FEDERAL REGISTER

VOLUME 17 NUMBER 242

Washington, Friday, December 12, 1952

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10419

RESTORING THE POSSESSION, USE, AND CONTROL OF CERTAIN LAND TO THE TERRITORY OF HAWAII AND TRANSFERRING TITLE TO SUCH LAND TO THE TERRITORY

WHEREAS a certain tract of land at Kaakaukukui, Honolulu, Oahu, Territory of Hawaii, which forms a part of the public lands ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation of July 7, 1898, 30 Stat. 750, was reserved for naval purposes by a proclamation of the President dated November 10, 1899, and subsequently by letter of January 8, 1904, was transferred by the Navy Department to the Treasury Department for the purpose of establishing an immigration station, which immigration station is now under the control and jurisdiction of the Attorney General (Immigration and Naturalization Service); and

WHEREAS the said tract, more particularly described in Part I of this order, is needed by the Territory of Hawaii for a harbor-improvement project; and

WHEREAS it is deemed desirable and in the public interest that the possession, use, and control of the said tract be restored to the Territory of Hawaii and that title thereto be transferred to the said Territory:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

PART I

Upon the fulfilment of the conditions precedent specified in Part II of this order and the certification thereof by the Commissioner of Immigration and Naturalization as provided in such part, and without further act, the possession, use, and control of the following-described tract of land at Honolulu, Oahu, Territory of Hawaii, shall be restored to the Territory of Hawaii, and title to such tract shall be transferred to the said Territory:

Beginning at the east corner of this parcel of land, the west side of Lot 1, File Plan No. 10, and the east side of the U. S. Immigration Station Lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being 4,142.82 feet South and 5,110.06 feet West and running by azimuths measured clockwise from True South:

1. 84° 25′ 3.67 feet across the U. S. Immigration Station Lot;

2. Thence across same on a curve to the left with a radius of 262.22 feet, the chord azimuth and distance being 61° 36′ 45″ 203.26 feet;

3. 38° 48′ 30″ 201.62 feet across same;

4. 129° 00′ 109.16 feet along the remainder of Tract No. 1 of Presidential Executive Order 5487 and along the east side of Governor's Executive Order 864 to the southeast side of Channel Street;

5. 219° 00′ 436.67 feet along the southeast side of Channel Street;

6. 322° 20′ 194.51 feet along Channel Street and along the west side of Lot 1, File Plan No. 10, to the point of beginning.

Area: 1.18 acres.

PART II

1. The Territory of Hawaii, by Executive order of its governor acting pursuant to section 73 (q) of said act of April 30, 1900, as amended by the act of August 21, 1941, 55 Stat. 658, shall set aside for the use of the United States of America, as an addition to the existing immigration station under the jurisdiction and control of the Attorney General (Immigration and Naturalization Service), the following-described tract of land at Honolulu, Oahu, Territory of Hawaii:

Beginning at the west corner of this parcel of land, the northeast side of the U. S. Immigration Station Lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punch-

(Continued on p. 11219)

NOTICE

The National Archives Building will be officially closed on Monday, December 15, 1952, between 8:45 a. m. and 2:00 p. m. Notice is hereby given that no documents will be filed with the Federal Register Division, or made available for public inspection, during those hours.

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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

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There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

bowl" being 4,142.82 feet South and 5,110.06 feet West and running by azimuths measured clockwise from True South:

1. 264° 25′ 242.00 feet across Lot 1, File Plan No. 10;
2. 309° 25′ 56.57 feet across same to the west side of Ala Moana;
3. 354° 25′ 224.94 feet along the west side of Ala Moana;
4. 87° 20′ 119.90 feet along the east side of the U. S. Immigration Station Lot;
5. 142° 20′ 305.49 feet along same to the point of beginning.

Area: 1.18 acres.

2. The Territory of Hawaii shall remove to the land described in paragraph 1 of this part (hereinafter called the new site) or to such other adjacent land presently under the control and jurisdiction of the Immigration and Naturalization Service as the Commissioner of Immigration and Naturalization (hereinafter called the Commissioner) shall determine, or, if such removal is not practicable, shall reconstruct thereon, the following-described structures now situate on the land described in Part I hereof (hereinafter called the old site): (a) the gardener's cottage used as a residence by the building custodian of the Immigration and Naturalization Service, and (b) the frame and galvanized-iron storage shed and workshop. All work contemplated hereunder on the gardener's cottage shall, in the event that continued residency of the building by the custodian during the period of removal or reconstruction shall be impracticable, be completed within ten days of the commencement thereof or within such additional time as the Commissioner may allow. Material salvaged during the course of such work may be used in reconstruction hereunder. All equipment, such as light fixtures, locks, plumbing, and conduiting that is immovable or is damaged beyond repair shall be replaced with standard equipment, but the Territory shall not be required to furnish any operating equipment, appliances, or furniture.

3. The Territory of Hawaii shall clean up and grade the new site and fill it with good soil.

4. The Territory of Hawaii shall remove the existing stuccoed tile block and ornamental iron fence situate on the old site and shall reconstruct it, together with all required additions thereto, along the new boundary line of the Immigration and Naturalization Service delineated by Courses 1, 2, and 3 of the old site. The Territory of Hawaii shall also construct a stuccoed tile or concrete block fence of suitable height along the boundary line delineated by Courses 1 and 2 of the new site. It shall also construct at a point to be determined by the Commissioner a suitable entrance way through the existing concrete block fence running along the line delineated by Course 5 of the new site.

5. Detailed plans and specifications for all construction and work hereunder shall be prepared by the Territory and shall receive the approval of the Commissioner before the start of work thereon. All plans and specifications shall, as nearly as practicable, be in accordance with the original plans and specifications of the improvements being replaced. All expenses incurred under the foregoing paragraphs, including the cost of preparation of plans and specifications, shall be borne by the Territory of Hawaii.

6. The Territory of Hawaii shall commence the work required hereunder within twelve months and shall complete it within thirty months from the date of this order.

7. The Territory of Hawaii shall have a right-of-entry on the old site for the purpose of completing the work contemplated hereunder; and the Commissioner, prior to the fulfilment of all conditions specified in this part, may grant the Territory of Hawaii a right-of-entry for work on its harbor-improvement project.

8. At the request of the Territory of Hawaii the Commissioner, prior to final acceptance by the Territory of any item of work which has been performed under a contract between the Territory and any contractor, shall inform the Territory as to whether he concurs in such final acceptance. Such concurrence by the Commissioner shall signify that the Territory has satisfactorily completed such item of work.

9. When the Territory of Hawaii has satisfactorily completed all work contemplated hereunder in a first-class and workmanlike manner and has fulfilled all conditions precedent set forth in this part, the Commissioner shall so certify to the Territory.

10. In order that the fulfilment of the conditions specified in this part and the obtaining of certification thereof may not be impeded, the Commissioner shall designate a local representative who shall be empowered to act for the Commissioner with respect to all matters arising under paragraphs 2 to 9, inclusive, of this part.

PART III

The Executive order of the Governor of the Territory of Hawaii issued pursuant to paragraph 1 of Part II hereof shall not be amended, modified, or revoked without the approval of the President of the United States of America.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 11, 1952.

[F. R. Doc. 52–13181; Filed, Dec. 11, 1952; 11:31 a. m.]

LETTER OF DECEMBER 10, 1952

[DATE OF REPORT OF BOARD OF INQUIRY TO REPORT ON A LABOR DISPUTE AFFECTING THE CONSTRUCTION AND OPERATION OF ATOMIC ENERGY FACILITIES]

THE WHITE HOUSE,
December 10, 1952.

DEAR MR. HARRIS:

By the terms of Executive Order 10417 I provided for the Board of which you are Chairman to report to me in accordance with the provisions of Section 206 of the Labor Management Relations Act, 1947, on or before December 10, 1952.

I am hereby modifying that Order to provide that the report of the Board shall be submitted to me on or before December 11, 1952.

Very sincerely yours,

HARRY S. TRUMAN

Mr. Abraham J. Harris,
Chairman,
Board of Inquiry under Executive Order 10417,
c/o Federal Mediation and Conciliation Service,
Washington, D. C.

[F. R. Doc. 52–13195; Filed, Dec. 11, 1952; 12:55 p. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENTS OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

CHAPLAIN INTERN

Federal Register Document 52–9063 (17 F. R. 7441) is corrected to read as set out below. These amendments are concerned with the exclusion from the provisions of the Federal Employees Pay Act and the Classification Act and the establishment of maximum stipends for the position of Chaplain Intern at St. Elizabeths Hospital and at Freedmen's Hospital. The previous provisions with respect to the position of Chaplain Intern at Freedmen's Hospital are unchanged. The position of Chaplain Intern at St. Elizabeths Hospital has been divided into two positions, one called Chaplain Intern and the other Chaplain Student Intern. In addition, the position of Chaplain Resident has been excluded from the provisions of the Federal Employees Pay Act and the Classification Act. The maximum stipend for the position of Chaplain Intern at St. Elizabeths Hospital has been amended, and stipends have been prescribed for the positions of Chaplain Student Intern and Chaplain Resident. As amended, §§ 27.1 and 27.2 will read in pertinent part as set out below. These amendments were effective August 1, 1952.

§ 27.1 *Exclusion from provisions of Federal Employees Pay Act and Classification Act.* * * *

Chaplain intern at Freedmen's Hospital, approved training during second year postgraduate training, and fourth year approved postgraduate training.

Chaplain student intern at St. Elizabeths Hospital, approved training during second year of approved postgraduate theological training.

Chaplain intern at St. Elizabeths Hospital, first year of clinical training following completion of three or more years of approved postgraduate theological training.

Chaplain resident at St. Elizabeths Hospital, second year of clinical training following completion of four or more years of approved postgraduate theological training.

§ 27.2 *Maximum stipends prescribed.* * * *

Chaplain intern—Freedmen's Hospital:	
Approved training during second year postgraduate training, per month	$134
Fourth year approved postgraduate training	2,000
Chaplain student intern—St. Elizabeths Hospital:	
Approved training during second year of approved postgraduate theological training, per month	183
Chaplain intern—St. Elizabeths Hospital:	
First year of clinical training following completion of three or more years of approved postgraduate theological training	2,600
Chaplain resident—St. Elizabeths Hospital:	
Second year of clinical training following completion of four or more years of approved postgraduate theological training	2,800

(61 Stat. 727; 5 U. S. C. 1051–1058)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 52–13104, Filed, Dec. 11, 1952; 8:50 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 2 to Supp. 1, Rice]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952–CROP RICE LOAN AND PURCHASE AGREEMENT PROGRAM

MISCELLANEOUS AMENDMENTS

Regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 5272 and 7323, and containing the requirements for the 1952-Crop Rice Price Support Program are hereby amended as follows:

Section 601.1852 *Availability of price support,* paragraph (b), *Area,* is amended by adding South Carolina to the States in which loans and purchase agreements will be available so that the amended paragraph reads as follows:

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available on eligible rice produced in the States of Arizona, Arkansas, California, Louisiana, Mississippi, Missouri, Texas and South Carolina.

Section 601.1853 *Eligible rice,* paragraph (a) is amended by adding South Carolina to the States in which rice must be produced in 1952 if it is to meet the eligibility requirements so that the amended paragraph reads as follows:

(a) The rice must have been produced in 1952 in the States of Arizona, Arkansas, California, Louisiana, Mississippi, Missouri, Texas or South Carolina.

Section 601.1858 *Support rates,* is amended by adding the following paragraph (c) to provide a location differential for rice produced in South Carolina:

(c) *Location differential for South Carolina.* For rice produced in the State of South Carolina, a discount of 77 cents per 100 pounds of rough rice shall be applied to the basic support rate determined under paragraph (a) of this section. This discount shall be in addition to any adjustment for grade made in accordance with paragraph (b) of this section.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 9th day of December 1952.

[SEAL] W. E. UNDERHILL,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52–13106; Filed, Dec. 11, 1952; 8:51 a. m.]

[721 (Tung Nuts 1952)–1]

PART 643—OILSEEDS

SUBPART—1952 CROP TUNG NUT PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1952 Crop Tung Nut Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA").

Sec.

Sec.
643.786 Storage and handling charges.
643.787 Support prices.
643.788 PMA Commodity Offices.

AUTHORITY: §§ 643.765 to 643.788 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, 1072, as amended, secs. 201, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1446, 1421.

§ 643.765 *Administration.* The program will be administered by PMA, under the general direction and supervision of the President, CCC. In the field, the program will be carried out through State and County PMA Committees (hereinafter called State and County Committees) and PMA Commodity Offices. It will be the responsibility of the State Committee in each state to carry out the provisions of the 1952 tung nut price support program in such a manner that price support will be available to all eligible producers of tung nuts and tung oil. Forms will be distributed through the offices of State and County Committees. All documents in connection with warehouse storage loans on tung oil and purchase agreements on tung nuts and tung oil will be completed and approved by the County Committee which will retain copies of all such documents. County Committees will examine and, where qualified, approve purchase agreements and loan documents found acceptable and will determine the eligibility of producers and the eligibility of tung nuts and tung oil tendered under the program. The County Committee may designate in writing one or more employees of the County Office to perform such functions on behalf of the committee. The names of the employees to be delegated the authority to approve documents on behalf of the County Committee shall be submitted to the State Committee for approval. State and County Committees and PMA Commodity Offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

§ 643.766 *Availability*—(a) *Methods of price support.* Price support will be available to eligible producers of tung nuts by means of purchase agreements for eligible tung nuts and tung oil and nonrecourse loans on eligible tung oil stored in approved storage facilities.

(b) *Area.* The program will be available in the States of Alabama, Georgia, Florida, Louisiana, Mississippi, and Texas.

(c) *When to apply.* Purchase agreements covering tung nuts will be available from the beginning of the marketing year, November 1, 1952, through January 31, 1953. Loans and purchase agreements covering tung oil will be available from November 1, 1952, through June 30, 1953.

(d) *Where to apply.* Application for price support should be made through the office of the County Committee which keeps the farm program records for the farm.

§ 643.767 *Eligible producer.* (a) An eligible producer shall be an individual, partnership, corporation, or other legal entity producing tung nuts of the 1952 crop as landowner, landlord, tenant, or share-cropper. The beneficial interest in the tung nuts and the resultaint tung oil must be in the producer tendering tung nuts or tung oil for purchase under a purchase agreement or tung oil as security for loan and must have always been in such producer or in such producer and a former producer whom such producer succeeded either as landowner, landlord, tenant, or share-cropper before the tung nuts were harvested. Any eligible producer or group of eligible producers may designate in writing on the form or forms prescribed by CCC, an agent to act on the producer's behalf or on the joint behalf of a group of producers in obtaining price support under this program.

(b) Any cooperative association (hereinafter called cooperative) which normally handles the tung nuts of its producer-members shall be considered an eligible producer with respect to tung oil processed by it from 1952 crop tung nuts delivered to it by eligible producer-members: *Provided,* That:

(1) The beneficial interest in such tung nuts processed and in the resultant tung oil is and always has been in such producer-members or in such producer-members and former producers whom such producer-members succeeded either as landowner, landlord, tenant, or share-cropper, before such tung nuts were harvested;

(2) The major part of the tung oil marketed by the cooperative is produced from tung nuts delivered by members who are eligible producers;

(3) The members share proportionately in the proceeds from marketings according to the quantity and quality of tung nuts each delivers to the cooperative;

(4) The cooperative has the legal right to pledge the tung oil as security for a loan as well as the authority to sell such tung oil under purchase agreement;

(5) The cooperative shall maintain a record of the total quantity of tung oil processed by it from tung nuts obtained from all sources and a separate record of the quantity of eligible tung oil processed from 1952 crop tung nuts delivered to the cooperative by eligible producer-members; and the cooperative shall make its books available to CCC for inspection at all reasonable times through June 1955.

§ 643.768 *Eligible tung nuts and tung oil*—(a) *Tung nuts.* Tung nuts must be from the 1952 crop, and must be matured, air dried with hard hulls, dark in color, and suitable for milling.

(b) *Tung oil.* Tung oil must have been extracted from the 1952 tung nut crop and must meet Federal Specifications No. TT–O–395 dated February 3, 1948. The eligibility of tung oil delivered under this program must be evidenced by a certification signed by the producer or in the case of a cooperative by an authorized officer thereof in the form prescribed in § 643.773 (d) or (e) whichever form is appropriate.

§ 643.769 *Disbursement of loans.* Disbursement of loans on tung oil will be made to producers by approved lending agencies operating under agreement with CCC, or by PMA County Offices by means of sight drafts drawn on CCC. Disbursements shall not be made later than 15 days after the final date of the availability of loans, unless a longer period is approved by the President, CCC. The producer shall not present the loan documents for disbursement unless the tung oil represented by the loan documents is in existence and in good condition. If the tung oil was not in existence and in good condition at the time of disbursement, the loan proceeds shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized, the producer shall be personally liable for repayment of the amount of such excess.

§ 643.770 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement on CCC Form 292, or other form prescribed by C.

§ 643.771 *Approved storage facilities.* Approved facilities shall consist of storage facilities made available by tung oil mills and others having adequate facilities for handling and storing tung oil for which a tung oil storage agreement on CC Form 77 for the 1952 crop has been entered into with CCC through the PMA Commodity Offices. The names of owners or operators of approved facilities may be obtained from PMA Commodity Offices and State and county offices.

§ 643.772 *Maturity date of loans and period of notification to sell under purchase agreement.* (a) Loans on tung oil mature on demand but not later than October 31, 1953.

(b) Producers who elect to sell tung nuts under a purchase agreement must notify the County Committee of their intentions within the 30 day period ending March 31, 1953 or ending on such earlier date as may be prescribed by the President, CCC. Producers who elect to sell tung oil under a purchase agreement must notify the County Committee of their intentions within the 30 day period ending October 31, 1953, or ending on such earlier date as may be prescribed by the President, CCC.

§ 643.773 *Applicable forms.* The approved forms consist of the purchase agreement forms, loan forms, and such other forms and documents as may be required, which together with the provisions of this subpart, and any supplements and amendments to this subpart, govern the rights and responsibilities of the producer. Note and loan agreements must have State documentary and revenue stamps affixed thereto when required by law. Purchase agreement or loan documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(a) *Purchase agreement documents.* The purchase agreement forms shall consist of the Purchase Agreement (Commodity Purchase Form 1), Delivery Instructions (Commodity Purchase Form 3), Purchase Agreement Settlement (Commodity Purchase Form 4), Lien Waiver for Purchases (Commodity Purchase Form 5) and other applicable

forms prescribed in paragraph (c) of this section.

(b) *Loan documents.* Loan forms shall consist of the Producer's Note and Loan Agreement (Commodity Loan Form B) and other applicable forms prescribed in paragraph (c) of this section.

(c) *Other forms.* Warehouse receipts, chemical analysis certificates issued by approved chemists, producer's certification of eligibility of tung oil, producers group designation of agent, and such other forms as may be prescribed by the President, CCC.

(d) *Producer's certification of eligibility of tung oil.* Before a loan is made on tung oil to a producer, other than a cooperative, or before delivery of tung oil from such producer under a purchase agreement can be accepted by the county committee, the producer must sign an appropriately worded statement in substantially the following form:

I (we) hereby certify as follows:
(1) That the _____ pounds of tung oil located in _____ at
(Name of storage facility)
_____ which I (we) am
(Address)
(are) pledging to CCC as collateral for loan (am (are) tendering for delivery to CCC under purchase agreement) was delivered to me (us) as oil processed for my (our) account by _____ out of 1952
(Name of plant)
crop tung nuts produced by me (us) which I (we) delivered to such plant for toll processing;

(2) That such quantity of tung oil is not in excess of the quantity of oil processed from tung nuts produced on my (our) farm or that which the processor determined was extracted from such tung nuts on the basis of their oil content; and

(3) That the beneficial interest in such tung nuts and in the resultant tung oil described above is and always has been in me (us) or in me (us) and a former producer whom I (we) succeeded before such tung nuts were harvested.

_____
(Signature of producer)

_____
(Date)

(e) *Cooperative's certification of eligibility of tung oil.* Before a loan is made to a cooperative or delivery of tung oil from such cooperative under a purchase agreement can be accepted by the County Committee, the manager or the official empowered to sign contracts for or on behalf of a cooperative must sign an appropriately worded statement in substantially the following form:

I hereby certify as follows:
(1) That the _____ pounds of tung oil located in _____ at _____
(Warehouse) (Address)
which is being pledged to CCC as collateral for loan (is being tendered for delivery to CCC under purchase agreement) was processed at the cooperative's mill from 1952 crop tung nuts delivered to the cooperative by eligible producer members;

(2) That the beneficial interest in such tung nuts and in the resultant tung oil described above is and always has been in such producer-members or in such producer-members and former producers whom such producer-members succeeded, either as landowner, landlord, tenant, or share-cropper, before such tung nuts were harvested.

_____
(Name of cooperative)
By _____
Title _____

_____
(Date)

(f) *Designation of agent by a producer or group of producers.* A single eligible producer may designate an agent to act on behalf of the producer in obtaining price support or two or more eligible producers may designate an agent to act in their joint behalf in obtaining price support. In such event the producer or group of producers shall execute CCC Tung Nut Form 1 for purchase agreements or CCC Tung Nut Form 1–A for loans. A copy of each designation of agent signed by the producer or producers and indicating the maximum quantity of eligible tung nuts which the producer or, each producer in the case of a group, will produce on the producer's own farm, and on which price support is desired, must be delivered to the County Committee before any purchase agreement or loan documents on behalf of a single producer or group of producers are approved by the County Committee.

(g) *Warehouse receipts.* Warehouse receipts representing tung oil in approved warehouse-storage to be placed under loan or to be delivered under a purchase agreement, must meet the following requirements:

(1) Must be issued in the name of the producer, describe the quantity and quality of tung oil delivered to the warehouseman, be signed by the warehouseman and be properly endorsed in blank by the producer so as to vest title in the holder.

(2) Must guarantee that when delivered out by the warehouseman, the oil will meet Federal Specifications No. TT–O–395 dated February 3, 1948.

(3) Must contain a statement showing the insurance coverage carried by the warehouseman on the oil. If such insurance was not effective as of the date of deposit of the tung oil in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the oil is in the warehouse and undamaged.

(4) Must show the date of issue.

(5) Must carry an endorsement in substantially the following form: "Warehouse charges through October 31, 1953, on the tung oil represented by this warehouse receipt have been paid or otherwise provided for and the warehouseman has no lien upon such tung oil for such charges."

(6) Must contain such other terms and conditions as CCC may require in its tung oil storage agreement with approved warehouseman.

§ 643.774 *Personal liability of the producer.* Any fraudulent representation made by any producer or agent of the producer in executing any of the purchase agreement or loan documents or in obtaining the purchase agreement or loan proceeds, or the conversion or unlawful disposition of any portion of the commodity by the producer, will render the producer subject to criminal prosecution under Federal Law and liable for any damages suffered by CCC as a result of purchase of the commodity, and for the amount of the loan (including interest), and for any resulting expense incurred by any holder of the note.

§ 643.775 *Determination of quantity.*—(a) *Tung nuts.* The quantity of tung nuts delivered under purchase agreement shall be determined on the basis of net weight at point of delivery to CCC with foreign material and bagging excluded.

(b) *Tung oil.* Where the tung oil pledged to secure a loan or tendered under a purchase agreement is represented by warehouse receipts issued by approved warehouses, the determination of quantity shall be based on the net weight specified on such warehouse receipts. Where tung oil tendered under a purchase agreement is not stored in an approved warehouse, the quantity of such tung oil shall be determined on the basis of approved scale weight at destination of the tank cars.

§ 643.776 *Determination of quality under purchase agreement.* (a) The determination of the oil content of the tung nuts and the quality of tung oil not stored in approved warehouses delivered under purchase agreement shall be made on the basis of a sample submitted by a Federal or Federal-State Inspector or by an authorized employee of the State or County Committee in accordance with instructions issued by the Federal or Federal-State Inspection Service and shall be made by a chemist approved by the Department of Agriculture. The oil content of the tung nuts shall be determined as of the time of delivery to CCC. The time of determining the quality of the tung oil and evidence of such quality shall be as provided in § 643.784 (b) (5). The cost of sampling and analysis shall be borne by the producer.

(b) In the case of tung oil stored in approved warehouses where appropriate warehouse receipts are delivered to CCC in connection with a purchase agreement or a loan on such tung oil, the quality of such tung oil shall be the quality shown on the warehouse receipts.

§ 643.777 *Liens.* If there are any liens or encumbrances on the tung nuts or tung oil, waivers acceptable to the County Committee must be obtained.

§ 643.778 *Service charges.* Producers shall pay to the County Committee service charges on the quantity placed under loan or specified in the purchase agreement, computed at the following rates:

	Rates	Minimum charges
Tung oil	6 cents per hundredweight	$1.50
Tung nuts	18 cents per ton	1.50

No service charges will be refunded.

§ 643.779. *Insurance.* Tung oil tendered for loan or under purchase agreement which is stored in an approved warehouse on a commingled basis must be insured by the warehouseman for not less than the full market value against loss or damage by fire, lightning, inherent explosion, windstorm, hurricane, tornado, and such other hazards as are normally insured against by the warehouseman or required by statute.

§ 643.780. *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase or loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. However, prepayment of only one principal installment on a farm storage facility loan shall be deducted from the price support proceeds of any one crop year. If the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided in this section shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or legal action.

§ 643.781 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement.

§ 643.782 *Transfer of producer's interest*—(a) *Loans.* The right of a producer to transfer either his right to redeem the tung oil under loan or his remaining interest may be restricted by CCC.

(b) *Purchase agreements.* The producer may not assign his interest in the purchase agreement.

§ 643.783 *Release of tung oil under loan.* A producer may at any time obtain release of the tung oil under loan by paying to the holder of the note and loan agreement, the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Partial release prior to maturity may be arranged with the County Committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the commodity to be released. However, the quantity to be released must be equal to the quantity covered by one or more warehouse receipts.

§ 643.784 *Liquidation of the loans and delivery under purchase agreement*—(a) *Liquidation of the loan.* If the producer does not repay his loan by maturity, CCC shall have the right to sell or pool the tung oil to satisfy the loan in accordance with the provisions of the note and loan agreement and this section. If tung oil is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat pooled tung oil as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity even though part or all of such pooled tung oil is disposed of under such policies at prices less than the current domestic price for such commodity. Any payment due the producer as a result of the sale of the commodity, or out of the proceeds of insurance on the comodity, or any ratable share resulting from the liquidation of a pool, will be made by the appropriate PMA Commodity Office and shall be payable only to the producer without right of assignment by him.

(b) *Delivery and payment under purchase agreement.* (1) A producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any quantity of tung nuts or tung oil to CCC but shall have the option of delivering to CCC at the support price any quantity of tung nuts or oil within the maximum of tung nuts or tung oil specified in the purchase agreement executed by him.

(2) A producer who has signed a purchase agreement in terms of tung nuts may, at his option, deliver in lieu of tung nuts and equivalent quantity of eligible tung oil: *Provided,* That such tung oil shall be delivered in accordance with subparagraph (4) or (5) of this paragraph, whichever is applicable. The oil equivalent shall be computed on the basis of 301 pounds of tung oil per ton of tung nuts.

(3) Eligible tung nuts will be purchased on the basis of the weight and oil content as shown by a chemical analysis. CCC will not accept delivery until a determination of eligibility has been made and a sample for chemical analysis has been drawn. The producer shall deliver tung nuts to CCC in accordance with instructions issued by the County Committee on or after March 31, 1953. If the producer is required by such instructions to make delivery to a point more distant from the farm than his usual milling point, CCC will pay the difference, if any, between the cost of transportation from the farm to the designated delivery point and the cost of transportation from the farm to the usual milling point but not in excess of an amount which the County Committee determines is a reasonable difference in cost for such services. The producer must complete delivery of tung nuts within a 15-day period immediately following the date the County Committee issues delivery instructions unless the County Committee determines that more time is needed for delivery.

(4) In the case of tung oil stored in approved storage facilities, the producer must, not later than the day following the final date of the 30-day notification period, prescribed in § 643.772 (b), or during such period of time thereafter as may be specified by CCC, submit to the County Committee warehouse receipts issued in the form prescribed in § 643.773 (g). The total quantity of oil represented by such warehouse receipts shall not exceed the quantity shown on Commodity Purchase Form 1. CCC will not accept delivery of less than the total quantity of tung oil covered by a warehouse receipt. The producer's certification of the eligibility of tung oil, as provided in § 643.773 (d) or (e), whichever is applicable, must accompany the warehouse receipt.

(5) In the case of tung oil stored in storage facilities which have not been approved, delivery will be accepted only f. o. b. tank cars. The County Committee will on or after the final date of the 30-day notification period, prescribed in § 643.772 (b), issue delivery instructions to the producer. Before issuance of such delivery instructions, the producer must submit a chemical analysis certificate covering each tank car offered showing that the oil meets Federal Specifications; or if it is found by the County Committee that a submission of these analyses certificates on tank car lots would cause undue delay in shipment, the producer may (i) submit evidence that a sample of each carlot of oil has been properly drawn and submitted to an approved chemist for analysis: *Provided,* That the producer waives his right of appeal of the findings of the approved chemist and that he agrees that demurrage incurred as a result of delay in receiving the chemical analysis prior to final acceptance, shall be for the producer's account: *And provided further,* That if the tung oil does not meet Federal Specifications the car shall be rejected with all freight, demurrage, and handling charges reverting to the account of the producer; or (ii) the producer may submit chemical analysis certificates showing that the tung oil offered meets Federal Specifications and is stored in sealed identity preserved tanks: *Provided,* That the producer agrees to have such tung oil check loaded into tank cars for delivery to CCC and to bear all handling and other costs prior to acceptance by CCC f. o. b. tank cars. The producer must submit a certification of the eligibility of tung oil, as provided in § 643.773 (d) or (e), whichever is applicable, and complete delivery within a 15-day period immediately following the date the County Committee issues delivery instructions unless the County Committee determines that more time is needed for delivery.

(6) The tung nuts or tung oil will be purchased by CCC at the applicable support rate and payment will be made by sight draft drawn on CCC by the PMA County Office.

§ 643.785 *Purchase of notes.* County Committees will purchase from approved lending agencies, notes evidencing approved loans which are secured by warehouse receipts issued by approved

warehouses. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus an amount to cover interest computed according to the lending agency agreement. Lending agencies are required to submit Commodity Credit Corporation Form 500, or such other form as CCC may prescribe, to the County Committee for all payments received on producer's notes held by them and are required to remit to the County Committee a part of the interest collected, computed according to the lending agency agreement. Lending agencies shall submit notes and reports to the PMA County Committee which approved the loan documents.

§ 643.786 *Storage and handling charges*—(a) *Tung nuts.* CCC will not pay or assume any of the costs of transportation (except as provided in § 643.784 (b) (3)) storage, cleaning, insurance premiums, bags and bagging, sampling, testing and analysis reports, and tagging, accruing prior to delivery of the tung nuts to CCC under a purchase agreement, nor will CCC assume the cost of handling or processing expenses which are necessary to prepare the tung nuts to meet eligibility requirements.

(b) *Tung oil.* CCC will not pay or assume the cost of transportation, sampling, insurance, testing and analysis accruing on the tung oil prior to delivery under a purchase agreement or prior to the maturity date of the loan on tung oil placed under loan, nor any handling or processing charges which are necessary to prepare the tung oil to meet elegibility requirements. Storage charges on tung oil stored in approved warehouses shall be paid by the producer through October 31, 1953. Storage charges accruing on such tung oil after such date will be for the account of CCC. All storage charges on tung oil stored in unapproved warehouses shall be for the account of the producer.

(c) *Unexpired storage time and services.* CCC and any subsequent holder of warehouse receipts covering tung oil shall be entitled to any unexpired portion of the storage time and outloading services to which the producer became entitled under any contract between the producer and the warehouseman.

§ 643.787 *Support prices*—(a) *Tung nuts.* The support price for tung nuts containing 17.5 percent oil shall be $67.20 per ton in all areas. This price shall be adjusted upward or downward by 38 cents per ton for each variation of 1/10 of 1 percent oil from the base of 17.5 percent oil content on the basis of chemical analysis certificate issued by an approved chemist.

(b) *Tung oil.* The support price for eligible tung oil will be 26.5 cents per pound in all areas.

§ 643.788 *PMA Commodity Offices.* The PMA Commodity Offices serving the tung area and the States served by them are shown below:

Address and State	
Wirth Building, 120 Marais Street, New Orleans 12, La.;	Alabama, Florida, Louisiana, Georgia, and Mississippi.
1114 Commerce Street, Dallas 2, Tex.;	Texas.

Issued this 9th day of December 1952.

[SEAL] W. E. UNDERHILL,
Acting Vice-President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-13107; Filed, Dec. 11, 1952; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 87]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIFORNIA, AND IN THAT PART OF RIVERSIDE COUNTY, CALIFORNIA, SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.348 *Grapefruit Regulation 87*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California, and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than December 14, 1952. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 19, 1952, and will so continue until December 14, 1952; the recommendation and supporting information for continued regulation subsequent to December 13, 1952, was promptly submitted to the Department after an open meeting of the Administrative Committee on December 4; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., December 14, 1952, and ending at 12:01 a. m., P. s. t., January 18, 1953, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass unless such grapefruit are at least fairly well colored, and otherwise grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3 11/16 inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3 6/16 inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), § 51.241 of this title: *Provided,* That, in determining the percentage of grapefruit in any lot which are smaller than 3 11/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4 4/16 inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3 6/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a side 3 13/16 inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2" and "fairly well colored" shall each have the same meaning as when used in the re-

vised United States Standards for Grapefruit (California and Arizona), § 51.241 of this title.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 9th day of December 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-13108; Filed, Dec. 11, 1952; 8:51 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

PART 79—SCRAPIE IN SHEEP

EDITORIAL NOTE: Because of a duplication of part numbers, Part 78—Scrapie in Sheep, appearing at 17 F. R. 10760, is hereby redesignated as Part 79—Scrapie in Sheep.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1951 Supp. 146; 17 F. R. 2600, 9663) are amended as indicated below:

1. In § 141.114 *Streptomycin-bacitracin-polymyxin gauze pads* paragraph (b) *Sterility* is amended by inserting "streptomycin," between the words "of" and "bacitracin" in the second sentence.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

2. In § 146.402 *Bacitracin ointment* paragraph (a) *Standards of identity* * * * is amended by deleting the period at the end of the second sentence and adding the words "or rotenone."

3. In § 146.412 *Bacitracin-polymyxin tablets* paragraph (a) (2) is amended by adding the following sentence: "The polymyxin B used conforms to the requirements prescribed for polymyxin by § 146.107 (a)."

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order which provides for inserting "streptomycin," between the words "of" and "bacitracin" in the second sentence of § 141.114 (b), Streptomycin-bacitracin-polymyxin gauze pads; for deleting the period at the end of the second sentence of § 146.402 (a), Bacitracin ointment, and adding "or rotenone"; and for standards for polymyxin B used in the manufacture of bacitracin-polymyxin tablets (§ 146.412 (a) (2)), shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay providing for the changes set forth above.

Dated: December 8, 1952.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 52-13083; Filed, Dec. 11, 1952; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter A—Military Renegotiation Regulations Under the 1948 Act

PART 1424—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

REPAYMENT OF EXCESSIVE PROFITS DETERMINED BY ORDER

This part is amended by deleting § 1424.424 *Repayment of excessive profits determined by order* in its entirety and inserting in lieu thereof the following:

§ 1424.424 *Repayment of excessive profits determined by order.* (a) The 1948 Act directs the Secretary of Defense to eliminate excessive profits determined by order by any of the methods set forth in subsection (c) (2) of the Renegotiation Act of February 25, 1944, as amended (see § 1424.421). This authority has been delegated by the Secretary of Defense to the Board and has been redelegated by the Board to the Secretary of Defense and by the Secretary of Defense to the Secretaries of the Departments of the Army, Navy and Air Force.

(b) When the Board makes and enters an order determining excessive profits, or when an order of a Regional Board determining excessive profits is deemed to be the order of the Board pursuant to the provisions of § 1422.272-2 of this subchapter, the Board will direct the Secretary of one of the Departments of the Army, Navy and Air Force to eliminate such excessive profits by any of the methods set forth in subsection (c) (2) of the Renegotiation Act of February 25, 1944, as amended.

(c) Pursuant to such a direction, the Secretary ordinarily shall demand that the full amount of the excessive profits determined by such order be paid by the contractor not later than the thirtieth calendar day after the date of the order; but when, in the discretion of the Secretary, such procedure shall be considered inadequate to protect the interests of the Government in a particular case, the Secretary shall endeavor to effect the collection of such excessive profits by any of the methods set forth in section (c) (2) of the Renegotiation Act of February 25, 1944, as amended, as he shall deem necessary or appropriate. The Secretary shall also endeavor to secure the performance by the contractor of any other provisions which may be included in the order.

(d) Interest at the rate of 6 per centum per annum shall accrue and be payable on excessive profits determined by order from the thirtieth calendar day after the date of the order of the Board or, in Class B cases (see § 1422.232-2 of this subchapter), if the Board does not initiate a review of a determination made by a Regional Board, from the thirtieth calendar day after the date that the order embodying such determination is deemed to be the order of the Board pursuant to the provisions of § 1422.272-2 of this subchapter.

(Sec. 3, 62 Stat. 259, as amended, sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1193, 1219)

Dated: December 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-13100; Filed, Dec. 11, 1952; 8:49 a. m.]

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1461—RECOVERY OF EXCESSIVE PROFITS AFTER DETERMINATION

ADMINISTRATION OF DETERMINATION BY AGREEMENT OR ORDER

This part is amended by deleting § 1461.5 *Administration of determinations by agreement or order* in its entirety and inserting in lieu thereof the following:

§ 1461.5 *Administration of determinations by agreement or order.* (a) The Secretary of each of the Departments is authorized to eliminate, by any of the methods set forth in section 105 (b) of the act, all excessive profits which he is directed by the Board to eliminate.

(b) When an agreement is made, or when the Board makes and enters an order determining excessive profits, or when an order of a Regional Board determining excessive profits is deemed to be the order of the Board pursuant to the provisions of § 1475.3 (b) (3) or (4) of this subchapter, respectively, the Board will direct the Secretary of one of the Departments to eliminate such excessive profits by any of the methods set forth in section 105 (b) of the act.

(c) Pursuant to each direction referred to in paragraph (b) of this section, in the case of an agreement, the Secretary shall first endeavor to effect the collection of the amount of excessive

profits determined by such agreement in accordance with the terms and conditions of the agreement and to secure the performance by the contractor of any other provisions which may be included therein. If the contractor does not pay the full amount of such excessive profits in accordance with the terms and conditions of the agreement, the Secretary may use such of the other methods for the elimination of excessive profits set forth in section 105 (b) of the act as he in his discretion shall deem necessary or appropriate to effect the collection of the amount unpaid.

(d) Pursuant to each direction referred to in paragraph (b) of this section, in the case of an order, the Secretary ordinarily shall demand that the full amount of the excessive profits determined by such order be paid by the contractor not later than the thirtieth calendar day after the date of the order; but when, in the discretion of the Secretary, such procedure shall be considered inadequate to protect the interests of the Government in a particular case, the Secretary shall endeavor to effect the collection of such excessive profits by any of the methods set forth in section 105 (b) of the act as he shall deem necessary or appropriate. The Secretary shall also endeavor to secure the performance by the contractor of any other provisions which may be included in the order.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: December 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-13101; Filed, Dec. 11, 1952; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 3, Amdt. 3]

CPR 3—COAL, EXCEPT PENNSYLVANIA ANTHRACITE, DELIVERED FROM MINE OR PREPARATION PLANT

TECHNICAL AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 3 to Ceiling Price Regulation 3, is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 2 to Ceiling Price Regulation 3 was issued on November 14, 1952. That amendment provided for certain adjustments in ceiling prices resulting from wage and salary advances, and made other changes in Ceiling Price Regulation 3. It has been found that certain corrections and clarifications should be made in Amendment 2.

Section 4 (d) (2) authorizes increases in ceiling prices and ceiling weighted average realization by reason of certain cost increases "which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency". At the time this amendment was issued it was contemplated that any wage and salary advances would be authorized by the Wage Stabilization Board. On October 18, 1952, the Wage Stabilization Board approved an increase of only $1.50 per day instead of the $1.90 negotiated by the Bituminous Coal Operators Association and the United Mine Workers of America. This decision was appealed. On December 3, 1952, the President directed the Economic Stabilization Agency to approve the $1.90 increase. A technical question arises as to whether the $1.90 increase satisfies "the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency". In order to clarify this point beyond any doubt it is deemed advisable to amend this provision to permit adjustments resulting from increased costs which satisfy the policy and requirements of the Wage Stabilization Board or any agency or official authorized to review the Board's decision.

Section 9 (a) (2) provides that producers must file OPS Public Form No. 155 "within 20 days after the increased costs become effective, or within 20 days after the issuance of this amendment, whichever is later". There was some delay in issuing this form. It has been found also that certain producers have encountered difficulties in completing and returning the forms within the required time. Moreover, when the amendment was issued it was thought that the final decision with respect to the wage increase for bituminous coal miners would be made immediately. The final decision by the President, however, was not made until December 3, 1952. In view of these considerations it is deemed advisable to extend the time for filing this form. A small number of producers have already filed OPS Public Form No. 155 based on a wage increase of $1.50 per day. Those producers may now refile on the same form for the full wage increase of $1.90.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In view of the nature of these amendments consultation with industry representatives, including trade association representatives, has been impracticable.

AMENDATORY PROVISIONS

Ceiling Price Regulation 3, as amended, is further amended as follows:

1. Section 4 (d) (2) is amended by inserting after "Economic Stabilization Agency" the words—"or any agency or official authorized to review the action of such Board", so that the first sentence in the subparagraph will read as follows:

(2) Each producer who incurs increases in costs at his mine or group of mines during the period October 1, 1952, to April 30, 1953, inclusive, by reason of a wage and salary advance and other items related to the payroll and welfare payments (as calculated by such producer on OPS Public Form No. 155), which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency, or any agency or official authorized to review the action of such Board, may determine his ceiling prices and ceiling weighted average realization for such mine or group of mines as follows:

* * * * *

2. Section 9 (a) (2) is amended to read as follows:

(2) OPS Public Form No. 155 showing the increased costs and the increase in the ceiling weighted average realization authorized by section 4 (d) (2), shall be filed by producers other than "small mine" producers, within 30 days after the increased costs become effective, or on or before December 31, 1952, whichever is later. This form shall be sent by registered mail, return receipt requested, to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C. Although a "small mine" producer need not file OPS Public Form No. 155, he must calculate his adjustment under section 4 (d) (2) on this form and keep it on file in accordance with the provisions of section 9 (f) of this regulation. Copies of OPS Public Form No. 155 may be obtained by writing to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

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

Effective date. This amendment 3 to CPR 3 shall become effective as of October 1, 1952, except that as to sales to retail coal dealers the effective date of ceiling prices shall be November 14, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13183; Filed, Dec. 11, 1952; 11:51 a. m.]

[Ceiling Price Regulation 11, Amdt. 8]

CPR 11—RESTAURANTS

CLARIFICATION OF CURRENT FOOD COST PER DOLLAR OF SALES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 8 to Ceiling Price Regulation 11 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 7 to Ceiling Price Regulation 11, which became effective on July 14, 1952, was issued in order to permit operators who, on the effective date of the amendment, were subject to the provisions of CPR 11 a five percent leeway between their current and their base period food cost per dollar of sales.

There was no intention to make the provisions of Amendment 7 retroactive so as to affect compliance periods occurring prior to the compliance period during which the amendment became effective either for the purpose of redetermining ceiling prices for sales previously made or to wipe out violations which occurred under the regulation as it read prior to the effective date of the amendment. It now appears, however, that the language used in the amendment was not sufficiently clear to fully express the intention of that amendment as set out in the Statement of Considerations.

The present amendment is therefore being issued to make it clear that the five percent tolerance allowed in computing the current food cost per dollar of sales under CPR 11 applies only to compliance periods beginning with the four month period from April 1 through July 31, 1952, and does not apply to prior compliance periods.

Because this amendment is being issued only to clarify existing provisions, the Director of Price Stabilization has found it unnecessary to consult with industry representatives, including trade association representatives. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

AMENDATORY PROVISIONS

Section 3 (a) of Ceiling Price Regulation 11 is amended to read as follows:

(a) *Determination of ceiling prices.* Your ceiling prices for meals, food items and beverages are those prices which reflect a current food cost per dollar of sales no lower than your base period food cost per dollar of sales. However, beginning April 1, 1952, your ceiling prices for meals, food items and beverages are those prices which reflect a current food cost per dollar of sales no lower than your base period food cost per dollar of sales reduced by five percent (5 percent). (Food cost per dollar of sales is defined in section 14.) You must fix your prices so as to maintain during each four month period (or during each sixteen week period if it was your established practice during your base period to keep your records on the basis of a thirteen period year rather than a twelve month year) beginning April 1, 1951, a food cost per dollar of sales no lower than your base period food cost per dollar of sales and, beginning April 1, 1952, a food cost per dollar of sales no lower than your base period food cost per dollar of sales reduced by five percent (5 percent).

EXAMPLE: If your base period food cost per dollar of sales was 40 percent, you must now make sure that your food cost per dollar of sales for each four month period beginning April 1, 1952, is no lower than 38 percent ($0.40 \times 0.05 = 0.02$; $40 - 2 = 38$ percent).

In computing your current food cost per dollar of sales you must use the same methods as those used in your base period. In computing your current food cost per dollar of sales you must treat taxes in the same way as in the base period. You may not add any item of expense in your food cost that you did not include in your base period. However, if it was your custom in the base period to include in your food cost some nominal non-food items such as ice, straws and napkins, you may continue to do so. If you kept separate records showing the cost and gross sales of alcoholic beverages in your base period your ceiling prices for alcoholic beverages must be fixed in accordance with paragraph (b) of this section.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 8 to Ceiling Price Regulation 11 is effective December 11, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13184; Filed, Dec. 11, 1952; 11:51 a. m.]

[Ceiling Price Regulation 34, Amdt. 8]

CPR 34—SERVICES

FURTHER MODIFICATION OF POSTING REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 8 to Ceiling Price Regulation 34 amends section 18 (f) (2), as amended, to remove from the posting requirements of the regulation banks, funeral establishments, establishments to the extent they supply or service prosthetic devices, and establishments in which the posting of a price would be violative of a statute or ordinance.

The complexity of the price structure of services provided by banks differs from the ordinary pricing of a retail or consumer type of service. In view of this and of the special nature of the relationship between the buyers and sellers of these services, it is deemed unnecessary to require banks to post their ceiling prices.

Prosthetic devices are usually tailored to a prescription, having to do with matters peculiar and personal to each purchaser with a resulting pricing formula that is difficult to reduce to a form that when posted has much informational value to the buyer.

The posting of ceiling prices for funeral services are inappropriate by the very nature of the service.

In order to avoid a conflict with local conditions, posting will not be required wherever a state statute or municipal ordinance prohibits the posting of a price for any reason.

These exemptions from the requirement of posting will not impair the price stabilization program, nor will such exemptions have any material effect upon the cost of living or upon the general level of prices. The technical nature and routine character of the provisions of this amendment made it unnecessary to consult formally with industry representatives, including trade association representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Section 18 (f) (2) of Ceiling Price Regulation 34, as amended, is further amended by adding a new sentence at the end thereof as follows:

"Provided however, that the provisions of this paragraph shall not apply to the following:

(i) Banks.

(ii) Funeral establishments.

(iii) Establishments to the extent that they supply or service prosthetic devices.

(iv) Establishments in which the posting of a price would violate a state statute or municipal ordinance."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Ceiling Price Regulation 34 shall be effective December 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13185; Filed, Dec. 11, 1952; 11:51 a. m.]

[Ceiling Price Regulation 34, Corr. to Supplementary Regulation 26]

CPR 34—SERVICES

SR 26—CEILING PRICES OF CERTAIN SELLERS OF AUTOMOTIVE AND FARM EQUIPMENT REPAIR SERVICES

CORRECTION

Due to a typographical error, section 7 (a) (3) of Supplementary Regulation 26 to Ceiling Price Regulation 34 needs to be, and is hereby, corrected to delete the word "change" in the seventh line of the last sentence thereof and to substitute therefor the word "charge", and as corrected reads as follows:

(3) "Customers labor sales" means your sales to customers of labor on automotive or farm equipment, excluding charges for parts, and including among other customers labor sales the following:

(i) Body repair, if the work was performed by your own employees;

(ii) Paint work, if the work was performed by your own employees;

(iii) Lubrication services (not including oil changes);

(iv) Washing and polishing;

(v) Tire service (not including tire sales);

(vi) Undercoating, if the work was performed by your own employees. "Customers labor sales" does not include any amount for factory warranty work; for work on your own new or used automotive and farm equipment, buildings, or other property; or any amount that does not represent a charge to a customer for work done for him by you or your employees on automotive or farm equipment.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13186; Filed, Dec. 11, 1952; 11:51 a. m.]

[Ceiling Price Regulation 50, Amdt. 4]

CPR 50—CEILING PRICES FOR PETROLEUM PRODUCTS SOLD IN THE VIRGIN ISLANDS

CEILING PRICES FOR KEROSENE SOLD IN THE ISLANDS OF ST. THOMAS AND ST. JOHN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment 4 to Ceiling Price Regulation 50 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 50 provides downward revisions in the retail ceiling prices established for kerosene sold in the Municipality of St. Thomas and St. John, in order to reflect a decrease at the wholesale level.

Historically, petroleum products were imported into the Virgin Islands in returnable steel drums shipped from suppliers in Puerto Rico. This method of importation is expensive because of the additional labor required in handling and storing the commodity. In addition, extra freight costs are incurred in reshipping the empty drums to Puerto Rico for refilling.

Recent legislation passed by the Municipality of St. Thomas and St. John prohibits the transportation of gasoline within city limits except by tank wagon trucks. The petroleum companies therefore have shifted to bulk importations into St. Thomas of all petroleum products in tankers direct from refineries in Aruba. Since Ceiling Price Regulation 9 provides for maintenance of customary markups, this action resulted in immediate reductions in the price at wholesale charged by suppliers to the Municipality of St. Thomas and St. John due to economies resulting from importations direct from the source of supply. In the case of kerosene, the decrease at wholesale in St. Thomas and St. John amounts to nine-tenths of one cent per gallon. This Amendment therefore revises downward ceiling prices of kerosene by one cent per gallon below the previously established ceiling prices for retail sales in the Municipality of St. Thomas and St. John. Ceiling prices for the Municipality of St. Croix are not affected because bulk storage facilities for petroleum products are not yet available in that area. The revised ceilings permit retailers the same margin they received in the period May 24 to June 24, 1950.

In view of the nature of this action, consultation with the industry, including trade association representatives, was deemed impracticable. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 11 of Ceiling Price Regulation 50 is amended to read as follows:

SEC. 11. *Ceiling prices for kerosene.* Ceiling prices of kerosene sold at retail in the Virgin Islands of the United States shall be as follows:

Commodity	Quantity	St. Croix	St. Thomas	St. John
Kerosene	Gallon	$0.30	$0.30	$0.34
	Quart	.08	.08	.09
	4/5 quart	.07	.07	.08
	Two 4/5 quarts	.14	.14	.15

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 4 to Ceiling Price Regulation 50 is effective December 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13187; Filed, Dec. 11, 1952; 11:51 a. m.]

[Ceiling Price Regulation 152, Amdt. 1]

CPR 152—WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

ROUNDING OUT DELIVERY CHARGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Ceiling Price Regulation 152 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 152 requires the rounding of transportation additions to the nearest quarter dollar per 1,000 feet board measure or other measure in computing delivered ceiling prices.

This method of computation is standard in the industry, and the failure of the regulation to permit its continuance was inadvertent. The amendment corrects this situation.

Since the change hereby effected only requires the addition or deduction of odd cents to arrive at the nearest quarter dollar, this amendment makes no change in the level of ceiling prices already established by the regulation.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act.

AMENDATORY PROVISIONS

1. Section 11 (a) is amended by the addition of a new sentence at the end thereof, so that section 11 (a) reads as follows:

(a) This regulation permits you to sell your lumber on a delivered basis, as well as on an f. o. b. basis. For sales on a delivered basis, you may add to the f. o. b. ceiling (or lower) price an appropriate transportation addition as explained in sections 12, 13, and 14. The transportation addition must be rounded to the nearest quarter dollar per 1,000 feet board measure or other measure, whichever may be applicable.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 152 shall become effective December 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13192; Filed, Dec. 11, 1952; 4:00 p. m.]

[Ceiling Price Regulation 176, Corr.]

CPR 176—NEW ENGLAND HEMLOCK AND OTHER SPECIES OF NEW ENGLAND SOFTWOODS

CORRECTION

Through inadvertence, the grade term "merchantable" was omitted from the heading of Table I in Section 7.1 of Ceiling Price Regulation 176.

Accordingly the heading of that table is corrected to read as follows:

TABLE 1

[Basic ceiling prices for merchantable New England hemlock lumber f. o. b. cars or trucks at customary loading out points, square edge, green, D4S or D2S & M, and shiplap, R/L, 6- to 14-foot lengths, inclusive.]

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52-13188; Filed, Dec. 11, 1952; 11:51 a. m.]

[General Overriding Regulation 7, Revision 1, Amdt. 14]

GOR 7—EXEMPTIONS AND SUSPENSIONS OF CERTAIN FOOD AND RESTAURANT COMMODITIES

REVISION OF SUSPENSION OF BOTTLED SOFT DRINKS

Pursuant to the Defense Production Act of 1950, as amended, Executive

Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 14 to General Overriding Regulation 7, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 13 of General Overriding Regulation 7, Revision 1, suspends the application of all ceiling price regulations except Ceiling Price Regulations 11 and 134 to sellers of soft drinks. Ceiling Price Regulations 11 and 134 are the mainland restaurant regulations and the intention of the Office of Price Stabilization is to retain controls on the sale of soft drinks by restaurants and eating and drinking establishments. In the territories and possessions of the United States, however, ceiling prices for restaurants are established by Ceiling Price Regulation 120. This regulation was inadvertently omitted from the exceptions made in section 13 of GOR 7, Revision 1, and the effect of this amendment is to include CPR 120 on the same basis and for the same reasons which prompted the exception of Ceiling Price Regulations 11 and 134 from the suspension order.

Because of the nature and urgency of this amendment, consultation with the industry, including trade association representatives, has been impracticable. In the judgment of the Director, this action is generally fair and equitable and is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 13 (a) of General Overriding Regulation 7, Revision 1, is amended to read as follows:

(a) On and after November 20, 1952, the application of all ceiling price regulations, except Ceiling Price Regulations 11, 120, and 134, heretofore or hereafter issued by the Office of Price Stabilization, to sellers of soft drinks is suspended. If, however, you are a seller of soft drinks and were required by any regulation heretofore issued to which this section 13 is applicable, to keep, prepare, or preserve any records concerning soft drinks, you shall continue to preserve and make available for examination by the OPS, in the manner and for the period set forth in that regulation, all such records which you were required to have on November 19, 1952. In addition, the Director of Price Stabilization or his authorized representative may, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, request or require you to submit data pertaining to prices charged for soft drinks and to changes made in the prices of soft drinks after November 20, 1952. This suspension will continue unless and until the Director of Price Stabilization terminates or modifies it.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 14 to General Overriding Regulation 7, Revision 1, is effective December 11, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52–13189; Filed, Dec. 11, 1952; 11:51 a. m.]

[General Overriding Regulation 29, Amdt. 1]

GOR 29—ADJUSTMENT OF CEILING PRICES OF CERTAIN ESSENTIAL COMMODITIES AND SERVICES

LIMITATION OF ADJUSTMENTS UNDER SECTION 3 (B) (2) TO DEFENSE CONTRACTS AND SUBCONTRACTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 29 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 3 (b) (2) of GOR 29 permits special adjustments of ceiling prices, where deemed necessary in order to promote the national defense, to include an amount in excess of total unit operating cost, even though the applicant's current return on net worth exceeds 85 percent of his average return in his normal base period. Section 4 provides that in requesting such an increase the applicant must submit a certification of certain relevant matters from the government agency responsible for the procuring, allocation, production, or distribution of the commodity or service.

This amendment limits special adjustments under section 3 (b) (2) to commodities or services sold for the purpose of fulfilling a defense contract or subcontract. Essential producers of other essential commodities or services may still apply for adjustments under other provisions of the regulation, but may not apply under section 3 (b) (2).

Corresponding to the limitation of the scope of section 3 (b) (2), section 4 (b) is amended to eliminate the reference therein to certification by the National Production Authority and certain other government agencies. As amended, section 4 (b) requires that the certification which must be submitted with an application under section 3 (b) (2) may be obtained only from the defense agency responsible for the procurement of the commodity or service for which an adjustment is requested.

This action limiting the scope of section 3 (b) (2) has been requested by the National Production Authority and is taken only after consultation with the other government agencies involved. Because of the wide coverage of this regulation, special circumstances have rendered formal consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

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

(2) Where the commodity or service for which an adjustment is requested is being sold or will be sold for the purpose of fulfilling a defense contract or subcontract, the Director of Price Stabilization may, if he deems it necessary in order to promote the national defense, establish an adjusted ceiling price which includes an amount over your "total unit operating cost", despite the fact that your "current rate of return on net worth" equals or exceeds 85 percent of your "average rate of return on net worth in your normal base period". Such an adjustment may be limited to a particular contract or to sales to a particular person.

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

(b) If the commodity or service for which an adjustment is requested is being sold or will be sold for the purpose of fulfilling a defense contract or subcontract and you feel that your adjusted ceiling price should include an amount over your "total unit operating costs," regardless of your over-all profit position, you must state why you believe that such an adjustment is necessary to promote the national defense and you must include with your application a certification from the procuring defense agency, stating the following:

(1) The manner in which the production, manufacture or distribution of the commodity or the supply of the service by you is essential to the defense program;

(2) The manner in which the ceiling price impedes, or threatens to impede, the production, manufacture or distribution of the commodity or the supply of the service;

(3) The reasons, if any, as to why it is essential to immediately enter into or perform a contract for the sale of the commodity or service; and

(4) Whether the commodity or service is available at a lower price from another source in the quantities and at the time required.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective December 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52–13193; Filed, Dec. 11, 1952; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M–77 as Amended Dec. 10, 1952]

M–77—COMMUNICATIONS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950, as amended. In the formulation of this amended order, consultation with industry representatives has been rendered impracticable because of the need for immediate action.

EXPLANATORY

This amended order revises NPA Order M–77 as amended October 17, 1952, by permitting certain self-authorization privileges which, under the October 17, 1952, amendment, would have become effective May 1, 1953, to become effective instead on January 1, 1953, except for aluminum, as to which the increase becomes effective May 1, 1953. Section 3 is amended accordingly.

REGULATORY PROVISIONS

Sec.
1. What this order does.
2. Definitions.

Sec.
3. Self-authorization.
4. Applications for allotments.
5. Emergency excess of allotment.
6. Form of certification.
7. Effect on other orders.
8. Request for adjustment or exception.
9. Records and reports.
10. Communications.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this order does.* This order provides rules for the procurement and use of materials for MRO and operating construction by the operators of the communications systems covered by it.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any business enterprise, Government agency, or institution.

(b) "Operator" means any person to the extent engaged in rendering communications service on a revenue basis within the United States, its territories and possessions.

(c) "Communications service" means the transmission of messages by wire or radio, excluding radio broadcasting, television broadcasting, and amateur radio.

(d) "Material" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, assembly, or product of any kind.

(e) "Maintenance" means the minimum upkeep necessary to continue any plant, facility, or equipment in sound working condition.

(f) "Repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. Neither "maintenance" nor "repair" includes the replacement of any plant, facility, or equipment, or the improvement of any plant, facility, or equipment by replacing material which is still in sound working condition with materials of a new or different kind, quality, or design.

(g) "Operating supplies" means any material which is essential to and consumed in the operation of communications service by an operator and used for purposes other than maintenance, repair, operating construction, or other capital additions.

(h) "MRO" means maintenance, repair, and operating supplies.

(i) "Operating construction" means the erection of any building, structure, or project used or useful in rendering communications service, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of materials which are to be an integral and permanent part of the building, structure, or project, whether such building, structure, or project is owned by an operator or is leased or to be leased to him and where the leased building is or is to be exclusively used or useful in rendering communications service.

(j) "Inventory" shall include all items of new and/or salvaged material and supplies on hand, whether held for current or future use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, construction, or otherwise, and without regard to whether or not such items of material are carried in operator's accounting records under "Materials and Supplies Account," exclusive nevertheless of:

(1) Any material of a superseded type reserved by an operator in segregated stocks for reuse, as a practical measure of conservation to meet probable future operating contingencies;

(2) Any material ordered for use in construction, made to particular specifications, and reasonably usable only in the specific project for which it is made;

(3) Segregated stocks maintained by an operator as reasonably necessary for repair of major breakdowns due to explosion, fire, sabotage, act of the public enemy, flood, storm, or similar catastrophe.

(k) "Material of a superseded type" means equipment no longer manufactured or carried by a manufacturer as a regular item for sale to operators except for repair and maintenance of, or for additions to, existing installations. It does not mean equipment drawn from superseded stock to replenish current working inventories.

(l) "Controlled material" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, as from time to time amended.

(m) "Single project" means all items entering into construction as part of a single plan, whether or not installed or completed at the same time. No project shall be divided for the purpose of bringing it or any part of it within this definition.

(n) "Authorized controlled material order" means an order so defined in CMP Regulation No. 1, as from time to time amended.

(o) "NPA" means the National Production Authority.

(p) The definitions of this order shall be applicable notwithstanding any conflict with any prescribed system of accounting.

SEC. 3. *Self-authorization*—(a) *Small operators (less than 5,000 stations).* Any operator, as herein defined, of a telephone system comprising less than 5,000 telephone instruments in service is hereby assigned the right to place authorized controlled material orders for all controlled materials required by him for delivery on or before December 31, 1952, (1) for MRO and (2) for operating construction projects in which the cost to him of materials for any single project does not exceed $25,000: *Provided,* That the operating construction does not require in excess of the following quantities of controlled materials in any one project in any calendar quarter:

5 tons of carbon steel (not to include more than 2 tons of structural shapes, but no wide-flange beam sections or columns).

1,000 pounds of copper and copper-base alloys.

2,000 pounds of aluminum.

No alloy steel or stainless steel.

(b) *Self-authorization—MRO.* Every operator of a telephone system comprising less than 15,000 telephone instruments in service is hereby assigned the right to place authorized controlled material orders for all controlled materials required by him for delivery on or after January 1, 1953, for MRO.

(c) *Self-authorization — operating construction.* Every operator, regardless of size, is hereby assigned the right to place authorized controlled material orders for delivery on or after January 1, 1953, for all controlled materials required by him for operating construction projects in which he does not require in excess of the following quantities of controlled materials per project per calendar quarter:

25 tons of carbon steel and alloy steel, including all types of structural shapes (not to include more than 2½ tons of alloy steel and no stainless steel).

5,000 pounds of copper and copper-base alloys.

Aluminum: Operators of telephone systems comprising less than 5,000 telephone instruments in service may place orders for delivery from January 1, 1953, through April 30, 1953, for projects requiring not more than 2,000 pounds per quarter; operators of telephone systems comprising 5,000, but less than 15,000, telephone instruments in service may place orders for delivery in April 1953 for projects requiring not more than 2,000 pounds per quarter; every operator, regardless of size, may place orders for delivery on or after May 1, 1953, for projects requiring not more than 4,000 pounds per quarter.

(d) *Form of orders.* Each operator who places authorized controlled material orders in accordance with this section shall do so without making application to NPA and without receiving an allotment for that portion of his controlled material orders placed in accordance with this paragraph. In placing authorized controlled material orders in accordance with this paragraph, he shall use the allotment number "U–1" and shall show the quarter during which delivery is required: As for example, "U–1 2Q53".

(e) *Assignment of rating.* Each operator to whom the provisions of this section apply may also order materials other than controlled materials which he may require for the MRO and operating construction covered by this section, and is hereby assigned the right to apply to such orders a DO rating in connection with the allotment number; that is, "DO–U–1". The date or dates on which delivery is required must also be specified on each delivery order.

(f) *Limitations on use of ratings.* After December 31, 1952, a DO rating authorized pursuant to this section shall not be used for any entire single operating construction project in dollar amounts in excess of $100,000 for building equipment and building materials (other than controlled materials), and $200,000 for equipment and machinery. On or before December 31, 1952, the limitations of paragraph (a) of this section

apply. A DO rating authorized pursuant to this section shall not be used in connection with operating construction to obtain office machinery, office equipment, furniture, or appliances: *Provided, however,* That this prohibition shall not apply to machinery and equipment specially designed for communications-system use such as automatic message accounting machines.

SEC. 4. *Applications for allotments.* (a) Any operator, except to the extent that he is governed by the provisions of section 3 of this order, may hereafter file with NPA on Form NPAF–117 an application for an authorized program and for a quarterly allotment of such controlled materials as he may require for MRO and operating construction. The initial application for each quarter shall be filed with NPA not later than 120 days prior to the beginning of the quarter for which application is made, unless NPA shall designate a later date.

(b) In approving an application wholly or in part, NPA will specify the controlled materials allotted to the applicant for delivery in the calendar quarter during which the allotment is valid, and will authorize a program for MRO and operating construction. This authorized program shall be deemed to be an authorized construction schedule for the purposes of Revised CMP Regulation No. 6, and the use of the schedule and the related allotment, the use of ratings in connection with operating construction, and the placing and form of delivery orders, shall be governed by all provisions of that regulation not inconsistent with this order.

(c) Every operator who applies for an allotment pursuant to this order shall, to the extent that his application is granted, use the allotment number "U-2" to obtain controlled materials and shall show, on each authorized controlled material order, the quarter for which his allotment is valid, such as "U-2 2Q53." He may also order materials other than controlled materials which are necessary to fulfill his authorized program, and is hereby assigned the right to apply to such orders a DO rating in connection with the allotment number; that is, "DO–U–2." The date or dates on which delivery is required must also be specified on each delivery order. A DO rating authorized pursuant to this section shall not be used in connection with operating construction to obtain office machinery or office equipment: *Provided, however,* That this prohibition shall not apply to machinery or equipment specially designed for communications-system use such as automatic message accounting machines.

(d) An operator who manufactures a Class A, Class B, or any other product not for sale but solely for his own use as MRO, or as a minor capital addition, may obtain the products and materials required for such production by using, within the limitations of this order, the allotment symbol or rating provided for in this order.

(e) No operator shall use any allotment number or rating for the purposes of this order except as provided in this order.

SEC. 5. *Emergency excess of allotment.* (a) In the event of any major service breakdown caused by extraordinary cause such as explosion, fire, sabotage, act of the public enemy, flood, storm, or similar catastrophe, an operator may use the "U-2" allotment number to obtain materials in excess of his allotment to the extent necessary to reestablish service by the use of no greater amount of materials than those rendered unfit for service. In so doing he shall place the word "(emergency)" after the allotment number on his order, and within 10 calendar days after the placing of such order, he shall report the placing of such order to NPA on Form NPAF–117 which shall be accompanied by a statement of the reasons therefor, justifying the use of the emergency rating.

SEC. 6. *Form of certification.* A delivery order placed in accordance with this order must contain, in addition to a DO rating as authorized or an allotment number as authorized, a certification in the following form:

Certified under Revised CMP Regulation No. 6 and NPA Order M–77

which shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place a delivery order under the provisions of Revised CMP Regulation No. 6 and under this order to obtain the products or materials covered by the delivery order.

SEC. 7. *Effect on other orders.* This order supersedes as to operators, the provisions of other NPA orders governing the civilian use of controlled materials. The provisions of this order supersede as to operators those of CMP Regulation No. 5, except that nothing in this order shall be deemed to permit the use of a rating or allotment number to obtain any of the items listed in Schedule I or II of CMP Regulation No. 5 as from time to time amended. The provisions of this order supersede as to operators those of Revised CMP Regulation No. 6 except as otherwise provided in this order. They do not supersede any NPA order or regulation insofar as it provides that ratings shall not be effective to obtain particular products or materials. The inventory limitations of any NPA orders and regulations as from time to time amended shall apply to operators, but in applying such limitations the definition of "inventory" contained in this order shall be used.

SEC. 8. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time of such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 10. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–77.

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect December 10, 1952.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 52–13152; Filed, Dec. 10, 1952; 3:20 p. m.]

[NPA Order M–2 as Amended Dec. 11, 1952]

M–2—Rubber

This order as amended is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950, as amended, and the Rubber Act of 1948, as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Explanatory

This amended order revises NPA Order M–2, as last amended October 28, 1952, by relaxing the reporting requirements contained in section 7.

Regulatory Provisions

Sec.

Authority: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

Section 1. *Explanation.* This amended order continues in effect only certain of the restrictions heretofore applicable to the use of natural crepe rubber, and requires the marking of tire tubes made of butyl. The order contains no other controls on acquisition, inventories, and consumption of either natural or synthetic rubber. In the interest of national security, however, it has been jointly determined by the appropriate Government agencies that production by the Government-owned synthetic rubber plants should be maintained at levels substantially in excess of the minimum quantities required by the Rubber Act of 1948, as amended; viz, 200,000 long tons per annum for GR–S and 15,000 long tons per annum for butyl. In order to support the higher production levels desirable for national security, GR–S consumption cannot be permitted to fall below the rate of 450,000 long tons per annum, and butyl consumption cannot be permitted to fall below the rate of 60,000 long tons per annum. Since voluntary industry usage appears unlikely to drop below such levels, mandatory consumption of synthetic rubber has not been imposed, but if consumption falls below these levels the order will be amended by establishing industry-wide manufacturing specifications requiring the use of stated percentages of synthetic rubber in all rubber products. This action is in accord with the legislative policy of section 2 of the Rubber Act of 1948, as amended, which states that "In order to strengthen national security through a sound industry it is essential that * * * regulations requiring mandatory use of synthetic rubber * * * be ended and terminated whenever consistent with national security * * *."

Sec. 2. *Applicability of other regulations and orders.* Nothing contained in this order as amended shall be construed to relieve any person from complying with such limitations as may be contained in any other applicable NPA regulation or order, or any order or regulation of any other competent authority. Moreover, nothing contained in this order as amended shall be construed as relieving any person of any obligation or liability incurred under this order as originally issued or as amended from time to time.

Sec. 3. *Definitions.* As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, both dry and latex, including all grades of wild rubber, but excluding balata, gutta percha, and reclaimed natural rubber.

(b) "Dry natural rubber" means all natural rubber in solid form.

(c) "Natural rubber latex" means the dry latex solids contained in natural rubber liquid latex.

(d) "Synthetic rubber" means all new RHC products of chemical synthesis in solid or latex form, prepared from a diolefin or derivative thereform as an essential component, similar in general properties and applications to natural rubber and specifically capable to vulcanization, but excluding reclaimed synthetic rubber.

(e) "GR–S" means a general-purpose synthetic rubber of the butadiene or butadiene-styrene type produced in the United States, generally suitable for use in the manufacture of transportation items such as tires or camelback, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camelback, as determined from time to time by NPA, but excluding reclaimed general-purpose synthetic rubber.

(f) "Cold rubber" means GR–S polymers produced at low temperatures as classified by the Reconstruction Finance Corporation.

(g) "Butyl" or "GR–I" means special-purpose synthetic rubber produced in the United States, suitable for use in the manufacture of transportation items such as pneumatic inner tubes, but excluding reclaimed special-purpose synthetic rubber.

(h) "Reclaimed rubber" means any rubber derived from the processing or treatment of vulcanized rubber or cured scrap rubber.

(i) "New RHC" means total new rubber hydrocarbon. This is the total content of dry natural rubber, natural rubber latex, synthetic rubber (including the oil in oil-extended GR–S), uncured scrap rubber, and uncured in-process materials.

(j) "Pale crepe" means dry natural rubber produced from the fresh coagula of natural liquid latex meeting the specifications of the Rubber Manufacturers Association for pale latex crepes, thick or thin, number IX and 1.

(k) "Consume" means (in the case of dry natural rubber, natural rubber latex, or synthetic rubber) to compound, expend, formulate, or in any manner make any substantial change in the form, shape, or chemical composition thereof.

(l) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(m) "NPA" means the National Production Authority.

Sec. 4. *Limitation on inventary of dry natural rubber.* Inventories of dry natural rubber are subject to the provisions of NPA Reg. 1.

Sec. 5. *Marking of butyl tubes.* Every tire tube containing butyl (GR–I) synthetic rubber shall be marked by the manufacturer with one or more circumferential light blue stripes, applied on the base section of the tube, any one of which stripes shall be 3/16 inch minimum width. No other tire tube shall be so marked.

Sec. 6. *Limitation on use of pale crepe.* No person shall use or consume any pale crepe in the manufacture of pneumatic tires, shoes, shoe soles, heels, welting, or wrappers.

Sec. 7. *Reports of rubber consumption and stocks.*—(a) *Monthly reports.* (1) Each person who consumes during any month, or owns at the end of any month, any type of rubber listed in this paragraph in an amount equal to or in excess of the amounts specified, shall file for such month a report on Form NPAF–3 in accordance with the instructions accompanying the form, by mailing one copy to the National Production Authority, Washington 25, D. C., on or before the tenth day of the following month. This report sets forth consumption, stocks, receipts, production, and shipments.

Type	Amount (pounds)
Dry natural rubber	15,000
Natural rubber latex	5,000
GR–S types, excluding latex [1]	15,000
GR–S type latex [1]	5,000
Neoprene, excluding latex	5,000
Neoprene latex	1,000
Butadiene-acrylonitrile types (N-type) excluding latex	5,000
Butadiene-acrylonitrile type (N-type) latex	1,000
Butyl types [1]	5,000
Reclaimed rubber	15,000

[1] Includes all types, whether obtained from Government or other sources, including imports.

(2) Those persons who are required to report on Form NPAF–3 and who consume rubber for the production of both transportation and nontransportation products shall also file a monthly report on Form NPAF–3A, showing separately consumption by type of rubber for each of the two product groups.

(b) *Annual Reports.* Each person who, during any calendar year, consumes or owns any rubber of the types listed in paragraph (a) of this section which he has not reported on Form NPAF–3 during that year, shall file with NPA an annual report on Form NPAF–4 covering such unreported consumption and year-end inventories in accordance with the instructions accompanying the annual report form. One copy of Form NPAF–4 shall be mailed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–2, not later than the twentieth of January of each year.

SEC. 8. *Reports by tire, tube, and camelback manufacturers*—(a) *Monthly reports.* Each manufacturer of tires, tubes, and camelback shall file with NPA a report of his production, shipments, and inventory for each calendar month on Form NPAF–5 in accordance with the instructions accompanying the form.

(b) *Weekly reports of cured tires.* Each manufacturer of tires shall file with NPA a report of his production of cured tires for each week on Form NPAF–6 in accordance with the instructions accompanying the form.

SEC. 9. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 10. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–2.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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

This order as amended shall take effect December 11, 1952.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 52–13182; Filed, Dec. 11, 1952; 11:40 a. m.]

[Revised CMP Regulation No. 6, Direction 8 as Amended Dec. 10, 1952]

CMP REG. 6—CONSTRUCTION

DIR. 8—REVISIONS OF RESTRICTIONS ON ACQUISITION AND USE OF MATERIALS AND PRODUCTS

This direction as amended under Revised CMP Regulation No. 6 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

EXPLANATORY

This direction as amended affects Direction 8, issued October 3, 1952, to Revised CMP Regulation No. 6 by amending sections 1, 2, 3, 4, 5, 6, 7, and 8, and Appendix A of the direction, changing the effective date for increased self-authorization of steel and copper controlled material, and of DO-rated orders, from May 1, 1953, to January 1, 1953. Provision is made by the addition of a new section 8 for the allotment numbers to be used on purchase orders calling for delivery after December 31, 1952. Provision is further made by the addition of a new section 9 for the use after April 30, 1953, of aluminum in the construction of recreational, entertainment, and amusement construction projects.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this direction does.* It has been determined that substantial revision and liberalization of the rules relating to construction of recreational, entertainment, and amusement construction projects, to construction of multiunit residential structures, and to self-authorization of purchase orders for materials and products to be used in construction may be permitted. This direction is issued, therefore, to enable persons to go forward with the planning necessarily preliminary to the commencement of construction (as defined in Revised CMP Regulation No. 6) and to place orders for delivery after December 31, 1952, of steel and copper controlled material, and for delivery after April 30, 1953, of aluminum controlled material, so that actual construction work can proceed in the first and second quarters of 1953, and the quarters subsequent thereto, with the minimum possible delay. The revisions consist of the following:

(a) Provision for the right to self-authorize purchase orders up to the quantities specified in this direction, in connection with recreational, entertainment, and amusement construction projects (see sections 3, 5, and 6, and Appendix A of this direction).

(b) Provision that foreign and used steel may be used in recreational, entertainment, and amusement construction projects in the same manner as in all other construction (see section 3 of this direction).

(c) Provision for the right to self-authorize purchase orders up to the quantities specified in this direction, in connection with construction of multiunit residential structures (see sections 4, 5, and 6, and Appendix A of this direction).

(d) Elimination of the distinction made in section 2 and Table II of Re-

vised CMP Regulation No. 6 between "industrial construction" and the category "all other construction"; and reclassification of construction projects into the following categories: (1) Construction by, or for the account of, the Department of Defense or the Atomic Energy Commission; (2) residential construction; (3) highway construction; (4) recreational, entertainment, and amusement construction; and (5) "all other construction." This new category "all other construction," referred to in the preceding sentence, includes both industrial and commercial construction, and the construction of schools and hospitals, public utility systems, water and sewage projects, transportation facilities, and public buildings and facilities (other than highway construction) (see sections 5 and 6, and Appendix A of this direction).

(e) Restatement of the quantities of materials and products for which purchase orders may be self-authorized, and elimination of the restriction on self-authorization of purchase orders for carbon steel wide-flange beam sections or columns (see sections 5 and 6, and Appendix A of this direction).

SEC. 2. *"Small construction projects."* A project shall be considered a "small construction project" for the purposes of this direction if, after December 31, 1952, the owner will be able to complete the project: (a) Without requiring delivery of more controlled materials than the appropriate quantities specified in Appendix A of this direction for the particular category of construction; and (b) without requiring authorization to use a DO rating to procure delivery of building equipment and building materials (other than controlled materials), production equipment and production machinery, in dollar amounts exceeding those specified in section 4 of this direction; and (c) without requiring authorization to use a DO rating to procure any item described in section 23 (b) of Revised CMP Regulation No. 6.

SEC. 3. *Recreational, entertainment, and amusement construction projects.* (a) Effective January 1, 1953, the rules with respect to the commencement or continuance of recreational, entertainment, and amusement construction projects shall be the rules with respect to the right to commence or continue construction set forth in paragraphs (a), (d), and (e) of section 4 of Revised CMP Regulation No. 6. Further, effective January 1, 1953, the self-authorization procedures described in Article IV of Revised CMP Regulation No. 6 shall be applicable to, and the term "small construction project" shall include, construction of recreational, entertainment, and amusement construction projects.

(b) Effective January 1, 1953, the provisions of Article VI of Revised CMP Regulation No. 6 (Use of foreign and used steel) shall be applicable to recreational, entertainment, and amusement construction projects.

SEC. 4. *Construction of multiunit residential structures.* Effective January 1, 1953, the rules with respect to the commencement or continuance of multiunit residential structures shall be the rules with respect to the right to commence or continue construction set forth in paragraphs (a), (d), and (e) of section 4 of Revised CMP Regulation No. 6. Further, effective January 1, 1953, the self-authorization procedures described in Article IV of Revised CMP Regulation No. 6 shall be applicable to, and the term "small construction project" shall include, construction of multiunit residential structures.

SEC. 5. *Dollar limitation on DO-rated orders.* (a) Effective January 1, 1953, the following limitation shall be applicable to the placing of DO-rated purchase orders with respect to any "small construction project" where construction is or was commenced after March 5, 1952: A DO rating authorized pursuant to Article IV of Revised CMP Regulation No. 6 may not be used for any entire single construction project in dollar amounts in excess of the following:

Category of construction	Building equipment and building materials (other than controlled materials)	Production equipment and production machinery
Recreational, entertainment, and amusement construction projects	$15,000	$5,000
Residential construction projects other than multiunit residential structures	No dollar limit	None
All other "small construction projects"	100,000	200,000

(b) The provisions of paragraphs (a) and (b) of section 23 of Revised CMP Regulation No. 6 shall continue to be applicable to all construction projects covered by Article IV of Revised CMP Regulation No. 6 (see section 28 of Revised CMP Regulation No. 6 for exemptions).

SEC. 6. *Self-authorization quantities of controlled materials.* Effective January 1, 1953, the quantities of controlled materials for which the owner of a "small construction project" may self-authorize purchase orders, in connection with construction projects covered by Revised CMP Regulation No. 6, shall be the quantities specified in Appendix A of this direction.

SEC. 7. *Placing of purchase orders.* An owner of a "small construction project" may place his purchase orders at any time, in accordance with the provisions of Article IV of Revised CMP Regulation No. 6, up to the amount specified in section 5 and Appendix A of this direction: *Provided, however,* That such orders shall not call for delivery prior to the appropriate date specified in this direction, of materials or products in excess of the quantities specified in section 23 and Table II of Revised CMP Regulation No. 6. (The appropriate dates specified in this direction are as follows: for steel and copper controlled materials, and for products of the type referred to in section 5 of this direction, January 1, 1953; for aluminum controlled material, May 1, 1953.)

SEC. 8. *Allotment numbers.* An owner who may self-authorize purchase orders pursuant to the provisions of this direction is authorized to use the following allotment numbers on his purchase orders calling for delivery after December 31, 1952:

T–9 for water wells, water and sewage systems and plants under the jurisdiction of the NPA Water Resources Division (see Table IV of Revised CMP Regulation No. 6).
U–7 for all types of residential structures.
U–8 for all other categories of construction.

SEC. 9. *Use of aluminum in recreational, entertainment, and amusement construction projects.* Notwithstanding any provisions contained in section 24 of Revised CMP Regulation No. 6, after April 30, 1953, aluminum may be used in the construction of recreational, entertainment, and amusement construction projects.

SEC. 10. *Effect of this direction.* To the extent that the provisions of this direction are inconsistent therewith, this direction supersedes the provisions of Revised CMP Regulation No. 6.

This direction as amended shall take effect December 10, 1952.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

APPENDIX A TO DIRECTION 8 UNDER REVISED CMP REGULATION NO. 6

CATEGORIES OF CONSTRUCTION AND QUANTITIES OF CONTROLLED MATERIALS FOR WHICH PURCHASE ORDERS MAY BE SELF-AUTHORIZED [1]

A. RESIDENTIAL CONSTRUCTION [2]

1. *One- through four-family residential structures:*

(i) *Residential structure using steel pipe water distribution system, per dwelling unit*—new construction:

	Pounds
Carbon steel (excluding structural shapes)	2,300
Carbon steel (structural shapes)	1,500
Stainless steel and alloy steel	None
Aluminum	275
Copper and copper-base alloys	200

(ii) *Residential structure using copper pipe water distribution system, per dwelling unit*—new construction:

	Pounds
Carbon steel (excluding structural shapes)	1,950
Carbon steel (structural shapes)	1,500
Stainless steel and alloy steel	None
Aluminum	275
Copper and copper-base alloys	400

NOTES: If a forced hot water heating system is installed, the owner may use and self-authorize purchase orders for an additional 200 pounds of copper and copper-base alloys;

[1] Note that an owner of a "small construction project" may self-authorize his purchase orders, in accordance with section 22 of Revised CMP Regulation No. 6, up to the amounts specified in this appendix at any time: *Provided, however,* That such orders shall not call for delivery prior to the appropriate dates specified in section 7 of this direction.

[2] Part A of this appendix does not apply to residential construction by, or for the account of, the Department of Defense, or to construction of federally owned housing on federally owned property under the control of the Atomic Energy Commission. No self-authorization is permitted for such construction.

and if a radiant heating system is installed, he may use and self-authorize purchase orders for an additional 500 pounds of copper and copper-base alloys.

For alterations, additions, or extensions, not more than 50 percent of the quantities specified above.

2. *Multiunit residential structures:*

(i) *Walk-up structures, per dwelling unit:*
2 tons of carbon steel (not to include more than 500 pounds of all types of structural shapes).
200 pounds of copper and copper-base alloys.
No aluminum.[3]
No stainless steel or alloy steel.

(ii) *Elevator structures, per dwelling unit:*
3 tons of carbon steel (not to include more than 600 pounds of all types of structural shapes).
225 pounds of copper and copper-base alloys.
No aluminum.[3]
No stainless steel or alloy steel.

B. CONSTRUCTION OTHER THAN RESIDENTIAL CONSTRUCTION

1. *Construction by, or for the account of, the Department of Defense or the Atomic Energy Commission.*

No self-authorization is permitted.

2. *Construction and maintenance of all rural and urban highways, etc., under the jurisdiction of the Bureau of Public Roads (see Table IV of Revised CMP Regulation No. 6):*

NOTE: These quantities are per project, and not per quarter.

25 tons of carbon steel (not to include more than 12 tons of all types of structural shapes).
500 pounds of copper and copper-base alloys.
500 pounds of aluminum.
No stainless steel or alloy steel.

3. *Recreational, entertainment, and amusement construction (see Table I of Revised CMP Regulation No. 6):*

NOTE: These quantities are per project, per quarter.

5 tons of carbon steel (not to include more than 2 tons of all types of structural shapes).
500 pounds of copper and copper-base alloys.
No aluminum.[4]
No stainless steel or alloy steel.

4. *All other construction (see section 28 of Revised CMP Regulation No. 6 for exemptions):*

NOTE: These quantities are per project, per quarter.

25 tons of carbon steel and alloy steel, including all types of structural shapes (not to include more than 2½ tons of alloy steel and no stainless steel).[5]
5,000 pounds of copper and copper-base alloys.
2,000 pounds of aluminum.[6]

[3] Effective May 1, 1953, 275 pounds of aluminum per dwelling unit.

[4] Effective May 1, 1953, 300 pounds of aluminum per project, per quarter.

[5] In the construction of chemical plants, the owner may self-authorize 1 ton of stainless steel, per project, per quarter, in addition to the quantities specified.

[6] For "industrial projects" 4,000 pounds of aluminum, per project, per quarter; and effective May 1, 1953, 4,000 pounds of aluminum, per project, per quarter, for the category "all other construction" (section 1).

[F. R. Doc. 52-13153; Filed, Dec. 10, 1952; 3:20 p. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Correction to Schedule A]

[Rent Regulation 2, Correction to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA

Effective December 8, 1952, Amendment 96 to Schedule A of Rent Regulation 1 and Amendment 94 to Schedule A of Rent Regulation 2 are corrected so that Item 262 (Harrisburg Defense-Rental Area) reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 9th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Pennsylvania				
(262) Harrisburg	B	Cumberland County, except the townships of Hopewell, Lower Mifflin, North Newton, Shippensburg, Southampton, South Newton, and Upper Mifflin, and the boroughs of Lemoyne, Newburg, Newville and Shippensburg; Dauphin County; and in Perry County, the townships of Penn, Rye, and Wheatfield, and the boroughs of Duncannon and Marysville.	Mar. 1, 1942	Nov. 1, 1942
	C	do	Aug. 1, 1952	Dec. 8, 1952
	A	In Cumberland County, the borough of Lemoyne	do	Do.
	B	In Franklin County, the township of Hamilton and the borough of Waynesboro.	Mar. 1, 1942	Dec. 1, 1942

[F. R. Doc. 52-13092; Filed, Dec. 11, 1952; 8:46 a. m.]

[Rent Regulation 3, Correction to Schedule A]

[Rent Regulation 4, Correction to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA

Effective December 8, 1952, Amendment 99 to Schedule A of Rent Regulation 3 and Amendment 42 to Schedule A of Rent Regulation 4 are corrected so that Item 262 (Harrisburg Defense-Rental Area) reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 9th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(262) Harrisburg	Pennsylvania.	Cumberland County, except the townships of Hopewell, Lower Mifflin, North Newton, Shippensburg, Southampton, South Newton, and Upper Mifflin, and the boroughs of Newburg, Newville and Shippensburg; Dauphin County; and in Perry County, the townships of Penn, Rye, and Wheatfield, and the boroughs of Duncannon and Marysville.	Aug. 1, 1952	Dec. 8, 1952

[F. R. Doc. 52-13093; Filed, Dec. 11, 1952; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 10176, 10325]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE

LIFEBOAT RADIO EQUIPMENT

In the matter of a requirement that lifeboat radio equipment compulsorily provided under the International Convention on Safety of Life at Sea, London, 1948, include provision for reception in the high frequency band, Docket No. 10176; and in the matter of amendment of Part 8 of the Commission's rules regarding technical requirements and related provisions for compulsorily provided lifeboat radio equipment, Docket No. 10325.

1. Docket Nos. 10176 and 10325 both relate to lifeboat radio equipment compulsorily provided as a result of the In-

ternational Convention for the Safety of Life at Sea, London, 1948. Docket No. 10325 set forth proposed detailed requirements for such equipment and certain related requirements. Docket No. 10176 related to the Commission's proposal that those requirements include provision for reception in the high frequency radiotelegraph band where there was a transmitter requirement for transmission on 8364 kc.

2. The proceedings in Docket No. 10176 were instituted by a notice of proposed rule making issued by the Commission on April 18, 1952. The period for comments on this proposal has expired. No comments with respect to this matter have been received. Accordingly, the rule amendments herein ordered finalized in Docket No. 10325 include a requirement and specifications for radiotelegraph reception throughout the band 8266–8745 kc by compulsorily provided lifeboat radio equipment under certain conditions.

3. The proceedings in Docket No. 10325 were instituted by a notice of proposed rule making adopted by the Commission on October 1, 1952. The period for filing original and reply comments were subsequently extended to October 31, 1952 and November 4, 1952.

4. The American Radio Association, C. I. O., supported the proposal and "urge(d) its immediate adoption." The National Federation of American Shipping, Inc., filed comments regarding the following proposed rules:

(a) Section 8.520 (g) (1): The National Federation of American Shipping felt that this rule implied a requirement that routine tests of lifeboat portable radio equipment be conducted in a lifeboat. This was not the intent of the proposal and the rule has been revised to make clear that there is no such requirement. Further, with regard to § 8.520 (g) (1) the National Federation of American Shipping requested that in such instances where tests of lifeboat equipment were required by a Commission representative to be made with the lifeboat afloat that a rule be adopted requiring "such representative [to] make every effort to conduct [such inspections and tests] at such times as the lifeboat is lowered for other purposes, such as annual inspections required by the Coast Guard." The Commission's Field Offices have heretofore followed such a policy insofar as practicable and will continue to do so. It does not appear to be necessary or appropriate to embody such a matter into rule requirements.

(b) Section 8.557 (a) (7): The National Federation of American Shipping felt that this rule might be interpreted as requiring that the "entire alphabet of the International Morse Code" be shown on the removable plate required to be attached to lifeboat portable radio apparatus. This rule has been revised to indicate that only the Code characters of the lifeboat call sign (in addition to the lifeboat call sign in letters and numerals) need be shown on the plate.

(c) Section 8.557 (b) (4) (v): This rule requires that, with respect to the transmitter in lifeboat portable radio equipment, provision be made "for testing the required automatic keying arrangement without the generation of radio frequency energy." The National Federation of American Shipping requested that the requirement "either be deleted or worded in such a way as not to require an additional control." The Federation reasoned that compliance with this requirement would require an additional switch which would have to be either automatically or manually returned to correct operating position after being used during testing of the automatic keyer; that if automatic, the addition of such a switch to lifeboat portable radio equipment would necessitate that it be manually held in position during test periods and would complicate the routine testing process so that routine tests could not be performed by a single person; that if non-automatic, there would be a danger of leaving the switch in the "test" position. The purpose of this rule was to eliminate the possibility of radiation of false distress or auto-alarm signals during testing of the automatic keying arrangement. Although the use of an artificial antenna during such testing has been suggested, no data have been supplied to show that an artificial antenna could be shielded sufficiently to insure accomplishment of the desired purpose. Further, the proposed rule would not necessarily require an additional switch. It appears to be entirely feasible to incorporate a "test" position, clearly marked as such, in the master switch. Accordingly, it is not considered necessary to modify the proposed rules in this respect.

5. No other comments in Docket 10325 were filed. However, in addition to changes in the proposed rules resulting from comments, other changes are made in the rules herein ordered finalized as follows:

(a) Results of tests of existing non-portable lifeboat radio equipment received since the promulgation of the proposed rules show that such equipment is not capable of meeting the field strength or meter-ampere requirement of proposed § 8.520 (e). It does not appear to be practicable or reasonable to require modification or replacement of such equipment for the purpose of meeting this particular requirement within less than a two year period. Therefore, the finalized rules postpone the application of this requirement to such equipment until November 19, 1954. These tests further indicated, however, that the required power output specified in § 8.558 (a) (1) for the transmitter in new non-portable lifeboat radio equipment could be reduced. It appeared therefrom that a transmitter capable of a power output of 30 watts on the frequency 500 kc into the specified artificial antenna when installed in an installation complying with all other applicable requirements should be capable of meeting the necessary range requirements of the Safety Convention. Accordingly, the rules herein ordered finalized specify a power output of 30 watts on 500 kc in lieu of 35 watts which was originally proposed. A corresponding reduction from 50 to 40 watts in the transmitter power output on 8364 kc is also made.

(b) Section 8.553 (f) (2) regarding the ground system of non-portable radio equipment is revised to provide greater latitude in the arrangement of the ground system and the metal to be used therein. The use of strips as well as plates, or a combination thereof, of any corrosion-resistant metal, rather than copper alone, would be permitted.

(c) Other miscellaneous changes in the proposed rules are of a relatively minor nature and include revision of the list of spare parts so that two spare tubes should be carried instead of one if three or more tubes of a single type are employed in the equipment and a spelling out in general terms of the requirement that components of lifeboat radio equipment be of "acceptable quality for marine service."

6. As heretofore stated the rules here involved were proposed in order to implement certain portions of the International Convention for the Safety of Life at Sea, London, 1948. The Convention came into force, insofar as ships of the United States are concerned, on November 19, 1952. It is, therefore, urgent that these rules be finalized at the earliest possible date.

7. The changes made in the proposed rules other than those made in response to comments filed by the party are minor in nature and for the most part relieve proposed restrictions. Compliance with the notice provisions of section 4–B of the Administrative Procedure Act is therefore unnecessary, and in view of the effective date of the Convention, would be contrary to the public interest. For the same reasons the public interest would be served by making the rules effective immediately.

8. In view of the foregoing considerations, and pursuant to the authority contained in sections (c), (e), (f), (g), (r), and 355, 356, and 359 of the Communications Act of 1934, as amended, *It is ordered,* That:

1. Effective immediately, Part 8 of the Commission's rules is amended as set forth below.

2. The proceedings in Dockets Nos. 10176 and 10325 are terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: December 3, 1952.

Released: December 8, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Section 8.519 is deleted.

2. Section 8.520 is amended to read as follows:

§ 8.520 *Lifeboat radio equipment.* (a) Lifeboat radio equipment, portable or non-portable, required by law to be provided, shall comply with applicable requirements of paragraph (b) through (g) of this section.

(b) All lifeboat radio equipment shall include the following components as a minimum:

(1) An antenna for transmitting and receiving which can be quickly utilized by a person in the lifeboat while afloat together with such antenna accessories as are necessary;

(2) An artificial antenna for test purposes.

(3) A transmitter with keying arrangement(s) for the use of radiotelegraphy;

(4) A radio receiver with head receiver;

(5) A power supply of required capacity;

(6) The necessary material or device for a ground connection to the water when the lifeboat is afloat.

(c) Each of the components specified in paragraph (b) of this section shall be of a type of apparatus or shall comprise such items as are approved by the Commission as capable of meeting the provisions of §§ 8.556, 8.557, 8.558 or 8.559, as may be applicable.

(d) Provisions relative to capacity, use and maintenance of storage batteries used as the power supply for lifeboat non-portable radio equipment:

(1) A storage battery power supply of lifeboat radio equipment shall be capable at all times of operating the entire lifeboat radio installation for a period of at least six continuous hours as is stipulated for an emergency power supply in § 8.504 (b).

(2) Storage batteries may be used to operate equipment other than radio except the electric starter and ignition system of a lifeboat motor, provided such additional use will not adversely affect the required capabilities of the battery. All individual circuits connected to the battery shall be independently and properly fused.

(3) Storage batteries shall be kept adequately charged at all times while at sea. The charging of such batteries shall not require their removal from the lifeboats in which they are installed. The necessary charging equipment shall be arranged so as not to interfere with the launching of the lifeboats, and for this purpose shall be easily and quickly removable. The charging circuit for the lifeboat radio storage battery or batteries shall be routed through the main radiotelegraph operating room of the vessel. A device which, during charge of the lifeboat radio battery or batteries, will give a continuous indication of the polarity and the rate of charge, shall be connected in this charging circuit and shall be located in the main radiotelegraph operating room for purposes of frequent observation.

(4) In any installation made on or after November 19, 1952, provisions shall be made to enable charging of the storage battery by means of a generator on the motor lifeboat engine.

(5) Subject to approval of the United States Coast Guard storage batteries shall be mounted in suitable containers that will provide protection from salt water spray and also allow proper ventilation.

(e) Lifeboat non-portable radio equipment shall be capable of developing by day, over the sea and under normal conditions and circumstances, a r. m. s. radio field intensity of 50 microvolts per meter on the frequency 500 kilocycles at a distance of 25 nautical miles. Ability to meet this requirement may be evidenced in the absence of such other means as will provide a reliable indication that this requirement is met, by a product of the maximum height of antenna above the mean surface of the water expressed in meters and a r. m. s. antenna current on the frequency 500 kilocycles expressed in amperes of not less than 10.

(f) Conditions of fitting of lifeboat and radio equipment:

(1) Non-portable radio equipment shall be installed in a cabin large enough to accommodate both the equipment and the person using it and arrangements shall be such that the efficient operation of the lifeboat radio installation shall not be interfered with by the motor boat engine while it is running, whether or not a battery is on charge.

(2) The use of metal masts and stays, unless broken by insulators, or of any structure at electrical ground potential at the masthead(s) is not permitted in lifeboat portable or non-portable radio equipment: *Provided, however,* That this limitation shall not prohibit the use of a metal mast or masts used as the antenna.

(g) Inspections and tests of lifeboat radio equipment:

(1) Inspections and tests [10] of lifeboat radio equipment shall be conducted by a qualified representative of the licensee at weekly intervals while the ship is at sea and within 24 hours prior to the ship's departure from each port but not necessarily more than once each week.

(i) Inspections and tests shall include operation of the transmitter connected to an artificial antenna and determination of the specific gravity in the case of a lead-acid battery, or voltage under normal load in the case of other type of batteries, of any battery provided as a part of the lifeboat radio equipment.

(2) When the vessel is in a harbor or port of the United States an authorized representative of the Commission may require:

(i) Inspection and test of lifeboat radio equipment in a lifeboat afloat to include an actual test of the transmitter and receiver connected to the required antenna to determine that the equipment is in effective operating condition.

(ii) The shipowner, operating company, or station licensee to prove by demonstration, as may be deemed necessary, that a storage battery used as a part of the lifeboat radio equipment is capable of energizing the installation for the required period of time as is prescribed for an emergency transmitter in § 8.504 (b).

(3) The results of inspections and tests shall be made known to the master of the vessel and shall be entered in the ship's log if the ship is not provided with a radio station. These entries shall be made available to duly authorized representatives of the Commission upon request.

3. Section 8.524 (a) (4) is amended to read as follows:

(4) *Lifeboat radio equipment.* One electron tube of each type used for normal operation of the radio installation, including neon or any other type of tube or lamp employed as resonance indicator(s), expect that if three or more electron tubes of a single type are employed, two electron tubes of that type shall be provided: Renewable fuse-cartridges of each type used in connection with the units of the lifeboat radio installation or which are used in circuits connected to the lifeboat radio installation power supply in the amount of at least one-half the number of each size and type in actual use. For each renewable fuse-cartridge in use, there shall be available six spare fuse links of appropriate capacity. For each non-renewable fuse in use, there shall be available six spare fuses of the same type and appropriate capacity. If wire is used, sufficient wire shall be provided to permit six complete fuse replacements. Additionally, non-portable lifeboat radio equipment shall be provided with at least 35 feet of insulated wire suitable for use as antenna wire; 2 antenna insulators; one panel electric light bulb, if used, one screwdriver and one pair of sidecutting pliers.

4. Section 8.525 (b) is amended to read as follows:

(b) Spare parts and auxiliary equipment for the non-portable radio equipment shall be kept in the lifeboat cabin housing the radio equipment. Spare parts and auxiliary equipment for the lifeboat portable radio apparatus shall be so kept as to be convenient for the routine maintenance of the equipment.

5. Section 8.556 is amended to read as follows:

§ 8.556 *General requirements for lifeboat radio equipment.* (a) To be approved by the Commission pursuant to § 8.520, lifeboat radio equipment shall comply with the following general requirements in addition to the applicable specific requirements set forth in §§ 8.557, 8.558 and 8.559, except that equipment to which the provisions of § 8.559 are applicable need not meet the requirements of subparagraphs (1) and (5) of this paragraph.

(1) The design and construction of the radio equipment shall be such that no tools are required to place it in operation for routine tests or for emergency communication.

(2) The components and assembly of the entire lifeboat radio equipment shall insure the utmost dependable operation and the design shall be such that heavy vibration and physical shocks to which a lifeboat is subject will cause no damage. Components shall be housed and treated to withstand saline dampness and to minimize the adverse effect of prolonged exposure to salt water or salt spray.

(3) A durable nameplate shall be mounted on the equipment or made an

[10] Subject to such limitations as may be imposed by the Administration having jurisdiction at foreign ports. It is necessary that each transmitter for use in lifeboats be licensed by the Commission to insure compliance with the rules and regulations of the Commission, during the required tests with an actual antenna. Operation of a transmitter installed in or for use in a lifeboat is ordinarily authorized by the regular ship station license when it has been described in the application for such license and the authorization has been approved by the Commission. See § 8.68.

integral part thereof showing at least the following:

(i) The type or model number;

(ii) The name of the manufacturer;

(iii) The month and year of manufacture.

(4) Each lifeboat equipment shall be provided with a copy of an instruction manual covering the design, installation, operation and maintenance of the equipment.

(5) Simple instructions which are durable and waterproof and suitable for the use of an unskilled person shall be permanently and conspicuously attached to the control panel or surface of the transmitter, receiver or power supply. These instructions shall contain information together with sketches covering the erection of the antenna(s) and the operation of the equipment for automatic transmission; also information as to manual transmission of the radiotelegraph distress signal "S O S" and the international auto-alarm signal, and a statement that the latter signal is effective only if transmitted on the frequency 500 kc.

6. Section 8.557 is amended to read as follows:

§ 8.557 *Requirements for lifeboat portable radio equipment.* (a) There shall be provided as a single unit a portable buoyant apparatus consisting of a transmitter, receiver, power supply, grounding conductor, a collapsible rod antenna or in lieu thereof a collapsible mast, a single wire antenna, and a line for lowering the apparatus.

(1) The apparatus, as a single unit, shall be of sufficient buoyancy to float in sea water and shall be sufficiently rugged in construction to withstand physical shocks and rough handling. The apparatus shall be deemed to comply with this requirement if, after being dropped into sea water in various positions from a height of at least 20 feet, it can be operated immediately without any repair or adjustment (other than normal antenna circuit tuning) and without departure from required performance. Suitable protection shall be provided for the operating controls, indicating devices and instruments, including the head receiver, against physical harm from accidental or inadvertent blows and from the adverse effects of prolonged exposure to the weather. Operational parts of the apparatus adversely affected by immersion in sea water shall be enclosed so as to provide the necessary protection. Any such enclosure shall be deemed to be water-tight if it can be submerged in sea water so that no part is less than two inches below the surface of the water for a continuous period of two hours without leaking.

(2) The apparatus, as a unit, shall be fitted with durable handles or grips. These shall be so arranged and the distribution of the weight of the apparatus shall be such as to provide for convenient carrying by either one or two persons.

(3) Provision shall be made for securely fastening components of the apparatus, by lashing or other acceptable means, to a lifeboat thwart as may be necessary to enable easy and convenient operation of the lifeboat portable radio equipment.

(4) The apparatus exclusive of the line for lowering shall not weigh more than sixty pounds.

(5) The line for lowering shall consist of not less than 40 feet of 9 thread manila or sisal rope, or the equivalent thereof, which shall be in good condition and securely attached to the apparatus at all times.

(6) Components of the apparatus subject to loss by detachment from the unit for operation or test of the equipment shall be so arranged as to insure their availability at all times.

(7) Each apparatus shall be equipped with a durable removable plate showing clearly the lifeboat radio call sign in letters and digits and in characters of the International Morse Code.

(b) (1) The radio transmitter shall comply with the following requirements:

Operating frequencies (kilocycles)	Frequency tolerance	Type of emission	Modulation percentage (average of modulation percentage of positive and negative peaks)	Modulation frequency	Power output (into specified artificial antenna)	Artificial antenna
	Percent					
500	0.5	A2	Not less than 70	Not less than 450 nor greater than 1350 cycles per second.	Not less than 0.25 watt.	1 ohm resistance, 75 micromicrofarads capacitance.
500	.5	A2	do	do	Not less than 1.7 watts.	10 ohms resistance, 75 micromicrofarads capacitance.
8364	.2	A2	do	do	Not less than 4 watts.	40 ohms resistance.

(2) The transmitter radio frequency and modulation frequency control circuits shall be pretuned to the required frequencies and shall be of such design and construction that the operating frequencies are maintained within the prescribed tolerances under varying voltages, antenna circuit characteristics, and other normal conditions of adjustment. The frequency control circuit adjustment(s) shall be securely locked to prevent detuning as a result of shock or vibration and shall not be readily available to the person using the transmitter.

(3) Controls shall be provided on the operating panel for efficient transfer of radio frequency energy at each required operating radio frequency to the required antenna. An initial adjustment of these controls shall effectively resonate the antenna circuit at each required operating radio frequency and this condition shall be maintained without further adjustment of these controls during a normal operating period of the transmitter.

(4) Simple and reliable controls shall be provided so that the operator of the transmitter can quickly and conveniently place it in use for: Manual operation on 500 kc, manual operation on 8364 kc, and automatic operation alternately on these two frequencies: *Provided,* That not more than one manual switch adjustment shall be necessary to place the transmitter in operation for automatic transmission. For manual radiotelegraphy the transmitter and receiver, including their controls, shall be arranged mechanically and electrically so that they can be operated efficiently and conveniently from the same operating position for communication on the required operating frequencies and so that the time necessary to change from transmission to reception, and vice versa, on these frequencies is as short as possible and in no event more than two seconds. For automatic operation provision shall be made as follows:

(i) On 500 kc for transmission of the international alarm signal followed by the international distress signal "S O S", the latter to be transmitted by means of the International Morse Code in one or more groups, each group consisting of three "S O S" signals.

(ii) On 8364 kc for transmission of the international distress signal "S O S" by means of the International Morse Code in one or more groups, each group consisting of three "S O S" signals followed by a dash of not less than 30 seconds in duration.

(iii) For transmission of the specified signals by automatically changing the operating frequency of the transmitter from 500 kc to 8364 kc and vice versa with a transfer time interval not to exceed one second.

(iv) For completely de-energizing the receiver during such operation of the transmitter.

(v) For testing the required automatic keying arrangement without the generation of radio frequency energy.

(vi) The speed of the automatic transmission of the international distress signal shall be at a rate not in excess of 16 words per minute nor less than 8 words per minute. The alarm signal dashes shall have a duration within the limits of 3.8 to 4.2 seconds and spaces between each of the twelve dashes constituting a series shall have a duration within the limits of 0.8 to 1.2 seconds.

(5) The transmitter shall be equipped with a reliable visual indicator or indicators as may be necessary (such as neon tubes) to indicate antenna circuit resonance at each operating frequency with any antenna provided. Failure of the indicator(s) shall have no adverse effect on the actual operation of the transmitter.

(c) The receiver shall comply with the following requirements:

(1) The receiver shall, when used with a head receiver, be capable without manual tuning of receiving A2 emission over the frequency band 492 kc to 508 kc and shall be capable when manually tuned of receiving A1 and A2 emission on any frequency in the band 8266 to 8745 kc.

(2) The sensitivity of the receiver shall be such that at least 1 milliwatt of audio power is developed in a noninduc-

tive load resistor having an ohmic value substantially equal to the value of the impedance of the head receiver at 1,000 cycles per second at a signal to noise power ratio of at least 10 to 1, when the receiver is supplied through the following artificial antennas with the respective radio frequency signals:

Frequency (kilocycles)	Signal strength (microvolts)	Modulation factor	Modulation frequency (cycles per second)	Artificial antenna
500	200	0.3	400	10 ohms resistance and 75 micromicrofarads capacitance.
8364	1000	.3	400	40 ohms resistance.

The noise power present in the output of the receiver when the receiver is adjusted for the reception of type A2 emission on the frequencies 500 kc and 8364 kc shall be determined with an unmodulated input signal of the indicated strength.

(3) The selectivity of the receiver preceding the final detector shall be such that response uniform to within 6 db is obtained over the frequency range 492 to 508 kc.

(4) The audio frequency response of the receiver shall be electrically uniform to within 6 decibels over the range of frequencies between 400 and 1400 cycles per second.

(5) The receiver shall be equipped with only one manually operated volume control.

(d) The power supply shall comply with the following requirements:

(1) The source of power shall be a manually operated electric generator capable of efficiently energizing the lifeboat radio installation. The mechanical power applied to the crank handle(s) or the propelling lever(s) of the generator driving mechanism shall not exceed a maximum of 0.15 horsepower for any required condition of operation of the lifeboat radio installation at any temperature of the generator and its associated driving mechanism between minus 30 degrees and plus 125 degrees Fahrenheit. Under these conditions the speed of rotation of the crank handle(s) shall not be greater than 70 revolutions per minute nor shall the cycles of operation of the propelling lever(s) be greater than 70 cycles per minute. The voltages applied to the radio installation shall not vary from their normal values more than 20 per cent at any generator speed in excess of the normal operating speed which can be manually developed.

(e) The single wire antenna and the collapsible rod antenna or the collapsible mast provided in lieu thereof shall comply with the following requirements:

(1) The collapsible rod antenna shall be of the maximum practicable height as approved by the Commission for each particular type of lifeboat radio apparatus. The collapsible mast provided in lieu of the collapsible rod antenna shall be of the maximum practicable height as approved by the Commission for each particular type of lifeboat radio apparatus and capable of supporting the required single wire antenna.

(2) The single wire antenna shall consist of a length of at least 40 feet of extra-flexible stranded copper wire having a cross-sectional area of not less than 10,000 circular mills together with means for effective insulation of the antenna, means for fastening the wire to the antenna supports, and means for making electrical connection to the transmitter.

(f) The grounding conductor shall comply with the following requirements:

(1) The grounding conductor shall consist of a length of not less than 20 feet of No. 10 bare stranded copper wire or equivalent copper braid effectively weighted at one end for immersion in the sea. This conductor shall be securely fastened to an effective ground terminal on the apparatus.

(g) The artificial antenna shall comply with the following requirements:

(1) The artificial antenna shall provide a reliable load for the transmitter for test purposes, at the frequencies 500 kc and 8364 kc, of approximately the same electrical characteristics as the single wire antenna required by this section.

(2) The artificial antenna shall be housed in a single container and provided with appropriate terminals. If more than two terminals are provided on the artificial antenna, all the terminals shall be properly labeled.

7. Section 8.558 is amended to read as follows:

§ 8.558 *Requirements for lifeboat non-portable radio equipment.* (a) (1) The radio transmitter shall comply with the following requirements:

Operating frequencies (kilocycles)	Frequency tolerance	Type of emission	Modulation percentage (average of modulation percentages of positive and negative peaks)	Modulation frequency	Power output (into specified artificial antenna)	Artificial antenna
	Percent					
500	0.5	A2	Not less than 70	Not less than 450 nor greater than 1350 cycles per second.	Not less than 30 watts.	10 ohms resistance and 100 micromicrofarads capacitance.
8364	.02	A2	do	do	Not less than 40 watts.	40 ohms resistance.

(2) The transmitter radio frequency and modulation frequency control circuits shall be pretuned to the required frequencies and shall be of such design and construction that the operating frequencies are maintained within the prescribed tolerances under varying voltages, antenna circuit characteristics, and other normal conditions of adjustment. The frequency control circuit adjustment(s) shall be securely locked to prevent detuning as a result of shock or vibration and shall not be readily available to the person using the transmitter.

(3) Controls shall be provided on the operating panel for efficient transfer of radio frequency energy at each required operating radio frequency to the required antenna. An initial adjustment of these controls shall effectively resonate the antenna circuit at each required operating radio frequency and this condition shall be maintained without further adjustment of these controls during a normal operating period of the transmitter.

(4) Simple and reliable controls shall be provided so that the operator of the transmitter can quickly and conveniently place it in use for: Manual operation on 500 kc, manual operation on 8364 kc, and automatic operation alternately on these two frequencies; provided that not more than one manual switch adjustment shall be necessary to place the transmitter in operation for automatic transmission. For manual radiotelegraphy the transmitter and receiver, including their controls, shall be arranged mechanically and electrically so that they can be operated efficiently and conveniently from the same operating position for communication on the required operating frequencies and so that the time necessary to change from transmission to reception, and vice versa, on these frequencies is as short as possible and in no event more than two seconds. For automatic operation provision shall be made as follows:

(i) On 500 kc for transmission of the international alarm signal followed by the international distress signal "S O S", the latter to be transmitted by means of the International Morse Code in one or more groups, each group consisting of three "S O S" signals.

(ii) On 8364 kc for transmission of the international distress signal "S O S" by means of the International Morse Code in one or more groups, each group consisting of three "S O S" signals followed by a dash of not less than 30 seconds in duration.

(iii) For transmission of the specified signals by automatically changing the operating frequency of the transmitter from 500 kc to 8364 kc and vice versa with a transfer time interval not to exceed one second.

(iv) The speed of the automatic transmission of the international distress signal shall be at a rate not in excess of 16 words per minute nor less than 8 words per minute. The alarm signal dashes shall have a duration within the limits of 3.8 to 4.2 seconds and spaces between each of the twelve dashes constituting a series shall have a duration within the limits of 0.8 to 1.2 seconds.

(v) For testing the required automatic keying arrangement without the generation of radio frequency energy.

(5) The transmitter shall be equipped with a radio frequency ammeter of suitable range and scale, connected so as to indicate the current in the antenna circuit for each operating frequency.

(b) The receiver shall comply with the following requirements:

(1) The receiver shall, when used with a head receiver, be capable without manual tuning of receiving A2 emission over the frequency band 492 kc to 508 kc and shall be capable when manually tuned of receiving A1 and A2 emission on any frequency in the band 8266 to 8745 kc.

(2) The sensitivity of the receiver shall be such that at least 1 milliwatt of audio power is developed in a non-inductive load resistor having an ohmic value substantially equal to the value of the impedance of the head receiver at 1,000 cycles per second at a signal to noise power ratio of at least 10 to 1, when the receiver is supplied through the following artificial antennas with the respective radio frequency signals:

Frequency (kilocycles)	Signal strength (microvolts)	Modulation factor	Modulation frequency (cycles per second)	Artificial antenna
500	25	0.3	400	10 ohms resistance and 100 micromicrofarads capacitance.
8364	100	.3	400	40 ohms resistance.

The noise power present in the output of the receiver when the receiver is adjusted for reception of type A2 emission on the frequencies 500 kc and 8364 kc shall be determined with an unmodulated input signal of the indicated strength.

(3) The selectivity of the receiver preceding the final detector shall be such that response uniform to within 6 db is obtained over the frequency range 492 to 508 kc.

(4) The audio frequency response of the receiver shall be electrically uniform to within 6 decibels over the range of frequencies between 400 and 1400 cycles per second.

(5) The receiver shall be equipped with only one manually operated volume control.

(6) The receiver shall be capable of developing a useful audio power for the purpose of the reception of type A2 emission of at least 6 milliwatts into the non-inductive load resistor prescribed in subparagraph (2) of this paragraph.

(c) The power supply shall comply with the following requirements:

(1) The power supply for the transmitter and the receiver shall consist of a storage battery. The necessary power for the transmitter and receiver, at voltages other than the battery voltages may be obtained by the use of a dynamotor or other suitable device approved by the Commission.

(d) The antenna shall comply with the following requirements:

(1) A single wire inverted L-type for use not less than 20 feet above the water line with a horizontal section of the maximum practicable length.

(e) The artificial antenna shall comply with the following requirements:

(1) The artificial antenna shall provide a reliable load for the transmitter for test purposes at the frequencies 500 kilocycles and 8364 kilocycles, of approximately the same electrical characteristics as the antenna required by paragraph (d) (1) of this section.

(2) The artificial antenna shall be housed in a single container and provided with appropriate terminals. If more than two terminals are provided on the artificial antenna, all the terminals shall be properly labeled.

(f) The ground system shall comply with the following requirements:

(1) The radio installation when installed in a metal hull lifeboat shall be effectively grounded to the hull of the lifeboat. This ground connection shall be physically located in a position where it is inaccessible to the normal movement of occupants or accessories in the lifeboat.

(2) The radio installation when installed in a lifeboat having a non-metallic hull shall be effectively grounded to a bare plate and/or strips of a corrosion resistant metal having a total area of at least six square feet and located on the hull of the lifeboat below the waterline.

8. Sections 8.559 and 8.560 are deleted.

9. Add a new § 8.559 to read as follows:

§ 8.559 *Transitional provisions for lifeboat non-portable radio equipment.* Any type of non-portable lifeboat radio equipment which complies with the former requirements of § 8.557 prior to revision [20] of that section effective December 3, 1952, shall be deemed to comply with the requirements of § 8.520 (c) provided the equipment was installed in a motor lifeboat prior to December 3, 1953, and if the equipment meets the following specific requirements from the respective dates set forth:

Requirement	*Date*
Section 8.558 (a) (1): Transmitter requirement that modulation frequency be not less than 450 cycles per second nor greater than 1350 cycles per second, if equipment installed on or after Nov. 19, 1952	Nov. 19, 1952
Section 8.558 (a) (1): Transmitter requirements applicable to transmission on 8364 kc, if equipment installed on or after Nov. 19, 1952	Nov. 19, 1953
Section 8.558 (a) (1): Transmitter requirement that modulation percentage be not less than 70	Nov. 19, 1952
Section 8.558 (a) (4): Transmitter requirements regarding an automatic keying device for operation on 500 kc and, if radio equipment installed on or after Nov. 19, 1952, also for operation on 8364 kc	Nov. 19, 1953
Section 8.558 (b): Receiver requirements regarding reception on frequencies between 8266 and 8745 kc, if equipment installed on or after Nov. 19, 1952	Do.
Section 8.520 (d) (4): Provision of means for charging the radio battery after the lifeboat is launched, if equipment is installed on or after Nov. 19, 1952	Nov. 19, 1952
Section 8.520 (e): Radio field intensity requirement	Nov. 19, 1954

[20] Copies of former § 8.557 may be secured without charge upon request addressed to Secretary, Federal Communications Commission, Washington 25, D. C.

[F. R. Doc. 52-13111; Filed, Dec. 11, 1952; 8:53 a. m.]

[Docket No. 10237]

PART 12—AMATEUR RADIO SERVICES

OPERATION IN EMERGENCIES

In the matter of amendment of Part 12 of the Commission's rules and regulations to designate specific amateur calling, answering, and emergency frequency bands, and to provide procedure for declaring a communications emergency; Docket No. 10237.

On August 2, 1952, the Commission published a notice of proposed rule making (17 F. R. 8097) which contemplated the addition of a new section to Part 12—Amateur Radio Service (designated as § 12.112) wherein certain small segments of the regularly allocated amateur frequency bands would be set aside, exclusively, as calling and answering frequencies for use in establishing communications contacts, and amendment of § 12.156 of the same part to modernize procedure for declaring a communications emergency, to designate critical areas, and to set forth certain segments of the amateur frequency bands for use, exclusively, in transmitting emergency communications during such communications emergencies. This proposal to amend the amateur rules was made in the light of requests, formal and informal, from different amateur groups that the Commission set aside certain segments of the amateur frequency bands exclusively for the particular type of operation of special interest to each particular group; e. g., one such request was that the segment 29.6 to 29.7 Mc., be set aside exclusively for use of mobile amateur radio stations; another was that the Commission establish special calling and answering frequencies.

The amateurs responded to this notice to the extent that some 640 written comments were received. In addition to submitting written comment, the American Radio Relay League requested oral argument. Another Amateur Radio Association requested a 30-day extension of time for filing comments on the ground that not all amateurs would have adequate opportunity to study the proposed rules and file comments within the period allowed. However, in view of the large number of comments received the requested extension of time was not considered necessary nor would any useful purpose be served by oral argument in view of the disposition the Commission is making of the proposed rules.

The comments received were largely in opposition to adoption of the new rules, particularly § 12.112 which provides for the setting aside of certain segments of the amateur frequency bands, exclusively, for calling and answering pur-

poses. Some objections were also directed to § 12.156 to the extent that it proposed to set forth segments of the amateur frequency bands for transmitting emergency communications and to the extent that it would require the observation of brief listening watches on the frequencies to be set aside for calling and answering. Among the grounds of objection were that to adopt such amendments would complicate, unnecessarily, amateur operating procedures while not accomplishing the intended purpose; would deprive amateurs of considerable frequency space for general amateur communication; and would reduce, substantially, the number of amateurs and amateur stations which otherwise would be available in certain areas for emergency communication or for civil defense operation. It was also contended that many amateurs do not have equipment suitable and necessary for making the frequency shifts required to comply with the proposed rules so that the net result, in all likelihood, would be a loss of frequency space to the amateurs rather than any advantage in establishing contacts.

Study of the content of the opposing comment received leads the Commission to the conclusion that the requests for amendment, heretofore described, clearly represented the views only of the small groups making such requests and that amateurs, generally, and on substantial grounds, are not in favor of such subdivision of the amateur frequency bands. For this reason, the proposed new § 12.112 is being deleted. Comment received, however, indicated that some few amateur groups find it advantageous to use certain calling and answering frequencies. The rules now in effect permit this, and the Commission commends to the attention of the amateur organizations the fact that this may be done on a voluntary basis.

Amateurs who commented unfavorably respecting the proposal to amend § 12.156 to the extent that certain segments of the amateur frequency bands would be set aside, exclusively, for use in transmitting emergency communications during an emergency perhaps were unaware that for the most part the frequencies specified in that proposal have already been set aside in § 12.231 of Subpart B—Rules Governing Radio Amateur Civil Emergency Service, for use by amateurs participating in civil defense communication, and in proposing this amendment, it was the Commission's intention to encourage the development and use of emergency equipment and emergency networks within specified segments of the amateur frequency bands coincident with the Radio Amateur Civil Emergency Service frequency bands. Nevertheless, it may be preferable, as suggested in some of the comments, to delete that part of the proposed amendment of § 12.156, leaving to the Commission's field offices in any stricken area the determination of the frequency band or bands most suitable for use in the particular area concerned. Such procedure would not prevent amateurs interested in civil defense operation from obtaining suitable equipment and developing emergency networks to operate for emergency or civil defense purposes on the frequency band segments set forth in the Rules Governing the Radio Amateur Civil Emergency Service.

Insofar as it relates to establishment of new procedure for declaring a communications emergency, designating the area or areas concerned in such emergency, and prescribing operating procedures respecting the transmission of communications within and to the critical area or areas so designated, no specific opposition was expressed to the proposed amendment of § 12.156.

The Commission considers adoption of that section to the extent specified, essential to the orderly administration of the Amateur Radio Service.

In view of the foregoing considerations and determinations the proposed new § 12.112 is not adopted, but § 12.156 is modified to the extent shown as set forth below. Therefore, pursuant to the authority contained in sections 4 (i), 301, and 303 (c) and (r) of the Communications Act of 1934, as amended:

It is ordered, This 3d day of December 1952, that § 12.156 of Part 12 be and it hereby is amended as set forth below, to become effective on February 2, 1953.

(Sec. 4, 48 Stat. 1066, as amended, 47 U. S. C. 154. Interprets or applies secs. 301, 303; 48 Stat. 1081, 1082, as amended; 47 U. S. C. 301, 303)

Released: December 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,

Secretary.

1. Amend § 12.156 to read as follows:

§ 12.156 *Operation in emergencies.* In the event of an emergency disrupting normally available communication facilities in any widespread area or areas, the Commission, in its discretion, may declare that a general state of communications emergency exists, designate the area or areas concerned, and specify the amateur frequency bands, or segments of such bands, for use only by amateurs participating in emergency communication within or with such affected area or areas. Amateurs desiring to request the declaration of such a state of emergency should communicate with the Commission's Regional Manager of the area concerned. Whenever such declaration has been made, operation of and with amateur stations in the area concerned shall be only in accordance with the requirements hereinafter set forth, but such requirements shall in nowise affect other normal amateur communication in the affected area when conducted on frequencies not designated for emergency operation.

(a) All transmissions within all designated amateur emergency communication bands other than communications relating directly to relief work, emergency service, or the establishment and maintenance of efficient amateur radio networks for the handling of such communications, shall be suspended. Incidental calling, answering, testing or working (including casual conversation, remarks or messages) not pertinent to constructive handling of the emergency situation shall be prohibited within these bands.

(b) The Commission may designate certain amateur stations to assist in the promulgation of information relating to the declaration of a general state of communications emergency, to monitor the designated amateur emergency communications bands, and to warn noncomplying stations observed to be operating in those bands. Such station, when so designated, may transmit for that purpose on any frequency or frequencies authorized to be used by that station, provided such transmissions do not interfere with essential emergency communications in progress; however, such transmissions shall preferably be made on authorized frequencies immediately adjacent to those segments of the amateur bands being cleared for the emergency. Individual transmissions for the purpose of advising other stations of the existence of the communications emergency shall refer to this section by number (§ 12.156) and shall specify, briefly and concisely, the date of the Commission's declaration, the area and nature of the emergency, and the amateur frequency bands or segments of such bands which constitute the amateur emergency communications bands at the time. The designated stations shall not enter into discussions with other stations beyond furnishing essential facts relative to the emergency, or acting as advisors to stations desiring to assist in the emergency, and the operators of such designated stations shall report fully to the Commission the identity of any stations failing to comply, after notice, with any of the pertinent provisions of this section.

(c) The special conditions imposed under the provisions of this section shall cease to apply only after the Commission, or its authorized representative, shall have declared such general state of communications emergency to be terminated; however, nothing in this paragraph shall be deemed to prevent the Commission from modifying the terms of its declaration from time to time as may be necessary during the period of a communications emergency, or from removing those conditions with respect to any amateur frequency band or segment of such band which no longer appears essential to the conduct of the emergency communications.

[F. R. Doc. 52-13110; Filed, Dec. 11, 1952; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 965]

[Docket No. AO–166–A16]

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et. seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Rookwood Room, Hotel Sinton, Fourth and Vine Streets, Cincinnati, Ohio, beginning at 10:00 a. m., e. s. t., December 16, 1952, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. These proposed amendments were proposed by the Cincinnati Sales Association and have not received the approval of the Secretary of Agriculture.

1. Amend § 965.51 (a) (3) by deleting the words "December, January, and February" and substituting therefor the words "December, January, February, and March".

2. Review the Marketing Service Deductions set out in § 965.75 as "not exceeding 4 cents per hundredweight."

Above proposed amendment numbered 1 raises the question of the appropriate level of the Class I price in March. Proper consideration of this question may involve consideration of the changed relationships between prices in March and in other months. In order to permit a complete consideration of this proposal and all of its ramifications, anyone desiring to give testimony with respect to such proposal or any of the provisions of § 965.51 (a) will be permitted to do so.

Copies of this notice and of the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area may be obtained from the Market Administrator, Post Office Box 1195, Cincinnati 1, Ohio, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: December 9, 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 52–13109; Filed, Dec. 11, 1952; 8:52 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY LOUISIANA STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEE REGARDING MARKETING QUOTA REGULATIONS FOR 1953 CROP

Section 729.432 of the Marketing Quota Regulations for the 1953 Crop of Peanuts (17 F. R. 10611), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301–1376), provides that any authority delegated to the State Production and Marketing Administration Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Louisiana State Production and Marketing Administration Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the officer or the committee to whom the authority has been redelegated:

LOUISIANA

Sections 729.419, 729.421, 729.422 (a), 729.424 (a), 729.429, and 729.430—Chairman of the State PMA Committee.

Section 729.426 (c)—County PMA Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361–368, 373, 374; 52 Stat. 38, 62, 65, as amended, 55 Stat. 88, as amended; 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361–1368, 1373, 1374)

Issued at Washington, D. C., this 9th day of December 1952.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 52–13105; Filed, Dec. 11, 1952; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 142]

SKLUT HIDE & FUR CO. AND MORTON SKLUT

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of Sklut Hide & Fur Co., Morton Sklut, 236 Liberty Street, Wilmington, Delaware, respondents; Case No. 142.

This proceeding was instituted on December 13, 1951, by the transmission of a charging letter issued by the Investigation Staff, Office of International Trade, to Sklut Hide & Fur Co., Morton Sklut, the treasurer of said company ("Sklut"), and others. Respondents Sklut, after receiving the charging letter, conferred through their counsel with officials of the Office of International Trade, and thereafter submitted to the Office of International Trade, with the advice of and through counsel, a statement dated November 20, 1952, in which they admitted for the purpose of this compliance proceeding only certain charges applicable to them in the said charging letter, waived all rights to a hearing thereon and consented to the entry of an order, the terms of which are set forth below.

The other respondents named in the charging letter, having admitted the charges applicable to them in said charging letter and in other charging letters not related to this proceeding, have consented to an order denying their export privileges, such order having been issued on September 19, 1952 (17 F. R. 8551–8553).

The charges to which respondents have entered their consent allege, in substance, that respondents, acting by and through Morton Sklut, violated the Export Control Act of 1949 (63 Stat. 7) as amended, and the regulations issued thereunder, by executing and filing with the Office of International Trade on January 8, 1951, an application prepared by their customer (the other respondents named in the charging letter) in the name of Sklut Hide & Fur Co. to export 1385 kipskins to a named purchaser in Japan, on which respondents represented and certified they were the sellers-exporters and that they held an order for the kipskins from the Japanese consignee, although knowing they held no order from the Japanese purchaser whatsoever; and that the purpose in permitting the use of the Sklut name on said application was to assist their customer (such other respondents) to obtain a license for the export of such kipskins to such customer's purchaser in Japan whose order such customer held but could not fill because of inability to obtain an export license due to quota al-

locations established by the Office of International Trade.

The charging letter and above-stated proposal for a consent order have been submitted to the Compliance Commissioner for review and the Compliance Commissioner has also informally reviewed the evidence presented by the Investigation Staff in support of the charges. Upon the basis of such review, the Compliance Commissioner has concluded that the charges applicable to and admitted by respondents are substantiated by the evidence and that the proposed consent order is just and fair and should be approved.

It appears from the Compliance Commissioner's report that respondents' participation in the violation was attributable to a misconception of their relationship with their customer and to the belief that they would in fact be the exporters of the kipskins mentioned in the application.

While the Compliance Commissioner has properly found and his report shows that respondents must be held responsible for their violation, the Compliance Commissioner has pointed out certain extenuating factors applicable to respondents in addition to his conclusion that the violation was not wilful and intentional by respondents. When the respondents were informed of this case, they immediately gave full cooperation to the Office of International Trade in connection with the investigation and also voluntarily surrendered unused the license issued pursuant to the application.

In addition, it appears that respondents have an established reputation for integrity and reliability and that this is the only known instance where they have been charged with a breach of export regulations such as those here involved. It further appears that, although respondents have been engaged in the domestic purchase and sale of hides and skins, their primary business was in connection with the export of raw furs which required no validated licenses and that their inexperience with the regulations relating to validated export licenses and applications therefor was a factor in their violation.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the above evidentiary material, the charging letter, and the proposal for a consent order, and it appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) All outstanding validated licenses held by or issued in the name of respondents Sklut Hide & Fur Co. and Morton Sklut, or either of them, are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

(2) Respondents are hereby denied and declared ineligible to exercise the privileges of obtaining or using export licenses, including validated and general export licenses, for the exportation of any commodity from the United States to any foreign destination, for a period of thirty (30) days from the date of this order. Such denial of export privileges is deemed to include and prohibit participation, directly or indirectly, in any manner or capacity, (a) as a party, or as a representative of a party, to any exportation under validated or general export licenses; and (b) in the financing, forwarding, transporting, or other servicing of exports from the United States pursuant to any validated or general export licenses.

(3) Such denial of export privileges shall extend not only to respondents Sklut Hide & Fur Co. and Morton Sklut but also to any person, firm, corporation, or business organization with which said respondents may be now or hereafter related by ownership or control in the conduct of trade involving exports from the United States under validated and general export licenses, or services connected therewith.

(4) No person, firm, corporation, or other business organization shall knowingly apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States under validated and general export licenses, to or for the respondents, or any person, firm, corporation, or other business organization covered by paragraph (3) hereinabove, without prior disclosure of such facts to, and specific authorization from, the Office of International Trade.

Dated: December 8, 1952.

WALLACE S. THOMAS,
Acting Assistant Director for Export Supply.

[F. R. Doc. 52–13077; Filed, Dec. 11, 1952; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4522 et al.]

FRONTIER AIRLINES, INC. ET AL.; ROUTE NO. 93 RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Frontier Airlines, Inc., under Docket No. 4522, for renewal of its authority to serve Route 93 for a period of five years, the extension of its route to Fort Huachuoa, Ariz.; and under Docket No. 4611 for a certificate amendment authorizing nonstop service between Douglas, Ariz., and El Paso, Tex.; the application of Bonanza Air Lines, Inc., under Docket No. 4471 to extend its route No. 105 to all points presently certificated on Route 93; the application of Trans World Airlines, Inc., under Docket No. 5210, for a certificate amendment to eliminate the intermediate point Winslow, Ariz., therefrom; the investigation instituted by the Board on petition of American Airlines, Inc., under Docket No. 5394, to determine whether said airline should be authorized to suspend service temporarily at Douglas, Ariz.; and the petition of Frontier Airlines, Inc., under Docket No. 5207, to suspend the authority of Trans World Airlines, Inc., to serve Winslow, Ariz., on its route No. 2, and the authority of Bonanza Air Lines, Inc., to serve the intermediate point, Prescott, Ariz., on its route No. 105.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on January 13, 1953 at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., December 8, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52–13099; Filed, Dec. 11, 1952; 8:49 a. m.]

[Docket No. 5053 et al.]

ALL AMERICAN AIRWAYS, INC.; CERTIFICATE RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the application of All American Airways, Inc., for renewal of its certificate of public convenience and necessity.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on January 15, 1953 at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., December 9, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52–13098; Filed, Dec. 11, 1952; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6384]

MONTANA POWER CO. ET AL.

NOTICE OF ORDER MODIFYING ORDER INSTITUTING AN INVESTIGATION

DECEMBER 8, 1952.

In the matter of the Montana Power Company, Pend Oreille Mines and Metals Company, Puget Sound Power & Light Company, the Washington Water Power Company, Public Utility District No. 1 of Chelan County, Washington, and Public Utility District No. 1 of Pend Oreille County, Washington; Docket No. E–6384.

Notice is hereby given that on December 5, 1952, the Federal Power Commission issued its order entered December 4, 1952, modifying order (17 F. R. 1230–31) instituting an investigation under section 10 (f) of the Federal Power Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–13094; Filed, Dec. 11, 1952; 8:48 a. m.]

[Docket No. E-6467]

MONTANA POWER CO.

ORDER INSTITUTING AN INVESTIGATION

DECEMBER 2, 1952.

The Montana Power Co. owns and operates six hydroelectric projects on the Missouri River which have not been licensed under the Federal Power Act. These projects and their approximate distances upstream from the mouth of the river are: Hauser (mile 2379), Holter (mile 2351), Black Eagle (mile 2258), Rainbow (mile 2254), Ryan (mile 2249), and Morony (mile 2245).

The Company has recently filed applications for licenses under the act for the Morony, Ryan, and Rainbow projects and expects to file applications for licenses for the other three plants this year.

The United States, through the Bureau of Reclamation, is now constructing the Canyon Ferry project on the Missouri River about 2396 miles above the mouth of the river. This project will have a total water storage capacity of 2,050,000 acre-feet and an installed hydroelectric generating capacity of 50,000 kilowatts.

Pursuant to the provisions of section 10 (f) of the Federal Power Act, the Commission is required to determine and assess headwater improvement benefit charges against the owner of any project directly benefited by a storage reservoir or other headwater improvements constructed by the United States. An investigation will be required before it can be determined whether any of the six company projects designated above will be directly benefited by the Canyon Ferry project now being constructed by the United States, and if so, the amount to be paid to the United States for the benefits so provided.

The Commission finds: It is appropriate and in the public interest that an investigation be instituted by the Commission as hereinafter provided.

The Commission orders: An investigation is hereby instituted pursuant to the provisions of the Federal Power Act, particularly section 10 (f) thereof, for the purpose of enabling the Commission to determine whether any of the above designated projects of the Montana Power Co. will be directly benefited in the future by the construction and operation of the Canyon Ferry project, and if it so finds, to determine the equitable proportion of the estimated annual charges for interest, maintenance and depreciation on the Canyon Ferry project which it is probable the company as owner of the six designated projects may be required to pay annually: *Provided, however,* That any determination made by the Commission prior to the date of initial operation of the Canyon Ferry project may be subject to change after that project is placed in operation.

Date of issuance: December 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-13078; Filed, Dec. 11, 1952; 8:45 a. m.]

[Docket No. E-6468]

SOUTH CAROLINA ELECTRIC & GAS CO. AND CITY OF AUGUSTA, GA.

ORDER INSTITUTING AN INVESTIGATION

DECEMBER 2, 1952.

The South Carolina Electric & Gas Company, of Columbia, South Carolina, owns and operates a hydroelectric project, known as Stevens Creek, located on Savannah River about 8.7 river miles above Augusta, Georgia. The City of Augusta, Georgia owns and operates a dam on the Savannah River about 7.5 river miles above the City of Augusta, which dam diverts water through a power canal also owned by the City. Part of this dam is licensed under the Federal Power Act as minor part Project No. 746.

The United States, through the Chief of Engineers and the Secretary of the Army, is now constructing the Clark Hill project on the Savannah River about 21.7 river miles above the City of Augusta in the interest of flood control, navigation and the generation of hydroelectric power. The Clark Hill reservoir will have a usable storage capacity of 1,340,000 acre-feet and will have an installed generating capacity of 280,000 kilowatts. The first generating unit is expected to commence operation in December 1952, and the project is scheduled for completion in 1954.

Pursuant to the provisions of section 10 (f) of the Federal Power Act, the Commission is required to determine and assess headwater improvement benefit charges against the owner of any project directly benefited by a storage reservoir or other headwater improvements constructed by the United States. An investigation will be required before it can be determined whether either of the two projects designated herein as being located downstream from the Clark Hill project will be directly benefited by that project, and if so, the amount to be paid to the United States for the benefits so provided.

The Commission finds: It is appropriate and in the public interest that an investigation be instituted by the Commission as hereinafter provided.

The Commission orders: An investigation is hereby instituted pursuant to the provisions of the Federal Power Act, particularly section 10 (f) thereof, for the purpose of enabling the Commission to determine whether either of the specified projects downstream from the Clark Hill project will be directly benefited in the future by the construction and operation of that project and if it so finds, to determine the equitable proportion of the estimated annual charges for interest, maintenance and depreciation on the Clark Hill project which it is probable the owners of the two projects or either of them may be required to pay annually: *Provided, however,* That any determination made by the Commission prior to the initial date of operation of the Clark Hill project may be subject to change after that project is placed in operation.

Date of issuance: December 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-13079; Filed, Dec. 11, 1952; 8:46 a. m.]

[Docket No. G-1012]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF ORDER DISMISSING APPLICATION FOR TEMPORARY CERTIFICATE

DECEMBER 8, 1952.

Notice is hereby given that on December 4, 1952, the Federal Power Commission issued its order entered December 2, 1952, dismissing application for temporary certificate in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-13095; Filed, Dec. 11, 1952; 8:48 a. m.]

[Project No. 1815]

KENNETH J. BOLLES

NOTICE OF ORDER ISSUING NEW LICENSE (MINOR)

DECEMBER 8, 1952.

Notice is hereby given that on October 16, 1952, the Federal Power Commission issued its order entered October 14, 1952, issuing new license (Minor) in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-13096; Filed, Dec. 11, 1952; 8:48 a. m.]

SMALL DEFENSE PLANTS ADMINISTRATION

[Administrative Order 1, Revised]

ESTABLISHMENT AND OPERATION OF STATE, TERRITORIAL AND REGIONAL ADVISORY BOARDS AND THE NATIONAL ADVISORY BOARD

Pursuant to section 714 (e) (11) of the Defense Production Act of 1950, as amended, the following Administrative Order No. 1, Revised, is hereby issued by the Administrator of the Small Defense Plants Administration.

Sec.
1. Purpose.
2. State, Territorial and Regional Advisory Boards.
3. National Advisory Board.

SECTION 1. *Purpose.* This order restates and amends Administrative Order No. 1 establishing Regional and National Advisory Boards, and describes their organization and functions. This order also establishes and describes the organization and functions of the State and Territorial Advisory Boards.

SEC. 2. *State, Territorial and Regional Advisory Boards*—(a) *Establishment.* There are hereby, or have heretofore been, established 49 State and Territorial Advisory Boards (including Alaska) and 13 Regional Advisory Boards. (A listing of the Regions follows.)

I. Boston.
II. New York.
III. Philadelphia.
IV. Richmond.
V. Atlanta.
VI. Cleveland.
VII. Chicago.
VIII. Minneapolis.
IX. Kansas City.
X. Dallas.
XI. Denver.
XII. San Francisco.
XIII. Seattle.

(b) *Composition of State and Territorial Boards.* (1) Each such State and Territorial Advisory Board shall be composed of persons representative of, and familiar with, small business interests in the state or region. The members of each board shall be appointed by and be responsible to the Administrator and shall serve for a period of one year subject to reappointment. The term of appointment of all Advisory Board Members appointed during or before the calendar year 1952, shall expire on December 31, 1952. Advisory Board Members (with previous service) may be reappointed by the Administrator.

(2) The Chairman of each board shall be the Administrator. Each State and Territorial Advisory Board shall have two or more Vice-Chairmen, one of whom shall be the Regional Director, and the others shall be members of the Board designated by the Administrator. In any state or territory where geographical or other considerations do not make it necessary, there should be but one Vice-Chairman selected from among members of its Board. However, where industrial concentrations are geographically substantially apart, Ketchikan and Anchorage, Seattle and Spokane or Chicago and Springfield, the Administrator may, upon the recommendation of the Regional Director, designate more than one such Vice-Chairmen. The State and Territorial Vice-Chairmen will report to and consult with the Regional Director and other Vice-Chairmen of the Regional Advisory Board.

(c) *Composition of Regional Advisory Boards.* Each such Regional Advisory Board shall be composed of State and Territorial Advisory Board Vice-Chairmen from states or territories within the regional jurisdiction and such other members as may be designated by the Administrator upon the recommendation of such Vice-Chairmen and Regional Directors. Each such Regional Advisory Board shall be composed of persons representative of and familiar with small business interests in the region, and shall serve for a period of one year, subject to reappointment. The term of appointment of all Advisory Board Members appointed during or before the calendar year 1952, shall expire on December 31, 1952. Advisory Board Members with previous service may, in the discretion of the Administrator, be reappointed. The members of each such board shall be appointed by and be responsible to the Administrator. The Chairman of each such Board shall be the Administrator. Each Regional Board shall have two or more Vice-Chairmen, one of whom shall be the Regional Director and the others shall be members of the Board designated by the Administrator as Vice-Chairmen.

(d) *Functions.* The State, Territorial and Regional Advisory Boards shall have the following functions:

(1) Evaluate the programs and policies of government agencies insofar as such programs and policies affect small business concerns within their respective states, territories or regions;

(2) Advise the Administrator, when requested, on the desirability of proposed plans and policies of the Administration as they may affect a particular area;

(3) Propose and submit, when requested, specific plans or suggestions to the Administrator for the solution of specific problems;

(4) Report to the Administrator on business conditions and economic developments in the area; and

(5) Consult and advise with the Administrator on such other matters affecting small business as the Administrator may request.

(e) *Meetings.* (1) Meetings shall be called at such times and places as may be designated by the Administrator: *Provided, however,* That any Vice-Chairman may request the Administrator to call a meeting of that Board. Attendance at meetings shall be restricted to the Chairman and Vice-Chairman, Board members, and such other persons as may be invited by the Administrator. Regional Advisory Boards shall so far as convenient, alternate meetings among states within the region. All Board members shall be invited to attend all meetings of their respective Boards, except that territorial representatives, because of distance and expense, should not ordinarily be asked to travel beyond the confines of their respective territories.

(2) All meetings of the State, Territorial and Regional Advisory Boards will be presided over by the Regional Director or another SDPA employee designated by him.

(3) The Regional Director shall be responsible, subject to the direction of the Administrator, for preparing and distributing the agenda, and keeping full and complete minutes of each meeting, with the members of the Board. Copies of the agenda and minutes of all meetings, together with any plans or recommendations prepared by such Board, shall be forwarded by the Regional Director to the Administrator.

(4) If a member of the State, Territorial, or Regional Advisory Board misses three consecutive meetings he will be removed from the board at the discretion of the Administrator and a new member appointed.

SEC. 3. *National Advisory Board.* (a) There is hereby established a National Advisory Board composed of the Administrator, who shall be Chairman, and the Vice-Chairmen (other than the Regional Director) from each Regional Advisory Board. The National Advisory Board shall consult with and advise the Administrator on such matters as he shall request and shall be responsible to him.

(b) The Administrator or his designee shall preside at all meetings. The Administrator shall designate a member of his staff who shall be present at all meetings, prepare and distribute the agenda for meetings and be responsible for keeping full and complete minutes of each meeting.

(c) Meetings shall be called at such times and places as may be designated by the Administrator. Attendance at meetings shall be restricted to the members of the National Advisory Board and such other persons as may be invited by the Administrator.

[SEAL] JOHN E. HORNE,
Administrator.

NOVEMBER 17, 1952.

[F. R. Doc. 52-13102; Filed, Dec. 11, 1952; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 69-105]

J. NEILS LUMBER CO.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION

DECEMBER 8, 1952.

Notice is hereby given that J. Neils Lumber Company ("Neils") has filed an application with this Commission requesting exemption on behalf of itself and its wholly owned subsidiaries, Montana Light & Power Company ("Montana"), a public-utility company, and Klickitat Log & Lumber Company ("Klickitat"), a common carrier railroad, from the provisions of the Public Utility Holding Company Act of 1935 ("act") pursuant to section 3 (a) (3) (A) thereof.

Notice is further given that any interested person may, not later than December 22, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. Said application may be granted at any time after December 22, 1952.

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the facts contained therein, which are summarized as follows:

The application states that Neils is a Minnesota corporation, engaged primarily in the manufacture of wood products in the States of Montana and Washington and has an executive office in Portland, Oregon. In connection with its wood manufacturing operations in its Libby, Montana and Klickitat, Washington plants, Neils also owns and operates steam electric generating facilities. At Klickitat, electricity generated in excess of the needs for the sawmill and other manufacturing facilities and which normally accounts for 10 percent of the total generated, is supplied and sold to the inhabitants numbering approximately 800 and consisting entirely of company employees and persons servicing such employees. At Libby, Montana, the company supplies a nominal amount of electricity to tenants of company houses and sells the small amount of electricity not needed for this purpose and for its own manufacturing operations or to satisfy the interchange agreement with Montana to a non-affiliate, Mountain States Power Company, which serves the remainder of the inhabitants of Libby.

Montana, which was acquired by Neils in order to provide a source of energy for its Libby plant, owns and operates a hydroelectric generating plant at Troy, Montana, and owns distribution lines in the village of Troy and immediate vicinity. It also owns a high voltage transmission line running from Troy to Libby over which it transmits power to Neils at Libby. Montana sells approximately three quarters of its electric energy supply to Neils, and sells the balance to Zonalite Company, a non-affiliate mining company, and to the inhabitants of Troy and vicinity.

For 1951, Montana reported gross revenues of $202,286, of which $113,415 was derived from sales to Neils, and net income of $64,326. Neils' net sales for 1951 totalled $15,125,555 and its net income for the period amounted to $1,799,542.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-13084; Filed, Dec. 11, 1952; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Change List No. 73]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 20, 1952.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power (kw.)	Radiation	Time designation	Class	Probable date to commence operation
NEW	Victoria, B. C.	1	730 kilocycles ND	U	II	Dec. 1, 1953.
NEW	Quebec, Que. (correction)	5	1060 kilocycles DA-1	U	II	
NEW	Chicoutimi, Que.	1	1140 kilocycles DA-1	U	II	Nov. 1, 1953.
CFNS	Saskatoon, Sask.	1	1170 kilocycles DA-1	U	II	Now in operation.
CKCW	Moncton, N. B.	10	1220 kilocycles DA-N	U	II	Nov. 1, 1953.
NEW	St. Georges, Que.	0.25	1400 kilocycles ND	U	IV	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-13112; Filed, Dec. 11, 1952; 8:52 a. m.]

ECONOMIC STABILIZATION AGENCY

Construction Industry Stabilization Commission, Wage Stabilization Board

[Amdt. 3]

COLORADO

AREA WAGE RATES

DECEMBER 8, 1952.

Area wage rates for the State of Colorado up to approximately November 21, 1952, are hereby added to the list previously published in the FEDERAL REGISTER issue of October 30, 1952, at 17 F. R. 9784.

The following table shows the area wage rates that have been published and the FEDERAL REGISTER citation.

Alabama: 17 F. R. 9784.
Arizona: 17 F. R. 9789.
Arkansas: 17 F. R. 10576.
California: 17 F. R. 10784.

THOMAS J. KALIS,
DUNCAN CAMPBELL,
Co-Chairmen.
ROBERT J. LUDWIG,
Administrative Assistant, Construction Industry Stabilization.

Area rates approved and issued by the Construction Industry Stabilization Commission for the State of Colorado up to approximately November 21, 1952.

SEC. 5 *Area wage rates for Colorado.*

Asbestos Workers

Case C-3047: Halfway from Albuquerque, N. Mex., to Denver, Colo.; building construction only.

Asbestos worker mechanic	$2.6125

Case C-8591: Halfway from Salt Lake City, Utah, to Denver, Colo.; building construction only.

Asbestos worker mechanic	$2.51
Improver:	
First year	1.65
Second year	1.85
Third year	2.10
Fourth year	2.35

Case C-8768: Halfway from Denver, Colo., and Laramie, Wyo., to Salt Lake City, Utah, Albuquerque, N. Mex., Billings, Mont., Omaha, Nebr., Wichita, Kans., Borger, Tex.; building construction only.

Mechanic	$2.75
Improver:	
First year	1.83
Second year	2.07
Third yeaf	2.14
Fourth year	2.315

Case C-9058: Halfway from Borger and Amarillo, Tex., to Denver, Colo.; building construction only.

Mechanic	$2.75
Improver:	
Fourth year	2.15
Third year	1.90
Second year	1.75
First year	1.60

Boilermakers

Case C-8130: Entire State of Colorado; building and heavy construction only.

Master boilermaker	$3.125
Lead mechanic	3.00
Assistant lead mechanic	2.875
Boilermaker	2.75
Boilermaker helper	2.50

Bricklayers

Case C-6562: Counties of Boulder, Grand, and Jackson; building construction only.

Journeyman bricklayer, block layer, cleaner, caulker and pointer	$3.175

Case C-7601: Counties of Elbert, El Paso, Lincoln, Kit Carson, Cheyenne, Teller, and Park; building construction only.

Journeyman bricklayer, blocklayer, cleaner, caulker and pointer	$3.45

Case C-6087: Counties of Denver, Adams, Arapahoe, Douglas, Jefferson, Clear Creek, and Gilpin; building construction only.

Journeyman bricklayer	$3.45

Case C-5285: Counties of Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, and Gunnison; building construction only.

Journeyman bricklayer	$3.45

Case C-5115: Counties of Pueblo, Crowley, Otoro, Kiowa, Bent, Prowers, Baca, Las Animas, Huerfano, Alamosa, Conejos, and Costilla: building construction only

Journeyman bricklayer	$3.25

Carpenters

Case C-9436: Counties of Rio Grande, Conejos, Costilla, Alamosa, and Saguache; building, heavy and highway construction.

Carpenter	$2.075
Millwright	2.28
Apprentice:	
First 6 months—50 percent of journeyman wage.	

Apprentice—Continued
Second 6 months—55 percent of journeyman wage.
Third 6 months—60 percent of journeyman wage.
Fourth 6 months—65 percent of journeyman wage.
Fifth 6 months—70 percent of journeyman wage.
Sixth 6 months—75 percent of journeyman wage.
Seventh 6 months—80 percent of journeyman wage.
Eighth 6 months—90 percent of journeyman wage.
Foreman 25 cents per hour more than journeyman's rate.

Case C–7244: Denver and area within the territorial jurisdiction of the United Brotherhood of Carpenters and Joiners, Local 2363; building construction only.

Insulation mechanic	$2.20

Case C–7577: All of Boulder County lying west of the North and South Hyginene Road, about 6½ miles west of the eastern county boundary; building construction only.

Journeyman carpenter	$2.50

Case C–8438: Denver and area within the territorial jurisdiction of United Brotherhood of Carpenters and Joiners, Local 55; building construction only.

Journeyman carpenter and millwright	$2.625
Apprentice:	
First year:	*Percent*
First 6 months	55
Second 6 months	60
Second year:	
First 6 months	65
Second 6 months	70
Third year:	
First 6 months	75
Second 6 months	80
Fourth year:	
First 6 months	85
Second 6 months	90
Until the union terms him a journeyman	90

Case C–8735: County of Grand; heavy and highway construction only.

Journeyman carpenter	$2.25

Case C–9012: All of Weld County except the southwest corner of county lines of Boulder and Larimer, thence in a southeasterly line to an intersection of Weld and Adams Counties East line of Range 65 West; building, heavy and highway construction.

Journeyman carpenter	$2.25
Apprentice:	
First year	1.30
Second year	1.50
Third year	1.70
Fourth year	1.90

Case C–9568: North one-half of Boulder County, Colo., which lies east of Hygiene Rd., running north and south which in turn lies about 6½ miles west of the east line of Boulder County. This part of Boulder County lies to the north of what is known locally as Gunbarrel Hill; building construction only.

Journeyman carpenter	$2.10
Apprentice:	
First year:	*Percent*
First 6 months	55
Second 6 months	60
Second year:	
First 6 months	65
Second 6 months	70
Third year:	
First 6 months	75
Second 6 months	80
Fourth year:	
First 6 months	85
Second 6 months	90
Until the union terms him a journeyman	90

Case C–9303: Counties of Dolores, Montezuma, La Plate, San Juan, Archuleta, Mineral, and that portion of Hinsdale County that lies south of Range line 43 west approximately 10 miles south of parallel 38; building, heavy and highway construction.

Journeyman carpenter and millwright	$2.00
Apprentice:	
Percentages of journeyman's rates:	
First 6 months	50
Second 6 months	55
Third 6 months	60
Fourth 6 months	65
Fifth 6 months	70
Sixth 6 months	75
Seventh 6 months	80
Eighth 6 months	85

Case C–8549: Counties of central and western portions of Fremont and northern part of Custer; building construction only.

Journeyman carpenter and joiner	$2.00

Case C–7230: Counties of El Paso, Teller, and parts of Park, Douglas, Elbert, Lincoln, Kit Carson, and Cheyenne; building, heavy and highway construction.

Carpenter foreman	$2.60
Carpenter pusher	2.475
Journeyman carpenter	2.35
Apprentice:	
First year	1.47
Second year	1.65
Third year	1.80
Fourth year	2.075

Case C–8316: County of Larimer; heavy and highway construction only.

Journeyman carpenter	$2.25

Case C–8384: County of Larimer and area within the territorial jurisdiction of United Brotherhood of Carpenters and Joiners, Local 1340; building construction only.

Journeyman carpenter	$2.25

Case C–9445: All of Garfield County except that portion extending west from Grand Valley; all of Rio Blanco County east of Highway 13. All of Pitkin County to and including Aspen and due north to Eagle; Eagle County as far east as Eagle, and north to State Line which includes that portion of Routt County east of Highway 13; building construction only.

Journeyman carpenter	$2.185

Case C–8427: All of Moffat and Rio Blanco Counties lying west of Colorado Highway No. 13; all of Garfield county lying west of Colorado Highway No. 13 and U. S. Highway 6–24; all of Mesa County; that portion of Montrose and Delta Counties lying north and west of a a straight line drawn from Overland Reservoir to Bedrock; building, heavy and highway construction.

Journeyman carpenter and millwright	$2.185
Lead man	2.32
Foreman	2.46

Case C–8404: Counties of Lake, Chaffee, and Summit, eastern part of Eagle County between Glenwood Springs and Leadville; western part of Park County (by highway) between Colorado Springs and Leadville; building, heavy and highway construction.

Journeyman carpenter	$2.35
Millwright	2.60

Case C–9673: Counties of Montrose, Ouray, and San Miguel in their entirety and Delta and Mesa Counties south of a line between Gateway and Overland Reservoir; Delta and Gunnison Counties south and west of a line between Overland Reservoir and Doyleville; Saguache and Hinsdale Counties west of a line between Doyleville and North Creede; Hinsdale and San Juan Counties north of a line between North Creede and Lizard Head Pass; building and heavy construction only.

Carpenter	$2.10

Case C–6617: Counties of Pueblo, Huerfano, and parts of El Paso, Custer, and Fremont; building, heavy and highway construction.

Journeyman carpenter	$2.35
Journeyman millwright	2.45

Cement Finishers

Case C–8856: Denver and area bounded on the west by the west boundary of Jefferson County; on the north by the north boundary of Jefferson and Adams Counties; on the east by the east line of Township Range 65 West; and on the south by the south line of Township 7 South; building construction only.

Journeyman cement mason	$2.625

Case C–9479:
District "A"—Denver metropolitan area—shall be defined as follows: "That portion of Adams, Arapahoe, Denver, and Jefferson Counties lying within a rectangle whose sides are parallel to Colfax Avenue and to Broadway, and Broadway extended northerly, with the western boundary being 13½ miles west of Broadway and the eastern boundary 13½ miles east of Broadway; the northern side of the rectangular area being 9 miles north of Colfax Avenue, and Colfax Avenue extended westerly, and the southern boundary 12 miles south of Colfax Avenue; and another rectangle adjacent thereto, 3 miles wide north and south, and 6 miles long east and west, extending north to the Boulder County Line and east from the west line of the aforementioned rectangle a distance of 6 miles."
District "B"—Northeastern Colorado area—shall be defined as follows: "All of Sedgwick, Logan, Phillips, Morgan, Washington, Yuma, Clear Creek, and Gilpin Counties; the north half of Kit Carson County (Burlington and north); north third of Lincoln County (Limon and north); north two-thirds of Elbert County; north two-thirds of Douglas County (north of a point halfway between Denver and Colorado Springs); north three-fourths of Jefferson County (except that portion within the Denver metropolitan area as described above); north one-fourth of Park County; south half of Boulder County; south portion of Weld County (south of Greeley); Adams and Arapahoe Counties east and north of the Denver metropolitan area as described above."
District "C"—North Central area—shall be defined as follows: "The north half of Boulder County; the north portion of Weld County (Greeley and north); and all of Summit, Routt, Jackson, Grand, and Larimer Counties"; heavy and highway construction only.

Journeyman cement finisher:	
District "A"	$2.625
District "B"	2.55
District "C"	2.40

Case C–8516: Pueblo and area within the territorial jurisdiction of Operative Plasterers and Cement Masons International Association; Cement Masons Local 58; building, heavy and highway construction.

Journeyman cement finisher	$2.35
Foreman	2.60

Electrical Workers

Case C–5613: Colorado Springs and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 113; building and heavy construction only.

Journeyman, construction electrician	$2.52
Foreman, construction electrician	2.76

Case C–6553: Denver and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 68; building and heavy construction only.

Journeyman electrician	$2.90
Sign hanger, maintenance service man and assembly man	2.79

Case C–6566: Denver and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 68; building and heavy construction only.

Journeyman electrician	$2.90
Foreman	3.15
General foreman	3.40

Case C–9252: Denver and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 111,925, 12 and 113; building and heavy construction only.

All outside industrial and utility construction and maintenance work for the entire State of Colorado:	
Working foreman	$2.79
Cable splicer	2.73
Journeyman lineman	2.62
Apprentice:	
First 6 months	1.75
Second 6 months	1.80
Third 6 months	1.91
Fourth 6 months	2.04
Fifth 6 months	2.15
Sixth 6 months	2.26
Heavy equipment operator	2.34
Truck driver	1.75
Groundman A	1.80
Groundman B	1.64
Powderman and jackhammerman	2.02
Outside industrial work in the Denver metropolitan area within a 15-mile radius of Colfax and Broadway:	
Working foreman	3.01
Cable splicer	2.90
Journeyman lineman	2.80
Apprentice:	
First 6 months	1.86
Second 6 months	1.93
Third 6 months	2.05
Fourth 6 months	2.18
Fifth 6 months	2.30
Sixth 6 months	2.42
Heavy equipment operator	2.48
Truck driver	1.86
Groundman	2.85
Powderman and jackhammerman	2.16

Case C–6393: Fort Collins and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 891; building and heavy construction only.

Journeyman wireman	$2.40

Case C–5511: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Fremont, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, and Saguache; building and heavy construction only.

Journeyman electrician	$2.61

Case C–7852: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Fremont, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, and Saguache; building and heavy construction only.

Glass blower and sign hanger	$2.61

Elevator Constructors

Case C–7055: City of Pueblo; building construction only.

Elevator constructor foreman	$2.965
Elevator constructor mechanic	2.635
Elevator constructor helper	1.845

Glaziers

Case C–8446: Cities of Colorado Springs, Manitou Springs, and suburbs of Nob Hill, Broadmoor, and Roswell; building construction only.

Journeyman glazier	$2.10

Case C–9066: Counties of Denver and Pueblo; building construction only.

Journeyman glazier	$2.35

Case C–4997: Counties of Rio Blanco, Garfield, Mesa, Delta, Montrose, Ouray, Eagle, Pitkin, and Gunnison; building, heavy and highway construction.

Journeyman glazier	$1.90

Iron Workers

Case C–4118: 30 miles into the north part of Moffat, Routt, Jackson, Larimer, Weld, Logan, and Sedgwick Counties; building, heavy and highway construction.

Journeyman ornamental ironworker (including fence erector)	$2.45
Journeyman structural ironworker	2.45
Machinery mover, rigger, derrickman	2.45
Journeyman reinforcing ironworker	2.45

Case C–7209: Half way from Salt Lake City, Utah to Denver, Colo.; building, heavy and highway construction.

Ornamental ironworker (including fence erector)	$2.425
Structural iron worker	2.425
Machinery mover, rigger and derrickman	2.425
Reinforcing ironworker	2.35

Case C–5726: Denver and area within the territorial jurisdiction of International Association of Bridge, Structural and Ornamental Iron Workers, Local 24; building construction only.

Journeyman structural iron worker, ornamental iron worker (including fence erector) machinery mover, and rigger and reinforcing iron worker	$2.50

Laborers

Case C–5160: Entire State of Colorado; mainline pipeline construction only.

Laborer (State-wide except Denver County)	$1.40
Laborer (Denver County)	1.45

Case C–8775: Counties of Boulder, Larimer, Weld, and Adams, East of Range 65 West; building construction only.

Power-operated tools such as jackhammer, barco hammer, tamper, vibrator, pavement breaker, spader, hammer and drill, sander and self-propelled buggie	$2.075
Construction labor	1.70
Watchman	1.65

Case C–3532: County of El Paso; building construction only.

Drain layer under 8 inches	$1.75
Air tool operator	1.75
All other building labor	1.50

Case C–5226: Denver, Colo., and area within the territorial jurisdiction of International Hod Carriers, Building and Common Laborers Union, Drainlayers, Local 331; building construction only.

Drainlayer	$1.98
Foreman	2.23
Drainlayer on pipe 8 inches or over	2.23

Case C–8068: Denver area bounded on the west by the west boundary of Jefferson County; on the north by the north boundaries of Jefferson and Adams Counties; on the east by the east line of Township Range 65 West and on the south by the south line of Township 7 South; all in the vicinity of Denver, Colo.; building construction only.

Cement finisher tender, power-operated tool such as jackhammer, barco hammer, tamper vibrator, pavement breaker, spader, hammer and drill, sander and self-propelled concrete buggy	$2.075
Construction labor	1.725
Watchman	1.65

Case C–8847: Area A—Entire State of Colorado; tunnel construction only.

Minimum tunnel labor	$1.70
Concrete labor, chuck tender and nipper, and dumpman (if used)	1.80
Miner, timberman, machineman, vibratorman, powderman, blaster, collapsible form mover and setter	1.95
Gunniting nozzleman and pump concrete placement man and sand blaster	2.15
Shifter	2.25

Area B—All of the State of Colorado, except that portion which includes the city and county of Denver and the area immediately adjacent thereto, described as follows: Metropolitan area of Denver shall be defined as that portion of Adams, Arapahoe, Denver, and Jefferson Counties lying within a rectangle whose sides are parallel to Colfax Avenue and to Broadway, and Broadway extended northerly, with the western boundary being 13½ miles west of Broadway and the eastern boundary 13½ miles east of Broadway; the northern side of the rectangular area being 9 miles north of Colfax Avenue, and Colfax Avenue extended westerly, and the southern boundary 12 miles south of Colfax Avenue, and another rectangle adjacent thereto, 3 miles wide north and south and 6 miles long east and west extending north to the Boulder County line and east from the west line of aforementioned rectangle a distance of 6 miles; heavy, highway and engineering construction only.

Minimum labor, including caisson to 6 feet	$1.55
Chuck tender, nipper, and diamond drill helper	1.60
Air tool operator (jackhammer, vibrator, etc.), spotter, signalman, dump man, and wagon drill operator; laborer, caisson, from 6 to 12 feet and power operated concrete buggies	1.70
Laborer on mainline sewer, water main, gas and oil pipeline, and hot asphalt labor (raker, boxtender)	1.75
Laborer on caissons, over 12 feet and on cofferdam, scaler, blaster, powderman, form setter and timberman	1.95
Pipelayer, over 6'' pipe	2.05
Sand blaster	2.05

Case C–5135: City of Grand Junction; counties of Moffat, Routt, Rio Blanco, Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, Dolores, Montezuma, La Plata, San Juan, and Gunnison; building construction only.

Brick tender and mortar mixer	$2.00

Case C–8182: City of Grand Junction; counties of Moffat, Routt, Rio Blanco, Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, Delores, Montezuma, La Plata, San Juan, and Gunnison; building construction only.

Building construction and general laborer	$1.60
Operator and tender of pneumatic tools, vibrating machines and similar mechanical tools	1.765
Powder man	2.04
Power operated concrete buggy	1.875
Sand blaster (nozzleman)	1.875
Dumpman and spotter	1.60
Reinforcing iron rod handler	1.60
Labor foremen (25 cents per hour more than highest paid man under his supervision).	

Case C–7174: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Fremont, Hinsdale, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, and Saguache; building construction only.

Powderman	$2.25
Pipe layer (concrete and clay over 6 inches)	2.05
Pipe layer (6 inches or under)	1.90
Dumpman, spotter, signalman	1.90
Asphalt raker, ironer, tamper	1.90
Air, gas and electrical tools (jackhammer vibrator)	1.90
Mortar mixer (wet or dry) 3 hours	1.90
Asbestor or insulator helper	1.90
Cement handler (batch plant)	1.75
Watchman (straight time)	1.65
Operator—concrete power buggie	1.90
Tool room man and checker	1.90
Carrying reenforcing rod	1.65
All other labor	1.65
Plumbing shop labor	1.775
Ditch digger	1.65
Labor foreman (minimum) or 25 cents per hour more than the highest paid under his supervision)	1.90

Lathers

Case C–8124: Half distance by Wichita, Kansas to east; half distance by Cheyenne, Wyoming to north; half distance by Colorado Springs, Colorado to south and half the distance by Salt Lake City, Utah to west; building construction only.

Journeyman lather	$3.30

Marble, Mosaic, and Terrazzo Helpers

Case C–8437: Denver and area within the territorial jurisdiction of International Association of Marble, Slate and Stone Polishers, Rubbers and Sawyers, Tile and Marble Setters Helpers and Terrazzo Workers Helpers, Local 85; building construction only.

Marble, slate and stone polishers, rubbers and sawyers, tile setters helpers and terrazzo workers helpers	$1.90
Base machine men	2.05

Marble Setters

Case C–8806: Entire State of Colorado; building, heavy and highway construction.

Journeyman marble mechanic	$2.90

Mason and Plasterer Tenders

Case C–8775: Counties of Boulder, Larimer, Weld, and Adams, East of Range 65 West; building construction only.

Mason tender, brick tender, plasterer tender, and cement finisher tender	$2.075

Case C–3532: County of El Paso; building construction only.

Mason tender	$1.75

Case C–8068: City of Denver and area bounded on the west by Jefferson County; on the north by Jefferson and Adams Counties; on the east by Range 65 West; and on the south by the south line of Township 7 South; building construction only.

Mason tender, brick tender, and plasterer tender	$2.075

Case C–9717: Counties of Moffat, Routt, Rio Blanco, Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, Dolores, Montezuma, La Plata, San Juan, and Gunnison; building construction only.

Plaster tender, mortar mixer, men building self-supporting scaffolds to 14 feet and all clean-up men	$2.00

Case C–7174: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Fremont, Hinsdale, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, and Saguache; building construction only.

Mason tender	$1.90
Mortar mixer (wet or dry) 3 hours	1.90

Mosaic and Terrazzo Workers

C–8806: Entire State of Colorado; building, heavy and highway construction.

Journeyman terrazzo mechanic	$2.90

Operating Engineers

Case C–8181: Entire State of Colorado; building construction only.

Air compressor	$2.46
Asphalt plant	2.46
Bulldozer, scraper	2.46
Shovel, crane, derrick, dragline	2.63
Crushing plant, batch plant	2.46
Distributor (bituminous surface)	2.46
Finishing machine (cement, concrete, pavement)	2.46
Fireman, oiler, and batch plant scale operator	1.85
Industrial motorman	2.46
Hoist (1 drum)	2.46
Hoist (2 or more drums)	2.63
Mechanic, heavy duty	2.46
Mechanic's helper	1.85
Mixer (1 cubic yard or over)	2.63
Mixer (less than 1 cubic yard)	2.46
Motor grader	2.46
Pump	2.46
Roller	2.46
Tournapull	2.46
Tractor, over 35 horsepower	2.46
Tractor, 35 horsepower or less	1.85
Trenching machine	2.46
Drill operator	2.46
Brakeman	1.85

Case C–8679: Entire State of Colorado; heavy and highway construction only.

Denver Metropolitan Area

Air compressor	$2.46
Asphalt plant	2.46
Batch plant	2.46
Blade grader	2.46
Bulldozer	2.46
Crane, derrick, dragline	2.63
Crushing plant	2.46
Distributor (bituminous surface)	2.46
Finishing machine (cement, concrete pavement)	2.46
Fireman, oiler, and batch plant scale operator	1.85
Hoist (1 drum)	2.46
Hoist (2 or more drums)	2.63
Mechanic, heavy duty	2.46
Mechanic, helper	1.85
Mixer (1 cubic yard and over)	2.63
Mixer (less than 1 cubic yard)	2.46
Motor grader	2.46
Pump operator	2.46
Roller	2.46
Scraper	2.46
Shovel, power	2.63
Tournapull	2.46
Tractor, over 35 horsepower	2.46
Tractor, 35 horsepower or less	1.85
Trenching machine	2.46

(Operators of machines not classified above shall be paid comparative rates.)

Remainder of State

Air compressor	$2.35
Asphalt plant	2.35
Batch plant	2.35
Blade grader	2.35
Bulldozer	2.35
Crane, derrick, dragline	2.51
Crushing plant	2.35
Distributor (bituminous surface)	2.35
Finishing machine (cement concrete pavement)	2.35
Fireman, oiler, and batch plant scale operator	1.75
Hoist (1 drum)	2.35
Hoist (2 or more drums)	2.51
Mechanic, heavy duty	2.35
Mechanic, helper	1.75
Mixer (1 cubic yard and over)	2.51
Mixer (less than 1 cubic yard)	2.35
Motor grader	2.35
Pump operator	2.35
Roller	2.35
Scraper	2.35
Shovel, power	2.51
Tournapull	2.35
Tractor, over 35 horsepower	2.35
Tractor, 35 horsepower or less	1.75
Trenching machine	2.35
Haulage motorman	2.08

(Operators of machines not classified above shall be paid comparative rates.)

Tunnel Construction—State of Colorado

Mucking machine operator	$2.51
Mechanic and welder	2.35
Mechanic (machine doctor)	2.35
Pumpcrete operator	2.35
Mixer (1 cubic yard and over)	2.51
Mixer (less than 1 cubic yard)	2.35
Hoist (single-drum)	2.35
Hoist (2-drum)	2.51
Pump operator	2.35
Compressor	2.35
Drill operator	2.35
Haulage motorman	2.08
Brakeman and helper	1.75
Jumbo form operator	2.35

(Engineers for machines not listed shall receive a scale comparable to these classifications.)

Painters

Case C–3243: City of Boulder; building construction only.

Journeyman painter	$2.35

Cases C–4859 and C–4860: Counties of El Paso, Lincoln, and south one-half of Elbert, Douglas, Teller, and Park; building construction only.

Journeyman brush painter and taper	$2.22

Also maintenance of the previously established differentials for other classifications of painter, including carpet and linoleum layers.

Case C–7908: Entire State of Colorado; building construction only.

Journeyman sign painter	$2.64
Card writer and theater display artist	2.29
Helper and junior sketch artist	1.835
Apprentice:	
First year	.865
Second year	1.17
Third year	1.47
Fourth year	1.795
Fifth year	2.105

Case C–1178: Denver and area within the territorial jurisdiction of the Brotherhood of Painters, Decorators and Paperhangers, Local 79; building construction only.

Journeyman painter	$2.39

Case C–7465: Counties of Larimer and Jackson; building construction only.

Journeyman house painter (exterior and interior)	$2.00
Pressure roller painting	2.00

Also maintenance of existing differential for spray gun painting.

Case C–4997: Counties of Rio Blanco, Garfield, Mesa, Delta, Montrose, Ouray, Eagle, Pitkin and Gunnison; building, heavy and highway construction.

Journeyman painter, brush	$1.90
Journeyman painter, spray	2.15
Journeyman painter, swing stage over 30 feet	2.40

Case C–7461: Counties of Pueblo, Crowley, Kiowa, Bent, Prowers, Baca, Las Animas, Fre-

mont, and Huerfano; building construction only.

Journeyman painter, brush	$2.15
Journeyman painter, spray	2.40

Plasterers

Case C-2854: Denver and area within the territorial jurisdiction of Operative Plasterers and Cement Masons International Association, Local 32; building construction only.

Journeyman plasterer	$3.30

Plumbers

Case C-4998: Entire State of Colorado; mainline pipeline construction only.

Journeyman pipe fitter	$2.65
Pipe fitter welder	2.65
Pipe fitter apprentice	[1] 1.35

[1] Or 15 cents per hour over and above the common laborer rate in any given area.

Case C-8546: Entire State of Colorado; building construction only.

Journeyman sprinkler fitter	$2.79

Case C-6277: City of Boulder; building construction only.

Journeyman plumber and pipe fitter	$2.65

Case C-6704: Colorado Springs and surrounding area to include counties of El Paso, Park, Teller; southern half of Douglas and Elbert Counties and all of Lincoln County except all north of Highway 24; building construction only.

Journeyman plumber	$2.625

Case C-4853: Denver and area within the territorial jurisdiction of United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 3 and Pipe Fitters Local 208; building construction only.

Journeyman plumber and pipe fitter	$2.82
Foreman (general)	3.243
Foreman (assistant general)	3.1725
Foreman	3.102

Case C-7679: Denver and area within the territorial jurisdiction of United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 208; building construction only.

Journeyman refrigeration fitter (service)	$1.95

Apprentice:	*Percent*
First 6 months	50
Second 6 months	55
Third 6 months	60
Fourth 6 months	65
Fifth 6 months	70
Sixth 6 months	75
Seventh 6 months	80
Eighth 6 months	85
Ninth 6 months	90
Tenth 6 months	95

Case C-8745: City of Greeley and surrounding area within a 10-mile radius; building construction only.

Journeyman plumber and gas fitter	$2.625

Case C-9703: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Fremont, Hinsdale, Huerfano, Kiowa, Mineral, Otero, Prowers, Rio Grande, Saguache, Pueblo, and Custer; building construction only.

Journeyman plumber	$2.75

Case C-9098: Counties of San Miguel, Dolores, La Plata, and Ouray; building construction only.

Plumber and pipe fitter	$2.50

Case C-9099: Counties of Montrose, Gunnison, Mesa, Moffat, Rio Blanco, and Delta; building construction only.

Journeyman plumber and pipe fitter	$2.40

Case C-5036: County of Las Animas; building construction only.

Journeyman plumber and gas fitter	$2.35

Roofers

Case C-8666: Entire State of Colorado; building construction only.

Journeyman roofer	$2.625

Sheet Metal Workers

Case C-4162: City of Colorado Springs; County of El Paso; building construction only.

Journeyman sheet metal worker	$2.35

Case C-7092: Denver and area within the territorial jurisdiction of Sheet Metal Workers' International Association, Local 9, excluding the city of Boulder and vicinity; building construction only.

Journeyman sheet metal worker	$2.625
Foreman	2.953

Case C-8825: Counties of Mesa, Delta, Montrose and Garfield; building construction only.

Journeyman sheet metal worker	$2.21

Stone Masons

Case C-6562: Counties of Boulder, Grand, and Jackson; building construction only.

Journeyman stone mason	$3.175

Case C-7601: Counties of Elbert, El Paso, Lincoln, Kit Carson, Cheyenne, Teller, and Park; building construction only.

Journeyman stone mason	$3.45

Case C-6087: Counties of Denver, Adams, Arapahoe, Douglas, Jefferson, Clear Creek, and Gilpin; building construction only.

Journeyman stone mason	$3.45

Case C-5285: Counties of Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, and Gunnison; building construction only.

Journeyman stone mason	$3.45

Case C-5115: Counties of Pueblo, Crowley, Otero, Kiowa, Bent, Prowers, Baca, Las Animas, Huerfano, Alamosa, Conejos, and Costilla; building construction only.

Journeyman stone mason	$3.25

Soft Floor Layers

Cases C-4859 and C-4860: Counties of El Paso, Lincoln, and South one-half of Elbert, Douglas, Teller, and Park; building construction only.

Journeyman brush painter and taper	$2.22

Also maintenance of the previously established differentials for other classifications of painters, including carpet and linoleum layers.

Case C-5493: Denver and area within the territorial jurisdiction of Brotherhood of Painters, Decorators and Paperhangers, Local 419 (which extends one-half the distance between any city containing regularly constituted Linoleum, Carpet and Soft Tile Layers, Local Union); building construction only).

Journeyman layer	$2.57
Carpet sewer	1.73

Steamfitters

Case C-9703: Counties of Alamosa, Archuleta, Baca, Bent, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Fremont, Hinsdale, Huerfano, Kiowa, Mineral, Otero, Prowers, Rio Grande, Saguache, Pueblo, and Custer; building construction only.

Steamfitter	$2.75

Case C-5036: County of Las Animas; building construction only.

Steamfitter	$2.35

Teamsters

Case C-8104 A: Denver, metropolitan area and that portion of Adams, Arapahoe, Denver, and Jefferson Counties lying within a rectangle whose sides are parallel to Colfax Avenue and to Broadway, and Broadway extended northerly, with the western boundary being 13½ miles west of Broadway and the eastern boundary 13½ miles east of Broadway; the northern side of the rectangular area being 9 miles north of Colfax Avenue, and Colfax Avenue extended westerly, and the southern boundary 12 miles south of Colfax Avenue; and another rectangle adjacent thereto, 3 miles wide north and south, and 6 miles long east and west, extending north to the Boulder County line and east from the west line of aforementioned rectangle a distance of 6 miles; heavy and highway construction only.

Pick-up truck (4)	$1.75
Dump truck—under 6 yards hauled	1.85
Dump truck—6 yards to 13 yards hauled	1.95
Flat rack	1.85
Semiflat rack truck, highboy (1)	1.95
Koehring dumpter	1.95
Lumber carrier	1.95
Concrete mixer truck—to 5 yards	1.95
Concrete mixer truck—5 yards and over (2)	2.05
Lowboy (3)	2.05
Euclid and similar units—over 13 yards hauled	2.05
Winch pole and "A" frame truck	2.20
Tandem Euclid and similar equipment	2.20
Water truck (5)	1.85
Semiwater truck (6)	1.95
Warehouseman (greaser, tire and service man)	1.85
Truck mechanic	2.10
Truck mechanic helper (7)	1.75
Material checker (8)	1.90
Dumper, spotter, scaleman, etc	[1]

[1] If used, same rate as driver.

Case C-8104B: Entire State of Colorado, excluding the Denver metropolitan area; heavy and highway construction only.

Pick up truck	$1.65
Dump truck—under 6 yards hauled	1.75
Dump truck—6 yards to 13 yards hauled	1.85
Flat rack	1.75
Semi-flat rack truck highboy (1)	1.85
Koehring dumptor	1.85
Lumber carrier	1.90
Concrete mixer truck—to 5 yards	1.90
Concrete mixer truck—5 yards and over (2)	2.00
Lowboy (3)	2.00
Euclid and similar units—over 13 yards hauled	2.05
Winch pole and "A" frame truck	2.10
Tandem Euclid and similar equipment	2.20
Water truck (5)	1.75
Semi-water truck (6)	1.85
Warehouseman (greaser, tire and service man)	1.75
Truck mechanic	2.05
Truck mechanic helper (7)	1.65
Material checker (8)	1.80
Dumper, spotter, scalemen, etc	[1]

[1] If used, same rate as driver or project.

Case C-9203: Denver and area bounded on the west by the west boundary of Jefferson County; on the north by the north boundary

of Jefferson and Adams Counties; on the east by the east line of Range 65 West, and on the south by the south line of Township 7 South, all in the vicinity of Denver, Colo.; building construction only.

Drivers of:	
Pick-up truck	$1.75
Dump truck—under 6 yards hauled	1.85
Dump truck—6 yards to 13 yards hauled	1.95
Flat rack	1.85
Semiflat rack truck and highboy	1.95
Koehring dumpter	1.95
Lumber carrier	1.95
Concrete mixer truck to 5 yards	1.95
Concrete mixer truck—5 yards and over	2.05
Lowboy	2.05
Euclid and similar units—over 13 yards hauled	2.05
Winch pole and "A" frame truck	2.20
Tandem Euclid and similar equipment	2.20
Water truck	1.85
Semiwater truck	1.95
Warehouseman (greaser, tire and service man)	1.85
Truck mechanic	2.10
Truck mechanic helper	1.75
Material checker (if used full time and necessary)	1.90
Dumper, spotter, scaleman, etc	(1)
Truck driver helper	1.75

[1] (If used, same rate as driver on project.)

Case C–8106: Area west of the Continental Divide; building construction only.

Dump trucks:	
6 yards hauled	$1.765
6 yards and over	1.875
Flat rack and semi-trailer truck	1.765
Winch pole and "A" frame truck	1.985
Lowboy truck driver	1.985
Truck driver helper	1.60
Warehouseman	1.60
Teamster:	
2 horses or more	1.545
4 horses or more	1.765
Greaser, oiler, or service station man	1.765

Tile Layers

Case C–8806: Entire State of Colorado; building, heavy and highway construction.

Journeyman tile mechanic	$2.90

[F. R. Doc. 52–13118; Filed, Dec. 10, 1952; 10:03 a. m.]

Office of Price Stabilization

[Ceiling Price Regulation 17, Section 11 (d), Special Order No. 6]

ADJUSTMENT OF TANK WAGON CEILING PRICES IN THE WAHKIAKUM COUNTY MARKETING AREA

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Wahkiakum County, Washington, marketing area.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the Wahkiakum County, Washington, marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the boundaries of the market area have been determined to be the same as the boundaries of Wahkiakum County, Washington.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Wahkiakum County marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by $0.003 per gallon. The Wahkiakum County marketing area is defined as the area within the boundaries of Wahkiakum County, Washington.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this Order shall remain in full force and effect as to the commodities covered by this Order.

3. This Order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on December 10, 1952.

HAROLD WALSH,
Regional Director, Office of Price Stabilization, Region XIII.

DECEMBER 9, 1952.

[F. R. Doc. 52–13090; Filed, Dec. 9, 1952; 12:14 p. m.]

[Ceiling Price Regulation 17, Section 11 (d), Special Order No. 7]

ADJUSTMENT OF TANK WAGON CEILING PRICES IN THE WASCO AND SHERMAN COUNTIES, OREGON, AND KLICKITAT COUNTY, WASHINGTON MARKETING AREA

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the marketing area of Wasco and Sherman Counties, Oregon, and Klickitat County, Washington.

The Office of Price Stabilization was requested to conduct a survey to determine whether increased costs have reduced the net margins of heating oil distributors in the above named marketing area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There is a large number of heating oil sellers at the tank wagon level in this region and the need for relief is not uniform, but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis, rather than on a region-wide basis. For the purpose of this special order the boundaries of the market area have been determined as Wasco and Sherman Counties, Oregon, and Klickitat County, Washington.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is therefore, consistent with the provisions of section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Wasco and Sherman Counties, Oregon, and Klickitat County, Washington, marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by $0.001 per gallon. The Wasco and Sherman Counties, Oregon, and Klickitat County, Washington, marketing area is defined as the area within the boundaries of the respective counties.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this Order shall remain in full force and effect as to the commodities covered by this Order.

3. This Order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on December 10, 1952.

HAROLD WALSH,
Regional Director, Office of Price Stabilization, Region XIII.

DECEMBER 9, 1952.

[F. R. Doc. 52–13091; Filed, Dec. 9, 1952; 12:15 p. m.]

[Delegation of Authority No. 43, Revision 1]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $1,000,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Office of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131; 66 Stat. 296), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this revised delegation of authority is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby delegated to the Regional Directors of the Office of Price Stabilization to process and act on applications for adjustments, filed by a manufacturer under GOR 10:

(a) Whose total net sales amounted to $1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by his application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

2. *Redelegation of authority.* The authority hereby delegated may be redelegated to the Directors of the District Offices of Price Stabilization.

This Revision 1 of Delegation of Authority No. 43 shall take effect on December 12, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52–13190; Filed, Dec. 11, 1952; 11:52 a. m.]

[Delegation of Authority No. 76, Revision 1]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131; 66 Stat. 296), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this revised delegation of authority is hereby issued.

1. *Authority to act under sections 6 and 7 of the GCPR.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization:

(a) To act under sections 6 and 7 of the GCPR, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to $1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach $1,000,000 or more for their first complete fiscal year;

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the GCPR.

(b) To act on any application or report under sections 6 and 7 of the GCPR, as amended, specifically referred for action by the National Office.

2. *Redelegation of authority.* The authority hereby delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This Revision 1 of Delegation of Authority No. 76 shall take effect on December 12, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 11, 1952.

[F. R. Doc. 52–13191; Filed, Dec. 11, 1952; 11:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27606]

CRUDE RUBBER FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO BRISTOL, PA., AND DUNKIRK, N. Y.

APPLICATION FOR RELIEF

DECEMBER 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Crude rubber, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Bristol, Pa., and Dunkirk, N. Y.

Grounds for relief: Rail competition, circuity, grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. P. Emerson, Jr., Agent, I. C. C. No. 413, Supp. 33.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–13080; Filed, Dec. 11, 1952; 8:46 a. m.]

[4th Sec. Application 27607]

FLY ASH FROM LOUISVILLE, KY., TO OKLAHOMA AND TEXAS

APPLICATION FOR RELIEF

DECEMBER 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Fly ash, carloads.

From: Louisville, Ky.

To: Specified points in Oklahoma and Texas.

Grounds for relief: Rail competition, circuity and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, Supp. 155; F. C. Kratzmeir, Agent, I. C. C. No. 3899, Supp. 115; F. C. Kratzmeir, Agent, I. C. C. No. 9319, Supp. 134.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

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