. 3 Moved from List I 3/30/44. 4 Moved from List III 5/17/44. 5 Moved from List I 6/22/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended Sept. 25, 1944, effective Oct. 1, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity number listed below.

Table with 3 columns: Material, Commerce Import Class No., and Governing date. Lists goods like agave fiber, alfalfa, and various oils.

See footnotes at end of table.

LIST III—Continued

Table with 3 columns: Material, Commerce Import Class No., and Governing date. Lists goods like beef, butter, cheese, and various oils.

See footnotes at end of table.

a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63 (Issued May 14, 1943.)

[F. R. Doc. 44-14749; Filed, Sept. 25, 1944; 11:17 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 14, as Amended Sept. 25, 1944]

STEEL FENCE POSTS

§ 3102.15 Schedule No. 14 to Limitation Order L-211—(a) Restrictions on production. No person shall produce steel fence posts except from materials specified in this paragraph (a) and except in accordance with specifications set forth in List I attached hereto.

(1) No person shall produce steel fence posts (including end and corner posts and braces), for snow fence, agricultural, and railroad use, except from used rails.

(2) No person shall produce other steel fence posts, except from iron or steel in the form of re-rolled rail stock, top cuts, discard billets, bessemer pipe, or from idle or excessive inventories reported to the War Production Board.

(b) Restrictions on delivery and acceptance. No person shall deliver or accept delivery of any steel fence posts which he knows or has reason to believe were produced in violation of the provisions of paragraph (a).

(c) Exceptions. The provisions of paragraphs (a) and (b) shall not apply to any steel fence posts

(1) The production, delivery or acceptance of which is specifically author-

ized in writing by the War Production Board, or

(2) Which have been produced prior to July 6, 1943, or which prior to such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(d) Records. Each person owning or possessing steel fence posts excepted by the provisions of paragraph (c) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 25th day of September 1944.

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

LIST 1

Note: List 1 amended Sept. 25, 1944.

Line post:

- Number of styles (Not more than two):
- One weighing 1.33 pounds per foot maximum.
- One weighing 1.12 pounds per foot minimum.

Wire fastening:
Optional.

Lengths:
5'0", 5'6", 6'0", 6'6", 7'0", 7'6", 8'0".

Line post—Continued.

Anchor plate:

In accordance with manufacturer's standard practice.

Paint:

Not more than one coat, color optional, no ornamentation.

Bundling practice as before.

Electric fence post:

One style, weight, and length, namely 1" x 1" angle, 4'6" long, maximum weight 3½ pounds.

No anchor plate.

No pointing.

Not more than one coat of paint, color optional, no ornamentation.

Bundling practice as before.

[F. R. Doc. 44-14738; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 4, as Amended Sept. 25, 1944]

AUTOMOTIVE DIVISION

§ 3208.5 Table for Automotive Division. (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns			
		1 Operations report	2 Shipping schedule ¹	3 Application and authorization	4 Calendar months frozen ²
1. Diesel and gas (not gasoline) engines (non-marine only); (a) Over 750 revolutions per minute.	X.....	878	3809.1	.....	8
2. Gasoline engines (except aircraft propulsion):					
(a) Air-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines."	X.....	878	3809.1	.....	8
(b) Air-cooled, other than those defined under item 2 (a).	Undesignated..	878	3809.1	.....	8
(c) Liquid-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines"	X.....	878	3809.1	.....	8
(d) Liquid-cooled other than those defined under item 2 (c).	Undesignated..	878	3809.1	.....	8
3. Internal combustion engine components for engines over 750 revolutions per minute, except those used on aircraft propulsion engines:					
(a) Carburetors.....	X.....	3002.78	3809.2	.....	8
(b) Crankshafts, finished dropforged and cast.....	X.....	3002.78	3809.2	.....	8
(c) Fuel injection equipment, Diesel engine.....	X.....	3002.78	3809.2	.....	8
(d) Magnetos.....	Undesignated..	3002.78	3809.2	.....	8
(e) Radiators.....	Undesignated..	3002.78	3809.2	.....	8
(f) Camshafts, finished.....	X.....	3002.78	3809.2	.....	8
(g) Connecting rods, finished.....	Undesignated..	3002.78	3809.2	.....	8
(h) Motors: electric starting; engine mounted only.....	Undesignated..	3002.78	3809.2	.....	8
(i) Valves and seats; exhaust, intake.....	Undesignated..	3002.78	3809.2	.....	8
(j) Bearings: lined; plain; thrust friction; not water lubricated ship stern, tube strut, rudder shafts, railroad type, main thrust marine.	Undesignated..	3002.78	3809.3	.....	8
(k) Generators; electric.....	Undesignated..	3002.78	3809.2	.....	8
(l) Starting switches, magnetic, automotive type non-magnetic.	Undesignated..	3002.78	3809.2	.....	8
(m) Governors; except hydraulic.....	Undesignated..	3002.78	3809.2	.....	8
(n) Piston rings.....	Undesignated..	3002.78	3809.2	.....	8
(o) Voltage regulators.....	Undesignated..	3002.78	3809.2	.....	8
(p) Flywheel ring gears.....	X.....	3002.78	3809.2	.....	8
(q) Pistons.....	Undesignated..	3002.78	3809.2	.....	8
(r) Batteries: storage, automotive, dry charged, moist uncharged; storage, not automotive; wet primary.	Undesignated..	3002.78	3809.2	.....	8
(s) Sleeves, cylinder.....	Undesignated..	3002.78	3809.2	.....	8
(t) Guides, valve.....	Undesignated..	3002.78	3809.2	.....	8
(u) Rubber battery containers.....	Undesignated..	3002.78	3809.2	.....	8
(v) Cell covers and vents for battery containers.....	Undesignated..	3002.78	3809.2	.....	8
4. Generator sets, electric, gas driven (not gasoline), air-cooled; diesel engine driven, gasoline; engine driven, air-cooled; gasoline driven, liquid-cooled.	Undesignated..	3002.78	3809.2	.....	8

¹ Forms WPB-3401 or WPB-3003 may be used in lieu of the forms indicated.

² For explanation of time during which shipping schedule is frozen, see paragraph (c) of M-293.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14752; Filed, Sept. 26, 1944; 11:17 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 4 as Amended Sept. 25, 1944]

PURCHASERS OF INTERNAL COMBUSTION ENGINES TO FURNISH MANUFACTURERS INFORMATION REGARDING USE OF ENGINES

The following direction is issued pursuant to General Scheduling Order M-293:

The demand for internal combustion engines, the shipments of which are scheduled under War Production Board General Scheduling Order M-293, Table 4, is so large that it is necessary for the War Production Board to determine the relative urgency of shipments to be made by each manufacturer of these engines. In many instances the manufacturer does not have the necessary information in sufficient detail to inform the War Production Board as to the end use of the engines, as this information is known only to the purchaser and sometimes only to the customer of that purchaser. Unless purchase orders already placed and also future orders are properly identified, the War Production Board may be compelled to postpone delivery by the manufacturer or remove the orders entirely from the manufacturer's shipping schedule.

Consequently, in order that each manufacturer of internal combustion engines may be in a position to furnish the War Production Board with the required information, all purchasers of engines listed on Order M-293, Table 4, are directed to furnish immediately to the manufacturer of the engine the following information in respect to the items he has ordered:

1. The specific use the purchaser will make of the engine: for example—tractor, generator, pump, truck, combine, truck replacement, etc.

2. The program or project for which the engine is required: for example—farm machinery, advanced Naval base, heavy truck, truck replacement, etc.

3. Government contract number (if any) identifying the prime contract placed by the claimant agency for such program or project: for example—W-04-353-Eng-339 (this indicates Army Engineer Corps—Contract No. 339). NOBs-1161 (this indicates Navy—Bureau of Ships—Contract No. 1161).

4. The claimant agency sponsoring the program or project: for example—the Army, Navy, War Food Administration, Office of Defense Transportation, etc.

The foregoing information must also be furnished by purchasers in respect to all future orders for any engines listed on Order M-293, Table 4, at the time the orders are given the manufacturer. In giving the information, purchasers should furnish a separate statement for purchase orders involving different programs or covered by more than one government contract number.

If the purchaser of the engine does not have any part of the foregoing information, he may get it from his customer and the customer likewise, if he does not have the information, may get it from his customer.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14739; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-68, as Amended Sept. 25, 1944]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.301 *General Limitation Order L-68—(a) Definitions.* In this order:

(1) "Copper bearing material" means "copper," "copper base alloys," "copper products" and "copper base alloy products," as defined in Conservation Order M-9-c.

(2) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust, scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals. "Zinc" does not include such metal used as a protective coating applied to any of the items covered by this order.

(3) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings or dust.

(4) "Stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10% or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means to cut, punch, stamp, draw, mold, machine, cast, or in any manner to change the form of any metal or attach metal to tape.

(6) "Preferred order" means any purchase order, contract, or subcontract, in hand at the time of processing, from or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The exceptions in this order relating to preferred orders shall apply only for a material, and only to the extent, required by the applicable specifications.

Restrictions

(b) *General restrictions.* No person shall process any metal in the manufacture of any of the items (or parts thereof) listed on Schedule A attached to this order, except as specifically authorized in the said schedule and subject to the specific restrictions therein stated.

(c) *Restrictions on delivery and use.* No manufacturer of an item covered by this order shall sell or deliver it and no person shall commercially buy, receive, or use any such item, knowing or having reason to believe that it was manufactured or that it is or will be sold, delivered or used contrary to the purposes and requirements specified in this order.

General Exceptions

(d) *General exceptions.* (1) The restrictions of this order shall not apply to:

(i) The sale, delivery or use of parts, manufactured prior to April 1, 1942, for the repair or reconditioning of used slide fasteners.

(ii) Any item covered by this order, necessary for use in safety equipment as defined and permitted by Limitation Order L-114.

(iii) [Deleted Sept. 25, 1944]

(2) Subject only to the applicable quantity restrictions of Schedule A, zinc or steel may be used to fill preferred orders for any item listed on Schedule A.

(3) Zinc or zinc products may be used without restriction for plating any item covered by this order.

Equitable Distribution

(e) *Equitable distribution.* It is the policy of the War Production Board that items covered by this order not required to fill rated orders shall be distributed equitably. In making such distribution, due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

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

(g) *Exceptions and appeals—(1) Production under Priorities Regulation 25.*

Any person who wants to process more metal in the manufacture of any of the items (or parts thereof) listed on Schedule A than is permitted by Schedule A, or who wants to use any iron or steel to make an item listed on Schedule A for which he is not now permitted to use it, may apply for permission to do so as explained in Priorities Regulation 25. Any person may apply under Priorities Regulation 25 to obtain controlled material to make an item on Schedule A for which he is now permitted to use it, but he may still, of course, apply under other established War Production Board procedures for allotments of controlled material to make items listed on Schedule A in amounts permitted under Schedule A. The restrictions in paragraph (b) and Schedule A on the use of metal, except iron, steel, zinc and aluminum, apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* No appeal should be filed from this order with reference to the use of iron, steel, zinc or aluminum in the manufacture of items (or parts thereof) listed on Schedule A. Appeals from other restrictions of this order may

be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref. L-68, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington (25), D. C. Ref. L-68.

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

(j) *Records.* Each manufacturer of an item covered by this order shall preserve for at least two years complete and accurate records of inventories and receipts of each metal and alloy used, and of the production, deliveries, and

inventories of each such item, classified according to the metal or alloy from which each such item was manufactured. The record-keeping provisions of this paragraph have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

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

SCHEDULE A

NOTE: Schedule A amended Sept. 25, 1944.

This schedule specifies the metals that may be used to manufacture any item listed. The word "yes" in the appropriate columns means that the metal may be used for such item. The word "no" means the metal may not be used. Reference to a note appearing in any column means that metal may be used in accordance with restrictions contained in the respective note. In the manufacture of any item listed, copper may be used only as permitted by Conservation Order M-9-c and M-9-c-1, nickel may be used only as permitted by Order M-6-b, and silver may be used only as permitted by Conservation Order M-199, by appeals or otherwise under said orders. Aluminum may be used to make any item listed on this schedule subject to the limitations contained in the column entitled "Other restrictions".

each pound of aluminum shall be deemed the equivalent of three pounds of any other metal. Stainless steel may be used only where required for anti-corrosive or non-magnetic properties to fill preferred orders.

NOTE 7: Zinc and zinc products may be used for these items. However, the quantity of zinc and zinc products processed by any person for such items in any calendar quarter shall not exceed 20% of the quantity by weight of zinc and zinc products used by him for the same purposes during the entire calendar year of 1941.

[F. R. Doc. 44-14742; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-73, Revocation of Direction 2]

WOOLENS FOR CHILDREN'S SNOW SUITS, LEGGING SETS AND SIMILAR GARMENTS

Direction No. 2 to Conservation Order M-73 is hereby revoked. This revocation does not affect any liabilities incurred under the direction, nor does it relieve any person from any obligation to fill any orders previously accepted, nor does it relieve any person from the requirements of Priorities Regulation 1 to accept and fill rated orders.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14744; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-71, as Amended Sept. 25, 1944]

DRY CELL BATTERIES AND PORTABLE ELECTRIC LIGHTS OPERATED BY DRY CELL BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of dry cell batteries, zinc shells for dry cell batteries and portable electric lights 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:

§ 3291.125 *Limitation Order L-71—*
(a) *Definitions.* For the purpose of this order:

(1) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries."

(2) "Dry cell battery" means any primary cell or assembly of cells in which the electrolyte is nonspillable and in which electric current is produced by electrochemical action.

(3) "Portable electric light" means any flashlight or other portable electric light operated by one or more dry cell batteries. It does not include bulbs, dry cell batteries, electric flares covered by

Item	Materials may be used as indicated		
	Zinc or zinc products	Steel	Other restrictions
1. Boning tips.....	Yes.....	Yes.....	See note 3.
2. Buckles.....	See note 7.....	Yes.....	See note 3.
3. Buckle molds.....	See note 7.....	See note 1.	
4. Button molds.....	See note 7.....	See note 1.	
5. Button and button tacks for use on wearing apparel: (a) For use on overalls, overall suits and dungarees.....	See note 7.....	Yes.....	See note 2.
(b) For use on coated fabric garments.....	See note 7.....	Yes.....	See note 4.
(c) For use on all other wearing apparel.....	See note 7.....	No.....	
6. Button shanks.....	Yes.....	Yes.....	See note 3.
7. Corset clasps and boning.....	See note 7.....	Yes.....	See note 3.
8. Eyelets, grommets and grommet washers.....	Yes.....	Yes.....	See note 3.
9. Garter clasps and trim.....	See note 7.....	Yes.....	See note 3.
10. Hooks and eyes and brassiere hooks.....	See note 7.....	Yes.....	See note 3.
11. Hose supporters and trim.....	See note 7.....	Yes.....	See note 3.
12. Loops, slides, slide loops and links: (a) For use on overalls, overall suits and dungarees.....	See note 7.....	Yes.....	See note 5.
(b) For use on all other wearing apparel.....	See note 7.....	Yes.....	See note 8.
18. Rivets and burrs: (a) For use on overalls, overall suits and dungarees.....	See note 7.....	Yes.....	
(b) For all other uses.....	See note 7.....	Yes.....	See note 3.
14. Slide fasteners.....	Yes.....	Yes.....	See note 6.
15. Snap fasteners.....	See note 7.....	Yes.....	See note 3.
16. Suspender clasps and trim.....	See note 7.....	Yes.....	See note 3.

NOTE 1: Only steel obtained under the requirements of Priorities Regulation 13 from idle or excessive inventories reported to the Steel Recovery Corporation or W. P. B., or steel obtained pursuant to Direction 44 of CMP Regulation 1, may be used.

NOTE 2: Such buttons shall be limited to open top buttons consisting of not more than two pieces exclusive of the tack or fastener and limited to 22 ligne fly buttons of plain design and 27 ligne buttons with wreath design for the remainder of the garment.

NOTE 3: In manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission, the quantity of material processed by any persons for such items in any calendar quarter shall not exceed the average quarterly poundage of all metals processed by such person for such purposes during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage

of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal.

NOTE 4: Such buttons shall be limited to open or closed top buttons consisting of not more than 4 pieces exclusive of the tack or fastener, and not exceeding 36 ligne in size.

NOTE 5: Loops, slides and slide loops for such men's garments shall be limited to one size not to exceed 1 1/2" and for such boys' garments to one size not to exceed 1 3/4".

NOTE 6: The quantity of all metals processed by any person for slide fasteners in any calendar quarter, exclusive of materials processed to fill preferred orders, shall not exceed 66 2/3% of the average quarterly poundage of all metals used for such purpose by such person during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed

L-158, aviation ground lighting equipment covered by L-235, aircraft lighting equipment covered by L-327, or devices specifically designed and built for use in military operations, marine navigation or lifesaving.

(4) "Manufacturer" means any person engaged in the business of making or assembling dry cell batteries, zinc shells for dry cell batteries or portable electric lights.

(b) *Restrictions on use of materials in the manufacture of portable electric lights.* No manufacturer shall use any metal or crude, reclaimed or synthetic rubber in the manufacture of portable electric lights or parts for portable electric lights, except

(1) Iron and steel, provided that no steel except tin mill blackplate rejects and wasters is used in the manufacture of tubes for flashlight cases.

(2) Aluminum.

(3) Copper and copper base alloy for plating current carrying parts other than cases.

(4) Tin in solder.

(5) Zinc for plating, electrical contact fittings and reflectors.

(6) Crude, reclaimed or synthetic rubber as permitted by Rubber Order R-1.

(c) *General restrictions on production and delivery.* (1) No manufacturer shall make or deliver any dry cell batteries or portable electric lights except according to a quota authorized by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer must file this form with the War Production Board on or before the 10th day of March, June, September and December, showing his proposed production and delivery.

(3) Manufacture of portable electric lights will be authorized to qualified manufacturers so that total production will not exceed the approved War Production Board program and so that production in any one plant or labor requirements therefor will not interfere with the war production in that plant or in any plant located in the same area.

(4) The War Production Board when assigning quotas on Form WPB-2719 (formerly PD-880) or at any other time, may direct any manufacturer in writing to distribute specified amounts of his production for certain purposes or for certain end uses. If at any time the War Production Board finds that the supply of zinc shells for the production of dry cell batteries authorized under paragraph (c) (1) is not sufficient to complete that production, it may direct any manufacturer of dry cell batteries to reduce or cancel his orders for zinc shells, or it may limit the number and type of zinc shells which may be received and used by such manufacturer.

(d) *Special restrictions on delivery.*

(1) [Deleted Sept. 25, 1944]

(2) [Deleted Sept. 25, 1944]

(3) No manufacturer shall sell any dry cell batteries knowing or having reason to believe that they will ultimately be used in a radio set designed primarily for the reception of broadcasts on stand-

ard wave lengths 550 to 1500 KC, except (i) Batteries having cells designated "D" in Table 1 of Circular C435 with modifications as permitted in section 2.2 of that circular, or larger sized cells than those designated "D", (ii) "C" batteries as described in Table 8 of Circular C435.

(e) *Special exemptions.* The restrictions contained in paragraphs (b) and (d) do not apply to the manufacture or sale of dry cell batteries or portable electric lights made to fill specific orders calling for delivery to or for the account of the Army, Navy, Maritime Commission, War Shipping Administration, Office of Scientific Research and Development, Panama Canal, Coast and Geodetic Survey, or orders approved by the Maritime Commission on Form WPB-646 (formerly PD-300).

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other orders of the War Production Board limits the use of any material in the production of dry cell batteries or portable electric lights to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to make more dry cell batteries or portable electric lights than he has been authorized to make on Form WPB-2719 under paragraph (c) (1), and any person who has received no such authorization may apply for permission to do so as explained in Priorities Regulation 25. Sale and other restrictions of the order and any direction to it, with the exception of the manufacturing restrictions of paragraph (c), must be complied with even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the manufacturing restrictions of paragraph (c), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the manufacturing restrictions of paragraph (c).

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

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-71.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14751; Filed, Sept. 25, 1944;
11:17 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule
53]

SILICA GEL (DESICCANT GRADE)

§ 3293.1053 *Schedule 53 to General Allocation Order M-300—(a) Definition.* "Silica gel" means any partially dehydrated form of silicic acid, excluding, however, silica gel manufactured specifically for catalytic purposes; silica gel predominately (more than 80 per cent) finer than 80 mesh; silica gel incorporated in, or forming a part of, any finished product or subassembly; and indicator gel.

(b) *General restrictions.* Silica gel is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is November 1, 1944. The allocation period is the calendar month and the small order exemption is 550 pounds per person per month.

(c) *October shipments to be directed.* Deliveries for the month of October, 1944, may be directed on the basis of proposed shipping schedules approved by the War Production Board. On or before September 25, 1944, each producer of silica gel shall submit to the War Production Board a schedule of shipments proposed to be made during the month of October, 1944. These schedules may be changed from time to time as specifically directed by the War Production Board. Each schedule shall show the following data: Weight (in pounds), bag size, customer, shipping point, prime contract number, and customer's order number.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-53. The unit of measure is pounds. If a supplier requires silica gel for the purpose of manufacturing in his own plant component parts of any equipment, or indicator gel, he should specify himself as a customer on Form WPB-2946 and also submit Form WPB-2945 as provided in paragraph (e). An aggregate quantity may be requested on Form WPB-2946, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 5th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-53, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Column 1 specify container size requested and opposite in Column 2, the total poundage of silica gel for each size container. In Column 3 show prime Government contract number using two lines if necessary. In Column 4 fill in end use. If end use is "packaging," describe the material to be packaged. If end use is other than packaging, specify in terms of the following:

Ships allowance list	Refrigeration
Dehumidification of	Export
inactive ships	Inventory
Gas masks	Resale
Air conditioning	Other (specify)

In Table II specify container size in Column 11 and fill in remaining columns as indicated in heading showing all quantities in pounds of silica gel. Fill in Table III as indicated where applicable, specifying pounds of silica gel in Column 18, and container size in Column 19. Leave Tables IV and V blank. When necessary, Tables I, II and III may be extended on a separate sheet.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-53.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14743; Filed, Sept. 25, 1944;
11:18 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, as
Amended Sept. 25, 1944]

§ 3294.71 *General Preference Order M-21—(a) Purpose and scope.* This is the basic order covering the distribution of steel and iron products. Other rules for distribution, as well as for production and use, are contained in other War Production Board orders and regulations, which must also be complied with, except to the extent that their provisions are inconsistent with this order. With respect to steel, attention is called particularly to the various CMP regulations and to other orders in the M-21 series.

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

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

The term includes material sorted or salvaged from scrap and sold for other than remelting purposes. The term also includes all types of rejected or second quality material and shearings except:

(i) When sold as scrap for remelting; or

(ii) When sold as scrap to a scrap dealer for sorting, processing or salvaging, or for resale for remelting.

The term does not include material which has been in use or service.

"Iron products" means iron castings, gray and malleable (rough as cast), including all items of ferrous foundry manufacture not classified as steel, except cast iron pipe.

(3) "Producer" means any person who produces steel or iron products.

(c) *Deliveries of iron products and steel forgings.* Iron products and carbon or alloy steel forgings may not be delivered except:

(1) On orders bearing a preference rating of AA-5 or higher; or

(2) As permitted under Priorities Regulation No. 13; or

(3) As specifically authorized or directed in writing by the War Production Board.

(d) *Deliveries of other steel.* Other steel may not be delivered except:

(1) As permitted under CMP Regulation No. 1 of CMP Regulation No. 4; or

(2) As permitted under Priorities Regulation No. 13 or Priorities Regulation No. 19; or

(3) To distributors as permitted under Order M-21-b-1 or M-21-b-2; or

(4) As specifically authorized or directed in writing by the War Production Board.

(e) *Iron products and steel forgings.* Iron products and carbon and alloy steel forgings are obtained on preference rated orders, and purchase orders for these products must be accompanied by a certification of the applicable rating in substantially the form set forth in Priorities Regulation No. 7.

(f) *Special directions.* The War Production Board may from time to time issue special directions to any person or persons as to the type, description, amount, source, or destination of steel or iron products to be produced, delivered, or acquired by such person or persons.

(g) *Producers' reports.* Each producer shall file with the War Production Board, Washington 25, D. C., Reference: M21, reports at such times and on such forms as may from time to time be prescribed, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

trol and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to Steel Division, War Production Board, Washington 25, D. C., Ref: M-21.

Issued this 25th day of September 1944.

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

SCHEDULE 1: Deleted May 8, 1944.

INTERPRETATION 1: Deleted May 8, 1944.

[F. R. Doc. 44-14750; Filed, Sept. 25, 1944;
11:17 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-1, as
Amended Sept. 25, 1944]

GENERAL STEEL PRODUCT DISTRIBUTORS

§ 3294.81 *General Preference Order M-21-b-1—(a) Purpose and scope.* This order tells how a distributor obtains deliveries of general steel products for his own stock or for direct delivery to his customers. The rules governing his purchases of merchant trade products are contained in General Preference Order M-21-b-2, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

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

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

(2) "Alloy steel" means alloy steel as defined in Order M-21-a.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A of this order.

(5) "Product group" means any of the 17 numbered groups of general steel products listed in Schedule A of this order.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base tonnage" of a distributor for any product group and type at any location means the tonnage of that product group and type certified to that distributor for that location by the War Production Board on form GA-996. In general, the base tonnage of any product group and type for any location will be the tonnage delivered by that distributor from his stock at that location during the first three months of 1941. In no event will a base tonnage be established for a distributor at any location except for product groups and types which he was regularly receiving into stock from producer on or before August 9, 1941.

(8) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale. The term "distributor" excludes any person who purchases steel for resale who does not actually take physical delivery of the material into his stock for sale or resale at a location regularly maintained by him for such purpose. The activities of such a person are governed by the terms of Direction 48 to CMP Regulation No. 1.

(9) "Delivery" includes deliveries received on consignment.

(c) *Purchases for stock*—(1) *From a producer; only replacement orders permitted.* A distributor may not order general steel products for his stock from a producer except to replace general steel products delivered from his stock at one or more locations during the previous 90 days to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, plus scrap accumulated in the course of warehouse operations and actually sold to a scrap dealer or melter and reported to the War Production Board on Form WPB-2888, and which he has not previously replaced or ordered for replacement. A distributor may not, however, use any delivery from his stock on an order bearing the allotment symbol Z-1-E, or any delivery authorized by the War Production Board pursuant to an appeal filed by him under Direction 44 to CMP Regulation No. 1, to support a stock replacement order. Within these limits, a distributor may order any general steel product for his stock from any producer.

(2) [Deleted Sept. 25, 1944]

(3) *From another distributor; replacement orders.* A distributor may order general steel products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(4) *From another distributor; salvaged and surplus steel.* In addition, a distributor may order for his stock from another distributor any general steel product items which the latter has in stock as surplus steel or has salvaged from material purchased as scrap. For the purposes of this paragraph only, "surplus steel" means any general steel

product items which a distributor has in his stock that are not needed to fill any orders he has received calling for delivery within the next 30 days which he is required to fill under CMP regulations, or material which he has purchased for his stock from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order. Salvaged and surplus steel does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(5) *From a holder of idle or excess inventories.* In addition, a distributor may order any idle or excess general steel products for his stock from a holder on a "special sale" as provided in Priorities Regulation No. 13, or from a producer as provided in Direction 44 to CMP Regulation No. 1. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(6) *How to place orders.* Each distributor to whom the War Production Board has issued a GA-996 warehouse certificate shall file once with each of his producer suppliers of general steel products a copy of the front page of the GA-996 warehouse certificate most recently issued to him. The copy of the GA-996 certificate received by a producer from a distributor may be used by the producer to verify the existence of a base tonnage on any particular product group. Each purchase order for general steel products placed for shipment to a distributor's stock must bear the words, "For distributor's stock." On orders placed with producers for product groups for which the distributor has a base tonnage for the location where the material will be received into stock, he should also place the serial number assigned him on his GA-996 certificate; but this serial number must not be used on any other sort of order. In addition, an order placed under paragraph (c) (4) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(7) *Status of orders for delivery to stock.* An order placed with a producer in accordance with this paragraph (c) and bearing the distributor's serial number, or an order placed with a holder of idle or excess inventories in accordance with Priorities Regulation No. 13, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c)

may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) *Purchases for direct delivery to a customer*—(1) *Placing of orders.* A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) *Status of orders.* An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) *Warehouse load directives.* A distributor may place orders in accordance with paragraph (c) for any general steel product with any producer. However, when necessary to secure an equitable distribution of any scarce general steel product, the War Production Board may direct producers to reserve each month a part of their production of such product to fill authorized controlled material orders bearing distributors' serial numbers. In order to take advantage of the tonnage reserved for any month, a distributor must submit his orders in accordance with paragraph (c) to a producer not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that month received after the expiration date but may not reserve any space for them. A producer may not, until after the expiration date, schedule distributors' orders which do not bear a serial number.

(f) *Earmarked warehouse stocks.* The War Production Board may establish earmarked stocks of general steel products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) *Establishing an initial stock.* This paragraph covers three groups: persons who have not previously been authorized to act as distributors of general steel products, distributors wishing to purchase for stock a product group which they have not previously handled, and

distributors who have not previously purchased general steel products from producers but who now wish to do so.

(1) *New distributors.* Hereafter, any person who wishes to become a distributor of any general steel product from stock at a location not in operation prior to April 1, 1944, may do so only by purchasing his entire working stock from holders of idle or excess inventories in accordance with paragraph (c) (5) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order. The term "working stock" includes all of the tonnage deemed necessary by the distributor to maintain operations at the new location at a satisfactory level under this order. Each location established by any person pursuant to this paragraph (g) (1) shall hereafter be considered a separate distributor subject to all of the terms of this regulation even though the location may only represent the addition of another unit to a group operated by one distributor.

(2) *New product lines or sources of supply.* A distributor wishing to add a new general steel product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) *General provisions—(1) Reports.* Each distributor must file a quarterly report on form WPB-2888 for each location at which his total base tonnage of general steel products, or his receipts of general steel products into stock from producers during the quarter, exceeds 150 tons. In addition, if his base tonnage of tool steel (product group No. 7) for any location, or his receipts of tool steel into stock at any location from producers during the quarter, exceed 25 tons, he must file this report. Each report must be filed in duplicate with the Bureau of the Census, Washington 25, D. C., on or before the 15th day of January, April, July and October. Each distributor, even though he is not required to file this report, must maintain for at least two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of each calendar quarter. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., References: M-21-b-1.

(4) *Violations.* Any distributor or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of

the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

This amended order shall become effective October 1, 1944.

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

Issued this 25th day of September 1944.

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

SCHEDULE A—GENERAL STEEL PRODUCTS

	Types of steel included		
	Carbon	Stainless	Other alloy
1. Ingots, blooms, billets, slabs, tube rounds, die blocks, sheet and tin bars.....	x	x	x
2. Structural shapes and piling.....	x	x	x
3. Plates (universal and sheared including skelp).....	x	x	x
4. Rails and track accessories.....	x	x	x
5. Hot rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars.....	x	x	x
6. Cold finished bars.....	x	x	x
7. Tool steel, including drill rod.....	x	x	x
8. Mechanical tubing.....	x	x	x
9. Pressure tubing.....	x	x	x
10. Wire rods (for wire drawing only).....	x	x	x
11. Sheets and strip, hot rolled.....	x	x	x
12. Sheets and strip, cold reduced.....	x	x	x
13. Tin mill black plate.....	x	x	x
14. Sheets and strip, all other (except tin plate, short ternes, and galvanized).....	x	x	x
15. Wheels and axles (including steel tires and rims).....	x	x	x
16. Castings (rough castings only).....	x	x	x
17. Concrete reinforcing bars (unfabricated).....	x		

[F. R. Doc. 44-14740; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-2, as Amended Sept. 25, 1944]

MERCHANT TRADE PRODUCTS DISTRIBUTORS

§ 3294.86 *General Preference Order M-21-b-2—(a) Purpose and scope.* This order tells how a distributor obtains deliveries of merchant trade products for his own stock or for direct delivery to his customers. The rules governing his purchases of general steel products are contained in Order M-21-b-1, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) *Definitions.* (1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule 1 to CMP Regulation No. 1.

(2) "Merchant trade products" means any of the steel products listed in Schedule I of this order.

(3) "Product group" means any of the 13 numbered groups of merchant trade products listed in Schedule I of this order.

(4) "Base period" means

(i) For merchant trade products in product groups 20-23, inclusive, the calendar year 1940.

(ii) For merchant trade products in product groups 24-31, inclusive, the 12 months ending June 30, 1941.

(5) "Base tonnage" of a distributor for any product group at any location means the tonnage of that product group delivered by producers to his stock at that location during the base period, or such other tonnage as may be specifically established by the War Production Board. By the use of Form WPB-2889 a distributor can shift his base tonnage for any product group from one producer to another.

(6) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

The term "distributor" excludes any person who purchases steel for resale who does not actually take physical delivery of the material into his stock for sale or resale at a location regularly maintained by him for such purpose. The activities of such a person are governed by the terms of Direction 48 to CMP Regulation No. 1.

(7) "Delivery" includes deliveries received on consignment.

(8) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(c) *Purchases for stock—(1) From a producer; only replacement orders permitted.* A distributor may not order merchant trade products for his stock from a producer except to replace merchant trade products which he delivered from his stock at one or more locations during the previous 12 months to consumers in accordance with CMP Regulation No. 4 or to other distributors in accordance with this order, and which he has not previously replaced or ordered for replacement. A distributor may not, however, use any delivery from his stock on an order bearing the allotment symbol Z-1-E, or any delivery authorized by the War Production Board pursuant to an appeal filed by him under Direction 44 to CMP Regulation No. 1, to support a stock replacement order. Within these

limits, a distributor may order any merchant trade product for his stock from any producer. When placing orders with producers a distributor should, so far as possible, specify deliveries in not less than minimum carload quantities in order to save transportation.

(2) From another distributor; replacement orders. A distributor may order merchant trade products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(3) From another distributor; salvaged and surplus steel. In addition, a distributor may order for his stock from another distributor any merchant trade steel product items which the latter has in stock as surplus steel or has salvaged from material purchased as scrap. For the purposes of this paragraph only, "surplus steel" means any merchant trade steel product items which a distributor has in his stock that are not needed to fill any orders he has received calling for delivery within the next 30 days which he is required to fill under CMP regulations, or material which he has purchased for his stock from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order. Salvaged and surplus steel does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(4) From a holder of idle or excess inventories. In addition, a distributor may order any idle or excess merchant trade steel products for his stock from a holder on a "special sale" as provided in Priorities Regulation No. 13, or from a producer as provided in Direction 44 to CMP Regulation No. 1. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(5) How to place orders. Each order for merchant trade products for shipment to a distributor's stock must bear the words "For distributor's stock." In addition, an order placed under paragraph (c) (3) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(6) Status of orders for delivery to stock. An order placed with a producer in accordance with this paragraph (c) for delivery of a merchant trade product to stock at a location where the distributor has a base tonnage for that

product group with that producer, or an order placed with a holder of idle or excess inventories in accordance with Priorities Regulation No. 13, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) Purchases for direct delivery to a customer—(1) Placing of orders. A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) Status of orders. An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) Warehouse load directives. A distributor may place orders in accordance with paragraph (c) for any merchant trade product group with any producer. However, when necessary to secure an equitable distribution of any scarce merchant trade product, the War Production Board may direct producers to reserve each calendar quarter a part of their production of such product to fill authorized controlled material orders from distributors for whom they have a base tonnage covering a specific location or locations. In order to take advantage of any such reserved tonnage, a distributor must submit his orders in accordance with paragraph (c) to the producer then holding his base tonnage, not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that quarter received after the expiration date, but may not reserve any space for them. A producer must consider the first orders for any product group received from any distributor for delivery in a particular calendar quarter as applicable to the tonnage of such product group reserved for that distributor during that quarter. In addition to the ton-

nage of any product group which a distributor may order against the amount reserved for him by a warehouse load directive, he may place other properly supported orders for that product group with the same or any other producer in accordance with paragraph (c). However, a producer may not schedule such orders for delivery until after his obligations under the warehouse load directive have been filled, or unless when the order is received he knows that he will have material for shipment to distributors over and above the tonnage required to satisfy his warehouse load directive.

(f) Earmarked warehouse stocks. The War Production Board may establish earmarked stocks of merchant trade products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) Establishing an initial stock. This paragraph covers three groups: persons who have not previously been authorized to act as distributors of merchant trade products, distributors wishing to purchase for stock a product group which they did not handle during the base period, and distributors who did not purchase merchant trade products from producers during the base period but who now wish to do so.

(1) New distributors. Hereafter, any person who wishes to become a distributor of any merchant trade product from stock at a location not in operation prior to April 1, 1944, may do so only by purchasing his entire working stock from holders of idle or excess inventories in accordance with paragraph (c) (4) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order. The term "working stock" includes all of the tonnage deemed necessary by the distributor to maintain operations at the new location at a satisfactory level under this order. Each location established by any person pursuant to this paragraph (g) (1) shall hereafter be considered a separate distributor subject to all of the terms of this regulation even though the location may only represent the addition of another unit to a group operated by the distributor.

(2) New product lines or sources of supply. A distributor wishing to add a new merchant trade product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) General provisions—(1) Reports. Each distributor who has a base tonnage for any of the following groups of merchant trade products at any one location in excess of that shown below must file with the Bureau of the Census, Washington, D. C., a quarterly report for such location in duplicate on Form WPB-2892.

	Net tons
Pipe (product groups 20-21)	240
Tin and terne plate (product group 22) ..	240
Galvanized, lead coated, or painted sheets and strip, including roofing and siding, valley, ridge roll, and flashing (product group 23)	240
Wire products (product groups 24-31) ..	240

This report must also be filed by a distributor for any of his warehouses which during the quarter receives into stock from producers over 100 tons of merchant trade products. Each distributor, whether or not he is required to file this report, must maintain for a period of not less than two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of his fiscal year. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., Reference: M-21-b-2.

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

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

This amended order shall become effective October 1, 1944.

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

Issued this 25th day of September 1944.

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

SCHEDULE I—MERCHANT TRADE PRODUCTS

Product group number	Description
20	Standard and line pipe, water well tubular products, and couplings (includes steel and wrought iron pipe).
21	Oil country casing, tubing, and drill pipe, and couplings.
22	Tin plate and terne plate (short ternes).
23	Galvanized, lead coated, or painted sheets and strip (including galvanized flat sheets purchased for the manufacture of roofing and siding), formed roofing and siding (painted, black, galvanized, or lead coated), valley, ridge roll, and flashing.

¹ With the approval of the producer receiving such an order, substitution of black sheets (21 gauge and lighter) may be made for galvanized flat sheets of the same gauge.

SCHEDULE I—MERCHANT TRADE PRODUCTS—Con.

Product group number	Description
24	Wire rope and strand.
25	Nails (cut and wire), fence and netting staples.
26	Wire, drawn.
27	Wire bale ties.
28	Wire (barbed and twisted), and wire fence (woven or welded).
29	Wire netting.
30	Fence posts.
31	Welded wire concrete reinforcing fabric.

[F. R. Doc. 44-14741; Filed, Sept. 25, 1944; 11:19 a. m.]

Subchapter C—Director of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 238 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3668, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

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

[Utilities Order U-1, Direction 2, as Amended Sept. 25, 1944]

Direction 2 to Utilities Order U-1 as heretofore amended is hereby amended to read as follows:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774, to authorizations issued to producers on Form WPB-2774 before the revised application form came into use. It also authorizes use of the simplified allotment procedure for all authorizations on WPB-2774 whether issued before or since June 10, 1944, even though such authorizations made allotments for specific quantities and quarters, and regardless of the size of such allotments.

(b) *Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944.* The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to electric, water, gas, or central steam heat producers and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size, and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774, except that transformers, poles, crossarms and meters must not be used in quantities which exceed those specifically approved on the application. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The preference rating AA-3 is hereby assigned for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above; except that the rating must not be

used to purchase transformers, poles, crossarms and meters in quantities which exceed those specifically rated for purchase on the application.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work was completed prior to July 18, 1944. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E", respectively, on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) *Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944.* Producers may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this Direction.

(d) *Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment.* (1) Producers are authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of minimum requirements. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below minimum requirements.

(3) The abbreviated allotment number and preference rating assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this Direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14746; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-3, Direction 1, as Amended Sept. 25, 1944]

Direction 1 to Utilities Order U-3 is hereby amended to read as follows:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774 to all authorizations on WPB-2774 issued to telephone operators whether before or since June 10, 1944, even though such authorizations made allotments of controlled materials for specific

quantities and quarters, and regardless of the size of such allotments.

(b) Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944. The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telephone operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The applicant is hereby authorized to use the preference rating(s) assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1), above.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work was completed prior to July 31, 1944, the effective date of the previous Direction 1 to Order U-3. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E" respectively, on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944. Operators may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this direction.

(d) Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment. (1) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating(s) assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating(s) may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(3) The abbreviated allotment number and preference rating(s) assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment, other than controlled materials, to which the preference rating(s) assigned herein are applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14748; Filed, Sept. 25, 1944;
11:17 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-4, Direction 1, as Amended
Sept. 25, 1944]

Direction 1 to Utilities Order U-4 is hereby amended to read as follows:

(a) What this direction does. This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774 to all authorizations on WPB-2774 issued to telegraph operators whether before or since June 10, 1944, even though such authorizations made allotments of controlled materials for specific quantities and quarters, and regardless of the size of such allotments.

(b) Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944. The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telegraph operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size, and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The applicant is hereby authorized to use the preference rating(s) assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1), above.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work

was completed prior to July 31, 1944, the effective date of the previous Direction 1 to Order U-4. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944. Operators may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this Direction.

(d) Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment. (1) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating(s) assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating(s) may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(3) The abbreviated allotment number and preference rating(s) assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment, other than controlled materials, to which the preference rating(s) assigned herein are applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

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

[F. R. Doc. 44-14747; Filed, Sept. 25, 1944;
11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 53; Amdt. 37]

FATS AND OILS

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

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

19 F.R. 9652.

Section 19.5 of Maximum Price Regulation No. 53 is redesignated section 19.6 and a new section 19.5 is added to read as follows:

SEC. 19.5 *Notice to wholesalers and retailers.* On and after September 22, 1944, with the first delivery of any margarine, the maximum price of which has been changed in accordance with the provisions of this article, the processor shall supply each wholesaler and retailer with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 53. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after September 22, 1944.

For a period of 60 days after September 22, 1944, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the processor shall include in each box, carton or case containing the item the written notice set forth above.

This amendment shall become effective September 22, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14679; Filed, Sept. 22, 1944; 4:51 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,¹ Amdt. 16]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

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

Maximum Price Regulation 210 is amended in the following respects:

Section 1372.102 (b) (2) is amended by adding the following sentence to the end thereof:

In calculating the ceiling price for sales at wholesale and sales at retail of knitted fall and winter underwear and sleeping garments listed in paragraph (i) of Appendix A, "current cost" shall in no case include the adjustment permitted to the manufacturer under § 1389.304 of Maximum Price Regulation 221 (Manufacturers' Prices for Fall and Winter Knitted Underwear).

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

¹ 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 16170, 9 F.R. 11177.

This amendment shall become effective September 22, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14670; Filed, Sept. 22, 1944; 11:33 a. m.]

PART 1389—APPAREL

[MPR 221,¹ Amdt. 6]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

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

Maximum Price Regulation 221 is amended in the following respects:

1. Section 1389.301 (a) is amended by adding at the end thereof the following sentence: "A lower price may, of course, be charged."

2. Section 1389.304 is revoked and in place thereof a new § 1389.304 is added to read as follows:

§ 1389.304 *Adjustment of maximum prices—(a) Amount of adjustment and when it may be made.* In the case of any garment of fall and winter knitted underwear (except one made from purchased fabric) containing at least 50% cotton by weight, the manufacturer may increase his ceiling price established under § 1389.302 (a), or his ceiling price authorized by the Office of Price Administration by order issued prior to September 22, 1944 under § 1389.303, by adding thereto an adjustment charge. This adjustment charge shall be computed by multiplying the number of pounds (gross knitting weight of the base size for the style) of the particular kind of yarn (i.e., combed or carded) in the garment by the number stated in the following table opposite the count of the particular kind of yarn used. (This adjustment charge may be rounded to the nearest cent.)

CARDED YARNS

Count	Multiplier	Plied count	Multiplier
6.....	2.00	6	2.00
8.....	2.00	8	2.00
10.....	2.25	10	2.25
12.....	2.50	12	2.50
14.....	2.75	14	3.25
16.....	3.00	16	3.25
18.....	3.25	18	3.75
20.....	3.50	20	3.50
22.....	3.75	22	4.25
24.....	4.00	24	5.00
26.....	4.50	26	5.50
28.....	4.50	28	6.00
30.....	4.75	30	6.75
32.....	5.00	32	6.50
34.....	5.00	34	7.00
36.....	5.00	36	7.00
38.....	5.25	38	7.25
40.....	5.25	40	7.75
42.....	5.50	42	8.50
44.....	5.50	44	8.50
46.....	5.75	46	8.75
48.....	6.00	48	9.00
50.....	6.00	50	9.00

¹ 7 F.R. 7318, 9615, 10719; 8 F.R. 13847, 4614, 9 F.R. 5174.

COMBED YARNS

Count	Multiplier	Plied count	Multiplier
6.....	6.50	6	6.00
8.....	6.50	8	6.00
10.....	6.50	10	6.05
12.....	6.50	12	6.00
14.....	6.50	14	7.00
16.....	6.75	16	7.50
18.....	7.00	18	8.00
20.....	7.50	20	8.00
22.....	8.00	22	8.50
24.....	8.00	24	9.00
26.....	8.00	26	9.50
28.....	8.50	28	10.50
30.....	9.00	30	11.50
32.....	9.50	32	11.50
34.....	10.00	34	12.00
36.....	10.00	36	12.00
38.....	10.00	38	12.00
40.....	10.00	40	12.00
42.....	10.00	42	12.00
44.....	9.50	44	11.50
46.....	9.00	46	11.00
48.....	9.00	48	11.00
50.....	8.00	50	10.00
52.....	8.00	52	10.00
54.....	8.00	54	10.00
56.....	8.00	56	10.00
58.....	8.00	58	10.00
60.....	8.00	60	10.00
62.....	8.00	62	10.00
64.....	8.00	64	10.00
66.....	8.00	66	10.00
68.....	8.00	68	10.00
70.....	8.00	70	10.00

NOTE: The multiplier for yarn counts not included in the above table shall be the average between the counts which are the next higher and the next lower in the table.

EXAMPLES

(1) A manufacturer wishes to adjust his ceiling price for a man's 15 lb., 50% cotton, 50% wool union suit which requires 16 pounds of 14s carded yarn to knit.

Number pounds yarn..... 16
Number pounds cotton (50% x 16)..... 8
Multiplier for 14s carded..... 2.75
Number of cents by which ceiling price may be adjusted (8 x 2.75).... 22

(2) A manufacturer wishes to adjust his ceiling price for a man's 18 lb., 50% wool, 25% cotton and 25% rayon union suit which requires 20 pounds of 12s yarn to knit.

No adjustment permitted on such a garment because it contains less than 50% cotton.

(3) A manufacturer wishes to adjust his ceiling price for a boy's all cotton 8 lb. union suit which requires 9 pounds of 15s carded yarn to knit.

Number pounds of yarn..... 9
Multiplier for 15s carded average between 3.00 (for 16s) and 2.75 (for 14s)..... 2.875
Number of cents by which ceiling price may be adjusted (9 x 2.875)..... 25.875
Rounded to nearest cent..... 26

(4) A manufacturer wishes to adjust his ceiling price for an infant's training pant which he cuts and sews from a purchased fabric.

No adjustment permitted for such a garment because made from a purchased fabric.

(5) A manufacturer wishes to adjust his ceiling price for a garment in which he uses 2 lbs. of 18s combed yarn and 4 lbs. of 24s carded yarn and 2 lbs. of wool yarn.

Number pounds 18s combed..... 2
Multiplier for 18s combed..... 7.00
(2 x 7.00)..... 14
Number pounds 24s carded..... 4
Multiplier for 24s carded..... 4.00
(4 x 4.00)..... 16
Number pounds wool..... 2
(no adjustment)..... 0
Number of cents by which ceiling price may be adjusted (14 + 16).... 30

(b) Adjustment charge must be separately stated by manufacturer. The adjustment charge mentioned in paragraph (a) above may be made only if the manufacturer sends to each purchaser the following statement as required below. This statement, properly completed, must appear separately on, or be annexed to, the manufacturer's invoice, billing or other statements of price accompanying every shipment of any garments on which the adjustment charge is made.

STATEMENT OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style, Old ceiling, Adjustment charge, New ceiling.

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in Maximum Price Regulation 210. The OPA has not permitted you or any other seller to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include the above stated adjustment charges in the cost base on which your ceiling price is computed.

This amendment shall become effective as of June 30, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14669; Filed, Sept. 22, 1944;
11:33 a. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Rev. RO 7,¹ Amdt. 11]

NEW ADULT BICYCLES

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

Revised Ration Order No. 7 is amended in the following respects:

1. Section 1391.36 is amended to read as follows:

§ 1391.36 *Effective period of order.* Revised Ration Order No. 7 shall become effective July 9, 1942, and shall expire as of September 23, 1944, subject to section 5.1 of General Ration Order No. 8; except that any person required by §§ 1391.27 and 1391.29 to keep records shall retain such records in his possession for six months after the expiration date of the order. Suspension orders in effect on the expiration date of the order, to the extent that they prohibit any person from receiving any transfer or delivery of, or from selling, using, or otherwise disposing of bicycles, shall terminate simultaneously with the expiration of the order.

This amendment shall become effective September 23, 1944.

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

¹ 7 F.R. 5062, 5871, 8808, 9823, 10337; 8 F.R. 370, 594, 1682.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1G, 7 F.R. 3546)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14701; Filed, Sept. 23, 1944;
11:55 a. m.]

PART 1340—FUEL

[MPR 120,¹ Amdt. 121]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

1. In § 1340.222 (b) (4), the period after the word "ton" is deleted, and a comma is inserted in its place, and the following is added to the last sentence: "except the mines listed as exceptions in the tables of production group numbers, prices and size group numbers in the above subparagraphs (b) (1) and (b) (2)."

2. In § 1340.222 (b) a new subparagraph (8) is added to read as follows:

(8) *Special price instructions.* Coals in Size Groups Nos. 17 to 25, inclusive, produced at the Chinook Mine, Mine Index No. 121, of the Ayrshire Patoka Collieries Corporation and the Victory Mine, Mine Index No. 1354 of the Pyramid Coal Corporation may be priced under Price Group No. 8 in lieu of Price Group No. 1.

This amendment shall become effective September 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14722; Filed, Sept. 23, 1944;
3:57 p. m.]

PART 1374—FURS

[MPR 541,² Amdt 1]

RAW, DRESSED, AND DRESSED AND DYED FURS AND PELTRIES

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

Maximum Price Regulation 541 is amended in the following respects:

1. Section 3 (b) is amended to read as follows:

(b) *Dressed or dressed and dyed furs and peltries.* The term "dressed or

dressed and dyed furs and peltries" means raw fur skins or peltries which have been processed with the hair on and made suitable for use in the manufacture of fur garments, neckpieces, plates or trimmings. The term shall also include mouton lamb shearlings and imported fur plates.

2. Section 3 (d) is amended by adding thereto the following sentence: "The term shall also include the highest price specified in a memorandum, consignment or conditional sale of a kind of fur or peltry delivered in a kind of sale during the base period, where the price was specified during the base period and title passed to the purchaser on or before June 30, 1942."

3. Section 3 (f) (3) is amended by adding thereto the following sentence: "The term shall also include one or more skins sold for matching, repair or remodelling purposes or for the completion of a garment, neckpiece, plate or trimming; but such skins shall be excluded in determining the highest price for a matched bundle sale."

4. Section 3 (k) is amended to read as follows:

(k) *General level of prices prevailing among competitive sellers of the same class.* "General level of prices prevailing among competitive sellers of the same class" means 90 per cent of the average of the highest prices of a representative group of competitive sellers of the same class.

5. Section 4 is amended to read as follows:

SEC. 4. *Relation to other maximum price regulations.* This regulation shall apply, and the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto, and the Maximum Import Price Regulation shall not apply, to all furs and peltries covered by this regulation, except that furs or peltries pelted outside the continental United States and purchased by an importer on or before April 24, 1944, may be sold and delivered by the importer and by an intermediate distributor (both as defined in the Maximum Import Price Regulation) under the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto or the Maximum Import Price Regulation up to and including October 23, 1944: *Provided*, That the above exception shall apply to an importer only if, on or before October 23, 1944, he files a report with the Consumer Goods Price Division of the Office of Price Administration, Washington 25, D. C., stating the quantity of furs and peltries on hand and the quantity to be received and attaches thereto a copy of the contract of purchase or other written evidence received from the foreign seller showing:

(a) The date of the purchase,

(b) The kinds of furs and peltries purchased, the quantity and assortment, and

(c) The purchase price and all discounts and allowances.

6. Section 5 (a) (1) is amended by inserting after the first sentence thereof

¹ 9 F.R. 5042, 5375, 5587.

² 9 F.R. 6565.

the following sentence: Where the pricing chart is mailed by registered mail, return receipt requested, the return of the requested receipt shall constitute an acknowledgment of the filing of the pricing chart.

7. Section 6 (b) is amended to read as follows:

(b) A seller whose highest price for a kind of raw fur or peltry listed in section 21, Appendix C, is higher than the exemption level price there established may not sell that kind of raw fur or peltry at a price higher than the exemption level price, except that during the period from June 19, 1944 to November 1, 1944 he may sell 70 percent of the number of skins in that kind of raw fur or peltry delivered by him (or sold through an auction company or broker) during the base period in the price range between the exemption level price and his highest price.

8. Section 10 is amended to read as follows:

SEC. 10. Applications for increases in maximum prices or establishment of maximum prices. Applications for increases in maximum prices or establishment of maximum prices shall be signed by the applicant and filed in duplicate with the Office of Price Administration at the District Office having jurisdiction over the area in which the applicant's main office is located. Such applications shall contain the following information:

(a) Name of applicant and address of main office;

(b) A statement of each kind of sale of each kind of fur or peltry for which applicant seeks a price or a price increase;

(c) As to each kind of sale of each kind of fur or peltry listed in (b), above, whether applicant is seeking a price increase or the establishment of a maximum price;

(d) If the applicant is seeking a price increase, his highest base period price for each kind of sale of each kind of fur or peltry listed;

(e) A statement of the price requested for each kind of sale of each kind of fur or peltry with a statement showing how the applicant determined such requested price;

(f) The names and addresses of applicant's most closely competitive sellers of the same class (five should be named, if possible);

(g) The highest price of each competitive seller listed in the application for each kind of sale of each kind of fur or peltry for which a price or price increase is requested; (the applicant may obtain such highest price either from the competitive seller or from the District Office of the Office of Price Administration having jurisdiction over the area in which the competitive seller's main office is located.)

(h) The average of the highest prices of all the competitive sellers listed for each kind of sale or each kind of fur or peltry; and

(i) The general level of prices prevailing among such competitive sellers for each kind of sale of each kind of fur

or peltry (90 per cent of the amount in (h) above).

Upon receipt of written acknowledgment from the Office of Price Administration of the filing of the application, or, if the application is mailed by registered mail, return receipt requested, upon return of the requested receipt, the applicant may sell, offer for sale or deliver each kind of fur or peltry in each kind of sale at the price stated in the application to be the general level of prices prevailing among competitive sellers of the same class, as determined by him in accordance with paragraphs (g), (h) and (i), above, making downward adjustments to reflect customary differentials for lower grades, for geographical origin, and for section, in accordance with the seller's established base period practice, or, in the case of an applicant who has no highest base period price, in accordance with established trade practice.

9. Section 13 (a) is amended by deleting the last sentence thereof.

This amendment shall become effective September 23, 1944.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14720; Filed, Sept. 23, 1944;
3:56 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 188, Amdt. 42]

GARMENT HANGERS

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

Maximum Price Regulation No. 188 is amended in the following respect:

Section 1499.167, Appendix B is amended by adding the following articles to the list of commodities:

Garment hangers

This amendment shall become effective September 28, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14723; Filed, Sept. 23, 1944;
3:57 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 14 to GMPR, Amdt. 173]

HARD CANDY

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

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

1. The introductory text of section 1.25 (e) (1) is amended to read as follows:

(1) "Hard candy", as used herein, is candy averaging not less than 70 pieces per pound and consisting of individual pieces of the same flavor, shape and size or of individual pieces of various flavors, shapes and sizes. It contains principally sugar, corn syrup, flavoring extracts and U. S. Certified food colors conforming to the following specifications:

2. Subdivision (i) of section 1.25 (e) (1) is revoked and subdivisions (ii), (iii), (iv), (v), (vi), (vii) and (viii) are redesignated (i), (ii), (iii), (iv), (v), (vi) and (vii).

This amendment shall become effective September 28, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14721; Filed, Sept. 23, 1944;
3:56 p. m.]

PART 1303—ZINC

[RPS 81, Amdt. 4]

PRIMARY SLAB ZINC

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

Revised Price Schedule No. 81 is amended in the following respects:

1. Section 1303.59 is amended by the addition of a new paragraph (g) to read as follows:

(g) *Special packing and loading charges.* An additional charge in an amount not in excess of 20 cents per net ton may be added to the maximum base prices established by this Regulation when any seller, at the request of a buyer, is required to provide pallets, skids, metal strapping or other special packing and loading service in order to permit handling of primary slab zinc by mechanical lift trucks. Such additional charge shall be stated separately on the sellers' invoices.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14778; Filed, Sept. 25, 1944;
11:47 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 12, Amdt. 6]

WAR RATION BOOK THREE

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

* 7 F.R. 601, 701, 1356, 2000, 2132, 2997; 8948; 8 F.R. 12313.

* 8 F.R. 7453, 11514, 17183; 9 F.R. 6504.

General Ration Order No. 12 is amended in the following respects:

1. Section 2 (a) (2) is amended to read as follows:

(2) Members of the armed forces of the United States or of the United Nations.

2. Section 2 (a) (3) is amended to read as follows:

(3) Persons brought into the Continental United States by a Federal Government Agency for the sole purpose of performing agricultural or other labor.

3. Section 4 (b) is amended by inserting the words "or at any other Board designated by the Office of Price Administration" before the period and immediately following the word "lives" in the third sentence thereof.

4. Section 6a is revoked.

5. Section 7 is amended to read as follows:

SEC. 7. War Ration Book No. 3 for imported laborers. (a) When a laborer ceases to perform the work for which he was brought into the Continental United States by a Federal Government Agency, his War Ration Book No. 3, if he has one, must be returned by the person who has it to the agency which issued it.

6. Section 8 (c) is amended by inserting (1) immediately following (c) and amending the text through the words "thirty days" in the first sentence to read as follows:

(c) (1) A person shall turn his War Ration Book No. 3 over to any War Price and Rationing Board when he leaves the United States for a period of more than thirty days.

7. Section 8 (c) (2) is amended to read as follows:

(2) A person shall surrender his War Ration Book No. 3 when he becomes a member of the armed forces of the United States, if he becomes a member after September 29, 1944. The books shall be surrendered to any War Price and Rationing Board. However, the books may be taken up by an authorized officer of the Army, Navy, Marine Corps or Coast Guard for the purpose of delivering them to any War Price and Rationing Board.

8. Section 8 (d) is amended by deleting the words "to a Board," after the phrase "War Ration Book No. 3".

9. Section 8 (e) is amended by inserting the phrase "as it read (immediately before its revocation) on September 28, 1944," after the words "section 6a" in the first sentence thereof.

10. The second sentence of section 9 is amended to read as follows: "However, this section does not apply to members of the armed forces of the United States or of a United Nation or to persons brought into the Continental United States by a Federal Government Agency for the sole purpose of performing agricultural or other labor."

This amendment shall become effective September 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th

No. 192—5

Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14783; Filed, Sept. 25, 1944;
11:48 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 14, Amdt. 2]

WAR RATION BOOK FOUR

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

General Ration Order No. 14 is amended in the following respects:

1. Section 2 (a) (2) is amended to read as follows:

(2) Members of the armed forces of the United States or a United Nation who are subsisted or authorized to be subsisted in kind or who, although not subsisted or authorized to be subsisted in kind, eat at least 14 meals a week at a mess where the rationed foods used are acquired, directly or indirectly, by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks.

2. Section 8 (a) is amended by adding a new subparagraph (3) to read as follows:

(3) Notwithstanding any other provisions of this Order, War Ration Book No. 3 need not be submitted when an application for War Ration Book Four is made by a member of the armed forces of the United States or of a United Nation.

3. Section 11 (c) is amended by inserting (1) immediately following (c) and amending the text through the word "voyages" to read as follows:

(c) (1) Any person not a member of the armed forces of the United States shall turn his War Ration Book Four over to any War Price and Rationing Board when he leaves the United States for a period of more than thirty days. This provision does not apply to members of the Merchant Marine who leave the United States temporarily while on voyages.

4. Section 11 (c) (2) is amended to read as follows:

(2) A person shall surrender his War Ration Book Four when he is or becomes a member of the armed forces of the United States and

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

¹8 F.R. 14211.

(i) Will receive or be authorized to receive subsistence in kind or,

(ii) Although not subsisted or authorized to be subsisted in kind, eats at least 14 meals a week at a mess where the rationed foods used are acquired, directly or indirectly, by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks, or

(iii) Leaves the United States for a period of more than thirty days. The books shall be surrendered to any War Price and Rationing Board. However, the books may be taken up by an authorized officer of the Army, Navy, Marine Corps or Coast Guard for the purposes of delivering them to any War Price and Rationing Board.

5. Section 11 (d) is amended by deleting the words "to a Board," after the phrase "War Ration Book Four".

This amendment shall become effective September 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14781; Filed, Sept. 25, 1944;
11:47 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 54, Amdt. 1]

EXEMPTION OF SALES OF COMMODITIES PRODUCED AND SERVICES SUPPLIED BY CERTAIN STATE PENAL INSTITUTIONS

A statement of the considerations involved in the issuance of this Amendment No. 1 to Supplementary Order No. 54, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order No. 54 is amended in the following respects:

1. The title of this Supplementary Order 54 is amended to read as follows: Exemption of Sales of Commodities Produced and Services Supplied by Certain State Penal Institutions.

2. In § 1305.80 the headnote is amended to read as follows: *Removal of sales by certain States of commodities produced and services supplied by their penal institutions from the operation of price regulations.*

3. Paragraph (a) of § 1305.80 is redesignated as paragraph (a) (1).

4. Section 1305.80 (a) (2) is added to read as follows:

(2) Sales and deliveries by the State of Michigan to the United States or any

agency thereof or to the State of Michigan or any Department, agency, institution or political subdivision thereof of any commodity produced or service supplied by the State of Michigan penal institutions shall not be subject to any price regulation heretofore issued, or which hereafter may be issued by the Office of Price Administration, unless specific provision making a price regulation applicable to such sales and deliveries shall hereafter be included in such price regulation.

This Amendment No. 1 to Supplementary Order No. 54 shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14785; Filed, Sept. 25, 1944;
11:47 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 93,¹ Amdt. 1]

ELIMINATION OF HIGHEST PRICE LINE LIMITATION FROM SPECIFIED REGULATIONS WITH RESPECT TO SELLERS OF GARMENTS AT RETAIL

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

Supplementary Order 93 is amended in the following respects:

1. Section 1305.121 (a) is amended by correcting the number "14.2" to read "142", by deleting therefrom the phrase "Revised Maximum Price Regulation 287" and by deleting the last sentence thereof.

2. Section 1305.121 (b) is added to read as follows:

(b) *Definitions*—(1) *Highest price line limitation.* For purposes of this supplementary order, the term "highest price line limitation" means any provision in any of the regulations specified in paragraph (a), which requires a seller to limit his sales with reference to any highest price line offered for sale or delivered by him at any prior time, or any provision in an order issued thereunder which places a dollar-and-cent limitation upon the highest price at which a seller may deliver any garment in a particular class, classification or category of garments.

(2) *Sellers of garments at retail.* For purposes of this supplementary order the term "sellers of garments at retail" means persons who sell to ultimate consumers garments which they purchased in substantially the same form in which they sell them. It does not include "manufacturing-retailers" or any other persons who fabricate garments from materials which they own or for whom garments are fabricated by an agent or contractor.

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

¹ 9 F.R. 7574.

This amendment shall become effective November 24, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14786; Filed, Sept. 25, 1944;
11:48 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 87]

TIRES, TUBES RECAPPING AND CAMELBACK

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

Ration Order No. 1A is amended in the following respects:

1. Section 1315.1003 (a) (2) is amended to read as follows:

(2) *Part B.* The replenishment portions of certificates or receipts transferred to a manufacturer by a dealer or consumer shall be marked "void except for replenishment by _____" immediately upon receipt by the manufacturer at a tire manufacturing establishment, or by the manufacturer or his agent at premises authorized pursuant to § 1315.804 (f). The name of the first manufacturer to whom the replenishment portion is surrendered shall be inserted in the blank, and the replenishment portion may thereafter be used for replenishment only by him. Replenishment portions which are not used by the manufacturer for that purpose must be retained as his record.

When a manufacturer is unwilling or unable to transfer a tire in exchange for a replenishment portion which has been marked void in accordance with this subparagraph, he shall forward it (or the entire certificate received from a consumer), to the District Director serving the area in which the manufacturer's premises are located with a letter stating the number, type and grade of tires which have not been transferred thereon. The District Director shall thereupon issue Part B of OPA Form R-2 to the dealer, or a certificate on OPA Form R-2 to the consumer, from whom the manufacturer received the original certificate or replenishment portion, for the number, type and grade of tires not transferred by the manufacturer. The District Director shall retain the voided certificate or replenishment portion, and shall inform the manufacturer when the new certificate or replenishment portion has been issued to the consumer or dealer.

2. Section 1315.1007 is amended to read as follows:

§ 1315.1007 *Sellers' inventories of tires.* (a) Every dealer, except a "mass distributor" who files Form WPB-3438

¹ 7 F.R. 9160, 9392, 9724.

with the War Production Board, shall take an inventory for each of his establishments on March 31, June 30, September 30 and December 31 of each year, of passenger-type tires by grade, and of all other tires by type listing new and used separately, and shall keep a record thereof. The inventory of each establishment shall consist of the following:

(1) All unmounted tires, except tires owned by others and in the establishment solely for purposes of inspection, mounting, repair or recapping, and except tires transferred to the establishment by a manufacturer pursuant to § 1315.804 (f); and

(2) All tires billed to him for the establishment but not yet received there.

"Mass distributor" means any dealer who sells tires and tubes manufactured for him under his own brand or trade mark, and whose sales volume in 1941 exceeded 50,000 tires or 100,000 tubes.

(b) Every dealer who is required to take an inventory under paragraph (a) shall file a report on OPA Form R-17 in accordance with the instructions thereon for each of his establishments to which the form is mailed by the Office of Price Administration.

This amendment shall become effective September 29, 1944.

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

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14784; Filed, Sept. 25, 1944;
11:46 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 484,¹ Amdt. 3]

UNWASHED AND WASHED WIPING CLOTHS

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

Maximum Price Regulation 484 is amended in the following respect:

1. In section 14 (a), subparagraph (8) is amended to read as follows:

(8) "Retailer" includes an automobile supply dealer or distributor, janitor supply house, mill supply dealer, hardware dealer, paint dealer, or ship chandler who buys washed wiping cloths and resells them to a consumer. The term "retailer" does not include any person whose principal or major business is the selling or jobbing of unwashed or washed wiping

¹ 8 F.R. 14220, 15190, 15455; 9 F.R. 5916, 7079.

cloths, waste or salvage materials or of any new textile materials sold for wiping purposes.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14777; Filed, Sept. 25, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,¹ Amdt. 35]

FATS AND OILS

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

A new section 9.4 is added to read as follows:

Sec. 9.4 *Maximum prices of imported peanut oil.* The maximum prices of im-

ported peanut oil shall be the following prices:

(a) Crude peanut oil f. o. b. mill in tankcars:

	Cents per pound
New York, New York.....	13.50
Newark, New Jersey.....	13.50
Edgewater, New Jersey.....	13.50
Philadelphia, Pennsylvania.....	13.46
Baltimore, Maryland.....	13.375
California (except Los Angeles).....	13.50
Los Angeles, California.....	13.775
Chicago, Illinois.....	13.50
Arizona and Virginia.....	13.25
Tennessee.....	13.125
Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, South Carolina.....	13.00
Texas and Oklahoma.....	12.875

(1) These crude imported peanut oil maximum prices shall be adjusted on a 5 percent settlement basis as provided in Rule 142 of the 1942-43 Rules of the National Cottonseed Products Association, Inc.

(2) The usual or normal location differentials for domestic crude peanut oil shall apply to other points.

(b) Refined peanut oil delivered in tank cars as follows:

[Cents per pound

	Refined unbleached and un-deodorized	Refined bleached and un-deodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.....	14.69	14.83	14.92	15.06	15.78	15.83
Atlanta, Ga.....	14.31	14.45	14.54	14.68	15.40	15.45
Baltimore, Md.....	14.60	14.74	14.83	14.97	15.69	15.74
Boston, Mass.....	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.....	14.72	14.86	14.95	15.09	15.81	15.86
Charlotte, N. C.....	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.....	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.....	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio.....	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio.....	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.....	14.59	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.....	14.16	14.30	14.39	14.53	15.25	15.30
Denison, Tex.....	14.20	14.34	14.43	14.57	15.29	15.34
Denver, Colo.....	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.....	14.49	14.63	14.72	14.86	15.58	15.63
Forth Worth, Tex.....	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.....	14.22	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.....	14.54	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.....	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.....	14.43	14.57	14.66	14.80	15.52	15.57
Los Angeles, Calif.....	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.....	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.....	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.....	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.....	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.....	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.....	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.....	14.62	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.....	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.....	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.....	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.....	14.39	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.....	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.....	14.18	14.32	14.41	14.55	15.27	15.32
Terre Haute, Ind.....	14.52	14.66	14.75	14.89	15.61	15.66

(1) The usual or normal differentials applying on domestic refined peanut oil above or below these delivered prices shall apply to all other destinations.

(2) The usual or normal differentials applying on domestic refined peanut oil for grade, above or below these basic grades, shall apply to imported peanut oil.

(3) The usual or normal differential applying on domestic refined peanut oil for type of container shall apply to imported peanut oil.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14775; Filed, Sept. 25, 1944; 11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,¹ Amdt. 36]

FATS AND OILS

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

Section 19.1 (d) (3) is amended to read as follows:

(3) Any adjustment granted under this section 19.1 (d) will in no case exceed the increase in the direct cost of producing the margarine and the increase in the cost of distribution that is due to the change in method of manufacture or distribution and will in no case be a price above the general level of prices prevailing for similar products in the same general area as that in which the product is distributed.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14776; Filed, Sept. 25, 1944; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,² Amdt. 78]

SHOES

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

Section 1.5 (e) is added to read as follows:

(e) No applicant may receive a stamp under this section if he is entitled to but has not received a stamp under section 1.4, or a War Ration Book 3. A stamp may not be issued under this section to a person entitled to apply for replacement of a War Ration Book 3 under Procedural Regulation No. 12 unless the applicant will suffer undue hardship if he is forced to wait for shoes until his War Ration Book is replaced or unless he has been denied replacement of the Book by the Board. When the Board subsequently issues a War Ration Book 3 to a person who has received a stamp under this paragraph, it shall remove from the War Ration Book One currently valid shoe stamp for each stamp so issued. (However, this requirement shall be deemed satisfied if all currently valid shoe stamps have been removed under this paragraph and Procedural Regulation No. 12.)

¹ 9 F.R. 4200, 5314, 6232, 6434, 6452, 6819, 7420, 7578, 7771, 8146.

² 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 754, 2232, 2656, 2947, 2829, 3340, 3944, 5254, 5491, 5805, 6233, 6455, 6647, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901.

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

¹ 9 F.R. 9652, 10305, 11397.

This amendment shall become effective September 29, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14782; Filed, Sept. 25, 1944;
11:48 a. m.]

PART 1447—GLUE STOCK

[MPR 383,¹ Amdt. 1]

CERTAIN SALES OF PRAIRIE BONES

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

Maximum Price Regulation No. 383 is amended in the following respects:

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

(a) *Definition.* "Prairie bones" means prairie or junk bones obtained from dry and bleached carcasses of fallen animals, the partially degreased cooked bones from slaughter houses not having complete facilities for drying and processing, sometimes commonly known as country bones, and kitchen bones, which are shipped from Mexico or from any point within any one of the following states: Arizona, Colorado, Idaho, Kansas, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, Montana.

Prairie bones, however, shall not include dry packing house bones, or any fresh meat bones commonly known as green bones.

2. Section 2 is amended to read as follows:

SEC. 2. *Maximum prices for prairie bones.* (a) The maximum price for sales of domestic prairie bones to industrial consumers shall be \$31 per ton loaded on cars, trucks or barges, at the seller's shipping point.

(b) The maximum delivered price for sales of Mexican prairie bones to industrial consumers shall be \$31 per ton plus an amount not in excess of the freight to the buyer's place of business from (1) The United States rail station in any of the states listed in section 1 (a) hereof which is nearest to the point where the shipment crosses the Mexican border, in the case of overland shipments, or (2) The port of entry, in the case of ocean shipments.

(c) The maximum prices established by this regulation shall not be increased by any charges for commissions or by any charges for the extension of credit.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14780; Filed, Sept. 25, 1944;
11:49 a. m.]

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

¹8 F.R. 6116.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 80]

COMBATANT ITEMS

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

Section 4.3 (c) of Revised Supplementary Regulation 1 is amended to read as follows:

(c) Component parts and subassemblies of any product excepted under paragraphs (a) and (b), above, when sold pursuant to a war contract or sub-contract thereunder, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under paragraphs (a) and (b), above.¹

(1) As used herein, "war contract" means any contract with the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes, or with the Government of any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14779; Filed, Sept. 25, 1944;
11:49 a. m.]

Chapter XIV—War Contracts Price
Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1601, 1603, 1604, 1605, 1607 and 1608 of this chapter set forth below are also contained in Revision 10 of the Renegotiation Regulations, dated September 9, 1944.

ALBERT J. BROWNING,
Brigadier General,
General Staff Corps,
Chairman.

PART 1601—AUTHORITY AND ORGANIZATION
FOR RENEGOTIATION

SUBPART C—ORGANIZATION AND FUNCTIONS
OF THE PRICE ADJUSTMENT BOARDS AND
SECTIONS

Sections 1601.132 (b) and 1601.133 (b) are amended to read as follows:

§ 1601.132 *War Department organization.* * * *

(b) *Organization and functions of War Department Price Adjustment Sections.* There has been established a Price Adjustment Section in each of the Technical Services of the Army Service Forces and in the Army Air Forces. The Army

Services Forces have Sections in the Technical Services of Chemical Warfare, Engineers, Ordnance, Quartermaster, Signal Corps, Surgeon General, and Transportation. With the exception of the Price Adjustment Section of Chemical Warfare, located in Baltimore, the main Sections of the Technical Services are located in Washington. Headquarters for renegotiation in the Army Air Forces are shared by Washington and Wright Field, Dayton, Ohio. District Price Adjustment Sections have been established by the Technical Services and the Army Air Forces at various procurement centers, and this decentralization allows renegotiation to be conducted close to the location of the company involved. In the office of the War Department Power Procurement Officer, there has been established an Utilities Price Adjustment Section. [RR. 132.2]

§ 1601.133 *Navy Department organization.* * * *

(b) *Services and Sales Renegotiation Section.* In the Office of the General Counsel, Navy Department, there is established a Services and Sales Renegotiation Section which specializes in the renegotiation of sales agents and brokers. This section has its headquarters in Washington and divisional offices in Washington, New York, Chicago and Los Angeles. [RR. 133.2]

PART 1603—DETERMINATION OF RENEGOTIABLE
BUSINESS AND COSTS

SUBPART A—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXEMPTIONS

Section 1603.301 (c) is amended by the addition of subparagraph (3) as set forth below:

§ 1603.301 *Fiscal year basis for renegotiation.* * * *

(c) *Renegotiation on a completed contract fiscal year basis; construction contracts.* * * *

(3) If the completed contract method of accounting is used for the purposes of renegotiation for any fiscal year, and if a different method of accounting was used for the purposes of renegotiation for a prior fiscal year, the provisions of § 1603.302 will be considered, and any amounts received or accrued and any costs paid or incurred which were included in such previous renegotiation will be excluded from consideration. The authority conferred by this paragraph upon the Department to which a contractor has been assigned for renegotiation to approve a request that the completed contract method of accounting be used for the purposes of renegotiation is not limited by the provisions of § 1603.301 (d). [RR. 301.3]

SUBPART B—METHODS FOR SEGREGATING
SALES BETWEEN RENEGOTIABLE AND NON-
RENEGOTIABLE BUSINESS

Section 1603.323 is amended to read as follows:

§ 1603.323 *Segregation with respect to contracts with RFC subsidiaries.* In connection with prime contracts between a contractor and Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve

Company, a segregation of sales and allocation of costs is necessary in order that excessive profits, if any, attributable to such contracts may be computed. Such segregation shall not be necessary in cases in which the total amounts received or accrued under such prime contracts with any of the above named subsidiaries of the Reconstruction Finance Corporation do not exceed \$50,000, since in any such case no separate determination of excessive profits under such prime contracts will be made. (See § 1605.502 (e) and note to article 4 of the Standard Form of Agreement, Form I, § 1607.741 (a), requiring repayment of such profits to the RFC Price Adjustment Board.) [RR 323]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

Section 1603.344 (d) (2) (iii) is amended to read as follows:

§ 1603.344 *Contracts and subcontracts for certain raw materials and agricultural materials.* * * *

(d) *Profits from increment in value of excess inventories.* * * *

(2) *Interpretation and application.*

(iii) *Time for determining excess inventory.* Accounting for the purposes of determining excess inventory will commence as of the beginning of the month, four weeks period, or other similar period of accounting employed by the contractor or subcontractor, in which the contractor or subcontractor entered into the first contract with a Department or subcontract under which any part of the amounts received or accrued were subject to renegotiation. Subsequently, excess inventory will be determined as of the beginning of each month, four weeks period, or other similar accounting period in which the contractor or subcontractor enters into contracts with a Department or subcontracts under which the amounts received or accrued are subject to renegotiation. If no excess inventory is found to exist at the beginning of the month, it shall be deemed that none existed throughout the month. If excess inventory is found to exist at the beginning of the month, transactions within that month shall not be deemed to increase the amount of such excess inventory as computed at the beginning of the month, until new computations at the beginning of the succeeding month shall be made. It will not be necessary to calculate actual physical inventories and orders on hand at the beginning of each month; a cumulative calculation may be made by applying the purchases made and orders taken in each month to the position at the beginning thereof, until the date of the succeeding physical inventory. The Department may in its discretion allow a contractor or subcontractor to deviate in individual cases from the monthly basis described above, if available records are considered to be such that some other basis (daily, weekly, etc.) will more accurately bring out the facts in the case. Whatever basis is approved must be used consistently throughout the fiscal year.

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1. Section 1603.352 (b) is amended to read as follows:

§ 1603.352 *Contracts and subcontracts where profits determinable when price established.* * * *

(b) *Exemptions.* (1) In the opinion of the War Contracts Price Adjustment Board, the profits from the following contracts or portions thereof can be determined with reasonable certainty when the contract price is established, and such contracts or portions thereof are accordingly exempted from the provisions of the Renegotiation Act to the extent herein provided:

(i) Contracts and subcontracts for the purchase or lease of any interest in real estate (see § 1603.335 (a)), or

(ii) Contracts for the purchase of capital assets, where the sale of such assets is not a part of or connected with the ordinary course of business of the vendor,

(iii) Contracts for the purchase of vessels and their equipment, other than contracts for the construction of vessels,

(iv) Such portion of contracts for the lease of vessels and their equipment, which provides (as in bareboat charters), for a rental for the bare use of the vessel and its equipment (herein called the "use rate"), or which provides (as in time charters) for a use rate, as distinguished from compensation for the services to be rendered by the contractor under the time charter (herein called the "service rate"), provided that where the time charter contains no segregation of the contract price between the use rate and the service rate, the apportionment of the contract price between the use rate and the service rate may be made by the Department conducting the renegotiation. In connection with such apportionment consideration may be given to the Report of the Advisory Board on Just Compensation, established by the President on October 15, 1943, by Executive Order 9387, which report dated December 7, 1943, established rules of general applicability for the guidance of the War Shipping Administration in determining just compensation to be paid for all vessels requisitioned, purchased, chartered or insured by the said Administration, and General Order 37 of the War Shipping Administration (8 F.R. 3806), and any supplements and amendments thereto, to the extent the same may be applicable to such vessels and their equipment. Nothing contained in this subdivision shall be deemed to exempt from renegotiation contracts commonly known as "space charters" or the service rate in time charters, regardless of whether the vessel involved was requisitioned by the Government or any agency thereof.

(2) The words "when the contract price is established" in subsection (i) (4) (B) of the Renegotiation Act and in the preceding subdivision of this paragraph are a qualification upon the scope of the exemption, and contemplate that the contract or subcontract price shall be established at the time the contract or

subcontract is entered into. Accordingly, this exemption extends only to contracts and subcontracts under which the price is a fixed or determinable amount at the time the contract or subcontract is entered into, and does not apply to any contract or subcontract under which the price, at the time the contract or subcontract is entered into, is contingent upon a subsequent event or is thereafter to be determined by reference to a variable element (as, for example, the lessee's sales or profits).

(3) For an exemption relating to certain contracts and subcontracts involving electric power, gas, transportation and communications and subcontracts thereunder, see § 1608.842. [RR 352.2]

2. In § 1603.356 paragraph (b) (1) (ii) and (iii) are amended, and paragraph (c) is added, as follows:

§ 1603.356 *Subcontracts as to which it is not administratively feasible to determine and segregate profits.* * * *

(b) *Exemption.* (1) * * *
(ii) Subcontracts directly or indirectly under any modifying instrument of the general type described in § 1603.346 (b) (3) (regardless of whether such modifying instrument is exempted under that subparagraph) which modifies a contract to which the provisions of § 1603.346 (b) are applicable; and

(iii) Subcontracts for the construction of a building, structure, improvement or other similar facility directly or indirectly under any modifying instrument of the general type described in § 1603.355 (c) (3) (regardless of whether such modifying instrument is exempted from renegotiation under § 1603.355 (c)).

(c) *Cross reference.* For an exemption of subcontracts under certain public utility contracts, see § 1608.842 (e). [RR 356.3]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. Subparagraph (3) of § 1603.381 (d) is amended by changing "are" in the second sentence to "have been" so that the subparagraph, as amended, reads as follows:

§ 1603.381 *Statutory provisions and general regulations.* * * *

(d) *Profit, cost allocation and allowance; general.* * * *

(3) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions have been delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowable in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code, and all items of cost shall be attributed to the fiscal year in which they are allow-

able in the determination of taxable income under said Code. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor.

2. Section 1603.388 (a) (3) is amended to read as follows:

§ 1603.388 *Other costs, expenses and reserves.* * * *

(a) *Patent royalties.* * * *

(3) In determining excessive profits of a licensee upon renegotiation for a period in which royalty accruals are subject to an order under the Royalty Adjustment Act, the Departments will give full effect to the rates or amounts of royalties fixed in the Royalty Adjustment Act order as fair and just under the conditions of wartime production. No allowance will be made in renegotiation for royalties paid or accruing during that period in excess of the amounts permitted to be paid under the order.

PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

SUBPART B—RECOVERY OF EXCESSIVE PROFITS ALREADY REALIZED

Section 1604.422 (d) is amended to read as follows:

§ 1604.422 *Recovery by voluntary payment.* * * *

(d) *Interest.* (1) No renegotiation agreement when originally made shall require the payment of interest on installments of the refund which are not in default thereunder and which are provided to be payable within the time prescribed in paragraph (b).

(2) In cases of default, interest accrues and is payable upon each payment due under an agreement from and after the due date thereof, whether or not the agreement contains a contract provision for the payment of interest. The rate shall be that provided by law in the District of Columbia as the rate which is applicable in the absence of express contract as to the rate of interest. (See §§ 1605.502 (e) (8) and 1608.807.) [RR 422.4]

SUBPART D—RENEGOTIATION AND TAXES

1. Paragraph (e) of § 1604.442 is added as set forth below:

§ 1604.442 *Renegotiation after filing of Federal tax returns.* * * *

(e) *Determination of Federal tax credit for sole proprietor, partnership*

and joint venture in community property states. If a portion of the excessive profits received or accrued by a sole proprietor, partner, or joint venturer, was included in the Federal income tax return of his or her spouse by virtue of the community property laws of the state in which they are domiciled, the tax credit allowed under section 3806 will include the amount, as determined by the Internal Revenue Agent in Charge, by which the spouse's tax is decreased by the elimination of the excessive profits. In such cases, both the husband and the wife should submit to the Internal Revenue Agent in Charge a written request for a determination of tax credit. (See §§ 1604.442 (b), 1607.732 and 1607.733.) [RR 442.5]

2. Section 1604.444 is amended to read as follows:

§ 1604.444 *Special allocations of excessive profits elimination required for Federal tax purposes.* (a) If the basis upon which the renegotiation has been conducted differs from the basis upon which the contractor has filed his Federal tax returns, the excessive profits to be eliminated must, for purposes of a proper computation of the allowable tax credit under section 3806 of the Internal Revenue Code, be allocated to the contractor's taxable year or years for which such excessive profits were reported as income in such tax returns. This is especially significant in cases where the renegotiation has been conducted on a completed contract basis although the contractor has used the cash receipts and disbursements or the percentage of completion method of accounting for Federal tax purposes in reporting his income from some or all of the contracts covered by the renegotiation. In such a case, the allocation will not be made by prorating the adjusted contract price after renegotiation to the years involved on the basis of receipts or accruals under the contract reported for tax purposes for such years, respectively, but will be made by prorating the excessive profits to those taxable years for which the contract profits reported for tax purposes exceeded non-excessive profits on the contract, as measured by the over-all margin of profit allowed on the contract. After such allocation the ratio of retained renegotiable profits to adjusted sales for each year to which excessive profits are allocated should be the same. The contractor's tax returns for the year involved and such supplementary data as may be pertinent to an analysis of the contractor's taxable income for each such year will be used as the basis of such allocation.

(b) Where a renegotiation is conducted on a consolidated basis, excessive profits to be eliminated must be allocated between the entities so consolidated. (See § 1603.311.)

(c) The allocation of excessive profits is to be made by the agency conducting the renegotiation and not by the contractor. The contractor may, however, furnish or be required to furnish such supplementary information in explanation of the sources of taxable income as reported for any year as may be pertinent to such allocation.

(d) Special allocations of excessive profits to be eliminated under (a) and (b) above should appear in the renegotiation agreement or in the order determining excessive profits and also in any request to an Internal Revenue Agent in Charge for tax credit computations. [RR 444]

PART 1605—AGREEMENTS AND STATEMENTS

SUBPART A—AGREEMENTS AND CLEARANCES

In § 1605.502, paragraph (d) (4) is added and paragraph (e) (1) is amended to read as follows:

§ 1605.502 *Standard form of agreement.* * * *

(d) *Article 3: Tax credit under section 3806 of the Internal Revenue Code.* * * *

(4) If the renegotiation is concluded with a partnership, the form of tax credit clause should be appropriately modified. In § 1607.741 (b) (3) (iii) is a form of partnership tax credit clause which may be used when it is appropriate in view of the facts. Should less than all the partners sign the renegotiation agreement (see § 1605.502 (1) (3) and (6)) such clause will have to be appropriately modified. [RR 502.4]

(e) *Article 4: Terms of payment.* (1) The schedule of the payments to be made will be set forth in Article 4. A suggested form of such schedule is set forth in § 1607.741 (b) (5). The Department which has conducted the renegotiation will also provide, in this article, for the place of payment. In the event that the profits agreed in Article 1 to be eliminated are derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company, or any of such corporations, and the total amounts received or accrued under such prime contracts exceed \$50,000, the payment provision, in accordance with the footnote to Article 4 on the standard form, will require payment of the excessive profits under such prime contract to the RFC Price Adjustment Board. In cases in which the total amounts received or accrued under prime contracts with any of the above named subsidiaries of the RFC do not exceed \$50,000, it shall not be necessary to make a separate determination of the profits derived from such contracts and the entire refund shall be payable as though no contracts with the RFC subsidiaries were involved.

PART 1607—FORMS FOR RENEGOTIATION

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

Paragraphs 1 (b) and 3 (b) of the form in § 1607.723 are amended to read as follows:

§ 1607.723 *Contractor's request for renegotiation on completed contract basis.* * * *

1. * * *

(b) that all of the contractor's construction contracts with a Department as that term is defined in the Renegotiation Act of 1943 and all of the contractor's construction subcontracts under a contract with such a Department which have been completed or terminated within said fiscal year are as follows:

Description and date	Amount
-----	-----
-----	-----
-----	-----

3. * * *

(b) With respect to any subsequent fiscal year, all of the contractor's construction contracts with a Department as that term is defined in the Renegotiation Act of 1943, and all construction subcontracts under a contract with such a Department, may at the option of the renegotiation agency be renegotiated as a group and the powers of the War Contracts Price Adjustment Board may at such option be exercised with respect to such group, and in any such renegotiation, the principles set forth in subparagraph 3 (a) above will be applied.

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

Designated footnotes in §§ 1607.741 (a) and (b), 1607.746 (c), 1607.747 (b), and 1607.748 (b) are amended to read as follows:

§§ 1607.741 Agreement forms—(a) Standard form of agreement.

* * In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, payment of the excessive profits under such prime contracts to the Reconstruction Finance Corporation Price Adjustment Board is required. If such situation exists, insert here—"to the extent of \$-----, less the prorata portion of the tax credit, if any, applicable thereto, and by check to the order of and forwarded to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C., to the extent of \$-----, less the prorata portion of the tax credit, if any, applicable thereto."

(b) Variations in the standard form.

* In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, payment of the excessive profits under such prime contracts to the Reconstruction Finance Corporation Price Adjustment Board is required. If such situation exists, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and forwarded to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

§ 1607.746 Unilateral determination; delegated authority.

(c) Notice of order having become the determination of the War Contracts Price Adjustment Board.

* In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment

Board, 811 Vermont Avenue, Washington 25, D. C.

§ 1607.747 Action by the War Contracts Price Adjustment Board after review.

(b) Notice.

* In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

§ 1607.748 Withholding orders.

(b) Direction to a contractor to pay over amounts withheld.

* In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

SUBPART E—FORMS OF REPORTS

Paragraphs (e), (f), (g) and (h) of § 1607.751 are amended to read as follows:

§ 1607.751 Progress and operations report.

(e) Form No. SPRA I-B (War Department Price Adjustment Board "Status of Renegotiation Report").

NOTE: Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

SPRA I-B (Revised 1 August 1944).

Close of Friday, _____, 1943.

NOTE: Figures in parentheses indicate net change since the previous report.

STATUS OF RENEGOTIATION REPORT 1943 FISCAL YEAR ASSIGNMENTS WAR DEPARTMENT PRICE ADJUSTMENT BOARD

Service	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona fide oral agreements reached %	(D) Signed agreements in process %	(E) Total assignments with the Services %	(F) ¹ Total assignments delivered to WDPAB %	Memorandum total assignments in column (F) evidenced by following number of agreements
Army Air Forces.....	()	()	()	()	()	()	()	()
Chemical Warfare.....	()	()	()	()	()	()	()	()
Engineers.....	()	()	()	()	()	()	()	()
Hawaii War Cont.....	()	()	()	()	()	()	()	()
Ordnance.....	()	()	()	()	()	()	()	()
Power Procurement.....	()	()	()	()	()	()	()	()
Quartermaster.....	()	()	()	()	()	()	()	()
Signal Corps.....	()	()	()	()	()	()	()	()
Surgeon General.....	()	()	()	()	()	()	()	()
Transportation.....	()	()	()	()	()	()	()	()
War Dept. PAB.....	()	()	()	()	()	()	()	()
Total current report.....	()	()	()	()	()	()	()	()
Total last report.....								

¹ Details of column (F) are shown on attached Operations Report SPRA I-C. Prepared by: Assignments and Statistics Branch, Statistics and Progress Section.

[RR 751.5]

(f) Form No. SPRA I-BB (1943 Fiscal Year Assignments "Status of Renegotiation Report").

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

SPRA I-BB (Revised 1 August 1944).

1943

NOTE: Figures in parentheses indicate net change since the previous report.

Close of Friday _____

STATUS OF RENEGOTIATION REPORT 1943 FISCAL YEAR ASSIGNMENTS

Department	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona fide oral agreements reached %	(D) Signed agreements in process %	(E) Total assignments with the depts. and services %	(F) ¹ Total assignments delivered or reported to WDPAB %	Memorandum total assignments in column (F) evidenced by following number of agreements
War Dept.....	()	()	()	()	()	()	()	()
Navy PAB.....	()	()	()	()	()	()	()	()
Navy OGC.....	()	()	()	()	()	()	()	()
Maritime.....	()	()	()	()	()	()	()	()
R. F. C.....	()	()	()	()	()	()	()	()
Treasury.....	()	()	()	()	()	()	()	()
War Shipping.....	()	()	()	()	()	()	()	()
Total current report.....	()	()	()	()	()	()	()	()
Total last report.....								

¹ Details of Column (F) are shown on attached Operations Report SPRA I-CC. Prepared by: Assignments and Statistics Branch WDPAB, Statistics and Progress Section.

[RR 751.6]

(g) Form No. SPRA I-C (War Department Price Adjustment Board "Operations Report").

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

SPRA I-C (Revised 1 August 1944). 1943.
NOTE: Figures in parentheses indicate net change from the previous report. Close of Friday.....

OPERATIONS REPORT 1943 FISCAL YEAR ASSIGNMENTS WAR DEPARTMENT PRICE ADJUSTMENT BOARD
[Details of column (F) SPRA I-B covering 1943 fiscal year assignments delivered by services to WDPAB]

	Army Air Forces	Chemical Warfare	Engineers	Hawaii War Cont.	Ordnance	Power procure of- ficer	Quartermaster	Signal Corps	Surgeon Gen'l.	Transportation	War Dept. PAB	Total (column F of status report)	In process at WDPAB	Completed by WDPAB
5a. Completed settlements:														
For WDPAB review.....												{ }		
For WDPAB approval.....												{ }		
b. Impasse cases:														
In process at WDPAB.....												{ }		
Completed—agreement.....												{ }		
Completed—unilateral.....												{ }		
c. Completed clearances:														
For WDPAB review.....												{ }		
For WDPAB approval.....												{ }		
d. Cancellations:														
Requested—pending.....												{ }		
Approved by WDPAB.....												{ }		
Total current report.....												{ }		
Total previous report.....												{ }		
Net change.....	()	()	()	()	()	()	()	()	()	()	()	()	()	()

Prepared by: Assignments and Statistics Branch, Statistics and Progress Section.

[RR 751.7]

(h) Form No. SPRA I-CC (1943 Fiscal Year Assignments "Operations Report").

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

SPRA I-CC (Revised 1 August 1944). 1943.
NOTE: Figures in parentheses indicate net change from the previous report. Close of Friday.....

OPERATIONS REPORT 1943 FISCAL YEAR ASSIGNMENTS

[Details of column (F) SPRA I-BB covering 1943 fiscal year assignments delivered by services and reported by departments to WDPAB]

	War Department	Navy PAB	Navy OGC	Maritime	RFC	Treasury	War Shipping	Total (Col- umn(F) of Status Report)	In Process at WDPAB	Completed by WDPAB
5a. Completed settle- ments.....								()		
b. Impasse cases:										
In Process at WDPAB.....	XX	XX	XX	XX	XX	XX	XX	()		
Completed— Agreement.....	XX	XX	XX	XX	XX	XX	XX	()		
Completed— Unilateral.....								{ }		
c. Completed clearances								()		
d. Cancellations:										
Requested— pending.....								()		
Approved by WDPAB.....								{ }	XX	
Total current report.....								()		
Total previous report.....								()		
Net change.....	()	()	()	()	()	()	()	()	()	()

Prepared by: Assignments and Statistics Branch WDPAB, Statistics and Progress Section.

[RR 751.8]

SUBPART I—ADDRESSES

1. In § 1607.791 (b) the names and addresses of the War Department and Maritime Commission members are changed as follows:

§ 1607.791 War Contracts Price Adjustment Board. * * *
(b) Members.

Brig. Gen. Albert J. Browning, Chairman (War Department), Room 5D675, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 3119.

Mr. Kenneth F. Clark (Maritime Commission), Room 512, Electrical Workers Building, 1200 15th Street, NW., Washington 5, D. C., Tel. Executive 3340, Ext. 1047.

2. Section 1607.791 (c) is amended to read as follows:

(c) Office of General Counsel.

War Contracts Price Adjustment Board, Attention: Mr. Frederick W. R. Pride, General Counsel, Room 112, Premier Building, 718 18th Street, NW., Washington 25, D. C., Tel. Republic 7400, Ext. 62022 or 2029.

3. In § 1607.792 the addresses of the Navy Price Adjustment Board and Maritime Commission Price Adjustment Board are changed as follows:

§ 1607.792 Departmental Price Adjustment Boards.

Navy Price Adjustment Board, Attention: Mr. W. John Kenney, Chairman, 718 18th Street NW., Washington 25, D. C., Tel. Republic 7400, Ext. 5169 or 62729.

Maritime Commission Price Adjustment Board, Attention: Commander A. G. Rydstrom, Room 512, Electrical Workers Building, 1200 15th Street, NW., Washington 5, D. C.

4. Section 1607.794 (b) is amended to read as follows:

§ 1607.794 Navy Department. * * *

(b) Services and Sales Renegotiation Section.

(1) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington 25, D. C., Tel. Republic 7400, Ext. 61468.

(2) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington Divisional Office, Washington 25, D. C., Tel. Republic 7400, Ext. 61263.

(3) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, New York Divisional Office, Room 310, 630 Fifth Avenue, New York 20, N. Y., Tel. Columbus 53851.

(4) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 916, 610 South Canal Street, Chicago 7, Ill., Tel. Wabash 3860.

(5) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 907, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, Calif., Tel. Tucker 1351.

5. The headnotes to § 1607.798 and paragraph (b) of § 1607.798 are amended to read as follows:

§ 1607.798 War Department Power Procurement Officer. * * *

(b) Field Offices.

6. Section 1607.799 is added as follows:

§ 1607.799 War Shipping Administration—(a) War Shipping Administration Price Adjustment Board.

- (1) New York Division, 39 Broadway, New York 6, New York, Tel. Whitehall 3-8000.
- (2) Pacific Coast Division, 427 Mills Tower Building, 220 Bush Street, San Francisco 4, California, Tel. Garfield 3715.

[RR 799]

PART 1608—TEXT OF STATUTES, JOINT REGULATIONS AND DIRECTIVES

SUBPART D—EXEMPTIONS

1. In § 1608.841 *Raw material exemption*, the items "Quartz crystal, raw" and "Zeolites derived from glauconite" are added.

2. In § 1608.845 (a), subparagraph (1) is amended and subparagraphs (5), (6), (7), and (8) are added as follows:

§ 1608.845 Standard commercial article exemption. (a) * * *

(1) Iron scrap and steel scrap; non-ferrous metal scrap; woolen waste, including woolen rags and clips, new and old; scrap rubber; waste paper; cotton or linen rags, including old bagging and old rope; and textile waste; sold by dealers or brokers.

Note: The exemption of these articles as standard commercial articles applies only to dealers and brokers in these articles and is not to be construed as affecting, in any way, users of these articles (in particular, manufacturers who use these articles), nor does it affect manufacturers who may produce and sell these articles as a by-product in the course of their operation. Neither does the exemption cover sales of these articles in any form other than as scrap or waste.

* * * * *

(5) Paper of the following types and grades, sold by paper mills: Groundwood and free sheet uncoated and coated papers (including but not limiting to free sheet and groundwood offset, envelope and tablet papers); Mimeograph and duplicating (both groundwood and free sheet); Bond, writing and ledger, including opaque circular; Manifold and onion skin; Cover and text; Index and Bristol; Map paper; Post card paper; Blue print base stock.

(6) Paper and paper products sold by merchants.

Note: This exemption does not apply to sales of paper or paper products which have been manufactured, converted or processed by the seller or by any person under the control of or controlling or under common control with the seller.)

- (7) Ready mixed concrete.
- (8) Portland cement. [RR 845]

[F. R. Doc. 44-14728; Filed, Sept. 23, 1944; 4:44 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1583]

PART 160—GRAZING LEASES

FILING OF PETITIONS FOR RENEWALS

Section 160.13 of the regulations authorizing the issuance of grazing leases is amended to read as follows:

No. 192—6

§ 160.13 Filing of petitions for renewals. A lessee who desires to continue to lease the lands involved must file in triplicate a petition for renewal of the lease on Form 4-725. The petition should be filed approximately ninety days prior to the expiration of the existing lease and may include a request for the consolidation of other outstanding grazing leases held by the lessee. No filing fee will be required in connection with the petition for such renewals. The filing of a petition for renewal does not confer on the lessee any preference right to a renewal. The timely filing of a petition will, however, authorize the exclusive grazing use of the lands by the lessee in accordance with the terms of the prior lease pending final action on the petition.

FRED W. JOHNSON,
Commissioner.

Approved: September 8, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-14684; Filed, Sept. 23, 1944; 9:56 a. m.]

[Circular 1584]

PART 270—STATE GRANTS FOR EDUCATIONAL, INSTITUTIONAL, AND PARK PURPOSES

EXCHANGES BY CALIFORNIA WITH INDIVIDUALS OF LANDS ACQUIRED FOR PARK PURPOSES

As no selections were made by the State of California under the Act of June 29, 1936 (49 Stat. 2027), during the five-year period specified by the act for filing selections, and as such five-year period has expired, Part 270 of Title 43 is amended by deleting therefrom §§ 270.47 to 270.50, inclusive.

FRED W. JOHNSON,
Commissioner.

Approved: August 18, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-14685; Filed, Sept. 23, 1944; 9:58 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 26, Supp. 2]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY WAR SHIPPING ADMINISTRATION

PASSENGER TICKETS

General Order 26 is amended as follows:

1. By adding a new § 303.24a:

§ 303.24a *Uniform passenger ticket "Warshipticket 11/15/42," optional signature clause.* Effective October 1, 1944 all agents for vessels owned by or under bareboat charter or Warshiptime—Form 101 (Rev.) charter to the War Shipping Administration, may use the following

signature clause in the place and stead of the signature clause prescribed in "Warshipticket" (§ 303.24 *Uniform passenger ticket*):

Issued at _____ dated _____ 19____

FOR THE MASTER,
By _____
(Insert name of agent in print)

Agents for United States of America,
(War Shipping Administration)

By _____

2. By amending § 303.26 to read:

§ 303.26 *Consent of master required.* Prior to the issuance of tickets for the carriage of passengers on any vessel, the operator or agent shall obtain from the master of said vessel a writing authorizing said operator or agent in its capacity as agent for the United States of America (War Shipping Administration) to sign and issue tickets for the master and in his name. The authorization shall be in substantially the following form:

You, as agent of the War Shipping Administration, and all sub-agents appointed by you, at all the vessel's ports of call, whether the same are United States ports or foreign ports, are hereby authorized to enter into and do all things necessary for the proper execution and signing on my behalf, in my name, and as my agent, of bills of lading, passenger tickets, and other documents for the carriage of goods or passengers on board the SS _____

This authorization shall remain in full force and effect as long as I remain master and as long as you continue to act as agent for the above-named vessel, unless terminated by me in writing.

Signed _____
Master of SS _____

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14787; Filed, Sept. 25, 1944; 11:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S.O. 200, Amdt. 6]

REFRIGERATION ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051, 9 F.R. 11427, 9 F.R. 11015), and good cause appearing therefor:

It is ordered, That Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051, 9 F.R. 11427, 9 F.R.

11015), be, and it is hereby, further amended by substituting the following paragraph (a) (2) in lieu of paragraph (a) (2) of § 95.337 thereof:

(a) (2) *Cars of potatoes originating in certain States not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice or reice any refrigerator car or cars loaded with potatoes originating in the States of North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey or New York (Long Island only).

It is further ordered, That this order shall become effective 12:01 a. m., September 23, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in paragraph (a) (2) herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14760; Filed, Sept. 25, 1944;
11:26 a. m.]

PART 95—CAR SERVICE

[S. O. 223-A]

WEIGHING OF SAND, ETC., AT WOODLAWN, NEBR.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of September A. D. 1944.

Upon further consideration of Service Order No. 223 (9 F.R. 9676-77) of August 7, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 223 of August 7, 1944, prohibiting the weighing of sand, gravel or aggregates in carloads for use on government construction at Woodlawn, Nebraska, be, and it is hereby vacated.

(40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective 12:01 a. m., September 25, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Sec-

retary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14761; Filed, Sept. 25, 1944;
11:26 a. m.]

PART 95—CAR SERVICE

[Rev. S. O. 226-A]

ICING OF VEGETABLES AT DESIGNATED POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September A. D. 1944.

Upon further consideration of Revised Service Order No. 226 (9 F.R. 10429) of August 24, 1944, and good cause appearing therefor: *It is ordered,* That:

(a) Revised Service Order No. 226 (9 F.R. 10429) of August 24, 1944, restricting the retop icing of refrigerator cars loaded with vegetables at points east of the eastern boundaries of the States of New Mexico, Colorado, Wyoming, or Montana, be, and it is hereby, vacated and set aside.

(b) *Announcement of vacation of suspension.* Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof, of the suspension made by Revised Service Order No. 226 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective at 12:01 a. m., September 23, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14762; Filed, Sept. 25, 1944;
11:26 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 3, Revocation]

PART 503—ADMINISTRATION

AMERICAN RAILROAD CO. OF PORTO RICO

Pursuant to Executive Order 9341, *It is hereby ordered,* That:

Administrative Order ODT 3 (§§ 503.85, 503.86) (8 F.R. 6484), be, and it hereby is, revoked.

This revocation shall become effective September 23, 1944.

(E.O. 9341, 8 F.R. 6323)

Issued at Washington, D. C., this 23d day of September 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14672; Filed, Sept. 22, 1944;
2:46 p. m.]

Notices

DEPARTMENT OF THE TREASURY.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 752]

7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES G-1945

OFFERING OF CERTIFICATES

SEPTEMBER 25, 1944.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series G-1945, in exchange for Treasury Certificates of Indebtedness of Series F-1944, maturing October 1, 1944.

II. *Description of certificates.* 1. The certificates will be dated October 1, 1944, and will bear interest from that date at the rate of 7/8 percent per annum, payable semiannually on April 1 and October 1, 1945. They will mature October 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of custom-

ers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before October 2, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series F-1944, maturing October 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-14759; Filed, Sept. 25, 1944;
11:29 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

TIETON PROJECT, WASH.

REVOCATION OF FIRST FORM WITHDRAWAL

AUGUST 17, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Tieton project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of July 20 and 27, 1908, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

TIETON PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

- T. 13 N., R. 12 E., unsurveyed
 Sec. 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 2, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 3, 10;
 Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13;
 Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 15.
 T. 13 N., R. 13 E., unsurveyed
 Sec. 1, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 2, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 3, N $\frac{1}{2}$;
 Sec. 4, N $\frac{1}{2}$;
 Sec. 5, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 8, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 13 to 18, inclusive.
 T. 14 N., R. 13 E., unsurveyed
 Secs. 25, 26, 35;
 Sec. 36, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 13 N., R. 14 E.,
 sec. 4;
 sec. 6, NE $\frac{1}{4}$;
 sec. 7, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
 Secs. 9, 17;
 sec. 18, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$.
 T. 14 N., R. 14 E., unsurveyed
 Secs. 19, 20, 21, 22, 27, 28, 29;
 sec. 30, N $\frac{1}{2}$;
 Secs. 32, 33, 34.

Respectfully,

[SEAL]

H. W. BASHORE,
Commissioner.

I concur: September 7, 1944.

FRED W. JOHNSON,
Commissioner of the
General Land Office.

The foregoing recommendation regarding the Tieton project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

SEPTEMBER 11, 1944.

[F. R. Doc. 44-14683; Filed, Sept. 23, 1944;
9:57 a. m.]

YAKIMA PROJECT, WASH.

REVOCATION OF FIRST FORM WITHDRAWAL

AUGUST 17, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Yakima project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3, of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of September 8, 1904, December 22, 1905, April 29, 1907, March 2 and December 27, 1909, June 28 and July 22, 1913 and March 20, 1915, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

YAKIMA PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

- T. 21 N., R. 11 E.
 Sec. 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, lot 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
 Sec. 13, N $\frac{1}{2}$.
 T. 22 N., R. 11 E.,
 Sec. 10, S $\frac{1}{2}$;
 Sec. 14, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, SE $\frac{1}{4}$;
 Sec. 22, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 28, NE $\frac{1}{4}$;
 Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$, SE $\frac{1}{4}$.
 T. 21 N., R. 12 E.,
 Sec. 3, lots 6, 7, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 10, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$;
 Sec. 12, NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 13;
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ -NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ -SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ -NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ -SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ -SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$.
 T. 13 N., R. 13 E., unsurveyed
 Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 14 N., R. 13 E., unsurveyed
 Sec. 36, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 18 N., R. 13 E.,
 Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$.
 T. 20 N., R. 13 E.,
 Sec. 2, lots 1, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 3;
 Sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

- T. 21 N., R. 13 E.,
 Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 9, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 16, NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 35, E $\frac{1}{2}$ NW $\frac{1}{4}$.
- T. 22 N., R. 13 E.,
 Secs. 1, 2, 3;
 Sec. 8, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, W $\frac{1}{2}$;
 Sec. 11, NE $\frac{1}{4}$;
 Sec. 12, N $\frac{1}{2}$;
 Sec. 16, W $\frac{1}{2}$;
 Sec. 21, NW $\frac{1}{4}$;
 Sec. 28, SW $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 33, W $\frac{1}{2}$.
- T. 23 N., R. 13 E.,
 Sec. 1, S $\frac{1}{2}$;
 Secs. 2 and 3;
 Sec. 4; Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 10, NE $\frac{1}{4}$;
 Secs. 11 and 12;
 Sec. 13, N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 33, E $\frac{1}{2}$;
 Secs. 34 and 35.
- T. 24 N., R. 13 E.,
 Sec. 33;
 Sec. 34, S $\frac{1}{2}$.
- T. 13 N., R. 14 E.,
 Sec. 6, NE $\frac{1}{4}$.
- T. 14 N., R. 14 E., unsurveyed
 Secs. 25 and 26.
- T. 20 N., R. 14 E.,
 Sec. 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 4, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, NE $\frac{1}{4}$;
 Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 11, NW $\frac{1}{4}$.
- T. 21 N., R. 14 E.,
 Sec. 4;
 Sec. 5, W $\frac{1}{2}$ W $\frac{1}{2}$;
 Secs. 6, 7, 9;
 Sec. 16, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 19, 21, 27;
 Sec. 28, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 30, 31;
 Sec. 32, lots 4, 5, 6, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, SW $\frac{1}{4}$.
- T. 22 N., R. 14 E.,
 Sec. 28, W $\frac{1}{2}$;
 Sec. 29, E $\frac{1}{2}$;
 Sec. 32, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 33.
- T. 23 N., R. 14 E.,
 Sec. 7, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 18.

Respectfully,

[SEAL] H. W. BASHORE,
 Commissioner.

I concur: September 9, 1944.

FRED W. JOHNSON,
 Commissioner of the
 General Land Office.

The foregoing recommendation regarding the Yakima project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
 Assistant Secretary.

SEPTEMBER 12, 1944.

[F. R. Doc. 44-14682; Filed, Sept. 23, 1944;
 9:57 a. m.]

General Land Office.

COLORADO

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal 8, Colorado 5, Enlarged.

By virtue of the authority contained in section 7 of the Act of June 28, 1934, 48 Stat. 1272, as amended by the Act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the Act of December 29, 1916, 39 Stat. 865, as amended by the Act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), *It is ordered as follows:*

The following-described public lands in Colorado are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 8, Colorado No. 5:

SIXTH PRINCIPAL MERIDIAN

- T. 8 S., R. 76 W.,
 Sec. 34, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 9 S., R. 76 W.,
 Sec. 3, lots 1 and 2;
 Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 521.54 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid Act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
 Assistant Secretary of the Interior.

SEPTEMBER 16, 1944.

[F. R. Doc. 44-14686; Filed, Sept. 23, 1944;
 9:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6665]

AMERICAN RADIO TELEPHONE CO.

NOTICE OF HEARING

In re application of American Radio Telephone Company (KXA); date filed, April 20, 1944; for modification of license to change hours of operation; class of service, broadcast; class of station, broadcast; location, Seattle, Washington; operating assignment specified: frequency, 770 kc; power, 1 kw; hours of operation, unlimited. File No. B3-ML-1193.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing, for the following reasons:

1. To determine the areas and populations which would receive primary service from the operation proposed and what other broadcast service is available for these areas and populations.

2. To determine the nature and character of the program service and whether it will provide for the program needs of the areas and populations proposed to be served.

3. To determine whether the proposed operation will be in accordance with § 3.25 (a) of the Commission's rules and regulations.

4. To determine the interference which will result from the simultaneous operation of Station KOB as presently operated and Station KXA operating as proposed.

5. To determine the interference which will result from the simultaneous operation of Station KOB as proposed in application B5-MP-1738, Docket No. 6584 and Station KXA operating as proposed.

6. To determine whether the instant application has been filed pursuant to proper corporate authorization.

7. To determine whether the proposed antenna system complies with the Standards of Good Engineering Practice, particularly with reference to the height of the vertical lead.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: American Radio Telephone Co., Radio Station KXA, 314 Bigelow Building, Fourth Avenue and Pike Street, Seattle, Washington.

Dated at Washington, D. C., September 21, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-14700; Filed, Sept. 23, 1944;
11:24 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-578]

HANLEY AND BIRD

NOTICE OF APPLICATION

SEPTEMBER 22, 1944.

Notice is hereby given that on September 12, 1944, Hanley and Bird, a partnership having its principal offices in Bradford, Pennsylvania, filed with the Federal Power Commission an application pursuant to section 7 (b) of the Natural Gas Act, authorizing the abandonment and removal of certain gas transmission facilities described in such application to consist of approximately eight miles of 8½-inch pipe line extending from the Woodhull natural gas field in the State of New York through the southern portion of Steuben County, New York, to Elkland, Pennsylvania, approximately ¾ of a mile south of the New York-Pennsylvania State line.

In the application it is stated that the production of natural gas in the Woodhull field has materially decreased; that the gas presently produced by applicant is transported to Elkland, where it is sold and delivered to North Penn Gas Company; that there is available capacity in other pipe lines emanating from the Woodhull field for the transportation of natural gas produced by the applicant; that applicant has made arrangements with the New York State Natural Gas Corporation for the transportation and delivery to North Penn Gas Company of the gas now transported through the facilities sought to be abandoned.

Any person desiring to be heard or to make any protest with reference to this application should on or before the 10th day of October 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14729; Filed, Sept. 25, 1944;
9:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5217]

B. F. SHRIVER Co.

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party re-

spondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent B. F. Shriver Company is a corporation organized and existing under the laws of the State of Maryland, with its principal office and place of business located at Westminster, Maryland. The respondent also operates plants located at Westminster and New Windsor, Maryland, and Littlestown, Pennsylvania.

PAR. 2. Respondent B. F. Shriver Company is now engaged and for many years prior hereto has engaged in the business of packing, canning, distributing and selling canned corn, peas, beans, lima beans, succotash, tomatoes, asparagus, beets, and other vegetable products (all of which are hereinafter called vegetable products), in its own name and for its own account for resale, directly to buyers located in States other than the State in which respondent is established. As a result of respondent's instructions, such vegetable products are shipped and transported across State lines to such buyers, who are located in various States of the United States other than the State where the respondent is established.

The respondent, to distinguish its vegetable products from the vegetable products sold by competitors and to facilitate sales, utilizes registered trademarks and brands for the various types and grades of vegetable products it sells. Among and representative of respondent's brands are:

Blue Ridge.	New Windsor.
A No. I.	World's Favorite,
Lady Host.	Shriver.

PAR. 3. The respondent, since June 19, 1936, in connection with the interstate sale and distribution of vegetable products has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to buyers of said vegetable products sold under its own labels, unlabeled and under buyers' labels.

PAR. 4. The respondent, since June 19, 1936, has distributed and sold and distributes and sells vegetable products directly to certain buyers in interstate transactions as aforesaid and has paid to such buyers commission or brokerage fees on purchases made by them in their respective names and for their respective accounts. The respondent's method of distribution and sale, as hereinafter described, is representative of the sales methods of a number of East Coast distributors.

The buyers above referred to customarily designate themselves as "brokers," "merchandise brokers," or as "primary distributors," although they are known to the trade as "buying brokers" or

"speculative brokers." Such "buying brokers" or "speculative brokers" customarily operate by placing orders for merchandise with those sellers, and only with those sellers, who will grant and pay them commissions or brokerage fees on their own purchases. Some such buyers are large scale buyers and sellers of vegetable products distributed under their own private brands, which brands usually show the name and address of the buyer, but not of the packer, and identify the merchandise as being the product of the particular buyer who owns the label.

Some such buyers customarily purchase their private brand vegetable products from respondent and many other sellers and often during a given season, after shopping the market, will purchase such commodities under the same private brands from several competing sellers, placing their orders where they are able to secure the most favorable prices and terms.

Such buyers place their order for merchandise with respondent and other sellers, who, on receiving and accepting such orders, deliver the merchandise to a common carrier for delivery, but require that the buyer pay the purchase price as a condition precedent to the delivery of the merchandise. If such merchandise is lost or damaged in transit, such buyers file claims in their own names and collect damages from the carrier for their own account.

On receipt of the merchandise, such buyers insure such merchandise and warehouse it in their own warehouses or in public warehouses, and thereafter generally utilize the warehouse receipts covering the merchandise, together with the insurance contract, as collateral or security to obtain bank loans.

Such buyers mask these buying operations under the fictionalized designation of "brokers," "merchandise brokers," or "primary distributors," for the sole purpose of coloring the name and method of their buying operations in order to collect commissions or brokerage fees from respondent and from other sellers who will pay such buyers commissions or brokerage fees on their own purchases, notwithstanding the fact that it is well known to be the custom of such buyers to invoice and sell such merchandise in their own names, for their own accounts, at their own prices, and on their own terms, and to assume full and complete credit risks.

PAR. 5. The acts and practices of the respondent in promoting sales of vegetable products by paying to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 18th day of September, A. D., 1944, issues its complaint against said respondent.

Notice is hereby given you, B. F. Shriver Company, a corporation, respondent herein, that the 27th day of October, A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and

the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why and order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, The Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 18th day of September A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14687; Filed, Sept. 23, 1944; 10:24 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 235]

UNLOADING OF RECLAIMED COKE AT STAR JUNCTION, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September, A. D. 1944.

It appearing, that car PMCKY 53589, containing reclaimed coke at Star Junction, Pennsylvania, on the Pittsburgh and Lake Erie Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Reclaimed coke at Star Junction, Pennsylvania, to be unloaded. (a) The Pittsburgh and Lake Erie Railroad Company, its agents or employees, shall unload forthwith car PMCKY 53589, containing reclaimed coke loaded by Wm. J. Shaw, on hand at Star Junction, Pennsylvania, without billing.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of reclaimed coke has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2)).

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14763; Filed, Sept. 25, 1944; 11:26 a. m.]

[S. O. 70-A, Special Permit No. 516]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, MO.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, September 18 or 19, 1944, by Howard Brothers, of car WFE 61361, onions, on the Missouri Pacific Railroad, to Howard Brothers, Chicago, Illinois (Wabash).

The waybill shall show reference to this special permit.

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

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

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

[F. R. Doc. 44-14764; Filed, Sept. 25, 1944; 11:26 a. m.]

[S. O. 70-A, Special Permit No. 517]

RECONSIGNMENT OF HONEYDEW MELONS AT CHICAGO, ILL.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 19, 1944, by La Mantia Brothers Arrigo of car AET 16428, honeydew melons, now on the Chicago Produce Terminal, to Shippers Service Company, Detroit, Michigan (Wabash).

The waybill shall show reference to this special permit.

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

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

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

[F. R. Doc. 44-14765; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit No. 518]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

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

mon carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Chicago, Illinois, September 19, 1944, by Piowaty Bergart Company of car FGE 36010, onions, now on Wood Street Terminal, to August Stoerk Company, Jacksonville, Florida.

The waybill shall show reference to this special permit.

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

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

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

[F. R. Doc. 44-14766; Filed, Sept. 25, 1944;
11:27 a. m.]

[S. O. 70-A, Special Permit No. 519]

RECONSIGNMENT OF PEARS AT MINNEAPOLIS,
MINN.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Minneapolis, Minnesota, September 20, 1944, by Morriss Goldman Company of car FGE 31937, pears, now on the Great Northern Railway, to Schwartz Brothers, Detroit, Michigan. (Wabash).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 20th day of September 1944.

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

[F. R. Doc. 44-14767; Filed, Sept. 25, 1944;
11:27 a. m.]

[S. O. 70-A, Special Permit No. 520]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first order-

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Chicago, Illinois, September 20, 1944, by Bacon Brothers of car NRC 14093, potatoes, now on the CNW (Wood Street Terminal) to House of Abe, Knoxville, Tennessee (B/4).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 20th day of September 1944.

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

[F. R. Doc. 44-14768; Filed, Sept. 25, 1944;
11:27 a. m.]

[S. O. 70-A, Special Permit No. 521]

RECONSIGNMENT OF PRUNES AT
MILWAUKEE, WIS.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Milwaukee, Wisconsin, September 20, 1944, by Ben Post Company, of car NP 98599, prunes, now on the CMStP&P Railway to Steel City Fruit Company, Pittsburgh, Pennsylvania (PRR).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 20th day of September 1944.

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

[F. R. Doc. 44-14769; Filed, Sept. 25, 1944;
11:27 a. m.]

[S. O. 70-A, Special Permit 522]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Chicago, Illinois, September 20, 1944, by National Produce Company, of car PFE 25149, potatoes, now on the Wood Street Terminal, to Ben Post, Milwaukee, Wisconsin (C&NW).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 20th day of September 1944.

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

[F. R. Doc. 44-14770; Filed, Sept. 25, 1944;
11:27 a. m.]

[S. O. 70-A, Special Permit 523]

RECONSIGNMENT OF POTATOES AT CHICAGO,
ILL.

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

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Chicago, Illinois, September 20, 1944, by Bacon Brothers of cars of potatoes, now on the Wood Street Terminal, URT 92877 to Commissary Officer, U. S. Naval Training Station, Great Lakes, Illinois (C&NW), and ART 21771 to Fruit Distributors, Inc., Fort Wayne, Indiana (PR).

The waybills shall show reference to this special permit.

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

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

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

[F. R. Doc. 44-14771; Filed, September 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit 163]

REICING OF POTATOES AT KANSAS CITY, MO.

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

To relce once at Kansas City, Missouri, PFE 94182 and 60556, potatoes, on the Union Pacific Railroad, and the Missouri Pacific, respectively, from Peterson and Company, Kimball, Nebraska, destined Memphis, Tennessee.

The waybills shall show reference to this special permit.

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

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

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

[F. R. Doc. 44-14772; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit 164]

REICING OF POTATOES AT KANSAS CITY, MO.

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

To disregard the provisions of Service Order No. 200 insofar as it applies to furnishing one reicing in transit at Kansas City, Missouri, by the Union Pacific Railroad, on the following refrigerator cars loaded with potatoes, shipped by Peterson & Company, Kimball, Nebraska: IC 54995 to B. Moley Produce Company, Tulsa, Oklahoma, (U. P.-Frisco), URT 91807 to Springfield Produce Company, Springfield, Illinois, (U. P.-Wabash), and URT 19501 to Burrows Wholesale Grocery Company, Walnut Ridge, Arkansas, (U. P.-Mo. Pac.) due to a railroad error.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

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

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

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

[F. R. Doc. 44-14773; Filed, Sept. 25, 1944; 11:28 a. m.]

[2d Rev. S. O. 224, Amended Gen. Permit 2]
**ICING OF FRUITS, MELONS, OR TOMATOES
FROM ARIZONA OR CALIFORNIA**

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

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing of refrigerator cars loaded with citrus fruits, deciduous fruits, melons, or tomatoes, originating at origins located in the States of Arizona or California.

This general permit shall become effective at 12:01 a. m., September 22, 1944, and shall apply only to cars billed on and after that date.

The waybills shall show reference to this general permit.

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

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

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

[F. R. Doc. 44-14774; Filed, Sept. 25, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination No. 2]

**PARK TRANSPORTATION CO., AND DICK'S
TRANSFER CO., INC.**

**POSSESSION, CONTROL AND OPERATION OF
MOTOR CARRIERS**

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation systems of Park Transportation Company and Dick's Transfer Company, Inc., by the United States is no longer necessary for the

successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation systems of Park Transportation Company, 1717 Park Avenue, St. Louis, Missouri, and Dick's Transfer Company, Inc., 1915 Cherry Street, Kansas City, Missouri, including all real and personal property and other assets of said motor carriers, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., September 23, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 2."

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14688; Filed, Sept. 23, 1944; 10:26 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 43]

WM. E. PHILLIPS Co.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain sterling silver cigarette lighters designed by J. J. Williams, Los Angeles, California, imported from Mexico by Wm. E. Phillips Co., 315 West Fifth St., Los Angeles, California, hereinafter called the "importer".

(b) *Maximum prices on sales by the importer.* The importer may sell such lighters to wholesalers at a price not exceeding \$7.25 each on a delivered basis, to retailers at a price not exceeding \$8.50 each on a delivered basis, and to consumers at a price not exceeding \$14.50 each. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Class of sellers: *Maximum prices*
 Sales by wholesalers— \$8.50 each, delivered
 Sales by retailers— 14.50 each

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters are sold and shall also include on the invoice the following statement:

The enclosed Order No. 43 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 43 under the Maximum Import Price Regulation issued by the Office of Price Administration, is \$14.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14703; Filed, Sept. 23, 1944; 11:55 a. m.]

[Order 58 Under Order 375]

DILLING COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 58 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation, Dilling & Company, Docket No. N6342-13b-160-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered that:*

(a) The maximum prices for the indicated sales below of "Santa Claus Boot", an inflexible, compressed paper Santa Claus Boot containing 2¼ pounds net Opera Green Chocolates manufactured by Dilling & Company of Indianapolis, Indiana, in accordance with its formula contained in its supplementary price application dated July 12, 1944 shall be the sum following:

- (1) From Dilling & Company to retailers f. o. b. factory per dozen boots ----- \$10.00
- (2) From retailers to consumers, per boot ----- 1.25

(b) The prices established in this order are the highest prices for which "Santa Claus Boots" may be sold by the respective sellers. All sellers, on sales of this item, shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any

customary differentials, the specific maximum prices established by this order shall not be exceeded.

(c) Dilling & Company shall mail or otherwise supply to its purchasers, at the time of or prior to the first delivery to such purchaser, the following notice:

The Office of Price Administration has authorized us to sell our "Santa Claus Boots" to retailers at maximum price of \$10.00 f. o. b. our factory per one dozen boots. Retailers are authorized to sell this item to consumers at a maximum price of \$1.25 per boot. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differential, the specific maximum prices mentioned herein must not be exceeded.

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

(e) This Order No. 58 shall become effective September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14704; Filed, Sept. 23, 1944; 11:56 a. m.]

[RPS 60, Revocation of Order 1]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered, That:*

Order No. 1 (7 F.R. 2793) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14705; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 2]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

Order No. 2 (7 F.R. 3103) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14706; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 3]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

Order No. 3 (7 F.R. 10500) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14707; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 4]

COMMODITY CREDIT CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

Order No. 4 (8 F.R. 6863) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14708; Filed, Sept. 23, 1944; 11:57 a. m.]

Regional and District Office Orders.

[Region VII Order G-2 Under MPR 120, Amdt. 1]

DELIVERIES OF COAL IN UTAH COUNTY, UTAH

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.209 of Maximum Price Regulation No. 120, as amended, and for the reason set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. A new paragraph designated (f), entitled "Special service charges", is hereby added to Order No. G-2, to read as follows:

(f) *Special service charges.* If in connection with the sale and delivery of coal made by you in the area covered hereby you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services are those stated below:

	Per ton	Per 1/2-ton
"Wheel-in" or "carry-in".....	\$0.60	\$0.35
"Pull-back" or "trimming".....	.25	.15
"Carrying up or down stairs".....	1.00	.60
"Oil or chemical treatment".....	.25	.15

2. *Effective date.* This Amendment No. 1 shall become effective on the 12th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-14680; Filed, Sept. 22, 1944; 4:51 p. m.]

[Birmingham Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN BIRMINGHAM, ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Birmingham District Office of the Office of Price Administration by paragraph (f) of Appendix H, paragraph (g) of Appendix I, and section (2) (b) of Maximum Price Regulation No. 426, and Regional Delegation Orders No. 33 and 35, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes maximum delivery charges that service wholesalers and secondary jobbers, whose places of business are located in the Birmingham District area, may add to their maximum prices established under Appendices B, D, H, and I of Maximum Price Regulation No. 426 for delivery of snap beans, peppers, eggplants, cucumbers, spinach, carrots, green peas, oranges, grapefruit, lemons, tangerines, cabbage and table grapes to the premises of any purchaser located outside the free delivery zone of the service wholesaler or secondary jobber.

SEC. 2. *Additions allowed for deliveries by service wholesalers and secondary jobbers to purchasers beyond the service wholesalers' or secondary jobbers' free delivery zone.* Any service wholesaler or secondary jobber, whose place of business is located in the Birmingham District area, selling any of the fresh fruits or vegetables listed in section one above may add to his maximum prices as set forth in Appendices B, D, H, and I of Maximum Price Regulation No. 426, the following amounts for delivery to purchasers located outside the service wholesaler's or secondary jobber's free delivery zone:

	Cents per container
For containers of less than 40 pounds, gross weight.....	10
For containers of 40 pounds to 60 pounds, gross weight.....	20
For containers of more than 60 pounds, gross weight.....	25

In no event shall any additions to the maximum prices set forth in Appendices B, D, H and I of Maximum Price Regulation No. 426, be made by any service wholesaler or secondary jobber for delivery of any of the fresh fruits and vegetables listed in section one above at the service wholesaler's or secondary jobber's platform or at any other point within his free delivery zone as hereinafter defined.

SEC. 3. *Free delivery zone.* The free delivery zone of any service wholesaler or secondary jobber subject to the provisions of this order shall include all the territory embraced in the territorial limits of the county in which the service wholesaler's or secondary jobber's place of business is located.

SEC. 4. *Geographical applicability.* This order shall apply only to service wholesalers and secondary jobbers whose places of business are located within the Birmingham district area.

SEC. 5. *Definitions.* "Birmingham district area" means all of that part of Alabama North of and including the counties of Pickens, Tuscaloosa, Bibb, Shelby, Talladega, Clay and Randolph.

"Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells to retail stores, government procurement agencies or institutional buyers.

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

SEC. 6. *Applicability of Maximum Price Regulation No. 426, as amended.* All sales for which maximum prices are adjusted by this order shall remain subject to all of the provisions of Maximum Price Regulation No. 426, as amended, or as it may hereafter be amended, which are not inconsistent with the provisions of this adjustment order. All sales for which maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

SEC. 7. *Revocation.* This order may be revoked, amended, or corrected at any time.

SEC. 8. *Effective date.* This order shall become effective on the 22d day of May, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued: May 17, 1944.

JOSEPH A. SHORT,
District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14598; Filed, Sept. 21, 1944; 12:46 p. m.]

[Roanoke Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN ROANOKE, VA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Roanoke (Virginia) District Office of the Office of Price Administration by paragraph (f) (1) of Appendix H, paragraph (g) (1) of Appendix I, and the ultimate paragraph of section 2 (b) of Maximum Price Regulation No. 426, and Regional Delegation Orders No. 33 and 35, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes a maximum delivery charge, as given below, for the delivery by any service wholesaler or secondary jobber located in the Roanoke District Office area, when delivering snap beans, peppers, egg plants, cucumbers, spinach, carrots, green peas, oranges, grapefruit, lemons, tangerines, cabbage and table grapes to the premises of any purchaser located outside the free delivery zone of that service wholesaler or secondary jobber:

	Per container (cents)
For container of less than 40 pounds, gross weight.....	10
For containers of 40 pounds to 60 pounds, gross weight.....	20
For containers of more than 60 pounds, gross weight.....	25

SEC. 2. *Maximum charges for delivery by service wholesalers and secondary jobbers beyond the free delivery zone.* Any service wholesaler or secondary jobber located within the area served by the Roanoke District Office, handling any of the fresh fruits and vegetables heretofore listed, may add to their proper maximum prices for these fruits and vegetables a charge in an amount not to exceed the rates given above to cover transportation costs outside of their free delivery zone. In no event shall any additions to the maximum prices, as stated in Appendices B, D, H and I of Maximum Price Regulation 426, be made by any service wholesaler or secondary jobber, for delivery of any of the fresh fruits and vegetables enumerated above, within the free delivery zone.

SEC. 3. *Geographical applicability.* This order shall apply only to deliveries

made outside the free delivery zones by service wholesalers and secondary jobbers, whose place of business is located within the Roanoke District Office area.

Sec. 4. Free delivery zones. Free delivery zones of such service wholesalers and secondary jobbers, located within the Roanoke District Office area, shall be as follows:

Location of service wholesaler or secondary jobber:	Free delivery zone
Bristol, Va.....	The area embracing the city of Bristol, Virginia, and Washington County.
Pulaski, Va.....	The area embracing the County of Pulaski.
Roanoke, Va.....	The area embracing the city of Roanoke and county.
Lynchburg, Va.....	The area embracing the city of Lynchburg and Campbell County.
Danville, Va.....	The area embracing the city of Danville and Pittsylvania County.
Clifton Forge and Covington, Va.....	The area embracing the cities of Clifton Forge and Covington and the County of Alleghany.
Staunton, Va.....	The area embracing the city of Staunton, Waynesboro, and the County of Augusta.
Harrisonburg, Va.....	The area embracing the city of Harrisonburg and Rockingham County.
Winchester, Va.....	The area embracing the city of Winchester and Frederick County.

The free delivery zone for all wholesalers or secondary jobbers not enumerated in this order shall be the county in which the wholesaler or secondary jobber is located.

Sec. 5. Definitions. (a) "Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or county points which he services and who sells to retail stores, government procurement agencies or institutional buyers.

(b) "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

Sec. 6. Applicability of Maximum Price Regulation No. 426, as amended. All sales for which the maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

Sec. 7. Revocation. This order may be revoked, amended, or corrected at any time by the District Director.

Sec. 8. Effective date. This order shall become effective at 12:01 a. m. on the 3d day of July, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

MARSHALL S. MCCLUNG,
Acting District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14702; Filed, Sept. 23, 1944; 11:55 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order were filed with the Division of the Federal Register on September 21, 1944.

REGION II

Baltimore Order 23, Amendment 1, covering dry groceries in the Baltimore, Md. area, filed 3:51 p. m.

Trenton Order 3-W, covering dry groceries in the Trenton, N. J. District, filed 3:39 p. m.

Trenton Order 7-F, Amendment 2, covering fresh fruit and vegetables in the Trenton, N. J. District, filed 3:40 p. m.

Trenton Order 15, Amendment 1, covering dry groceries in the Trenton, N. J. District, filed 3:40 p. m.

Trenton Order 3-F, covering fresh fruit and vegetables in the Trenton, N. J. District, filed 3:41 p. m.

REGION IV

Savannah Order 6-F, Amendment 5, covering fresh fruit and vegetables in designated counties in Georgia, filed 3:31 p. m.

REGION V

Dallas Order 1-C, covering poultry in designated counties in Texas, filed 3:39 p. m.

Dallas Order 2-F, Amendment 10, covering fresh fruit and vegetables in Dallas District, filed 3:38 p. m.

Dallas Order 3F, Amendment 22, covering fresh fruit and vegetables in the Dallas District, filed 3:38 p. m.

REGION VI

Milwaukee Order 2-F, Amendment 32, covering fresh fruit and vegetables in Dane County, Wis., filed 3:30 p. m.

Milwaukee Order 3-F, Amendment 32, covering fresh fruit and vegetables in Milwaukee County, Racine and Kenosha, filed 3:30 p. m.

Springfield Order 1-FS, Amendment 9, covering fresh fruit and vegetables in City of Springfield, Sangamon County, Ill., filed 3:37 p. m.

Springfield Order 8-F, Amendment 1, covering fresh fruit and vegetables in the Springfield District, filed 3:32 p. m.

REGION VII

New Mexico Order F-1, Amendment 24, covering fresh fruit and vegetables in Albuquerque, filed 3:34 p. m.

New Mexico Order F-2, Amendment 10, covering fresh fruit and vegetables in Santa Fe, N. M., filed 3:55 p. m.

New Mexico Order F-3, Amendment 10, covering fresh fruit and vegetables in Gallup, N. M., filed 3:55 p. m.

New Mexico Order F-4, Amendment 10, covering fresh fruit and vegetables in designated areas in New Mexico, filed 3:56 p. m.

New Mexico Order F-5, Amendment 7, covering fresh fruit and vegetables in Las Vegas; N. M., filed 3:56 p. m.

New Mexico Order F-6, Amendment 7, covering fresh fruit and vegetables in designated areas in New Mexico, filed 3:56 p. m.

REGION VIII

Nevada Order 1-F, Amendment 20, covering fresh fruit and vegetables in the Reno and Sparks Area, filed 3:30 p. m.

Nevada Order 2-F, Amendment 10, covering fresh fruit and vegetables in designated counties in Nevada, filed 3:29 p. m.

Nevada Order 3-F, Amendment 10, covering fresh fruit and vegetables in designated counties in Nevada, filed 3:39 p. m.

Seattle Order 1-P, Amendment 8, covering fresh fish and seafood in Seattle, Wash., filed 3:32 p. m.

Seattle Order 150, covering community food prices in the Seattle Area, filed 3:36 p. m.

Seattle Order 150, Correction, covering community food prices in the Seattle Area, filed 3:35 p. m.

Seattle Order 151, covering community food prices in the Tacoma Area, filed 3:37 p. m.

Seattle Order 151, Correction, covering community food prices in the Tacoma Area, filed 3:36 p. m.

Seattle Order 152, covering community food prices in the Everett Area, filed 3:36 p. m.

Seattle Order 152, Correction, covering community food prices in the Tacoma Area, filed 3:36 p. m.

Seattle Order 153, covering community food prices in the Bremerton Area, filed 3:35 p. m.

Seattle Order 153, Correction, covering community food prices in the Bremerton Area, filed 3:35 p. m.

Seattle Order 154, covering community food prices in the Bellingham Area, filed 3:35 p. m.

Seattle Order 154, Correction, covering community food prices in the Bellingham Area, filed 3:34 p. m.

Seattle Order 155, covering community food prices in the Olympia Area, filed 3:34 p. m.

Seattle Order 155, Correction, covering community food prices in the Olympia Area, filed 3:34 p. m.

Seattle Order 156, covering community food prices in the Aberdeen-Hoquiam Area, filed 3:34 p. m.

Seattle Order 156, Correction, covering community food prices in the Aberdeen-Hoquiam Area, filed 3:33 p. m.

Seattle Order 157, covering community food prices in the Centralia-Chehalis Area, filed 3:33 p. m.

Seattle Order 157, Correction, covering community food prices in the Centralia-Chehalis Area, filed 3:33 p. m.

Seattle Order 158, covering community food prices in the Wenatchee Area, filed 3:33 p. m.

Seattle Order 159, covering community food prices in the Yakima Area, filed 3:33 p. m.

Seattle Order 159, Correction, covering community food prices in the Yakima Area, filed 3:32 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14719; Filed, Sept. 23, 1944;
3:56 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-933]

BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of September, A. D. 1944.

Birmingham Electric Company, a subsidiary of National Power & Light Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with Rule U-50 promulgated under the act, of \$10,000,000 principal amount of First Mortgage Bonds, 1974 Series, dated August 1, 1944 and maturing August 1, 1974; and

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

It is ordered, That subject to the terms and conditions contained in Rule U-24 said application, as amended, be and the same hereby is, granted forthwith, except, however, as to the price to be paid for said bonds, the underwriters' spread and its allocation and all legal fees and expenses to be paid in connection with the proposed transaction, as to which matters jurisdiction be, and the same hereby is, specifically reserved.

It is further ordered, That the 10-day period for inviting bids, as provided by Rule U-50 (b), be shortened to a period of not less than 5 days.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-14676; Filed, Sept. 22, 1944;
2:52 p. m.]

[File No. 70-944]

NARRAGANSETT ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1944.

The Narragansett Electric Company, a public utility subsidiary of The Rhode Island Public Service Company, a subsidiary holding company of New England Power Association, a registered holding company, having filed an application pursuant to section 6 (b) of the Public

Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act with respect to the issuance and sale, in accordance with Rule U-50 promulgated under the act, of \$31,500,000 principal amount of 3% First Mortgage Bonds, Series A, Due 1974 and the application of the proceeds from the sale of said bonds, together with additional treasury cash, to the redemption of its presently outstanding \$31,732,000 principal amount of 3½% First Mortgage Bonds, Series A, Due July 1, 1966, at 105½% of the principal amount thereof plus accrued interest to the date of redemption; and

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

It is ordered, That the application be and the same is hereby granted subject, however, to the terms and conditions contained in Rule U-24, and subject further to the following term and condition:

That the proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose and to pass upon the initial offering price for the bonds, the underwriter's spread and its allocation and all legal fees and expense to be paid in connection with these transactions.

It is further ordered, That our order of July 31, 1940, wherein we granted the applicant an exemption from the provisions of section 6 (a) of the act with respect to the issuance and sale of 180,000 shares of Cumulative Preferred Stock, 4½% Series, subject to several conditions including the condition that so long as any of the shares remain outstanding, the company could not pay any cash dividends on its common stock except out of net income after deducting 15% of its gross revenues for maintenance and depreciation and at least \$400,000 per year from 1942 to 1966, be modified to the extent of discontinuing the present annual charge of \$400,000, and in place thereof to make an annual charge of \$706,203.50 for the purpose of computing net income available for cash dividends on the common stock for a 15-year period ending June 30, 1959.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-14675; Filed, Sept. 22, 1944;
2:53 p. m.]

[File No. 70-966]

POTOMAC EDISON CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 21st day of September, A. D. 1944.

Notice is hereby given that The Potomac Edison Company, a registered holding company and subsidiary of American Water Works and Electric Company, Incorporated, has made a filing with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed which are summarized below:

The Potomac Edison Company proposes to issue and sell, at competitive bidding pursuant to Rule U-50 promulgated under the Act, \$16,981,000 principal amount 3¼% Series First Mortgage and Collateral Trust Bonds, to be dated October 1, 1944 and to become due October 1, 1974. The proceeds of such sale, together with other corporate funds, are to be used to redeem at 105% of principal amount, plus accrued interest, \$11,981,000 principal amount Series E 5% Bonds of The Potomac Edison Company and to redeem at 107½% of principal amount, plus accrued interest, \$5,000,000 principal amount Series F Bonds 4½% of The Potomac Edison Company, these two issues being the total amount of mortgage indebtedness of said company presently outstanding. The filing has designated section 6 (b) or 7 of the act as being applicable to the proposed issue and sale.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said matters under the applicable provisions of said Act and rules of the Commission promulgated thereon be held at 10:00 a. m., e. w. t., on the 9th day of October 1944, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing is to be held. Any persons desiring to be heard in connection with these proceedings or otherwise wishing to participate, shall file with the Secretary of the Commission on or before October 7, 1944 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

1. Whether the issue and sale of the proposed first mortgage collateral and trust bonds are solely for the purpose of financing the business of The Potomac Edison Company and have been expressly authorized by the Public Service Commission of Maryland;

2. Whether The Potomac Edison Company is entitled to an exemption from the provisions of section 6 (a) of the act or, in the alternative, whether the proposed issue and sale satisfies the requirements of sections 7 (c) and 7 (d);

3. Whether the accounting entries to be made in connection with the proposed transactions are proper;

4. Whether the fees, commissions, or any other remunerations to be paid directly or indirectly in connection with the proposed issue and sale are reasonable;

5. Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms or conditions in connection with the proposed transactions; and

6. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14673; Filed, Sept. 22, 1944;
2:52 p. m.]

[File No. 70-951]

GENERAL WATER GAS & ELECTRIC CO.
NOTICE REGARDING FILING

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 September, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Water Gas & Electric Company, a registered holding company and a subsidiary of International Utilities Corporation, also a registered holding company.

Notice is further given that any interested person may, not later than October 3, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is

on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

General Water Gas & Electric Company proposes to redeem 5,987 shares of its \$3.00 Cumulative Preferred Stock, without par value, at the redemption price of \$52.50 per share plus accumulated unpaid dividends to and including the redemption date. It is proposed that the shares to be redeemed shall be selected by lot. The funds to be used for the proposed redemption represent the balance of the proceeds remaining from the proposed sale of its subsidiary, Boise Water Corporation, after payment of its outstanding securities senior to the preferred stock. As at June 30, 1944, there were outstanding 75,174 shares of the preferred stock of which 4,255 shares are owned by International Utilities Corporation.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14674; Filed, Sept. 22, 1944;
2:52 p. m.]

[File No. 4-54]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM
ORDER PROHIBITING SOLICITING REGARDING
VOTING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of September, A. D. 1944.

The Commission having on August 1, 1944, issued its order calling for a hearing to be held on August 22, 1944, to determine whether or not it should issue an order under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules thereunder, particularly section 12 (e) of the act and Rule U-100, prohibiting any person to solicit, or permit the use of his or its name to solicit, any proxy, power of attorney, consent, or authorization regarding the voting of any security of International Hydro-Electric System except by order of this Commission unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of Directors or for some other purpose, and to determine whether Rule U-61 should not be withdrawn or modified in its application to any such solicitation; and

The Commission pending said hearing and its further order with respect thereto having prohibited all persons from soliciting, or permitting the use of their names to solicit, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent or authorization regarding the voting of any security of International Hydro-Electric System unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of directors or for some other purpose, and the Commission having

pursuant to Rule U-100 withdrawn Rule U-61 in its application to any such solicitation; and

It appearing to the Commission that Paul H. Todd, a director and shareholder of International Hydro-Electric System, has made application to the United States District Court for the District of Massachusetts requesting, among other things, that the Court direct that a meeting of shareholders of International Hydro-Electric System for the election of directors be held; and

A hearing having been held in accordance with the order of the Commission dated August 1, 1944; the Commission having examined the record with respect thereto and being duly advised in the premises;

It is ordered and notice is also hereby given, That pending the disposition by the United States District Court for the District of Massachusetts of the application of Paul H. Todd as aforesaid and pending further order of this Commission after such determination, all persons are prohibited from soliciting, or permitting the use of their names to solicit, by the use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent, or authorization, regarding the voting of any security of International Hydro-Electric System, and Rule U-61 shall be and hereby is withdrawn in its application to any such solicitation; and

It is further ordered, That jurisdiction be and the same hereby is reserved for the purpose of entering an appropriate further order upon the application of any of the parties hereto or upon the motion of the Commission after the United States District Court for the District of Massachusetts disposes of said application of Paul H. Todd.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14713; Filed, Sept. 23, 1944;
2:52 p. m.]

[File No. 70-837]

OHIO-MIDLAND LIGHT AND POWER CO. AND
ASSOCIATED ELECTRIC CO.

MEMORANDUM OPINION AND ORDER DENYING
REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1944.

On September 7, 1944, we issued an order granting and permitting an application-declaration to become effective with respect to a proposed sale by Associated Electric Company (Aelec) of all the securities and indebtedness of Ohio-Midland Light and Power Company (Ohio-Midland), its wholly-owned subsidiary, under section 12 (d) of the Public Utility Holding Company Act of 1935. Ohio-Midland Light and Power Company, — S. E. C. — (1944), Holding Company Act Release No. 5266. The proposed purchasers are three rural electric cooperatives operating in Ohio.

Petitions for rehearing have been filed by certain villages in the area served by Ohio-Midland, and by Columbus and Southern Ohio Electric Company, alleging in substance that the purchasers intend, upon obtaining the Ohio-Midland securities, to effect a reorganization in contravention of the law of Ohio and without the approval of the Public Utilities Commission of that State. The petitioning villages state that they have filed a complaint with the Ohio commission requesting it to take jurisdiction and to prohibit the transactions contemplated by the purchasers.

The situation presented by the petitions is not substantially different from that existing at the time of our order of September 7. In our opinion accompanying that order we noted that three suits to enjoin the purchase of Ohio-Midland were pending in the Ohio courts. We pointed out that our order would not have the effect of requiring the transactions to be carried out in contravention of the Ohio law, since we determined only that the proposed sale by Aelec, a registered holding company, met the standards prescribed by the Holding Company Act; and we emphasized that we were not passing on the authority of the purchasers to make the purchase. Their proposed acquisition of Ohio-Midland securities is not subject to the provisions of section 10 or any other section of the act.

This determination of ours under the statute we administer in no way conflicts with or affects the jurisdiction of the Ohio commission, any more than it affects the issues pending in the Ohio courts. We see no basis under the act for withholding our approval of the sale by Aelec, upon the allegations in the petitions for rehearing. Accordingly,

It is ordered, That the petitions for rehearing be, and hereby are denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-14715; Filed, Sept. 23, 1944;
2:52 p. m.]

[File No. 70-954]

CENTRAL VERMONT PUBLIC SERVICE CORP.
ORDER GRANTING APPLICATION-DECLARATION
TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of September, 1944.

Central Vermont Public Service Corporation, a subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, also a registered holding company, having filed an application-declaration and amendments thereto, pursuant to sections 6 (b), 7 (e), 12 (c) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-50 and U-62 promulgated thereunder, in which it is proposed that:

1. Central Vermont Public Service Corporation issue and sell 37,856 shares

of preferred stock, \$100 par value, to re-finance its presently outstanding 37,856 shares of preferred stock, no par value, \$6 dividend series, by (a) offering to the present holders of such stock the opportunity to exchange each share of presently held stock for one share of the preferred stock, \$100 par value, plus a cash payment equal to the difference between \$107.50, the redemption price of the presently outstanding preferred stock, and the public offering price of the shares to be issued, plus an amount equal to accrued dividends on the stock to be surrendered to the exchange date; (b) providing that any shares not exchanged will be called for redemption at the redemption price of \$107.50 per share plus accrued dividends; and (c) providing that the sale of the preferred stock, \$100 par value, including the exchange feature, be submitted to competitive bidding pursuant to Rule U-50, the bid or bids thereon to fix the dividend rate which will not exceed 4½% and the price to be paid to the company for the unexchanged shares which will not be less than \$102.50 per share nor more than \$107.00 per share.

2. Central Vermont Public Service Corporation (a) amend its Articles of Association to authorize 100,000 shares of preferred stock, \$100 par value, (b) amend its Articles of Association to restate the preferences and rights of the new preferred stock to be issued, (c) eliminate from its presently authorized capital stock the 50,000 shares of preferred stock, no par value, \$6 dividend series, upon the retirement of the presently outstanding preferred stock, and (d) amend its By-Laws in certain respects.

3. Central Vermont Public Service Corporation solicit proxies from the holders of its common stock in connection with the amendments to its Articles of Association and By-Laws.

A public hearing having been held on said application-declaration and amendments thereto, after appropriate notice; the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is hereby ordered, That the aforesaid declaration with respect to the solicitation material be, and hereby is permitted to become effective forthwith.

It is further ordered, That the aforesaid application-declaration with respect to all other matters be, and hereby is granted and permitted to become effective, subject, however, to the terms and conditions set forth in Rule U-24 and subject also to the following additional terms and conditions:

1. That if within 60 days from the date of our order herein (a) the Vermont Public Service Commission and the New Hampshire Public Service Commission shall not have approved the foregoing transactions with respect to which they have jurisdiction, or (b) if the requisite approval of stockholders of Central Vermont Public Service Corporation shall not have been obtained, then, and in any of such events, the Commission's order herein shall be null, void and of no effect unless the Commission shall otherwise order;

2. That the proposed issuance and sale of preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by the Commission to impose such terms and conditions as may then be appropriate and to consider the price to be paid for the new preferred stock and the underwriters' compensation and the allocation thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc 44-14714; Filed, Sept. 23, 1944;
2:52 p. m.]

[File No. 70-960]

PHILADELPHIA ELECTRIC CO.

NOTICE OF FILING OF AMENDMENT TO APPLICATION AND NOTICE OF RECONVENED HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of September 1944.

Notice is hereby given that Philadelphia Electric Company, a subsidiary of The United Corporation, a registered holding company, has filed an application requesting an exemption from the competitive bidding requirements of Rule U-50 in regard to the issuance and sale by it of \$65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series due 1967, and \$65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series due 1974. The application is in the form of an amendment to the company's original filing with respect to the issuance of the bonds (Holding Company Act Release No. 5264) which contemplated the sale of the bonds pursuant to the competitive bidding provisions of Rule U-50.

A hearing having been held on September 22, 1944 with respect to the proposed issuance of the new bonds and related transactions and the hearing having been adjourned to 10 a. m., e. w. t., October 2, 1944 at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318.

Notice is further given, and it is so ordered, that at the hearing as reconvened on October 2, 1944, consideration shall be given, in addition to such matters otherwise to be considered in connection with the refunding program, to the request for exemption from the competitive bidding requirements of Rule U-50.

It is ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the reconvened hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Com-

mission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14730; Filed, Sept. 25, 1944;
9:28 a. m.]

[File No. 70-961]

ARKANSAS POWER & LIGHT CO.
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September, A. D. 1944.

Arkansas Power & Light Company, a public utility subsidiary of Electric Power & Light Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the exemption from the provisions of sections 6 (a) and 7 of said act of the issue and sale, in accordance with Rule U-50 promulgated under said act, of \$30,000,000 principal amount of First Mortgage bonds; and

Arkansas Power & Light Company having requested that the ten (10) day period for inviting bids, as provided by Rule U-50 (b), be shortened to such period as will permit the opening of bids on October 2, 1944; and

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

It is ordered, That said application, as amended, be, and the same hereby is, granted, except, however, as to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, the underwriters' spread and its allocation and all legal fees to be paid in connection with the proposed transaction as to which matters jurisdiction be, and the same hereby is, reserved.

It is further ordered, That the ten (10) day period for inviting bids, as provided by Rule U-50 (b), be, and the same hereby is, shortened to a period of not less than nine (9) days.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14731; Filed, Sept. 25, 1944;
9:27 a. m.]

[File Nos. 70-955 and 70-963]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.
NOTICE OF FILING AND ORDER FOR AND
CONSOLIDATION OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, Pottsville Gas Company, File No. 70-955, and John H. Ware, 3rd, File No. 70-963.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, Pottsville Gas Company ("Pottsville"), a gas utility company and a subsidiary of Consolidated, and John H. Ware, 3rd, of Oxford, Pennsylvania, have filed with this Commission applications or declarations (or both), pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations issued by this Commission thereunder.

All interested persons are referred to said documents which are on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Consolidated proposes to sell to Ware (or his nominee) all of Consolidated's investment in Bangor Gas Company ("Bangor") and Citizens Gas Company ("Citizens"), gas utility companies engaged in the manufacture and distribution at retail of manufactured gas in the municipalities and environs of Bangor, Stroudsburg and East Stroudsburg, Pennsylvania, respectively, for a basic sales price of \$250,000 in cash, subject to certain adjustments to the date of sale. It is stated in the filings that all of the outstanding securities of Bangor and Citizens are owned by Consolidated, except an issue of First Mortgage Bonds, 4%, due 1962 of Citizens outstanding in the principal amount of \$93,000 and owned by an insurance company.

Consolidated also proposes to cause Pottsville, a gas utility serving Pottsville and environs, to sell all of its properties and assets to said Ware for a basic sales price of \$271,000 in cash, subject to certain adjustments to the date of sale. It is stated by the applicants or declarants that Consolidated owns all of the outstanding securities of Pottsville, and that certain indebtedness consisting of a 6% Demand Note in the principal amount of \$9,100 owing by Pottsville to Consolidated will be surrendered to Pottsville for cancellation as a capital contribution to Pottsville immediately following the sale of the property and assets of Pottsville. It is further proposed that the proceeds of Pottsville's sale of assets will be delivered to Consolidated as the sole stockholder upon the liquidation of Pottsville.

Consolidated further proposes that since all of the securities of Bangor, Citizens and Pottsville which are owned by Consolidated are pledged under the lien of the indenture securing Consolidated's Collateral Trust Bonds, Consolidated will deposit the cash proceeds received as a result of the sales of the securities of Bangor and Citizens, and of the liquidation of Pottsville, under the lien of said Indenture. Such deposit will be made in connection with the release of such securities from pledge. Consolidated will surrender to Pottsville in connection with its liquidation all of its outstanding common stock, which will then be cancelled, and Pottsville will thereupon be dissolved.

The funds delivered as aforesaid to the Trustee under the Indenture securing the Consolidated Bonds will be used to effect the retirement of Consolidated Bonds. Consolidated will purchase such bonds in the open market or from holders thereof but without solicitation, and at the lowest price obtainable, and in no event in excess of the price Consolidated would pay in the open market, and will surrender such purchased Bonds to said Trustee for cancellation against the withdrawal from such deposited funds of cash equal to bond cost, in accordance with the terms of said Indenture.

Consolidated requests that the Commission find the proposed sale of the securities of Bangor and Citizens owned by Consolidated appropriate to effectuate the provisions of section 11 (b) of the Act and requests that an order approving the proposed transactions contain appropriate recitals and specifications as described in sections 371 (b), 371 (f) and 1808 (f) of the Internal Revenue Code.

The filings designate sections 9 (a) (2), 9 (b) (2), 10, 12 (b), 12 (c), 12 (d), and 12 (f) of the act and Rules U-42, U-43, U-44, U-45, and U-46 issued thereunder as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications or declarations (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the applications or declarations (or both) of Consolidated and Pottsville (File No. 70-955) and of Ware (File No. 70-963) involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the proceedings in these matters be and they hereby are consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on October 3, 1944 at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Commission on or before September 30, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Consolidated Electric and Gas Company, Pottsville Gas Company, Bangor Gas Company, Citizens Gas Company, and John H. Ware, 3rd; and that notices of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said applications or declarations (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be received for the securities of Bangor and Citizens and the assets of Pottsville is reasonable;

(2) Whether the proposed acquisitions by Ware comply with the requirements of section 10 of the act;

(3) Whether the proposed use of the proceeds of the sale of said securities and assets in the acquisition of Consolidated's Collateral Trust Bonds in the open market is in conformity with the applicable sections of the Act;

(4) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder;

(5) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14732; Filed, Sept. 25, 1944;
9:27 a. m.]

[File No. 70-956]

GULF STATES UTILITIES CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of September, A. D. 1944.

The Commission having on September 15, 1944 issued its order herein under section 7 of the Public Utility Holding Company Act of 1935 permitting to become effective a declaration, as amended, of Gulf States Utilities Company, a public-utility subsidiary of Engineers Public Service Company, a registered holding company, with respect to the issuance and sale by Gulf States Utilities Company of 120,000 shares of Cumulative Dividend Preferred Stock, par \$100, to be sold in accordance with Rule U-50 promulgated under said act; and

The Commission having in said order reserved jurisdiction over the price to be paid to the company for such securities, the dividend rate thereon, the underwriters' compensation and its allocation and all legal fees and expenses to

be paid in connection with the proposed transaction; and

Gulf States Utilities Company having filed a further amendment to the declaration, setting forth the action taken to comply with Rule U-50 and showing that, pursuant to the invitation for competitive bids, two bids on said securities by two groups of underwriters headed by Stone & Webster and Blodget, Incorporated, and Glore, Forgan & Co. and W. C. Langley & Co., respectively, were received as follows:

	Stone & Webster and Blodget, Incorporated	Glore, Forgan & Co. and W. C. Langley & Co.
Annual dividend rate.....	\$4.40	\$4.40
Initial offering price to public.....	\$12,720,000	\$12,420,000
Underwriters' compensation.....	\$210,000	\$299,900
Net proceeds to company.....	\$12,510,000	\$12,120,010
Per share:		
Initial offering price.....	\$106.00	\$103.50
Underwriters' compensation.....	\$1.75	\$2.50
Net proceeds to company.....	\$104.25	\$101.00

and the declarant further reporting that it has accepted the bid of the syndicate headed by Stone & Webster and Blodget, Incorporated; and

The Commission having examined said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriters' compensation and the allocation thereof, or the dividend rate, and finding no basis for the imposition of additional terms and conditions:

It is ordered, That said declaration, as amended, be and the same hereby is permitted to become effective, subject to the terms and conditions contained in Rule U-24 and to Condition No. 3 and to that part of Condition No. 2 to the Commission's order of September 15, 1944 which provides that jurisdiction be reserved with respect to all legal fees and expenses incurred or to be incurred in connection with the consummation of the various transactions.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14733; Filed, Sept. 25, 1944;
9:27 a. m.]

[File No. 70-959]

NATIONAL POWER & LIGHT CO. AND
MEMPHIS GENERATING CO.

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 22d day of September A. D. 1944.

National Power & Light Company ("National") and its subsidiary, Memphis Generating Company ("Memphis"), having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder relating to a proposal by National to sell to Memphis for a cash consider-

ation of \$300,000, 3,000 shares of the 47,000 shares of outstanding capital stock of Memphis, having a par value of \$100 per share, all of which are owned by National, and a proposal by Memphis to purchase from National the said 3,000 shares, retire them and effect a reduction of its capital in the amount of \$300,000; and

Said joint application and declaration having been filed on the 26th day of August, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed sale by National to Memphis of the securities hereinabove described is a step in compliance with the order of the Commission dated August 23, 1941, issued pursuant to the provisions of section 11 (b) (2) of the act, directing the dissolution of National, and is not in contravention of the provisions of the act or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of sections 10 and 12 of the act and Rules U-42, U-43 and U-44 thereunder, insofar as they are applicable, and that it is appropriate in the public interest and in the interest of investors and consumers that said application be granted and said declaration be permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid joint application be granted and the aforesaid declaration be permitted to become effective forthwith.

It is further ordered, That the sale and transfer by National to Memphis of said 3,000 shares of the capital stock of Memphis and the purchase and acquisition thereof by Memphis are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-14734; Filed, Sept. 25, 1944;
9:27 a. m.]

[File No. 70-940]

**ASSOCIATED GAS AND ELECTRIC CORP., ET AL.
NOTICE OF FILING OF AMENDMENT AND ORDER RECONVENING HEARING**

In the matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, the United Coach Company, Associated Utilities Corporation, Associated Real Properties, Inc., The Railway and Bus Associates, Dover Casualty Insurance Co., File No. 70-940.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of September, 1944.

Notice is hereby given that, pursuant to the provisions of the Public Utility Holding Company Act of 1935, an amendment has been filed to the joint applications-declarations previously filed with this Commission by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company; The United Coach Company ("United Coach"), a subsidiary of Agecorp; Associated Utilities Corporation ("Aucorp"), a registered holding company and a subsidiary of Agecorp; Dover Casualty Insurance Co. ("Dover") and Associated Real Properties, Inc. ("Areal"), both subsidiaries of Aucorp; and The Railway and Bus Associates ("Railway"), a subsidiary of Areal. All interested persons are referred to said joint applications-declarations and the amendment thereto which are on file in the office of the Commission for a statement of the purpose and nature of the transactions as now proposed, which may be summarized as follows:

(1) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate all the common stock of its wholly-owned subsidiary, United Coach, to Aucorp, another wholly-owned subsidiary;

(2) United Coach will file a certificate of dissolution with the Secretary of the State of Delaware and, in connection therewith, Aucorp will surrender to United Coach for cancellation all the shares of common stock of United Coach. United Coach will thereafter, as promptly as may be practicable, distribute to Aucorp all its assets, or the proceeds thereof, subject to all its liabilities other than its liability to make distributions to Aucorp as its sole stockholder at the date of dissolution. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Rapid Transit, Inc., will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by United Coach and the acquisition thereof by Aucorp;

(3) Aucorp will purchase from Areal, its wholly-owned subsidiary, 166 shares of beneficial interest in Railway for a consideration of \$1,000;

(4) Railway will thereupon be liquidated pursuant to a program whereby it will from time to time and as promptly as may be practicable deliver to Aucorp as liquidating dividends all the assets of Railway or the proceeds thereof, subject to all its liabilities other than its liability to make distribution to Aucorp. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Railway Company will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by Railway and the acquisition thereof by Aucorp. Aucorp will surrender for cancellation to Railway the 166 shares of beneficial interest in Railway which Aucorp will acquire as set forth in the preceding paragraph;

(5) Dover, having outstanding 2,500 shares of common stock, will purchase 1,600 shares for retirement from Aucorp for a consideration of \$450,000 and correspondingly reduce its capital from \$700,000 to \$250,000. Dover will pay for said shares in part by delivering to Aucorp, at the market value thereof at the date of delivery, \$200,000 principal amount of 3¾% income debentures, due 1978, and \$125,000 principal amount of 8% bonds, due 1940, of Agecorp; and the balance of the purchase price will be paid by Dover to Aucorp in cash;

(6) Agecorp, holding a 2% convertible obligation, due 1963, of Aucorp, amounting to \$82,747,814.66 at July 1, 1944, will receive from Aucorp, as payment on account, \$3,300,000 in cash; the securities of Agecorp which Aucorp will acquire, as set forth in paragraph (5) above; and certain other securities and indebtedness of Agecorp, Associated Gas and Electric Company, The Mohawk Valley Company, and NY PA NJ Utilities Company, having an aggregate carrying value of \$26,527,252.76;

(7) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will make a cash donation to NY PA NJ Utilities Company in the sum of \$4,000,000 to be used by the latter to discharge its bank loan of like amount from Guaranty Trust Company of New York;

(8) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate to Aucorp, as a contribution to capital surplus, \$50,500,000 principal amount of the 2% convertible obligation, due 1963, of Aucorp; and

(9) Aucorp will thereupon effect an accounting reorganization by (a) restating its then assets at amounts at which such assets are estimated to be worth, (b) closing out its then surplus deficit to its capital surplus account created as indicated in the preceding paragraph, and (c) creating a reserve for contingencies from the balance remaining in such capital surplus.

It is stated in the applications-declarations that the purposes of the proposed transactions, as summarized above, are to simplify the corporate structure of the Agecorp holding company system by eliminating unnecessary corporate entities and the transfer of the ownership of substantial amounts of securities to their issuers or to more logical owners. In addition, it is stated, NY PA NJ Utilities Company will be enabled to discharge its outstanding bank loan. It is further stated that the proposed program will facilitate the consummation of the plan of reorganization of Agecorp and Associated Gas and Electric Company.

Applicants-declarants have designated sections 9 (a), 10, 12 (b) and 12 (f) of the act and Rules U-42, U-43, and U-45 as applicable to the proposed transactions and state that no Federal or state commission other than this Commission has jurisdiction over the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest

and the interest of investors and consumers that a further hearing be held with respect to such matters and that the Trial Examiner designated to preside being engaged in another matter and unable to preside at said hearing:

It is ordered, That the hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be reconvened on the 29th day of September, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before September 28, 1944, his application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and hereby is designated to preside at such reconvened hearing in the place and stead of and with the same powers and duties as the trial examiner hereinbefore designated to preside at said hearing.

It is further ordered, That, without limiting the scope of the issues presented by said filings, particular attention will be directed at such reconvened hearing to the following matters and questions:

1. Whether the various proposed acquisitions will serve the public interest by tending towards the economical and efficient development of an integrated public utility system or systems;

2. Whether the considerations to be paid and received in connection with the various transactions, including all fees, commissions and other remuneration, are fair and reasonable.

3. The propriety of the proposed accounting treatment of the several transactions on the books of the respective applicants and declarants; and

4. Generally, whether the proposed transactions are in all respects in the public interests and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this reconvened hearing be given to applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-14735; Filed, Sept. 25, 1944;
9:28 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The name of John M. Gault is hereby added to the list of persons appearing in paragraph (a) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths and Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said John M. Gault is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 22d day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-14698; Filed, Sept. 23, 1944;
11:10 a. m.]

WAR MANPOWER COMMISSION.

DELAWARE, NEW JERSEY AND
PENNSYLVANIA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Region III is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Control of hiring and solicitation of workers.
2. Establishment, approval, and adaptation of area plans.
3. Minimum standards.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Optional provisions.
10. Definitions.

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Regional Director of the War Manpower Commission for Region III, which comprises the States of Delaware, New Jersey, and Pennsylvania with the concurrence of the Regional War Manpower Committee, pursuant to the authority granted by WMC Regulation 7 hereby establishes the following plan for the Region with respect to the stabilization of employment throughout the region:

SECTION 1. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, Region III shall be conducted in accordance with the provisions of this employment stabilization plan.

Sec. 2. Establishment, approval, and adaptation of area plans. (a) *General.* All existing area employment stabilization plans shall, by not later than Sep-

tember 15, 1943, be amended by Area Directors in consultation with their Management-Labor Manpower Committees, so as to include the minimum standards set forth in this Employment Stabilization Plan. Existing area employment stabilization plans thus amended shall be submitted to the Regional Director for his approval. Any existing area plans not so amended and approved by October 15, 1943, shall cease to have operative effect on and after that date, and this Regional Plan shall be effective in such areas.

(b) *New area plans.* New area employment stabilization plans, in addition to those already amended and approved by September 15, 1943, may be established in accordance with the minimum standards of this plan for any WMC administrative area designated by the Regional Director for such purpose.

(c) *Adaptation to meet regional or local conditions.* This plan and any area plan may be adapted as the need arises to meet changing regional or area conditions by the Regional or Area Manpower Director after consultation with the appropriate Management-Labor Manpower Committee: *Provided,* That such adaptations are not in conflict with minimum national standards as set forth in Regulation 7 and with regional standards set forth in this plan: *And provided further,* That such adaptations are approved by the Regional Director.

(d) *Labor-Management Manpower Committee.* Regional and Area Management-Labor Manpower Committees are hereby authorized to consider questions of policy standards and safeguards in connection with the establishment and administration of this plan and of area plans, and to make recommendations on these subjects to Regional or Area Directors.

Sec. 3. Minimum standards—(a) General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(2) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(3) The new employee is a male worker.

(f) *Exclusions.* No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance

with approved policies and instructions of the War Manpower Commission.

SEC. 4. Existing contracts. Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 5. Advertising. Advertising for employees:

(a) Shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Should state clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(c) Should state clearly that before employers hire employees possessing skills which appear on the list of critical occupations, clearance must be obtained from the United States Employment Service.

SEC. 6. Advance notice of lay-offs. Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 7. Limited statements of availability. Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action, provided that such action is agreeable to both the employer and employees involved, and provided further, that such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 8. Request to remain on or return to a job. The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. Optional provisions. Area Manpower Directors after consultation with their Management-Labor Manpower Committees and approval by the Regional Director may include in Area Employment Stabilization Plans optional provisions such as those outlined in § 907.5 of Regulation 7, which are de-

signed to meet special manpower needs in the localities affected, but, except as authorized in § 907.5 (a) (5) of Regulation 7, no such provision shall conflict with section 3 of this plan or with any State or Federal law.

SEC. 10. Definitions. As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

Dated: September 20, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-14755; Filed, Sept. 25, 1944;
11:22 a. m.]

[Amdt. 2]

NEWPORT, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Newport Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority

Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 9, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 11, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14758; Filed, Sept. 25, 1944;
11:22 a. m.]

[Amdt. 2]

BENNINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Bennington Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously

adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 16, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14757; Filed, Sept. 25, 1944;
11:22 a. m.]

[Amdt. 2]

BRATTLEBORO, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Brattleboro Area effective Oc-

tober 15, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 1, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 4, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14756; Filed, Sept. 25, 1944;
11:22 a. m.]