

THE NATIONAL ARCHIVES  
LITTEA  
SCRIPTA  
MANET  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 11      1934      NUMBER 202

Washington, Wednesday, October 16, 1946

## Regulations

### TITLE 19—CUSTOMS DUTIES

#### Chapter I—Bureau of Customs

[T. D. 51547]

#### MISCELLANEOUS AMENDMENTS

Change in citation of authority; transfer of certain functions of the former Bureau of Marine Inspection; passenger list, Great Lakes; tonnage tax, vessels of the United States entering directly from Philippine Islands; customs regulations amended.

Certain citations of authority in customs regulations; note 1 to Part 3, Documentation of Vessels; and §§ 4.7 (c), 4.21, and 4.50 (a), Customs Regulations of 1943, as amended by T. D. 51107, relating respectively to passenger lists and tonnage taxes, amended.

Whenever a reference to Executive Order No. 9083 (7 F. R. 1609) appears in these regulations, in any note, or in any citation of authority, except as such reference appears in note 1 of Part 3, Documentation of Vessels, *infra*, that reference shall be amended to read as follows: "Sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875."

(R. S. 161, sec. 2, 23 Stat. 118, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 1624, 46 U. S. C. 2; sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875)

#### PART 3—DOCUMENTATION OF VESSELS<sup>1</sup>

Note 1 to the heading of this part is amended to read as follows:

<sup>1</sup> Secs. 102, 103, and 104, Reorganization Plan No. 3 of 1946 (11 F. R. 7875):

SEC. 102. *Functions transferred to Bureau of Customs.* There are hereby transferred to the Commissioner of Customs those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to registry, enrollment, and licensing of vessels, including the issuance of commissions to yachts, the assignment of signal letters, and the preparation of all reports and publications in connection therewith; measurement of vessels, administration of tonnage duties, and collection of tolls; entry and clearance of vessels and aircraft regulation of vessels in the coasting and fishing trades, and limitation of the use of foreign vessels in waters under the jurisdiction of the United States; recording

of sales, conveyances, and mortgages of vessels; protection of steerage passengers; all other functions of such bureau, offices, and boards which were performed by the Bureau of Customs on behalf thereof immediately prior to the effective date of Executive Order No. 9083 of February 28, 1942 (7 F. R. 1609); and the power to remit and mitigate fines, penalties and forfeitures incurred under the laws governing these functions.

SEC. 103. *Powers of the Secretary of the Treasury.* The functions transferred by section \* \* \* 102 of this plan may be performed through such officers and employees of the \* \* \* Bureau of Customs \* \* \* as may be designated by the \* \* \* Commissioner of Customs, \* \* \* and shall be performed subject to the direction and control of the Secretary of the Treasury \* \* \*

SEC. 104. *Abolition of agencies.* The Bureau of Marine Inspection and Navigation, the office of the director thereof, the offices of supervising inspectors, principal traveling inspectors, local inspectors, assistant inspectors, shipping commissioners, deputy shipping commissioners, and the Board of Supervising Inspectors, the Boards of Local Inspectors, the Marine Casualty Investigation Board, and the Marine Boards are hereby abolished. The Secretary of the Treasury shall provide for winding up those affairs of the said abolished agencies which are not otherwise disposed of herein.

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. Section 4.7 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 4.7 (c)), is hereby amended by adding at the end thereof the following new sentence and footnote: "No such list or copy shall be required in the case of a vessel arriving from Canada, otherwise than by sea, at a port on the Great Lakes, or their connecting or tributary waters."<sup>2a</sup>

<sup>2a</sup> Notwithstanding any provision of law to the contrary, no collector of customs shall require a master or owner of a vessel arriving, otherwise than by sea, at a port or place in the United States on the Great Lakes, or their connecting or tributary waters, from a port or place in the Dominion of Canada to furnish a list of passengers on board such vessel. (Public Law 628, 79th Cong.)

(Pub. Law 628, 79th Cong.; R. S. 161, sec. 2, 23 Stat. 118, secs. 431, 581 (a), 583, 624, 46 Stat. 710, 747, 748, 759, sec. 203, 49 Stat. 521; 5 U. S. C. 22, 19 U. S. C. 1431, 1581 (a), 1583, 1624, 46 U. S. C. 2., sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875)

(Continued on p. 12043)

## CONTENTS

### REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT:	Page
Salaries and wages in California.....	12045
<b>ALIEN PROPERTY CUSTODIAN:</b>	
Vesting orders, etc.:	
Badrian, Dr. Gad.....	12098
Hempler, Henry.....	12102
Kuelpmann, Walter A.....	12099
Kuhne, Charles W.....	12101
Mayor, Frank.....	12099
Nakasone, Kamera.....	12100
Popp, Konrad.....	12100
Reinmann, Marie.....	12100
Schiller, Martha.....	12101
Steinhagen, Fred G.....	12102
Von Blumenthal, Hans.....	12098
<b>CIVILIAN PRODUCTION ADMINISTRATION:</b>	
Hides, skins and leather (M-310).....	12048
Priorities system operation:	
Chlorine pressure cars, surplus; disposal by War Assets Administration (PR 13, Dir. 24).....	12048
Machinery, textile (PR 28, Dir. 19).....	12048
Veterans' emergency housing program; FPHA temporary re-use housing projects (PR 33, Dir. 11).....	12049
Suspension orders:	
Aarno Co.....	12047
Haniman, Robert L.....	12047
<b>COAST GUARD:</b>	
General course and methods (Corr.).....	12095
Investigations and hearings (Corr.).....	12095
Navigation and vessel inspection laws and regulations, waivers (Corr.).....	12096
Officers, licensed, and certificated men (Corr.).....	12096
Organization and jurisdiction, general (Corr.).....	12095
Procedures applicable to public (Corr.).....	12095
Vessel inspections (Corr.).....	12096
<b>CUSTOMS BUREAU:</b>	
Documentation of vessels; functions transferred from former Bureau of Marine Inspection.....	12041
Vessels in foreign and domestic trades.....	12041



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

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

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

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

**NOW AVAILABLE**

**Code of Federal Regulations  
1945 Supplement**

**Book 1:** Titles 1 through 9, including, in Title 3, Presidential documents in full text with appropriate reference tables.

**Book 2:** Titles 10 through 14.

**Book 3:** Titles 15 through 32.

**Book 4:** Titles 33 through 50.

These books may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 each.

A limited sales stock of the 1944 Supplement (3 books) is still available at \$3 a book.

**CONTENTS—Continued**

<b>DEFENSE TRANSPORTATION, OFFICE OF:</b>	<b>Page</b>
Traffic movement, direction; operation of vessels on Great Lakes.....	12096
<b>FEDERAL POWER COMMISSION:</b>	
City of Pittsburgh et al., hearing.....	12098
<b>INTERNAL REVENUE BUREAU:</b>	
Income tax, taxable years beginning Jan. 1, 1942; policy regarding extent of application relating to taxability of income of certain trusts....	12044
<b>INTERSTATE COMMERCE COMMISSION:</b>	
Car service:	
Grain, movement to terminal elevators by permit.....	12096
Grapes, peddling from cars prohibited.....	12096
Commodities, unloading at Chicago, Ill.....	12098

**CONTENTS—Continued**

<b>JUSTICE DEPARTMENT:</b>	<b>Page</b>
Office of Alien Property, establishment; delegation of authority.....	12045
<b>NARCOTICS BUREAU:</b>	
Organization, functions and procedures (Corr.).....	12044
<b>PRICE ADMINISTRATION, OFFICE OF:</b>	
Adjustments and pricing orders:	
Aetna Standard Engineering Co. and Ace Storm Window Co.....	12105
Available Truck Co.....	12109
Chrysler Corp.....	12110
Felker Bros. Mfg. Co.....	12119
Ford Motor Co.....	12103
Lake States Products Co.....	12104
Moffat Coal Co.....	12119
Pittston Stove Co.....	12104
Posner, Dr. A., Shoes, Inc.....	12107
Sterling Motor Truck Co., Inc.....	12103
United Clay Products Co.....	12107
White Motor Co.....	12109
York Industries, Inc.....	12106
Automotive parts (MPR 452, Am. 18).....	12074
Beef, veal, lamb and mutton cuts, etc. (MPR 355, Am. 41).....	12095
Bananas, imported fresh (RMPR 285, Am. 9).....	12075
Defense rental areas:	
Housing (Incl. Am. 1-104).....	12055
Atlantic County area (Incl. Am. 1-23).....	12084
Miami area (Incl. Am. 1-27).....	12075
New York City area (Am. 31).....	12093
Fabrics, coated (MPR 478, Am. 2 to Rev. Order 168).....	12109
Foods, grains and cereals, feeds, tobacco, etc. (SO 132, Am. 61).....	12054
Garments, essential low priced (2d Rev. MPR 578, Am. 3).....	12094
Hawaii:	
Sugar (RMPR 373, Am. 112).....	12053
Tires, recapped, and recapping (RMPR 373, Am. 111).....	12051
Livestock and food manufactured from livestock (SO 132, Am. 64).....	12093
Livestock slaughter control, revocation (Control Order 2, Revocation).....	12054
Puerto Rico; sugar (3d Rev. MPR 183, Am. 1).....	12051
Regional and district office orders. See also Adjustments.	
Brick, clay building, New Hampshire.....	12116
Building materials:	
Allegheny County, Pa.....	12118
Lackawanna and Luzerne Counties, Pa.....	12113
Newark, N. J., district.....	12116
St. Louis and St. Louis County, Mo.....	12117
Sunbury, Pa., area.....	12111
Syracuse, N. Y., area.....	12114
Williamsport and Lycoming County, Pa.....	12112
Community ceiling prices, list of orders filed.....	12119

**CONTENTS—Continued**

<b>PRICE ADMINISTRATION, OFFICE OF—</b>	<b>Page</b>
Continued.	
Regional and district office orders—Continued.	
Fuels, solid:	
Augusta, Ga., area.....	12112
Clarke County, Ga.....	12111
Elizabeth City, N. C.....	12115
Henrico, Hanover and Chesterfield Counties and Richmond, Va.....	12110
Yonkers, N. Y.....	12117
Lumber, San Francisco region.....	12110
Plumbing, North Carolina.....	12113
Virgin Islands; Armour's vienna sausage, potted meat, certain dry sausages and Armour's bulk lard.....	12115
Tools, hand (MPR 188, Am. 1 to Order 5105).....	12108
<b>PROCUREMENT DIVISION:</b>	
Supplies to be procured; household and quarters furniture.....	12095
<b>SECURITIES AND EXCHANGE COMMISSION:</b>	
Midland Utilities Co., hearing.....	12102
<b>SELECTIVE SERVICE SYSTEM:</b>	
State Director advices; disposal of records:	
Mail and postal records and records of informational services and relations with the public.....	12046
Personnel records.....	12045
Transfers to State agencies.....	12046
<b>SOCIAL SECURITY ADMINISTRATION:</b>	
Insurance, Federal old-age and survivors:	
Bureau record of request for benefits or lump sum as application.....	12043
Lump-sum death payments (Corr.).....	12044
<b>STATE DEPARTMENT:</b>	
Cultural-cooperation program, payments to and on behalf of; instruction or training in connection with Philippine rehabilitation.....	12044
<b>TREASURY DEPARTMENT. See also</b>	
Coast Guard; Internal Revenue Bureau; Narcotics Bureau; Procurement Division.	
Bureau of Accounts, organization, functions and procedures (Corr.).....	12045
Committee on Practice, organization and functions (Corr.).....	12045
Office of Secretary, and Bureaus, Divisions, and offices performing chiefly staff and service functions; organization and procedures (Corr.).....	12045
<b>UNITED STATES EMPLOYMENT SERVICE:</b>	
Cooperation with States in establishing and maintaining National system of public employment offices (Corr.).....	12045
Policies (Corr.).....	12045
Preparation and submittal of State plan of operation; instructions to State agencies (Corr.).....	12045

CONTENTS—Continued

WAGE AND HOUR DIVISION: Page  
 Learner employment certificates, issuance to various industries (2 documents) -- 12097

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 in parentheses.

TITLE 19—CUSTOMS DUTIES: Page  
 Chapter I—Bureau of Customs:  
 Part 3—Documentation of vessels ----- 12041  
 Part 4—Vessels in foreign and domestic trades ----- 12041

TITLE 20—EMPLOYEES' BENEFITS:  
 Chapter III—Social Security Administration (Old-age and Survivors Insurance):  
 Part 403—Federal old-age and survivors insurance (2 documents) ---- 12043, 12044

TITLE 21—FOOD AND DRUGS:  
 Chapter II—Bureau of Narcotics:  
 Part 206—Organization, functions and procedures --- 12044

TITLE 22—FOREIGN RELATIONS:  
 Chapter I—Department of State:  
 Part 28—Payments to and on behalf of participants in the cultural-cooperation program ----- 12044

TITLE 26—INTERNAL REVENUE:  
 Chapter I—Bureau of Internal Revenue, Department of the Treasury:  
 Part 29—Income tax; taxable years beginning after Dec. 31, 1941 ----- 12044

TITLE 29—LABOR:  
 Chapter I—United States Employment Service, Department of Labor:  
 Part 21—Cooperation of United States Employment Service and States in establishing and maintaining national system of public employment offices ----- 12045  
 Part 22—Instructions to State agencies for preparation and submittal of State plan of operation under Wagner-Peyser Act ---- 12045  
 Part 23—Policies of the United States Employment Service ----- 12045

Chapter IX—Department of Agriculture (Agricultural Labor):  
 Part 1102—Salaries and wages, California ----- 12045

TITLE 31—MONEY AND FINANCE:  
 TREASURY:  
 Subtitle A—Office of the Secretary of the Treasury:  
 Part 1—Office of the Secretary and Bureaus, etc ----- 12045  
 Part 12—Organization and functions of the Committee on Practice ----- 12045

CODIFICATION GUIDE—Continued

TITLE 31—MONEY AND FINANCE: Page  
 TREASURY—Continued.  
 Chapter II—Fiscal Service, Department of the Treasury:  
 Part 270—Bureau of Accounts; organization, functions and procedures ----- 12045

TITLE 32—NATIONAL DEFENSE:  
 Chapter VI—Selective Service System:  
 Part 672—State Director advices (3 documents) ---- 12045, 12046

Chapter IX—Civilian Production Administration:  
 NOTE: Regulations and orders appearing under this chapter are listed only in the Table of Contents, *supra*.

Chapter XI—Office of Price Administration:  
 NOTE: Regulations and orders appearing under this chapter are listed only in the Table of Contents, *supra*.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS:  
 Chapter I—Coast Guard, Department of the Treasury:  
 Part 1—General organization and jurisdiction ----- 12095  
 Part 20—Procedures applicable to the public ----- 12095

TITLE 41—PUBLIC CONTRACTS:  
 Chapter I—Procurement Division, Department of the Treasury:  
 Part 8—Supplies to be procured by the Procurement Division ----- 12095

TITLE 46—SHIPPING:  
 Chapter I—Coast Guard: Inspection and Navigation:  
 Part 1—General course and methods ----- 12095  
 Part 2—Vessel inspections --- 12095  
 Part 4—Investigations and hearings ----- 12095  
 Part 36—Licensed officers and certificated men (tank vessels) ----- 12096  
 Part 62—Licensed officers and certificated men (ocean and coastwise) ----- 12096  
 Appendix A—Waivers of navigation and vessel inspection laws and regulations. 12096

TITLE 49—TRANSPORTATION AND RAILROADS:  
 Chapter I—Interstate Commerce Commission:  
 Part 95—Car service (2 documents) ----- 12096  
 Chapter II—Office of Defense Transportation:  
 Part 502—Direction of traffic movement ----- 12096

2. Section 4.21 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 4.21 (b)), is hereby amended by deleting paragraph (16) and by renumbering paragraphs (17) and (18) as paragraphs (16) and (17), respectively.

(R. S. 161, 4219, 4225, sec. 3, 23 Stat. 119, sec. 10 (a), 47 Stat. 768, sec. 10 (a), 48

Stat. 463; 3 U. S. C. 22, 46 U. S. C. 3, 121, 128, 48 U. S. C. 1240 (a); sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875. Proc. 2695, July 4, 1946; 11 F. R. 7517)

3. Section 4.50 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 4.50 (a)), as amended by T. D. 51107, is hereby amended by adding after the word "entry," where it first appears in that paragraph, a comma and the following: "except a vessel arriving from Canada, otherwise than by sea, at a port on the Great Lakes, or their connecting or tributary waters,"<sup>5</sup>

<sup>5</sup> See note 16a to § 4.7 (c).

(Pub. Law 628, 79th Cong.; R. S. 161, sec. 9, 22 Stat. 189, sec. 2, 23 Stat. 118, sec. 1, 33 Stat. 711, sec. 1, 37 Stat. 736, sec. 431, 46 Stat. 710; 5 U. S. C. 22, 19 U. S. C. 1431, 46 U. S. C. 2, 158; sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875)

[SEAL] W. R. JOHNSON,  
 Commissioner of Customs.

Approved: October 10, 1946.

O. MAX GARDNER,  
 Acting Secretary of the Treasury.

[F. R. Doc. 46-18579; Filed, Oct. 15, 1946; 8:53 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Federal Security Agency

[Regs. 3,<sup>1</sup> Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE UNDER TITLE II OF THE SOCIAL SECURITY ACT

BUREAU RECORD OF REQUEST FOR BENEFITS OR LUMP SUM AS APPLICATION

Section 403.701 of Regulations No. 3, as amended (20 CFR, Cum. Supp., 403.1 et seq.), is further amended as follows:

1. Paragraph (a) of § 403.701 is amended so as to read:

§ 403.701 *Filing of applications and other forms*—(a) *Prescribed application forms.* Applications for benefits and lump sums shall be made as provided in the regulations in this part. Application shall be made on such forms and in accordance with such instructions (printed thereon or attached thereto) as are prescribed by the Commissioner. The prescribed forms may be obtained from any office of the Bureau. See § 403.701 (k) for provisions regarding Bureau records of oral or written requests for benefits as applications.

2. The first paragraph of subdivision (2) of the second undesignated paragraph of paragraph (f) of § 403.701 is amended to read as follows:

§ 403.701 *Filing of applications and other forms.* \* \* \*

(f) *Time of filing applications for benefits.* \* \* \*

<sup>1</sup> 5 F. R. 1849.

(2) With respect to cases arising prior to August 27, 1946, only, if an applicant expressed to a representative of the Bureau an intention to file a claim and his failure to file a formal application at that time is detrimental to his benefit rights, and resulted from the failure of such Bureau representative properly to advise or inform him concerning the requirements of the act or the Administration's regulations thereunder as applied to the facts furnished by the applicant, or resulted from the action of such Bureau representative in informing him that an existing ruling precluded entitlement and subsequently such ruling was reversed, as of the date the applicant first expressed his intention to file, provided a formal application is filed and the applicant consents to such date as the date of receipt.

3. Section 403.701 as above amended is further amended by adding at the end thereof a new paragraph as follows:

(k) *Bureau record of request for benefits or lump sum as application.* When a person orally or in writing expresses to the Bureau an intention to claim benefits or a lump sum, and it appears that such person is not eligible or that his eligibility is so doubtful that the taking of an application upon a prescribed form would not be warranted, the Bureau shall so advise such person and shall also advise him that if he desires he may file an application on a prescribed form to obtain a formal adjudication of his rights. Where an application on a prescribed form is not then filed because of doubtful eligibility, the Bureau shall make and maintain in its files a written record of the expressed intention to claim benefits or a lump sum, in all cases in which some possibility of entitlement exists, even though remote. If it is later found that such person was eligible for benefits or a lump sum at the time the record was made, this record shall, except where such person otherwise indicates, be deemed an application filed with the Bureau as of the date it is made: *Provided*, That an application on a prescribed form is also furnished to the Bureau. Thereafter, adjudication shall proceed as in other cases.

Where a person orally or in writing expresses to the Bureau an intention to claim benefits or a lump sum on behalf of his spouse or parent, or on behalf of a minor or incompetent, and applications on prescribed forms are not filed by such persons, such persons on whose behalf the claim is made shall be named on the Bureau record. In the event it is later found that such persons were eligible at the time the record was made, this record shall, except where such persons otherwise indicate, be deemed an application, filed with the Bureau as of the date it is made, provided that an application on a prescribed form is also furnished to the Bureau. Thereafter, adjudication shall proceed as in other cases.

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, section 4 of Reorganization Plan No. 2 of 1946 (11 F. R. 7873), and section 1 of Federal Security Agency Order 57 (11 F. R. 7943), the foregoing

regulations adopted by me are hereby prescribed this 7th day of October 1946.

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

Approved: October 9, 1946.

MAURICE COLLINS,  
*Acting Federal Security  
Administrator.*

[F. R. Doc. 46-18580; Filed, Oct. 15, 1946;  
8:53 a. m.]

[Regs. 3, Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE UNDER TITLE II OF THE SOCIAL SECURITY ACT

*Correction*

In Federal Register Document 46-17484, appearing at page 11066 of the issue for Saturday, September 28, 1946, the eighth line of the fifth paragraph of § 403.408 (b) (2) should read: "ferred as payee on behalf of the estate".

TITLE 21—FOOD AND DRUGS

Chapter II—Bureau of Narcotics

PART 206—ORGANIZATION, FUNCTIONS AND PROCEDURES OF THE BUREAU OF NARCOTICS

*Corrections*

In F. R. Doc. 46-15346, appearing at page 177A-70, Part II, Section 1, of the issue for September 11, 1946, the following corrections are made:

1. In § 206.3 (a) the reference "25 CFR 152.1" should read "26 CFR 152.1".

2. In § 206.3 (e) the reference "25 CFR, Cum. Supp., page 5875" should read "26 CFR, Cum. Supp., page 5875".

3. In § 206.6, at the end of the fourth line and beginning of the fifth line, the word "narcoting" should read "narcotic".

4. In the last sentence of § 206.7 (a) the reference "21 U. S. C., Sup. 188-188n" should read "21 U. S. C., Sup. V, 188-188n".

5. In the last sentence of § 206.8 (d) (2) the word "in" should be inserted following the words "containing the information described".

6. In the second sentence of § 206.8 (e) the word "have" should read "show".

7. In the first sentence of § 206.9 the words "Substantive rule" should read "Substantive rules".

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 28—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE CULTURAL-COOPERATION PROGRAM

INSTRUCTION OR TRAINING IN CONNECTION WITH PHILIPPINE REHABILITATION

Under the authority contained in R. S. 161 (5 U. S. C. 22), and pursuant to authority contained in the Philippine Rehabilitation Act of 1946 (Act of April 30, 1946, Public No. 370, 79th Congress, Second Session), the provisions of the regulations heretofore prescribed to

govern payments to and on behalf of the participants in the cultural-cooperation program carried on by the Department of State by authority of the acts cited in such regulations (22 CFR, 1944 Supp., 28.1-28.12; as amended, 11 F. R. 6904), are hereby made applicable to govern payments to and on behalf of persons receiving instruction or training in accordance with the provisions of title III of the Philippine Rehabilitation Act of 1946 in the same manner as if such persons were participants in the cultural-cooperation program referred to hereinabove.

This regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Issued October 8, 1946.

[SEAL] DEAN ACHESON,  
*Acting Secretary of State.*

[F. R. Doc. 46-18533; Filed, Oct. 15, 1946;  
8:46 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING JANUARY 1, 1942

POLICY REGARDING EXTENT OF APPLICATION OF TREASURY DECISION 5488, RELATING TO TAXABILITY OF INCOME OF CERTAIN TRUSTS

(a) Treasury Decision 5488 (11 F. R. 65), dealing with the taxation of trust income within the principles of *Helvering v. Clifford*, 309 U. S. 331, was approved December 29, 1945, to be effective for taxable years beginning after December 31, 1945. In many instances grantors who are taxable under the provisions of Treasury Decision 5488 upon the income of trusts created prior to January 1, 1946, may desire to terminate their substantial ownership of the trust income through termination of controls over such trusts.

(b) It will, therefore, be the policy of the Bureau where the grantor's control over a trust created prior to January 1, 1946, is terminated at any time during the calendar year 1946, with the result that the trust income on the last day of such calendar year is no longer taxable to the grantor under the provisions of Treasury Decision 5488, not to assert liability of the grantor under Treasury Decision 5488 for any part of the calendar year 1946. The Bureau may, however, assert liability of the grantor in such a case under section 22 (a) of the Internal Revenue Code without reference to Treasury Decision 5488 for that part of the calendar year 1946 preceding the termination of the grantor's control over the trust.

(c) Correspondence in regard to this mimeograph should refer to its number (Coll. No. 6071, R. A. No. 1544) and the symbols IT: EIM.

(d) This mimeograph is published without prior general notice of its proposed issuance, inasmuch as taxpayers, in order to secure the benefits provided herein, must act prior to January 1, 1947, and notice and public rule making procedure in connection herewith would result in delay, which is hereby found to be contrary to the public interest. See sec-

tion 4 (a) of the Administrative Procedure Act, approved June 11, 1946.

(e) This mimeograph, being within the parenthetical exception to section 4 (c) of the Administrative Procedure Act, shall be effective upon its filing for publication in the FEDERAL REGISTER.

[SEAL] Wm. T. SHERWOOD,  
Acting Commissioner.

Approved: October 10, 1946.

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

[F. R. Doc. 46-18535; Filed, Oct. 15, 1946;  
8:46 a. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 3732, Supp. 19]

PART 51—ORGANIZATION AND FUNCTIONS

SUBPART F—DELEGATIONS OF AUTHORITY

Subpart F is added to Part 51, and § 51.81 added thereunder to read as follows:

§ 51.81 *Establishment of The Office of Alien Property and designation of Acting Head.* In order to effectuate the provisions of the Executive Order 9788 of October 14, 1946 (11 F. R. 11981), terminating the Office of Alien Property Custodian and transferring its functions to the Attorney General, *It is hereby ordered:*

(a) There is created in the Department of Justice The Office of Alien Property. All of the authority, rights, privileges, powers, duties, and functions vested in or transferred or delegated to me by the said Executive Order are hereby placed in The Office of Alien Property. Donald C. Cook, Executive Assistant to the Attorney General, is designated as Acting Head of such office and shall supervise and direct all of its activities.

(b) This section shall be effective October 15, 1946.

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 46-18717; Filed, Oct. 15, 1946;  
8:46 p. m.]

TITLE 29—LABOR

Chapter I—United States Employment Service, Department of Labor

PART 21—COOPERATION OF UNITED STATES EMPLOYMENT SERVICE AND STATES IN ESTABLISHING AND MAINTAINING A NATIONAL SYSTEM OF PUBLIC EMPLOYMENT OFFICES

PART 22—INSTRUCTIONS TO STATE AGENCIES FOR PREPARATION AND SUBMITTAL OF STATE PLAN OF OPERATION UNDER THE WAGNER-PEYSER ACT

PART 23—POLICIES OF THE UNITED STATES EMPLOYMENT SERVICE

Correction

In the documents beginning at page 11273 of the issue for Thursday, October 3, 1946, the following corrections are made:

In Federal Register Document 46-17715, the quoted clause in the eighth line of § 21.9 (a) should read: "State Employment Service."

In § 22.902 of Federal Register Document 46-17713, the phrase "Part II (Legal)" appearing in the introductory text preceding paragraph (a) should read "§ 22.204."

In Federal Register Document 46-17714, the second line of § 23.12 (a) should read: "meeting the labor requirements of rural."

Chapter IX—Department of Agriculture (Agricultural Labor)

[Rev. Supp 26, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN THE HARVESTING OF POTATOES, HAY, ONIONS, WHEAT, BARLEY, AND OTHER GRAINS, AND IN PERFORMING GENERAL FARM LABOR FOR ALL FARMING OPERATIONS IN PORTIONS OF MODOC AND SISKEJOU COUNTIES, CALIFORNIA

Section 1102.14 (c) (2) (iv) of this chapter is hereby amended to read as follows:

(iv) Maximum wage rates for harvesting all varieties of onions:

(a) Hand topping and sacking—15¢ per sack of 50 pounds;

(b) Loading, bucking, and swamping—\$1.25 per hour.

*Effective date.* This Amendment 1 to Revised Supplement 26 shall become effective at 12:01 Pacific Standard Time, September 16, 1946.

(56 Stat. 765; 57 U. S. C. 961 et seq. (Supp. IV); 57 Stat. 63; 50 U. S. C. 964 (Supp. IV); 58 Stat. 632; Pub. Law 108, 79th Cong. E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681; E. O. 9577, 10 F. R. 8087; E. O. 9620, 10 F. R. 12023; E. O. 9651, 10 F. R. 13487; E. O. 9697, 11 F. R. 1621; regulations of the Economic Stabilization Director, 8 F. R. 11960, 12139, 16702; 9 F. R. 6035, 14547; 10 F. R. 9478, 9628; 11 F. R. 2517, regulations of the Secretary of Agriculture, 9 F. R. 655, 12117, 12611; 10 F. R. 7609, 9581; 9 F. R. 831, 12807, 14206; 10 F. R. 3177; 11 F. R. 5903)

Issued this 10th day of October 1946.

[SEAL] K. A. BUTLER,  
Acting Director, Labor Branch,  
Production and Marketing  
Administration.

[F. R. Doc. 46-18574; Filed, Oct. 15, 1946;  
8:47 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary of the Treasury

PART 1—OFFICE OF THE SECRETARY, AND BUREAUS, DIVISIONS, AND OFFICES PERFORMING CHIEFLY STAFF AND SERVICE FUNCTIONS

SUBPART A—ORGANIZATION

SUBPART B—PROCEDURES

Corrections

In F. R. Doc. 46-15358, appearing at page 177A-7, Part II, Section 1 of the issue for September 11, 1946, the following corrections are made:

1. In the second sentence of § 1.1 (b) the reference "31 U. S. C. and Sup. V. 752, 753, 757c" should read "31 U. S. C. 752, 753 and 31 U. S. C., Sup. V. 757c".

2. In the first sentence of § 1.1 (f) (2), after the reference "42 U. S. C. 401" insert "(see also 42 U. S. C., Sup. V. 401)".

3. In the second sentence of § 1.3 (c) delete the words "the Division" preceding the words "of Foreign Funds Control".

4. In the second sentence of § 1.4 (b) the reference "Department Circular No. 224" should read "Department Circular No. 244".

5. In the second sentence of § 1.14 (b) the words "Estimates or revenue" should read "Estimates of revenue".

6. In the first sentence of § 1.19 the reference "May 20, 1934" should read "May 20, 1937".

7. In the third sentence of § 1.25 (a) the reference "Treasury Department Order No. 6" should read "Treasury Department Order No. 1".

8. In the first sentence of § 1.26 (d) the reference "paragraph (e)" should read "paragraph (c)".

9. In the first sentence of § 1.27, after the reference "§ 1.26" place a closing parenthesis.

10. The reference "32 CFR, Cum. Supp., 902.1 (c)" at the end of § 1.32 should read "32 CFR, Cum. Supp., 902.1".

PART 12—ORGANIZATION AND FUNCTIONS OF THE COMMITTEE ON PRACTICE

Correction

The last word in § 12.5 (F. R. Doc. 46-15347) appearing at page 177A-87, Part II, Section 1, of the issue for September 11, 1946, should read "brokers" instead of "workers".

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

PART 270—ORGANIZATION, FUNCTIONS AND PROCEDURES OF THE BUREAU OF ACCOUNTS

Corrections

In F. R. Doc. 46-15351, appearing at page 177A-88, Part II, Section 1, of the issue for September 11, 1946, the following corrections are made:

1. In the first sentence of § 270.16 (b) the reference to "September 5, 1940" should read "September 6, 1940".

2. In the second sentence of § 270.17 the reference to "standards set forth in § 270.18 of this subpart" should read "standards set forth in § 270.18 of this chapter".

3. In § 270.9 (b) the semicolon following the reference "31 CFR" should be deleted.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[State Director Advice No. 258g, Amended: 10/11/46]

PART 672—STATE DIRECTOR ADVICES

DISPOSAL OF PERSONNEL RECORDS

Pursuant to the provisions of the Administrative Procedures Act, the follow-

ing directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record:

672.258g *Disposal of Personnel Records.* (a) This Headquarters is returning to State Directors the temporary personnel folders of employees separated from service, which have been maintained hereat for administrative purposes during such employees' tenure of office. State Directors have previously been instructed to incorporate in the permanent personnel folder all such material not duplicated therein, and to place such duplicated material in a separate transfer case or file pending the issuance of disposal instructions.

(b) Extra copies of the following personnel records may be disposed of, by mutilation and salvage, after the lapse of the period of time shown, or after administrative needs have been fulfilled, whichever is the greater period. When such material is confidential to employee, it shall be macerated, shredded, or burned.

(1) Copies of personnel forms and correspondence received from National Headquarters in accordance with paragraph (a) of this section, which are duplicates of material already on file in the permanent personnel file maintained at State Headquarters, after three months' retention.

(2) Copies of Standard Form 50, Notification of Personnel Action, duplicates of other copies in the permanent personnel folder maintained at State Headquarters, after three months' retention.

(c) All copies of the following personnel records and correspondence not specified for filing in the personnel folder of individual employees, may be disposed of by mutilation and salvage after the lapse of the period of time shown, or after administrative needs have been fulfilled, whichever is the greater period:

(1) Notice of efficiency ratings, after six months' retention.

(2) Letters and telegrams offering appointments, after six months' retention.

(3) Welcoming letters, after six months' retention.

(4) Letters of introduction, after six months' retention.

(5) Papers submitted in examinations to determine the suitability of employees for promotion or reassignment, after one year's retention.

(6) Statistical work reports on interviews, separations, and other personnel actions after eighteen months' retention.

(7) Lists of names for and papers relating to changes in employee and telephone directories, after six months' retention.

(8) Reports of tardiness, after eighteen months' retention.

(9) Daily, weekly, semi-monthly and monthly reports of absence and time, excluding Standard Forms 72 and 72a—Time and Attendance Report. All record copies, except record copies in agency fiscal offices, after 18 months' retention.

(d) All copies of the following uncompensated personnel records relating only to registrars and transitory volunteer workers will be disposed of by mutilation and salvage after the administrative needs of the State Director have been fulfilled.

(1) Oaths taken by registrars in accordance with Selective Service Regulations, paragraph 223, Section XII, Volume Two, Registration.

(2) Oaths of office and waivers of pay executed by registrars and transitory volunteer workers only.

(3) Lists of registrars and transitory volunteer workers.

(4) Control, index and administrative records pertaining to registrars and volunteer workers.

(e) Disposals under this section will be included in the Record of Disposals prescribed in State Director Advice No. 258, as amended April 16, 1945.

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 46-18601; Filed, Oct. 15, 1946; 8:49 a. m.]

[State Director Advice No. 258-J, Issued: 10/11/46]

PART 672—STATE DIRECTOR ADVICES  
DISPOSAL OF RECORDS; TRANSFERS TO STATE AGENCIES

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record:

§ 672.258j *Disposal of records; transfers to State agencies.* (a) In a letter dated August 10, 1945 (0-18-247), each State Director was requested to express the interest of his State, or of an agency within his State, with respect to the acquisition of Selective Service records authorized for disposal. At the last State Directors' Conference at this Headquarters the possibility that all Selective Service records pertaining to an individual state would be made a permanent record of that state was discussed, and received considerable favorable comment. The following instructions relative to the transfer of records which have been authorized for destruction, are not to be construed as part of any contemplated action looking toward the centralization of current records at State Headquarters, or plans for the permanent filing of Cover Sheets, Registration Cards, and Classification Records within the States. These instructions are prepared to cover only records authorized for destruction and their transfer to state agencies which are beyond the administrative control of the Selective Service System. The information contained in the replies to the "0" series letter mentioned above will not be used as a basis for any action by this Headquarters. The procedure to be followed is outlined in paragraphs (d) and (e) of this section.

(b) Regulations of the National Archives Council adopted June 30, 1945 provide, in part, that records authorized for disposal may be transferred, with the approval of the Archivist of the United States and without cost to the Federal Government, to any government organization, institution, corporation or person that has made application for them.

(c) While the regulations of the National Archives Council provide that rec-

ords may be transferred to institutions, corporations and persons, it has been administratively determined that the transfer of Selective Service Records will be restricted to State governmental and quasi-governmental agencies, supported wholly or in part by state funds and for the public benefit. It has been further administratively determined that records confidential to the registrant as defined in § 605.31, Selective Service Regulations, and further so defined in disposal instructions emanating from this Headquarters, will not normally be transferred to non-Federal agencies.

(d) State Directors should advise interested agencies within their respective states of the policy in this connection. A request for the transfer or acquisition of records should be initiated in writing by the agency concerned, including, (1) name and address, (2) location of depository, (3) identity of record, including form number and title when applicable, (4) purpose for which desired, and (5) a statement that the requesting agency is governmental or quasi-governmental in character.

(e) Upon receipt of a request for the transfer or acquisition of records, the State Director will transmit such request to the Director of Selective Service, who will forward it to the Archivist of the United States for approval. The State Director, upon receipt of the decision of the Archivist of the United States, transmitted through the Director of Selective Service, shall transfer the physical custody of such records or destroy them in accordance with the previously issued disposal instructions.

(f) It is emphasized that only those non-confidential records which have been authorized for destruction will be available for transfer to a state agency, and that the approval of the Archivist of the United States is required. All such transfers must be made without cost to the Federal Government.

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 46-18600; Filed, Oct. 15, 1946; 8:47 a. m.]

[State Director Advice No. 258k, Issued: 10/11/46]

PART 672—STATE DIRECTOR ADVICES  
DISPOSAL OF RECORDS

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record:

§ 672.258k *Disposal of records—(a) Mail and postal records.* State Directors have created and maintained certain records at State Headquarters and local boards for the purpose of controlling incoming and outgoing communications. These records are of a varied character, consisting, in the greater part, of mailing lists; records of the receipt and routing of incoming mail; production reports of types of communications handled and work performed; records of remittances such as checks, cash, money orders, and other enclosures received in incoming

mail; records of incoming and outgoing registered, insured, and special delivery mail, parcel post, express, telegrams, and radiograms; return receipts for registered, insured, and special delivery mail; reports of postage used on outgoing mail; statements of the mailing of cancelled or metered matter; reports of loss, rifling, delay, wrong delivery, or other improper treatment of mail matter; records of official penalty mail sent, and requisitions for postage stamps. These mailroom functions have involved the use of U. S. Post Office Department's forms or their equivalent and forms or control records devised by State Headquarters. State Directors are hereby authorized to dispose of, after retention for one year, all records mentioned above and similar records created by the State Director and used in the normal functions of a mailroom. This authority does not apply to the record of official penalty mail sent, which must be retained two years nor to copies of requisitions for postage stamps, rubber stamps, and other mailroom items involving the expenditures of funds when such copies are used as supporting documents to payment vouchers.

(b) *Records of informational services and relations with the public.* State Directors have in their files certain material which may best be described as "Informational Services and Relations with the Public". These records consist of mailing lists; correspondence and other records relating to changes in mailing lists; requests for publications and acknowledgments and replies to them; acknowledgments of inquiries and requests which have been referred to other Government agencies; requests for information and replies thereto involving no administrative action, no policy decisions, and no special compilations or research for reply, including requests for information and inquiries to which replies are made by printed or duplicated material; and anonymous letters and letters of commendation, complaint, criticism and suggestion and replies to them. State Directors are authorized to dispose of, after retention for six months, all such records as described above, excluding those letters of complaint on the basis of which investigations were made or administrative action taken and those incorporated in individual personnel records.

Actions under this section will be included in the record of disposals as provided in State Director Advice No. 258, as amended April 16, 1945.

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 46-18599; Filed, Oct. 15, 1946;  
8:49 a. m.]

#### Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 53 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A.

Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-978]

AARNO CO.

Aarno Company is a New Jersey Corporation engaged in the retail lumber business with offices located at 7 Avon Avenue, Newark, New Jersey. During the period from March 21 to May 20, 1946, Aarno Company extended HH preference ratings for delivery of housing construction lumber and millwork amounting to more than 30,000 board feet, 2,480 square feet of plywood, 31 frames, 23 doors and 15 panels, although it was not authorized to do so; and on March 8 and 15, 1946, it placed certified orders for delivery of housing construction lumber and millwork and received such lumber and millwork and did not hold the same for 60 days for sale only on certified or rated orders; and on April 30 and May 20, 1946, it placed certified orders as "cabinet manufacturer" for construction plywood although it was not authorized to do so; and during the period from February 1 to May 20, 1946, it failed to keep and preserve accurate and complete records of the details of each transaction, including inventories of material involved, to which the rules, regulations, and orders of the Civilian Production Administration apply. These acts constituted wilful violations of Priorities Regulations 1 and 3 and Directions 1 and 1A to Priorities Regulation 33. These violations have diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.978 *Suspension Order No. S-978.*

(a) Aarno Company, its successors and assigns, shall not place any certified orders or extend ratings for housing construction lumber for a period of four months from the effective date of this order; and shall reserve and set aside for sale or delivery only on certified or rated orders an amount of housing construction lumber equal to 30,000 board feet, the amount it received by extending HH ratings without authorization.

(b) Nothing contained in this order shall be deemed to relieve Aarno Company, its successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the Civilian Production Administration.

Issued this 14th day of October 1946.

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

[F. R. Doc. 46-18663; Filed, Oct. 14, 1946;  
4:29 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-986]

ROBERT L. HANIMAN

Robert L. Haniman, 4415 New Hampshire, San Diego, California, on July 12, 1946, without authorization from the Federal Housing Administration began

the construction of three one-bedroom frame dwellings located at 4752, 4758 and 4764 Ingram (Ingraham) Street, Pacific Beach, California, the estimated cost of each of which is approximately \$4,500 and each of which exceeded the \$400 exemption provided by VHP Order 1. Robert L. Haniman was familiar with the restrictions on construction and his beginning and carrying on of such construction without authorization constituted a wilful violation of Veterans' Housing Program Order 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.986 *Suspension Order No. S-986.* (a) For a period of three months from the effective date of this order no authorization shall be granted to Robert L. Haniman to do any construction or use preference ratings, nor shall he apply or extend preference ratings during that period.

(b) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to Robert L. Haniman or placed by him prior to the termination of the date of this order are void and shall not be given any effect by the suppliers of Robert L. Haniman. This does not apply to material already delivered or in transit for delivery to him on the effective date of this order.

(c) Neither Robert L. Haniman nor any other person shall do any construction on the premises located at 4752, 4758, 4764 Ingram (Ingraham) Street, Pacific Beach, California, including putting up, completing or altering structures thereon, unless otherwise specifically authorized in writing by the Federal Housing Administration.

(d) Robert L. Haniman shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the National Housing Administration for priorities assistance or for authorization to carry on construction.

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

(f) The restrictions and prohibitions contained herein shall apply to Robert L. Haniman, doing business under that name or any other name, his successors and assigns or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(g) Paragraphs (a) and (b) of this order shall take effect on the 24th day of October, and the remaining paragraphs shall take effect upon the date of issuance.

Issued this 14th day of October 1946.

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

[F. R. Doc. 46-18664; Filed, Oct. 14, 1946;  
4:29 p. m.]

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

[Priorities Reg. 13, Direction 24]

## DISPOSAL OF CERTAIN SURPLUS CHLORINE PRESSURE CARS BY WAR ASSETS ADMINISTRATION

The following direction is issued pursuant to PR 13:

(a) *What this direction does.* There is a critical shortage in the supply of pressure tank cars of a type suitable for transporting chlorine, a product which is in short supply and is highly important in the civilian economy. The War Assets Administration has presently available for sale 73 chlorine pressure tank cars ICC type 105-A-500 W.

The purpose of this direction is to limit the sale of these cars by War Assets Administration to persons who certify that these cars will not be used except for the transportation of chlorine. No urgency certificates will be issued under Direction 16 to Priorities Regulation 13 for any cars covered by this direction.

Although this direction restricts sales to persons who will use the equipment for the purposes specified, it does not prohibit War Assets Administration from making sales, to the persons and for the purposes specified, upon such other terms and in such quantities as War Assets Administration may determine; and preference ratings have no effect upon any sales which may be made by War Assets Administration, either by way of obliging it to sell or by way of determining as among the several buyers permitted by this direction who shall get the equipment from War Assets Administration.

(b) *Restriction on sales by War Assets Administration.* War Assets Administration may sell the 73 chlorine tank cars bearing the serial numbers listed at the end of this direction only to persons who give a certification with their purchase order in substantially the following form:

The undersigned certifies to the seller and Civilian Production Administration, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, (1) that he is a producer of chlorine or a lessor of chlorine pressure tank cars and (2) that the tank cars covered by this purchase order will not be used through March 31, 1947, except for the transportation of chlorine by him or his lessee, and will not be disposed of before April 1, 1947, except to persons giving this certificate.

The standard certification in Priorities Regulation 7 may not be used instead of this certification.

(c) *Obligations of persons giving certificate.* Any person giving the certificate described above may obtain and use or dispose of the tank cars which he gets with the certificate only in accordance with its terms and the provisions of this direction.

Issued this 15th day of October 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,

By J. JOSEPH WHELAN,  
Recording Secretary.

## SERIAL NUMBERS OF CHLORINE PRESSURE TANK CARS COVERED BY THIS DIRECTION

Serial numbers	Number of cars
SHPZ 3320-3334 inclusive.....	15
SHPZ 3336-3345 inclusive.....	10
SHPZ 3347.....	1
SHPZ 3349-3375 inclusive.....	27
SEPZ 3377-3383 inclusive.....	7
SHPZ 3385-3387 inclusive.....	3
SHPZ 3389-3390 inclusive.....	2
SHPZ 3392-3399 inclusive.....	8
Total.....	73

[F. R. Doc. 46-18770; Filed, Oct. 15, 1946; 11:37 a. m.]

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

[Priorities Reg. 28, Direction 19, as Amended Oct. 15, 1946]

## CERTAIN TYPES OF TEXTILE MACHINERY

Direction 19 to Priorities Regulation 28 is amended to read as follows:

(a) *Explanation.* Applications for CC ratings from persons qualified under paragraph (f) of Priorities Regulation 28 for certain textile machinery have reached such a volume that they threaten to preempt an undue proportion of the total production. To avoid this, this direction restricts the issuance of CC ratings for this machinery, and provides a ceiling on required deliveries on rated orders.

(b) *Issuance of ratings.* The CPA will not issue further ratings for the following types of textile machinery except in cases of emergency under paragraph (h) or for export under paragraph (i) of Priorities Regulation 28 until the supply of machinery more closely approximates the demand:

1. Women's full fashioned hosiery machinery (30 and 32 section machines only).
2. Buttonhole machine units.
3. Button sewer machine units.
4. 36" High Post sewing machines.

(c) *Acceptance and filling of CC rated orders.* No manufacturer need accept or fill a CC rated order for any one of the types of machinery listed in paragraph (b) if this would cause him to deliver more than 50% of his total deliveries in any calendar month of that type of machine on CC rated orders.

Within the ceiling established by this paragraph (c) CC rated orders must be accepted and filled in the sequence required by Priorities Regulation 1. If a producer of machines, receiving a CC rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested out of his deliveries subject to CC rated orders, and is unable or unwilling to fill it out of his deliveries not subject to CC ratings by the time requested, he must either (1) reject the order, stating when he could fill it out of his deliveries subject to CC rated orders, or (2) accept it for delivery on the earliest date he expects to be able to deliver out of his deliveries subject to CC rated orders, informing his customer of that date.

(d) *Acceptance and filling of other rated orders.* Any AAA or MM rated orders must be accepted and filled in accordance with Priorities Regulation 1, regardless of this direction and may not be credited against the number of machines which must be delivered on CC rated orders.

Issued this 15th day of October 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-18768; Filed, Oct. 15, 1946; 11:36 a. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, as Amended Oct. 15, 1946]

## HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public

interest and to promote the national defense:

- (a) General definitions.
- (b) Provisions applying to all hides, skins, and leather.
- (c) Untanned cattlehides, calfskins, and kips.
- (d) Pickled sheepskins and slats.
- (e) Regular reports.
- (f) Plants without quotas.
- (g) Appeals.
- (h) Communications to the Civilian Production Administration.
- (i) Violations.

§ 3290.196 *Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 500 hides or skins.

(2) "Contractor" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies and belly centers.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration deemed necessary in order to fill military or designated civilian requirements.

(3) Notwithstanding the provisions of any regulation or order of the Civilian Production Administration, no preference rating shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock and cattlehide splits in the blue, pickled, or lime state); or



(ii) When specifically authorized in writing by the Civilian Production Administration pursuant to this paragraph (b) (3) (ii).

(4) [Deleted May 13, 1946.]

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition*. "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) *Producers and collectors*. No producer or collector shall put into process or cause to be put into process any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and gluestock, except to the extent specifically authorized in writing by the Civilian Production Administration. Applications for such authorization may be made by letter setting forth the quantity of each kind of cattlehide, calfskin or kip, or portion thereof, which the applicant desires to put into process or cause to be put into process.

(3) *Tanners and contractors*. No tanner or contractor shall purchase or accept delivery of any untanned cattlehide, calfskin or kip or portions of any of them for any purpose except in quantities specifically authorized in writing by the Civilian Production Administration. A tanner, however, may accept delivery of and tan hides for the account of a contractor who he knows has been specifically authorized in writing to purchase hides. No person shall make any sale or delivery which he knows or has reason to believe would be accepted in violation of this paragraph. Applications may be made on Form CPA-1325 for the purchase of domestic cattlehides, and on Form CPA-1322 for the purchase of domestic calfskins and kips. Authorization to purchase is granted on Form CPA-1323, which must be returned to CPA with information showing the applicant's use of the authorization in accordance with the terms of the form. The provisions of this paragraph (c) (3) do not apply to purchases or receipts by any persons who are not tanners or contractors.

(4) *Imported hides and skins*. All hides or skins imported into the continental United States are subject to allocation under this order. No person shall withdraw any hides or skins from United States customs within the continental United States except as specifically authorized in writing by the Civilian Production Administration. On or before arrival of the hides or skins in the United States the importer shall notify the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., Ref.: M-310, specifying the quantity, weight, description, grades or selections of the hides or skins, the port of entry, name of ship or railroad car numbers and probable date of arrival. He should also state the names of tanners or contractors, if any, to whom he prefers to sell the hides or skins which he has no quota to receive as a tanner or contractor.

(5) *Policy*. In acting under paragraph (c) (3) and (c) (4), it will be the policy of the Civilian Production Administration, so far as is practicable, to grant authorizations so that contractors or

tanners will obtain cattlehides, calfskins or kips in the proportions that their respective wettings of such skins computed separately during the calendar year 1942, bore to all wettings thereof during that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be withheld or may be granted in reduced quantities. Authorizations to withdraw from customs will be granted for imported hides and skins to tanners or contractors in any month up to the number of hides or skins which the tanner or contractor is able and expects to put into process within sixty days of receipt. Except during periods when a substantial part of the industry is operating at less than a minimum economic rate of operation, domestic allocations to a tanner or contractor will be reduced by his allocation of imported hides or skins. Any person who owns a plant equipped to process hides or skins but does not qualify under this paragraph may apply for authorization as described in paragraph (f).

(d) [Deleted Aug. 7, 1946.]

(e) *Regular reports*. Every person described below shall, on or before the 10th day of each month execute and file reports with the Civilian Production Administration, as directed on the respective forms mentioned below:

Tanners and contractors of cattle hides.....	CPA-1325
Tanners and contractors of calfskins and kips.....	CPA-1322

Tanners and contractors must file the above reports as required by this paragraph whether or not they have engaged in operations in the preceding month.

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(f) *Plants without quotas*. Any person who owns a plant equipped to process hides or skins but whose past operations do not qualify him under paragraph (c) (5), may apply for authorization under paragraph (c) by letter. The letter should be addressed to the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., and should indicate the name and address of the plant, type and quantity of leather raw material which the applicant wishes to process per month, and the quantity of each type which he has processed during the preceding four calendar months. Authorizations may be granted on an equitable basis to applicants who did not process a monthly average of more than 500 hides and skins of all kinds during the preceding four calendar months.

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

(h) *Communications to the Civilian Production Administration*. All reports, applications, forms, or communications required under or referred to in this

order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref: M-310.

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

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

Issued this 15th day of October 1946.

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

INTERPRETATION 1: Revoked Aug. 27, 1945.

INTERPRETATION 2: Revoked Jan. 17, 1946.

[F. R. Doc. 46-18771; Filed, Oct. 15, 1946;  
11:37 a. m.]

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

[Priorities Reg. 33, Direction 11 as Amended Oct. 15, 1946]

#### VETERANS' EMERGENCY HOUSING PROGRAM; FPHA TEMPORARY RE-USE HOUSING PROJECTS

The following amended direction is issued pursuant to PR 33.

(a) *What this direction does*. As part of the Veterans' Emergency Housing Program under the Veterans' Emergency Housing Act of 1946, the Federal Public Housing Authority (FPHA) is erecting 200,000 temporary housing units for emergency use by veterans in distress situations, pending completion of permanent housing units under the Veterans' Emergency Housing Program. Many of these temporary units are being erected for municipalities, to meet existing housing emergencies, and must be completed as soon as possible. Others are being erected at universities and colleges and must be ready for use during the coming scholastic year. Some of the building materials required for these units are in extremely short supply, and unless special assistance is given, local suppliers will not be able to meet those needs. This direction provides for special assistance to FPHA contractors in some instances. The special assistance includes several types of "super-priority" procedures which may be authorized for many of the building materials on Schedule A to Priorities Regulation 33, if efforts to get them on time through the use of HH ratings are unsuccessful. In addition, as explained in this direction, special assistance for other materials may be available under other CPA orders.

#### Special Assistance Available

(b) *When contractors may apply for special assistance*. It is expected that a contractor will ordinarily get most of his building materials for an FPHA temporary re-use

housing project without any priorities assistance except the HH ratings assigned for the particular materials listed on Schedule A to PR 33. However, a contractor may apply to the FPFA (see paragraph (v) below for special assistance under certain circumstances. Unless otherwise specified below, he may apply only in cases where he has served purchase orders (with an HH rating, if authorized) for any building material on

three or more sources of supply and received notice of their inability to deliver by the date required. The type of special assistance available and the method of applying depend on the particular material involved, as explained below.

(c) *Types of special assistance.* The various types of special assistance available are tabulated as follows and explained below:

NOTE: Table Amended Oct. 15, 1946.

Material for which special assistance is required	Type of special assistance available for particular material
1. Any material listed in paragraph (d) below (certain types of building board, cast iron soil pipe).	"Certified-HH" rating—superior to uncertified HH and CC ratings and extendible to producers.
2. Any material listed in paragraph (j) below (hardwood flooring, lumber, millwork, softwood plywood).	"Individual directive" or other action—requiring preferential treatment by a producer or supplier for a specific contractor's order.
3. Any material covered by paragraph (m) below (any material on Schedule A to PR 33 except those covered by #1 and #2 above).	HHH rating—superior to HH and CC ratings but otherwise identical with HH rating.
4. Any material listed in paragraph (p) below (certain types of heating and plumbing fixtures made for FPFA projects).	"Authorized order"—directed at "earmarked products" made specifically for FPFA projects.
5. Any other material (see paragraph (s) below).....	CC rating under Priorities Regulation 28.

**"Certified-HH" Rating Procedure**

(d) *Material for which certified-HH ratings may be authorized.* Special assistance for the following materials (as listed on Schedule A to PR 33) may be given in the form of authority to use a "certified HH" rated order:

NOTE: Table Amended Oct. 15, 1946.

Material
Cast iron soil pipe (including fittings).
Gypsum board.
Building board.

A "certified-HH" rated order is an HH rated order to which the endorsement described in paragraph (f) below has been added by an authorized FPFA representative. A certified-HH rating has a higher priority than an uncertified HH rating or a CC rating and is extendible by suppliers (but not by producers) to get the material to be delivered on the "certified-HH" order involved. Its priority, however, is lower than ratings of AAA or MM.

(e) *Authorization for certified-HH rating.* Under the conditions stated in paragraph (b) above, a contractor may apply for certified-HH rating assistance by presenting his proposed purchase order to the FPFA. If the FPFA decides that special assistance is needed, the authorized FPFA representative may endorse the following certificate on the contractor's purchase order:

Certified-HH rated order authorized, under Direction 11 to PR 33, for materials to be used in FPFA temporary re-use housing projects.

Signature and title of authorized FPFA representative.

This certificate makes the purchase order a "certified-HH" rated order, entitled to the preferential treatment explained in paragraphs (f) and (g) below. The order will then be returned to the contractor, to be placed by him with his source of supply.

(f) *Suppliers' handling of certified-HH rated orders.* A distributor, jobber, dealer, or other supplier must not fill certified-HH rated orders out of inventory on hand or with material previously ordered. Instead, he must get the material by extending the certified-HH rating to his source of supply. Upon receiving material so ordered, he must deliver it on the order bearing the rating which was extended. Ratings are to be extended as explained in Priorities Regulation 3 except that the following statement is to be added to the certificate required by PR 3:

The items ordered herewith are for certified-HH rated orders authorized, under Direction 11 to PR 33, for materials to be used in FPFA temporary re-use housing projects.

(g) *Producers' handling of certified-HH and other rated orders.* Producers must accept and fill certified-HH rated orders in accordance with the rules of Priorities Regulation 1, for rated orders, subject to the following special rules:

(1) *Priority for certified-HH rating.* A certified-HH rating is of higher priority than an uncertified HH or a CC rating but of lower priority than an AAA or MM rating. Subject to the "ceiling" provision of paragraph (g) (2) below, a producer receiving a certified-HH order for any material listed in paragraph (d) above must fill it in preference to any uncertified HH or CC rated orders.

(2) *"Ceiling" on accepting certified-HH and AAA rated orders.* The maximum amount of certified-HH rated orders which a producer need accept for delivery of any material listed in paragraph (d) above in any month is 20% of his production of that material during that month. (AAA rated orders accepted by a producer before October 15, 1946, for any such material may be charged to the 20% ceiling for the month of delivery.) A producer may accept more than this amount of certified-HH orders but is not required to do so. The FPFA requirements for the materials listed in paragraph (d) above are so large that it is essential that they be spread evenly among all producers. If any single producer devoted a major part of his production to FPFA requirements, the resulting dislocation in his normal distribution might seriously interfere with the other phases of the Veterans' Emergency Housing Program.

(h) *Producer's equitable distribution of remainder of production.* After providing, each month, for certified-HH and AAA rated orders for a particular material listed in paragraph (d) above, a producer should distribute the remainder of the month's production of that material among his customers in each area in a fair and equitable manner, without regard to the certified-HH and AAA rated orders which any such customer may have served on him. In determining the amount of material to be shipped into each area, a producer should give due regard to the requirements of the Veterans' Emergency Housing Program.

(i) *Applicability of Schedule B to PR 33.* Quantities received by a distributor for delivery on certified-HH orders shall be excluded by him in all his ceiling and set

aside calculations under Schedule B to PR 33. Quantities received by a distributor for delivery on any AAA rated order for an FPFA project shall also be so excluded, if the producer involved accepted the order, as placed with him, before October 15, 1946.

**"Individual Directive" or Other Assistance Procedure for Certain Lumber Products**

(j) *Materials for which special assistance may be issued.* Special assistance for the following materials (as listed on Schedule A to PR 33) may be given by the Civilian Production Administration, in the form of an individual directive or other arrangement under which a producer or supplier will provide preferential treatment for a particular purchase order:

Material
Flooring, hardwood, residential.
Lumber, housing construction.
Millwork.
Plywood, construction (softwood).

(k) *Procedure for getting special assistance.* Under the conditions stated in paragraph (b) above, a contractor may apply for this special assistance by filing a Form CPA-4473 application with the FPFA. If the FPFA believes that special assistance is needed, it will forward the application to the appropriate Civilian Production Administration office (Portland, Oregon, or Washington, D. C.). The Civilian Production Administration office will review the request and, if approved, will take appropriate assistance action, notifying the contractor and other interested persons.

(l) *Applicability of other regulations.* An order for which special assistance is given will be handled in accordance with applicable regulations (currently, Direction 1 to PR 33 and Order L-358), unless otherwise specified in the CPA action.

**HHH-Rating Procedure**

(m) *Materials for which HHH ratings may be authorized.* For any material listed on Schedule A to PR 33 except those listed in paragraphs (d) and (j) above ("certified-HH" and "individual directive" procedures), special assistance may be given in the form of authority to use an HHH rating. An HHH rating has a higher priority than a rating of HH or CC but a lower priority than a rating of AAA or MM.

(n) *Authorization for HHH rating.* Under the conditions stated in paragraph (b) above, a contractor may apply to the FPFA for authorization to use an HHH rating. Application is to be made in the manner required by the FPFA. If the FPFA decides that the special assistance is needed, it may authorize the contractor to use an HHH rating. The method for using the HHH rating is the same as for the HH rating.

(o) *Suppliers' and producers' handling of HHH ratings.* A supplier or producer must accept and fill an HHH rated order in accordance with the rules of Priorities Regulation 1, subject to the special rules mentioned in this paragraph. He must fill an HHH rated order in preference to an HH or CC rated order. As explained in Schedule B, HHH ratings for any material are extendible under the same conditions as HH ratings for that material and are subject to any rules for HH rated orders in Schedules A and B to PR 33 and in any other applicable regulations.

*"Authorized Order" Procedure for "Earmarked Products"*

(p) *Materials made specially for FPFA projects ("earmarked products").* The CPA has been giving certain types of special assistance for steel and iron castings to certain producers for the manufacture of specific quantities of the following kinds of plumbing and heating equipment:

## Material

Cooking ranges (21" gas, up to 36" oil).  
Ice refrigerators.  
Shower stalls.  
Space heaters (gas, oil).  
Water heaters (20-gal. gas, 30-gal. oil).

Under Order L-357, the quantities so manufactured are called "earmarked products" and may be sold only on "authorized orders" for FPFA temporary re-use housing projects.

(q) *Authorization for "authorized orders".* In general, where a contractor needs materials of the kinds listed in paragraph (p) above, he will ordinarily be supplied, on "authorized orders", from the production earmarked for FPFA projects. To get any such earmarked products, a contractor should present one or more proposed purchase orders to the FPFA. The authorized FPFA representative may then place the following endorsement on each purchase order:

Authorized order, under Direction 11 to PR 33 and Order L-357, for earmarked products to be used in FPFA temporary re-use housing projects.

-----  
Signature and title of authorized  
FPFA representative

This endorsement makes an order an "authorized order". An "authorized order" is not a rated order and is not to be treated as a rated order. It is, however, the only type of order on which "earmarked products" under Order L-357 may be delivered. After endorsement, an order will be returned to the contractor, together with any necessary instructions for placing it. In the case of ice refrigerators, the FPFA arrangements with the producers may provide for direct sale of this item by producers to FPFA contractors, on authorized orders.

(r) *Handling of authorized orders.* Order L-357 explains how suppliers and producers are to handle authorized orders.

*CC Rating Procedure*

(s) *Materials for which CC rating may be authorized.* Under Priorities Regulation 28, the Civilian Production Administration may assign a CC rating, if certain conditions exist, for construction materials which are not listed on Schedule A to Priorities Regulation 33.

(t) *Procedure for getting CC rating authorization.* Under the conditions specified in Priorities Regulation 28, a contractor may present, to the FPFA, a Form CPA-541A application for a CC rating. If the FPFA believes that such assistance is needed, it will forward the application to the Civilian Production Administration, Washington 25, D. C., Ref: PR 28. The application will be reviewed by the CPA in accordance with PR 28. If approved, the contractor may use the CC rating as authorized.

(u) *Handling of CC rated orders.* Suppliers and producers must accept and fill CC rated orders in accordance with the rules of Priorities Regulation 1 and Schedule B to Priorities Regulation 33, where applicable.

*Communications and Applications*

(v) *Addressing communications and applications—(1) By contractors.* Contractors should address all communications concerning this direction, and make all applications

under this direction, to the FPFA project engineer or to such other FPFA official as may be designated by that agency.

(2) *By other persons.* Communications by producers and suppliers concerning the operation of the various priorities provisions of this direction and obligations under them should be addressed to the Civilian Production Administration, Washington 25, D. C., Ref: Dir. 11 to PR 33. All other communications should be addressed to the Federal Public Housing Authority, either at the office of the project engineer or at the appropriate regional or field office (see Appendix A).

*Definitions*

(w) *Definitions.* For the purposes of this direction:

(1) "Contractor" means a contractor or subcontractor engaged to do construction work on an FPFA temporary re-use housing project.

(2) "Producer" means a person owning or operating facilities in which a building material affected by this direction is produced.

(3) "Supplier" means a person who is in the business of buying a building material, from a producer or from any other person, for resale as such. This includes distributors, jobbers, office wholesalers, brokers, and dealers of all types.

*Expiration Date*

(x) *Expiration date.* This direction will expire at 12 p. m. (e. s. t.), December 31, 1946.

Issued this 15th day of October 1946.

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

## APPENDIX A

Communications to an FPFA regional or field office concerning this direction should be addressed, unless otherwise shown below, to the Regional Assistant Director for Development, Federal Public Housing Authority, at whichever of the following addresses is appropriate:

*Area served and office address*

Region I—Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont—24 School Street, Boston 8, Mass.

Region II—Delaware, Maryland,<sup>1</sup> New Jersey, New York, Pennsylvania—270 Broadway, New York 7, N. Y.

Region III—Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin—201 North Wells Street, Chicago 6, Ill.

Region IV—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia—Georgia Savings Bank Building, Peachtree and Broad Streets, Atlanta 3, Ga.

Region V—Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas—1411 Electric Building, Fort Worth 2, Tex.

Region VI—Arizona, California, Nevada, Utah, Hawaii—760 Market Street, San Francisco 2, Calif.

Region VII—Idaho, Montana, Oregon, Washington, Wyoming, Alaska—Skinner Building, 5th Avenue and Union Street, Seattle, Wash.

Region VIII—Kentucky, Ohio, Michigan, West Virginia—2073 East Ninth Street, Cleveland 15, Ohio.

<sup>1</sup> The following areas of Virginia and Maryland are served by the General Field Office, rather than by the local regional office serving the other areas of those states: Virginia—Alexandria, Fairfax County, Arlington County. Maryland—Montgomery County, Prince Georges County, Cedar Point, Indian Head, Meadale.

Metropolitan District of Columbia, etc.—District of Columbia, Virginia,<sup>1</sup> Maryland,<sup>1</sup> Puerto Rico, Virgin Islands—Director, General Field Office, Federal Public Housing Authority, 1201 Connecticut Avenue, Washington 25, D. C.

[F. R. Doc. 46-18769; Filed, Oct. 15, 1946; 11:36 a. m.]

## Chapter XI—Office of Price Administration

## PART 1418—TERRITORIES AND POSSESSIONS

[3d Rev. MPR 183,<sup>1</sup> Amdt. 1, (§ 1418.1)]

## SUGAR IN PUERTO RICO

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

In section 4.23 (c), the date "October 10, 1946" is amended to read "November 10, 1946".

This amendment shall become effective as of October 10, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 1 to 3d Revised MPR 183*

Puerto Rican sugar producers have requested an extension of 30 days in which to file the affidavit required by section 4.23 (c) of 3d Revised Maximum Price Regulation 183. The reasons for requiring additional time were fully set forth in a letter to this Office and the Commodity Credit Corporation which, in the opinion of the Administrator and Commodity Credit Corporation, which has been consulted, establish a reasonable basis for granting their request. Accordingly, the accompanying amendment extends the time of filing the affidavit to November 10, 1946.

[F. R. Doc. 46-18583; Filed, Oct. 15, 1946; 8:51 a. m.]

## PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 111 (§ 1418.151)]

## TIRE RETREADING AND RECAPPING IN HAWAII

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

Section 23 of Revised Maximum Price Regulation 373 is amended to read as follows:

SEC. 23. *Maximum prices for recapped tires and recapping—(a) What this section covers—(1) Recapped tires and recapping.* This section applies to all recapping and all sales of newly recapped tires at both the retail and wholesale level. "Recapping" includes retreading and means any process of tread renewal in which rubber is applied to the tread surface or shoulder of a tire. "Newly recapped tire" means any rubber tire

<sup>1</sup> 11 F. R. 11648.

which has been used less than 1,000 miles after latest recapping.

(2) *Relation to other regulations.* All provisions of Revised Maximum Price Regulation 528 not inconsistent with this section shall apply to sales covered by this section.

(b) *Retail sales (to a buyer for his use and not for resale)*—(1) *By seller who actually did the recapping*—(i) *Recapping (tire carcass furnished by buyer).* The maximum prices for recapping tires are the prices set forth in Tables I to IV, inclusive, for the applicable recapping operations.

(ii) *Recapped tires (tire carcass furnished by seller).* The maximum price for the sale of a recapped tire is the sum of the maximum price for the applicable recapping operation plus the maximum price set forth in Tables I to IV, inclusive, for the particular tire carcass which is furnished by the seller.

(2) *By seller who did not do the recapping*—(i) *Recapping (tire carcass furnished by buyer).* The seller may add to the maximum price fixed by (1) above for this type of sale, the actual transportation expense paid by him in having the tire recapped. If the seller transports the tire himself, he may add to the maximum price fixed by (1), an amount not exceeding the cost of transportation by the common carrier having the lowest rate between the seller's and the actual recapper's shipping points. Where more than one tire is involved in a shipment, each tire may be charged only with its proportionate share of the total transportation expense incurred by the seller, and the total of the amounts added for transportation of all the tires in a shipment shall not exceed the total transportation expense of the seller for that shipment. The amount added for transportation expense must be stated separately from the maximum price.

(ii) *Recapped tires (tire carcass furnished by the seller).* The maximum prices are those fixed by (1) for this type of sale, and no additional charge may be made for transportation expenses.

(c) *Wholesale sales (to a buyer for resale)*—(1) *Discounts*—(i) *Recapping (tire carcass furnished by buyer).* The maximum wholesale price for recapping a tire shall be determined by deducting from the applicable maximum prices set forth in Tables I to IV, inclusive, a discount of at least 20 percent. If the seller had in effect on February 1, 1944, to a buyer of the same class for the same type of recapping a percentage discount greater than 20 percent, he must deduct a percentage discount at least as large as he had in effect on February 1, 1944, to that class of buyer. However, in no case is a discount greater than 35 percent required. If the seller did not have any percentage discount in effect on February 1, 1944, to a buyer of the same class for the same type of recapping, he must determine his percentage discount under subparagraph (3) below.

(ii) *Recapped tires (tire carcass furnished by seller).* The maximum wholesale price for a recapped tire shall be the maximum price for the recapping service supplied as calculated under (i) above plus the maximum price set forth in

Tables I to IV inclusive, for the particular tire carcass which is furnished by the seller. The discount required under (i) above shall not apply to the maximum price for the tire carcass.

(2) *Transportation expenses.* No seller shall require any buyer and no buyer shall be permitted to pay a larger proportion of transportation expense than the seller required buyers of the same class to pay during February 1944 in connection with the delivery of tires for recapping and of recapped tires.

(3) *Sellers who cannot apply (1) or (2) above.* The percentage discounts to be deducted under (1) above, and the proportion of transportation expense to be borne under (2) above, by a seller who cannot make these determinations in accordance with (1) and (2), shall be consistent with those established by this regulation for competitive sellers in the same locality, specifically approved upon application by the seller to the Territorial Office of the Office of Price Administration, Honolulu, T. H. The Director of the Office of Price Administration for the Territory of Hawaii may approve or disapprove and may, at any time after approval, correct discount and transportation provisions proposed or established under this sub-paragraph (3) so as to bring them into line with the level of such provisions otherwise fixed by this regulation.

(d) *Maximum prices where minimum quality specifications are not met.* (1) The maximum prices fixed by paragraphs (b) and (c) apply only when the recapping (tire carcass furnished by the buyer), or the recapped tire (tire carcass furnished by the seller), complies with the minimum quality specifications set forth in section 15 of Revised Maximum Price Regulation 528.

(2) No charge may be made for recapping a tire carcass furnished by the buyer when the recapping does not comply with the minimum quality specifications in section 15 of Revised Maximum Price Regulation 528.

(3) The maximum price for a recapped tire which does not comply with the minimum quality specifications in section 15 of Revised Maximum Price Regulation 528 shall be the maximum price which that tire would have as a used tire under section 17 of that regulation if it had not been recapped.

(e) *Definitions.* (1) "Grades A, C and F camelback" mean camelback which complies with the specifications as issued by the War Production Board for Grades A, C and F camelback, respectively.

(2) "Passenger car type of tread" includes any tread of a type generally recognized as designed primarily for use on passenger automobiles.

(3) "Conventional truck and bus type of tread" includes any tread of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

(4) "Mud and snow type of tread" must contain at least as much rubber in the undertread and have a tread design depth at the center circumference of the tire which is at least 2/32 inch deeper than the conventional truck and bus type of tread of the same recapper

for the same tire size. Mud and snow type of tread includes any such tread of a deep-cut, cleated type generally recognized as designed primarily for use on trucks for traction through mud, snow, sand, or soft ground.

(5) "Motorcycle type of tread" includes any tread of a type generally recognized as designed primarily for use on motorcycles.

TABLE I—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING PASSENGER CAR TIRES AND FOR BASIC TIRE CARCASSES

Tire size	Maximum prices when grade A camelback used	Maximum prices when grade C or F camelback used	Basic tire carcasses. Add this price when ever any basic tire carcass is furnished by the seller
3.75-18	\$4.55	\$4.35	\$2.75
4.25-12	4.50	4.30	2.75
4.40-21	5.85	5.00	2.75
4.50-20	6.50	5.65	2.75
4.75-19	6.50	5.65	3.20
4.75-20	6.50	5.65	3.20
5.00-16	6.50	5.65	3.20
5.00-17	6.50	5.65	3.20
5.00-19	6.50	5.65	3.20
5.00-20	6.50	5.65	3.20
5.00-21	7.00	6.15	3.20
5.25-17	7.35	6.50	3.20
5.25-18	7.35	6.50	3.20
5.25-19	7.85	7.00	3.20
5.25-20	7.85	7.00	3.20
5.25-21	7.85	7.00	3.20
5.50-16	7.15	6.30	3.20
5.50-17	7.35	6.50	3.20
5.50-18	7.35	6.50	3.20
5.50-19	7.85	7.00	3.20
5.50-20	7.85	7.00	3.20
6.00-16	8.25	7.40	3.50
6.00-17	8.25	7.40	3.50
6.00-18	8.40	7.55	3.50
6.00-19	8.40	7.55	3.50
6.00-20	10.35	9.50	3.50
6.00-21	9.70	9.50	3.50
6.25-16	9.70	8.85	4.00
6.50-16	9.70	8.85	4.00
6.50-17	9.70	8.85	4.00
6.50-18	9.70	8.85	4.00
6.50-19	9.85	9.00	4.00
6.50-20	10.55	9.70	4.00
7.00-14	10.55	9.70	4.55
7.15-15	10.55	9.70	4.55
7.00-16	10.55	9.70	4.55
7.00-17	10.55	9.70	4.55
7.00-18	10.85	10.00	4.55
7.00-19	12.10	11.25	4.55
7.00-20	13.75	12.90	4.55
7.50-15	12.60	11.75	5.25
7.50-16	14.95	14.10	5.25
7.50-17	15.40	14.55	5.25
Jumbo "14"	11.00	10.15	6.55
Jumbo "15"	12.60	11.75	6.55

TABLE II—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING BUS AND TRUCK TIRES AND BASIC TIRE CARCASSES

Tire size	Maximum prices when grade A camelback used for conventional truck and bus type tread	Basic tire carcasses. Add this price when ever any basic tire carcass is furnished by the seller
6.00-20/30 x 5	\$11.40	\$6.00
6.50-20/32 x 6 8 ply	15.05	6.00
7.00-16	11.60	5.00
7.00-17	15.75	5.00
7.00-20/32 x 6 10 ply	16.40	8.40
7.00-24/36 x 6	20.00	7.75
7.50-16	16.95	6.50
7.50-17	17.50	6.50
7.50-18/32 x 7	17.80	6.50
7.50-20/34 x 7	19.15	9.60
7.50-24/38 x 7	24.50	8.00
8.25-18	22.90	10.50
8.25-20	26.00	10.50
8.25-24	28.65	10.50
9.00-16	23.05	12.00
9.00-18	26.05	12.00
9.00-20/36 x 8	29.10	12.00
9.00-22	30.35	12.00
9.00-24/40 x 8	30.50	12.00
9.75-20/38 x 9	32.45	12.00
10.00-18	30.55	13.20
10.00-20/38 x 9	32.45	13.20

TABLE II—MAXIMUM PRICES FOR RETREADING FULL CAPPING OR TOP CAPPING BUS AND TRUCK TIRES AND BASIC TIRE CARCASSES—Continued

Tire size	Maximum prices when grade A camelback used for conventional truck and bus type tread	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
10.00-22	\$32.65	\$13.20
10.00-24/42 x 9	33.50	14.40
10.50-20	34.75	14.40
11.00-20	34.75	14.40
10.50-22	36.40	14.40
11.00-22	36.40	14.40
10.50-24	41.00	14.40
11.00-24	41.00	14.40
11.25-20/40 x 10	42.90	16.80
12.00-20/40 x 10	42.90	16.80
11.25-24/44 x 10	47.10	16.80
12.00-24/44 x 10	47.10	18.00
12.75-24	51.90	18.00
13.00-24	51.90	18.00
14.00-24	68.30	19.20

TABLE III—MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING FOR MUD AND SNOW TYPE TREAD

Tire size	Maximum prices for mud- and snow-type tread	Basic tire carcasses. Add this price whenever tire carcass is furnished by the seller
5.50-17	\$8.10	\$4.50
6.00-16 6 ply	9.10	4.50
6.25-16	10.55	4.75
6.50-16 8 ply	10.55	4.75
7.00-20/32x6 10 ply	18.35	8.40
7.50-18	18.15	6.50
7.50-20	19.70	7.20
8.25-20	27.60	10.80
9.00-16	27.95	12.00
9.00-18	29.95	12.00
9.00-20	31.95	12.00
9.00-24	33.00	12.00
9.75-20	38.50	12.00
10.00-20	38.50	13.20
10.50-24	43.45	14.40
11.00-20 2	41.00	14.40
11.00-24	43.45	14.40
11.25-24	47.10	16.80
12.00-24	47.10	16.80
12.75-24	51.50	18.00
13.00-24	51.50	18.00
13.50-24	57.75	18.00
14.00-24	99.75	19.20

TABLE IV—MAXIMUM PRICES FOR RETREADING MOTORCYCLE TIRES

Tire size	Maximum prices when grade A camelback is used	Maximum prices when grade C or F camelback is used	Basic tire carcasses. Add this price whenever tire carcass is furnished by the seller
4.00-18	\$5.80	\$4.95	\$2.75
4.00-19	5.80	4.95	2.75
4.50-18	6.90	6.05	2.75
4.50-19	6.90	6.05	2.75

When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tires are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

This amendment shall become effective as of September 18, 1946.

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 111 to Revised Maximum Price Regulation 373*

The accompanying amendment completely revises section 23 by omitting all provisions for pricing new tires and tubes, used tires and tubes, and tire and tube repairing. Only the provisions for pricing recapping and recapped tires are retained in the section.

Prior to this amendment, section 23 was a mere restatement of the provisions of Revised Maximum Price Regulation 528, the instrument governing sales of tires and tubes, etc., in the continental United States, and maximum prices for the commodities and services covered by RMPR 528 were the same in the Territory, except for recapped tires and recapping. Whenever an action was taken by amendment to RMPR 528, it was followed by a similar action amending RMPR 373. It has been determined that such duplication of work could be avoided by extending the geographical coverage of RMPR 528 to include the Territory of Hawaii. Accordingly, Revised Supplementary Order 44 has been amended to include RMPR 528 among the instruments listed therein as being applicable in the Territory of Hawaii modified, however, to exclude the applicability of the prices established for recapped tires and recapping. Accordingly, this amendment provides for the continued coverage of recapped tires and recapping under RMPR 373.

Prices in the Territory for sales of recapped tires and recapping have historically been higher than prices on the mainland, due to the higher costs incurred in importing and installing machinery and equipment for recapping services and also because of the large investments of sellers in stocking and storing camelback. This action does not change any of the existing maximum prices, but the general provisions previously included in the section relating to extra charges for repairs and other services in connection with the sale of recapped tires or recapping, posting of prices and keeping of records are now incorporated by express reference to the provisions of RMPR 528 which apply to recapping and recapped tires.

It is the opinion of the Price Administrator that the provisions of this amendment are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and the relevant Executive Orders of the President.

[F. R. Doc. 46-18582; Filed, Oct. 16, 1946; 8:52 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[RMPR 373, Amdt. 112]

FINE GRANULATED SUGARS IN HAWAII

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended by adding the following new paragraph to section 15.

(d) *Specific additions to applicable maximum prices for sales of fine granulated sugars on and after September 18, 1946—(1) Sales by primary distributors who own no fine granulated sugars at the close of business on September 17, 1946.* Any primary distributor who owns no fine granulated sugars at the close of business on September 17, 1946, may add \$1.50 per one hundred pounds to the applicable maximum prices for fine granulated sugars established by the preceding paragraph (b) and (c) for for sales by him of fine granulated sugars on and after September 18, 1946.

(2) *Sales by persons owning fine granulated sugars at the close of business on September 17, 1946.* Any primary distributor who owns fine granulated sugars at the close of business on September 17, 1946, may add \$1.50 per one hundred pounds to the applicable maximum prices for fine granulated sugars established by the preceding paragraphs (b) and (c) for sales by him of fine granulated sugars on and after September 18, 1946, upon the condition that he complies with all the pertinent requirements of the following subparagraphs (3) and (4).

(3) *Filing of affidavit.* Each primary distributor owning fine granulated sugars at the close of business on September 17, 1946, shall, not later than September 24, 1946, send by registered mail addressed to Commodity Credit Corporation, 150 Broadway, New York 7, New York, an affidavit setting out the following amounts of sugar owned by him at the close of business on September 17, 1946:

(i) The total number of pounds of fine granulated sugar.

(ii) The total number of pounds of raw cane sugar (converted to a refined basis) in process of refinement.

(iii) The total number of pounds of raw cane sugar, and

(iv) The total number of pounds of "price adjustment" and "crop-purchase" raw cane sugar as defined under paragraph (1) of the contract between Commodity Credit Corporation and Refiners of Cane Sugar in Continental United States.

(4) *Payment to Commodity Credit Corporation.* Any primary distributor owning fine granulated sugars at the close of business on September 17, 1946, who elects to increase his maximum price on September 18, 1946, shall make a statement to that effect in the affidavit described in subparagraph (3) and shall make payment by check or money order payable to the Commodity Credit Corporation in an amount computed as follows:

(i) The total number of pounds of fine granulated sugar plus the total number of pounds of raw cane sugar (converted to a refined basis) in process of refinement, multiplied by 1.47 cents per pound; plus

(ii) The difference between the total number of pounds of raw cane sugar and the total number of pounds of "price adjustment" and "crop-purchase" raw cane sugar, multiplied by 1.37 cents per pound.

Payment may be made at the time of filing the affidavit or monthly payments shall be made within thirty days following the close of the calendar month for the amount of such sugar sold during such month, until the full amount due has been paid. The maximum price, in the event of failure to make such payment or payments, shall be the maximum price in effect prior to September 18, 1946.

(5) *Election to sell inventory at lower prices.* Any primary distributor owning fine granulated sugars at the close of business on September 17, 1946, may, in lieu of making payment to Commodity Credit Corporation, described in subparagraph (4) above, elect to sell or otherwise dispose of the entire amount of his inventory at or below maximum prices in effect on September 17, 1946. Such person shall state in the affidavit described in subparagraph (3), that he elects to sell his inventory at that price. At such time as he has sold an amount equal to his September 17, 1946 inventory, he shall file by registered mail with the Commodity Credit Corporation a final affidavit stating that he has fully complied with the requirements of this subparagraph (5).

After mailing the final affidavit in proper form, such person may increase his maximum prices in the amounts set out in subparagraph (2).

This amendment shall become effective September 18, 1946.

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

Issued this 16th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment No. 112 to Revised Maximum Price Regulation 373*

The accompanying amendment to Revised Maximum Price Regulation 373 increases the maximum prices for sales of fine granulated sugars by primary distributors 1½ cents per pound. This action coincides with the action increasing sugar prices in the continental United States. The reasons for the mainland action are fully discussed in the statement of considerations accompanying amendment 3 to Maximum Price Regulation 16 and amendment 4 to Maximum Price Regulation 60, and since they establish the basis of the accompanying action, the pertinent parts of that statement are incorporated herein by reference. The recapture provisions are the same as those contained in amendment 74 to Revised Maximum Price Regulation 373, and have been included for the same reasons as set forth in the statement of considerations for that amendment, reference to which is hereby made.

In the opinion of the Price Administrator, the action taken by this amend-

ment is generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and the Executive Orders of the President.

[F. R. Doc. 46-18581; Filed, Oct. 16, 1946; 8:53 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 2, Revocation]

REVOCATION OF LIVESTOCK SLAUGHTER CONTROL

Livestock Slaughter Control Order 2, as amended, including all orders and licenses issued thereunder and all supplements issued with respect thereto, is revoked, subject to the provisions of section 5.1 of General Ration Order No. 8.

This revocation of Control Order 2 shall become effective at 12:01 a. m. October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-18779; Filed, Oct. 15, 1946; 11:56 a. m.]

PART 1305—ADMINISTRATION

[SO 132, Amdt. 61]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, INSECTICIDES AND BEVERAGES

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

Supplementary Order No. 132 is amended in the following respect:

1. Section 8 is added to read as follows:

SEC. 8. *Commodities decontrolled under section 1A (e) (7) and (8) of the Emergency Price Control Act of 1942, as amended.* (a) Pursuant to the provisions of section 1A (e) (7) and (8) of the Emergency Price Control Act of 1942, as amended, and Directive 1 of the Price Decontrol Board, the following commodities are not subject to price control:

(1) Poultry, eggs and food or feed products processed or manufactured in whole or substantial part therefrom;

(2) Leaf tobacco and tobacco products processed or manufactured in whole or substantial part therefrom;

(3) Milk and food or feed products processed or manufactured in whole or substantial part therefrom;

(4) Wheat, rye, corn, oats, feed oats, mixed feed oats, barley and grain sorghums, and any livestock or poultry feed processed or manufactured entirely from any one or more of these whole grains.

(b) For the purposes of this section 8, a seller's product shall be deemed

<sup>1</sup> 10 F. R. 14954, 15170; 11 F. R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4090, 4861, 5066, 5353, 5598, 5599, 5539, 5650, 5740, 5868, 5781, 6232, 6606, 6863, 7185, 8446, 8534, 8647, 8643, 8927, 8864, 9032, 9031, 9189, 9349, 9447, 9525, 9526.

"processed or manufactured in whole or substantial part" from a commodity or commodities listed in subparagraphs (a) (1) through (a) (3), and hence not subject to price control if such product contains at least 33⅓ percent, by weight or volume, of specific commodities listed in subparagraph (a) (1) through (a) (3), either singly or in combination.

"Weight" of "volume" shall be determined by considering the weight of the ingredients (exclusive of water added as an ingredient) before mixture.

This amendment shall become effective October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 61 to Supplementary Order 132*

The accompanying amendment adds to Supplementary Order 132 section 8 which lists the commodities which are not subject to price control as a result of the provisions of section 1A (e) (7) and (8) of the Emergency Price Control Act of 1942, as amended. These provisions were added to the Price Control Act by the Price Control Extension Act of 1946. The commodities listed were decontrolled automatically by virtue of the legislation mentioned above but are set forth in Supplementary Order 132 for the purpose of convenience to the trade.

The commodities decontrolled by the provisions of section 1A (e) (7) are (1) poultry, eggs and food or feed products processed or manufactured in whole or substantial part therefrom; (2) leaf tobacco and tobacco products processed or manufactured in whole or substantial part therefrom.

Pursuant to the provisions of section 1A (e) (8), the Price Decontrol Board, on August 20, 1946, issued Directive 1 which continued the decontrol of the following commodities:

(1) Milk, and food or feed products manufactured in whole or in substantial part therefrom;

(2) Wheat, rye, corn, oats, feed oats, mixed feed oats, barley, and grain sorghums, and any livestock or poultry feed processed or manufactured entirely from any one or more of these whole grains.

One category of the products decontrolled is that category consisting of products which are "processed or manufactured in whole or substantial part" from the specific commodities named. Section 8, added to Supplementary Order 132, defines such a product as being an individual seller's product which contains at least 33⅓ percent by weight or volume of the specific decontrolled commodities, either singly or in combination. Whether or not such a product contains the minimum percentage by weight or volume of a specific decontrolled commodity or commodities in order to be free from price control is to be considered by looking at the weight of the ingredients (exclusive of water added as an ingredient) before mixture.

It is to be noted that this problem of a product being processed or manufactured in "substantial part" from one or more of the specifically named decon-

trolled commodities does not apply to livestock or poultry feed decontrolled by Directive 1 of the Price Decontrol Board. Under the terms of Directive 1, livestock or poultry feed is free from price control only if it is processed or manufactured entirely from any one or more of the whole grains, wheat, rye, corn, oats, feed oats, mixed feed oats, barley and grain sorghums.

[F. R. Doc. 46-18751; Filed, Oct. 15, 1946; 11:05 a. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Housing, incl. Amdts. 1-104]

This compilation of Rent Regulation for Housing includes Amendment 104, effective October 16, 1946. The text amended by Amendment 104 is underlined.

§ 1388.1181 *Rent Regulation for Housing.* The Rent Regulation for Housing is annexed hereto and made a part hereof.

#### Sec.

1. Scope of this regulation.
  2. Prohibition against higher than maximum rents.
  3. Minimum services, furniture, furnishings and equipment.
  4. Maximum rents.
  5. Adjustments and other determinations.
  6. Removal of tenant.
  7. Registration.
  8. Inspection.
  9. Evasion.
  10. Enforcement.
  11. Procedure.
  12. Petitions for amendment.
  13. Definitions.
- Schedule A.

AUTHORITY: § 1388.1181 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.

#### SECTION 1. Scope of this regulation—

(a) *Housing and defense-rental areas to which this regulation applies.* This regulation applies to all housing accommodations within each of the defense-rental areas and each of the portions of a defense-rental area (each of which is referred to hereinafter in this regulation as the "defense-rental area"), which are listed in Schedule A of this regulation, except as provided in paragraph (b) of this section.

In Schedule A, "the maximum rent date" and "the effective date of regulation" is given for each defense-rental area listed. More than one effective date is given for different portions of a defense-rental area where the same effective date is not applicable to the entire defense-rental area. Wherever the words "the maximum rent date" or the words "the effective date of regulation" are referred to in this regulation, the dates given in Schedule A for the particular defense-rental area or portion of the defense-rental area in which the housing accommodations are located shall apply. The effective date listed in Schedule A in each instance is the date rent regulation was effective in the particular defense-rental area or portion of the defense-rental area.

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

[Subparagraph (2) amended by Am. 48, 10 F.R. 2401, effective 3-1-45]

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided*, That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further*, That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however*, That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Resort housing—(i) Exemption—(a) Summer resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to October 1, 1945, which were not rented during any portion of the period beginning on November 1, 1943, and ending on February 29, 1944.

This exemption shall be effective only from June 1, 1946 to September 30, 1946, inclusive.

(b) *Winter resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to the effective date of the regulation in the area, which were not rented during any portion of the period beginning on June 1, 1946, and ending on September 30, 1946.

This exemption shall be effective only from October 1, 1946, to May 31, 1947, inclusive.

[Subparagraph (1) amended by Am. 79, 11 F. R. 1778, effective 2-15-46 and Am. 100, 11 F. R. 10508, effective 9-18-46]

(ii) *Exception from exemption.* The provisions of section 1 (b) (6) (i) shall not apply to the housing accommodations in the Los Angeles Defense-Rental Area and in the Santa Cruz Defense-Rental Area.

[Subparagraph (ii) amended by Am. 53, 10 F.R. 3555, effective 4-1-45; Am. 54, 10 F.R. 3951, effective 4-12-45 and Am. 88, 11 F.R. 5824, effective 5-27-46]

[Subparagraph (6) amended by Am. 17, 9 F.R. 2176, effective 2-24-44; Am. 26, 9 F.R. 6569, effective 6-15-44; Am. 46, 10 F.R. 1452, effective 2-3-45; and as otherwise noted]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

SEC. 2. *Prohibition against higher than maximum rents—(a) General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 33, 9 F.R. 10633, effective 9-1-44]

(b) [Revoked]

[Paragraph (b) revoked by Am. 67, 10 F.R. 11666, effective 9-15-45]

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation (or prior to October 20, 1942, where the effective date of regulation is prior to that date) and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with

<sup>1</sup> 10 F.R. 13528.

the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation: *Provided, however*, That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date), and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

(d) *Security deposits*—(1) *General prohibition*. Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

[Subparagraph (1) amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

(2) *Maximum rent established under section 4 (a) or (b)*. Where the maximum rent of the housing accommodations is or initially was established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent established under section 4 (a) or (b).

(3) *Maximum rent established under section 4 (c) or (d)*. Where the maxi-

imum rent of the housing accommodations is or initially was established under section 4 (c) or (d) no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e) or (j)*. Where the maximum rent of the housing accommodations is or initially was established under section 4 (e) or (j), no security deposit shall be demanded or received.

(5) *Maximum rent established under section 4 (f)*. Where the maximum rent of the housing accommodations is or initially was established under section 4 (f), no security deposit shall be demanded, received, or retained.

(6) *Maximum rent established under section 4 (g) or (h)*. Where the maximum rent of the housing accommodations is or initially was established under section 4 (g) or (h), no security deposit shall be demanded or received, except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(7) *Deposits to secure the return of certain movable articles*. Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

(8) Notwithstanding the preceding provisions of this paragraph (d), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation; *Provided, however*, That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

[Subparagraph (8) added by Am. 97, 11 F. R. 8164, effective 7-26-46]

[Paragraph (d) added by Am. 33, 9 F. R. 10633, effective 9-1-44 and amended by Am. 37, 9 F. R. 12414, effective 10-12-44]

**SEC. 3. Minimum services, furniture, furnishing and equipment.** Except as set forth in section 5 (b) every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and

equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however*, That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

**SEC. 4. Maximum rents.** Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date*. For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date.

(b) *Not rented on maximum rent date but rented during two months ending on that date*. For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period.

(c) *First rent after the maximum rent date but before effective date*. For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date*. For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date*. For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in



such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be, but in no event more than the maximum rent provided for such accommodations by any order of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a proper registration statement within the time specified (except where a registration statement was filed prior to October 1, 1943), the rent received for any rental period commencing on or after the date of the first renting or October 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of § 1300.209 or 1300.217 of Revised Procedural Regulation 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph added by Am. 9, 8 F.R. 13390, effective 10-1-43; amended by Am. 34, 9 F.R. 11335, effective 9-13-44; and Am. 48, 10 F.R. 2401, effective 3-1-45 and Am. 82, 11 F.R. 2445, effective 3-9-46]

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating or under specific authorization from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that

date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved: *And provided further,* That as to housing constructed with priority rating obtained prior to October 15, 1945, and in which initial occupancy occurred on or after that date, the landlord may at his option elect to have the maximum rents therefor determined under section 4 (e).

[Above paragraph amended by Am. 80, 11 F.R. 2116, effective 3-1-46 and Am. 23, 11 F.R. 5824, effective 5-27-46]

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

[Paragraph (f) amended by Am. 20, 9 F.R. 3422, effective 3-29-44; and Am. 21, 9 F.R. 4023, effective 4-15-44]

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

In the event the rents on such housing accommodations cease to be governed by the National Rent Schedule of the War or Navy Departments, the maximum rents shall be determined by the appropriate subsection of section 4. For the purpose of such determination the premises shall be considered as not rented

during the period they were operated under such schedule.

[Above paragraph added by Am. 80, 11 F.R. 2116, effective 3-1-46]

[Paragraph (h) amended by Am. 8, 8 F.R. 12795, effective 9-20-43]

(i) *Rent established under former section 5 (e).* For housing accommodations with a maximum rent established, prior to March 1, 1943, under the first paragraph of section 5 (e) as that paragraph appeared in Maximum Rent Regulations issued prior to such date,<sup>2</sup> the rent on March 1, 1943, or, if the accommodations were not rented on that date, the last rent prior thereto, but in no event more than the maximum rent established under such first paragraph of section 5 (e). The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (8).

(j) *Changed on or after July 1, 1943 or the effective date of regulation, whichever is the later, from unfurnished to furnished.* For housing accommodations changed on or after July 1, 1943 or the effective date of regulation, whichever is the later, from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a proper registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of § 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March 1, 1945, the landlord shall have the duty to refund

<sup>2</sup> The first paragraph of section 5 (e) reads as follows: "Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units."

only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph amended by Am. 82, 11 F.R. 2445, effective 3-9-46]

[Paragraph (j) added by Am. 2, 8 F.R. 9020, effective 7-1-43; amended by Am. 34, 9 F.R. 11335, effective 9-13-44; and Am. 48, 10 F.R. 2401, effective 2-1-45]

(k) *Housing in the Malvern, Arkansas Defense-Rental Area.* For housing accommodations in the Malvern, Arkansas Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between October 1, 1942 and November 30, 1943, inclusive, the rent provided by such order. Any order issued by the Administrator for housing accommodations in the Malvern, Arkansas Defense-Rental Area between October 1, 1942 and November 30, 1943, inclusive, which was in effect on the latter date shall be effective under this regulation.

[Paragraph (k) added by Am. 43, 10 F.R. 48, effective 1-1-45; corrected 10 F.R. 655, effective 1-16-45]

(l) *Housing in Polk County Defense-Rental Area.* The housing accommodations in the Polk County Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between September 1, 1942 and December 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for housing accommodations in the Polk County Defense-Rental Area between September 1, 1942 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

(m) *Housing in the Sarasota Defense-Rental Area.* For housing accommodations in the Sarasota Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between October 1, 1944 and December 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for housing accommodations in the Sarasota Defense-Rental Area between October 1, 1944 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

[Paragraphs (l) and (m) added by Am. 99, 11 F. R. 10118, effective 9-1-46]

**SEC. 5. Adjustments and other determinations.** In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maxi-

imum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (a) (14), (c) (6), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraphs (a) (6) and (c) (5) of this section the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent: *And provided further,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, appropriate allowance shall be made for general increases in costs of construction in the defense-rental area since 1939, except that in the case of construction initiated prior to November 23, 1945, such allowance shall reflect general increases in costs of construction in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7), (a) (14) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided,* That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

[Above portion of sec. 5 amended by Am. 20, 9 F.R. 3422, effective 3-29-44; Am. 32, 9 F.R. 10188, effective 9-1-44; Am. 34, 9 F.R. 11335, effective 9-13-44; Am. 67, 10 F.R. 11666,

effective 9-14-45; Am. 73, 10 F.R. 14399, effective 11-23-45 and Am. 88, 11 F.R. 5824, effective 5-27-46]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in the services, furniture, furnishings or equipment, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 34, 9 F.R. 11335, effective 9-13-44]

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term com-

mencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

[Subparagraphs (5) and (6) amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (9) added by Am. 6, 8 F.R. 12660, effective 9-15-43]

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord

did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

[Subparagraph (10) added by Am. 20, 9 F.R. 3422, effective 3-29-44; and amended by Am. 21, 9 F.R. 4028, effective 4-15-44]

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (11) added by Am. 29, 9 F.R. 8054, effective 7-17-44]

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

In proper cases increases in payroll and property taxes in effect on the date of the filing of the petition may be considered by the Administrator in determining whether substantial hardship exists.

Increased operating costs due to wage increases paid by the landlord shall not be included in any petition filed hereunder unless such wage increases have been approved by the appropriate wage or salary stabilization agency of the United States in accordance with Executive Order 9697 and the regulations issued by the Office of Economic Stabilization pursuant thereto, or unless approval is not required by said order or regulations.

[Above two paragraphs added by Am. 84, 11 F.R. 4015, effective 4-10-46]

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means (a) the most recent full calendar or fiscal year used by the landlord, or (b) any twelve-month period ending not more than 90 days prior to the filing of the petition: *Provided, however,* That the current year in all cases shall begin on or after the maximum rent date: *And provided, further,* That if allowance is requested for increases in payroll or property taxes not fully reflected in the "current year" as defined above, at least one calendar month must have passed between the end of the current year and the beginning of the month in which the petition is filed.

[Above paragraph amended by Am. 84, 11 F.R. 4015, effective 4-10-46]

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after the maximum rent date or to maximum rents established under section 4 (c), (d), (e), or (j).

[Above paragraph added by correction, 10 F.R. 4605, effective 3-29-45]

[Subparagraph (12) added by Am. 32, 9 F.R. 10188, effective 9-1-44; amended by Am. 48, 10 F.R. 2401, effective 3-1-45]

(13) *Rented to an employee of landlord.* The housing accommodations were rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

[Subparagraph (13) added by Am. 34, 9 F.R. 11335, effective 9-13-44]

(14) *Changes from year-round to seasonal renting.* The accommodations are located in a resort community, are primarily adapted to occupancy on a seasonal basis, are vacant and the establishment of seasonal variations in the rent would not, in the opinion of the area rent director, be inconsistent with the purposes of the act.

[Subparagraph (14) added by Am. 88, 11 F.R. 5824, effective 5-27-46]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*

(1) *Decreases prior to effective date.* If, on the effective date of regulation, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days (or, for housing accommodations within the Los Angeles Defense-Rental Area, within 60 days) after such effective date, file a petition requesting approval of the de-

creased services. If, on such effective date (or on December 1, 1942 where the effective date of regulation is prior to that date), the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph (b) may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph (b) may be decreased in accordance with the provisions of section 5 (c) (3).

If the landlord fails to file the petition or report required by this paragraph (b) within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation (or December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of § 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to comply with this paragraph (b), the order may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to comply with any requirement of this paragraph (b).

[Subparagraph (3) amended by Am. 48, 10 F.R. 2401, effective 3-1-45 and Am. 82, 11 F.R. 2445, effective 3-9-46]

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of

the maximum rent otherwise allowable only on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (j) of section 4 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Subparagraph (1) amended by Am. 2, 8 F.R. 9020, effective 7-1-43]

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (4) amended by Am. 29, 9 F.R. 8054, effective 7-17-44]

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement.

[Subparagraph (5) amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) or (c) (8) of this section.

(8) *Rent established under section 4 (i).* The maximum rent is established under section 4 (i) and is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date taking into consideration any increased occupancy of such accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant: *Provided*, That no decrease shall be ordered below the rent on the maximum rent date.

(9) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this

section, since the order issued under that paragraph.

[Subparagraph (9) added by Am. 32, 9 F.R. 10188, effective 9-1-44]

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings, and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the services, furniture, furnishings and equipment included in such rent.

[Subparagraph (d) amended by Am. 67]

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (f) amended by Am. 12, 8 F. R. 16032, effective 11-25-43]

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

**SEC. 6. Removal of tenant—**(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration, or if the lease was for a term of less than one year but more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

[Subparagraph (1) amended by Am. 48, 10 F.R. 2401, effective 3-1-45; Am. 67, 10 F.R. 11666, effective 9-15-45 and Am. 80, 11 F.R. 2116, effective 3-1-46]

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) [Revoked]

[Subparagraph (5) revoked by Am. 67, 10 F.R. 11666, effective 9-15-45]

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date, or prior to November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

[Subparagraph (6) amended by Am. 67]

(b) *Administrator's certificate—*(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in the particular area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the

filing of the petition if the petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

[Subparagraph (1) amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in the particular defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

[Above paragraph amended by Am. 67]

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in the area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

[Above paragraph added by Am. 101, 11 F.R. 10656, effective 9-20-46]

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the inclusion of such payments is consistent with the purposes of this paragraph (b) (2) and would not be likely to result in the circumvention or evasion thereof.

[Above paragraph amended by Am. 48, 10 F.R. 2401, effective 3-1-45]

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any un-

paid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

[Subparagraph (ii) amended by Am. 67, 10 F. R. 11666, effective 9-15-45 and Am. 101, 11 F. R. 10656, effective 9-20-46]

[Subparagraph (2) amended by Am. 7, 8 F.R. 12693, effective 9-16-43; Am. 25, 9 F.R. 6359, effective 6-9-44; and as otherwise noted]

(iii) The payment of twenty per cent or more of the purchase price shall not be a condition to the issuance of a certificate under this paragraph (b) (2) where the purchaser has obtained a loan to be used in purchasing the housing accommodations which is guaranteed in whole or in part by the Administrator of Veterans' Affairs pursuant to the provisions of Title III of the Servicemen's Readjustment Act of 1944.

[Subparagraph (iii) added by Am. 41, 9 F.R. 14987, effective 12-27-44]

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or otherwise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

[Subparagraph (i) amended by Am. 94, 11 F. R. 8106, effective 7-10-46]

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate,

or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (i) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

[Subparagraph (3) added by Am. 47, 10 F.R. 1973, effective 2-17-45]

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

[Subparagraph (4) added by Am. 101, 11 F. R. 10656, effective 9-20-46]

(c) *Exceptions from section 6—(1) Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subleasing of the entire accommodations or substantially all of the individual units therein by the tenant, or unless under the local law there is a tenancy relationship between the landlord and subtenant or other such occupant.

[Subparagraph (1) amended by Am. 104, effective 10-16-46]

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to

housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

[Subparagraph (4) added by Am. 3, 8 F.R. 10618, effective 8-1-43]

(5) *Relocation of temporary housing by National Housing Agency.* Provisions of this section shall not apply to temporary or movable housing accommodations under the jurisdiction of the National Housing Agency which have been placed in a terminated status by the National Housing Administrator for relocation in another area for the purposes and objectives of Title 5 Public Law 849 (76th Congress), as amended (Lanham Act).

[Subparagraph (5) added by Am. 80, 11 F.R. 2116, effective 3-1-46]

(d) *Notices required—(1) Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant and the facts necessary to establish the existence of such ground. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought, the facts necessary to establish the existence of such ground, and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirement of this sentence shall not apply to housing accommodations within the City of Baltimore, Maryland, the Northeastern New Jersey

Defense-Rental Area, or the Trenton Defense-Rental Area, when the ground for the removal or eviction of a tenant is non-payment of rent.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply if the eviction is pursuant to the terms of a certificate issued by the Administrator under the provisions of paragraph (b) of this section.

If judgment for possession is sought by virtue of a confession of judgment or a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in this section shall be deemed to be the date of filing in court the first papers in the proceedings for the entry of such judgment.

[Above paragraph added by Am. 94, 11 F. R. 8106, effective 7-26-46]

[Subparagraph (1) amended by Am. 88, 11 F.R. 5824, effective 5-27-46]

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

**SEC. 7. Registration—(a) Registration statement.** On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there

has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

[Above paragraph added by Am. 56, 10 F.R. 5089, effective 5-5-45; amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

Any notice, order or other process or paper directed to the person named on the registration statement as the landlord at the address given thereon, or, where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

[Above paragraph added by Am. 56]

The provisions of this section shall be applicable to any housing accommodations whose maximum rent is determined under section 4 (g), on its sale by the owning agency, and within thirty days after the sale of such accommodations the new landlord shall file a registration statement as provided in subsection (a) of this section: *Provided, however*, That if the housing accommodations are sold to the United States or a state of the United States or any of its political subdivisions, or any agency of the foregoing, subsection (c) of this section shall continue to be applicable.

[Above paragraph added by Am. 80, 11 F.R. 2116, effective 3-1-46]

On or after June 1, 1946, the provisions of this section 7 shall apply to all housing accommodations in the Cincinnati Defense-Rental Area.

[Above paragraph added by Am. 87, 11 F.R. 5396, effective 6-1-46]

(b) *Receipt for amount paid.* No payment of rent need be made unless

the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements—(1) Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) [Deleted]

[Subparagraph (3) deleted by Am. 87]

(d) *Housing in Puerto Rico Defense-Rental Area.* The provisions of this section 7 (d) shall be substituted for the provisions of section 7 (a) for housing accommodations in the Puerto Rico Defense-Rental Area.

On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require.

(1) *Notice of maximum rent.* The landlord shall prepare the form known as "Notice of Maximum Rent" if the maximum rent for the dwelling unit is determined under paragraph (a) of section 4. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(2) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit is determined under any paragraph of section 4 other than paragraph (a), (g), or (h). The landlord shall prepare the Registration Statement in triplicate and shall send the three copies to the area rent office. The Administrator shall retain one copy on file and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord.

(3) *Change in tenancy.* Within five days after renting to a new tenant, the landlord shall file a form provided by the area rent office for this purpose. The landlord shall state the maximum rent for the dwelling unit, and he shall obtain the new tenant's signature on this form.

(4) Where, since the filing of the notice of maximum rent or the registration statement but prior to June 1, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before June 25, 1945 shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after June 1, 1945 the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph.

[Above paragraph amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

Any notice, order or other process or paper directed to the person named on the registration statement or on the notice of maximum rent as the landlord at the address given thereon, or, where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

[Subparagraph (4) added by Am. 59, 10 F.R. 6074, effective 6-1-45]

[Paragraph (d) added by Am. 15, 9 F.R. 206, effective 2-1-44]

(e) *Housing in the Malvern, Arkansas Defense-Rental Area.* The first three sentences of section 7 (a) shall not apply to housing accommodations in the Malvern, Arkansas Defense-Rental Area for which a registration statement was filed between October 1, 1942 and November 30, 1943, inclusive, except where the maximum rent established under this regulation is different than the maximum rent which was in effect on November 30, 1943.

[Paragraph (e) added by Am. 43, 10 F.R. 48, effective 1-1-45]

(f) On or before April 15, 1945, in the Matagorda Bay Defense-Rental Area, every landlord of housing accommodations rented or offered for rent shall file a registration statement in addition to the statement required by paragraph (a) of this section, or he shall file his copy of the original registration statement. Where the landlord files his copy of the original registration statement, the Administrator shall duplicate such copy for his files and shall return the original copy to the landlord.

[Paragraph (f) added by Am. 50, 10 F.R. 2685, 2973, effective 3-10-45]

(g) *Housing in the Polk County Defense-Rental Area.* The first three sentences of section 7 (a) shall not apply to housing accommodations in the Polk

County Defense-Rental Area for which a registration statement was filed between September 1, 1942 and December 31, 1945, inclusive, except where the maximum rent established under this regulation is different than the maximum rent which was in effect on December 31, 1945.

(h) *Housing in the Sarasota Defense-Rental Area.* The first three sentences of section 7 (a) shall not apply to housing accommodations in the Sarasota Defense-Rental Area for which a registration statement was filed between October 1, 1944 and December 31, 1945, inclusive, except where the maximum rent established under this regulation is different than the maximum rent which was in effect on December 31, 1945.

[Paragraphs (g) and (h) added by Am. 99, 11 F.R. 10118, effective 9-1-46]

Sec. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

Sec. 9. *Evasion—(a) General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

[Paragraph (b) amended by Am. 67, 10 F.R. 11666, effective 9-15-45]

[Section 9 amended by Am. 44, 10 F.R. 330, effective 1-10-45]

Sec. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

Sec. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3<sup>3</sup> (§§ 1300.201 to 1300.259a, inclusive).

Sec. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural

<sup>3</sup> 9 F.R. 10484.

Regulation No. 3 (§§ 1300.201 to 1300.-259a, inclusive).

Sec. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

[Subparagraph (10) amended by Am. 33, 9 F.R. 10633, effective 9-1-44]

(11) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a



hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of

the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

SCHEDULE A—DEFENSE-RENTAL AREAS

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (Inclusive)
(1) [Revoked]					
(1a) Baldwin County	Alabama	Baldwin	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(1b) Anniston	Alabama	Calhoun and Cleburne	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(2) Birmingham	Alabama	Jefferson	Apr. 1, 1941	June 1, 1942	July 15, 1942
(2a) Talladega	Alabama	St. Clair, Shelby, and Talladega	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(3) Dothan-Ozark	Alabama	Dale and Houston	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(4) Gadsden	Alabama	Coffee	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(5) [Revoked]					
(6) Lanett	Alabama	Etowah	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(7) Mobile	Alabama	Chambers	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(8) Montgomery	Alabama	Mobile	Apr. 1, 1941	June 1, 1942	July 15, 1942
(9) Muscle Shoals-Huntsville	Alabama	Elmore and Montgomery	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(9a) Opelika	Alabama	Macon	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(10) Selma	Alabama	Colbert, Lauderdale, Limestone, Madison and Morgan	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(10a) Troy, Ala.	Alabama	Lee	Mar. 1, 1945	Feb. 1, 1946	Mar. 15, 1946
(10b) Tuscaloosa	Alabama	Dallas	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(11) [Revoked]					
(12) [Revoked]					
(13) Fort Huachuca	Arizona	Pike	July 1, 1943	Feb. 1, 1945	Mar. 15, 1945
(14) Phoenix-Salt River Valley	Arizona	Tuscaloosa	Nov. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(15) Prescott-Flagstaff	Arizona	Cochise and Santa Cruz	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(16) Tucson	Arizona	Gila and Maricopa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(17) Yuma	Arizona	Cocouino and Yavapai	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(18) [Revoked]					
(18a) Winslow	Arizona	That portion of the County of Mohave south of the Colorado River.	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(19) Blytheville	Arkansas	Pima	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(19a) [Revoked and decontrolled]					
(19b) Camden, Ark.	Arkansas	Yuma	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(20) El Dorado	Arkansas	In Navajo County Supervisorial Districts 1 and 2, except those portions lying within the Navajo Indian Reservation and the Sitereaves National Forest.	July 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(20a) Fayetteville	Arkansas	Mississippi	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(21) Fort Smith	Arkansas	Calhoun and Ouachita	Sept. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(22) [Revoked]					
(22a) Hot Springs	Arkansas	Dallas, and Nevada	Sept. 1, 1944	May 1, 1945	June 15, 1945
(23) Little Rock	Arkansas	Union	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(23a) Malvern, Ark.	Arkansas	Benton	Mar. 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(24) Newport-Walnut Ridge	Arkansas	Washington	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(25) Pine Bluff	Arkansas	Sebastian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(26) [Revoked]					
(26a) Alameda County	California	Garland	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(27) [Revoked]					
(27a) Fresno	California	Louise and Pulaski	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(27b) Imperial County	California	Saline	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(27c) Kern	California	Hot Spring	Mar. 1, 1942	Jan. 1, 1945	Feb. 15, 1945
(28) Lassen County	California	Craighead, Independence, Jackson, and Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(29) [Revoked]					
(30) Los Angeles	California	Raudolph	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(31) Marysville-Chico	California	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(32) [Revoked]					
(33) Modesto-Merced	California	Northern District of Arkansas County, consisting of the Townships of Gum Pond, Henton, Keaton, McFall, Mill Bayou, and Morris; and the Southern District of Prairie County, consisting of the Townships of Beleber, Center, Hazen, Lower Surrounded Hill, Roc Roe, Tyler, and Watensaw.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(33a) Monterey Bay	California	Alameda	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(33b) Placer-Nevada	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(34) Richmond-Vallejo	California	Imperial	Mar. 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(35) Riverside	California	Kern	Dec. 1, 1943	May 1, 1945	June 15, 1945
(35a) Sacramento	California	Lassen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(35b) San Benito	California	Orange County and Los Angeles County except Catalina Township.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(36) San Bernardino	California	Sutter and Yuba	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(37) San Diego	California	Butte	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(38) San Francisco Bay	California	Merced and Stanislaus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(39) San Luis Obispo	California	Monterey County and in Santa Cruz County the Township of Watsonville.	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(39a) Santa Cruz	California	In Nevada County, the Townships of Bloomfield, Bridgeport, Grass Valley, Little York, Nevada, and Rough and Ready, and in Placer County, Townships 1, 3, 9, 10, 13, and 14.	Jan. 1, 1944	Oct. 1, 1945	Nov. 15, 1945
(39b) Santa Barbara	California	Contra Costa, Napa, and Solano	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(39c) San Jose	California	In Riverside County, that portion lying west of Range 12 east, San Bernardino Base Line and Meridian.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(40) Santa Maria	California	Sacramento, San Joaquin, and Yolo	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(40a) Ventura	California	San Benito	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
		San Bernardino	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		In the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	June 1, 1942	July 15, 1942
		County of San Diego other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
		Marin, San Francisco, San Mateo, and Sonoma	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		San Luis Obispo	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
		Santa Cruz County except the Township of Watsonville.	Jan. 1, 1944	Oct. 1, 1944	Nov. 15, 1944
		In the County of Santa Barbara the Judicial Townships 1, 2, and 3.	Sept. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
		Santa Clara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		In the County of Santa Barbara Judicial Townships Nos. 4, 5, 6, 7, 9, and 10.	July 1, 1941	Dec. 1, 1942	Jan. 15, 1943
		Ventura	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943

See footnotes at end of table.

## SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (Inclusive)
(41) Tulare-Kings	California	Kings and Tulare	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(41a) Boulder	Colorado	Boulder	June 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(42) Colorado Springs	Colorado	El Paso	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(42a) Craig	Colorado	Moffat	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
(43) Denver	Colorado	Rio Blanco	Oct. 1, 1944	May 1, 1946	June 15, 1946
(43a) Glenwood Springs	Colorado	Adams, Arapahoe, Denver, and Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(43b) Fort Collins	Colorado	Garfield	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
		Larimer County, part consisting of Townships 4, 5, 6, 7, 8, 9, 10, 11, and 12 North, east of the range line between ranges 71 and 72 West.	Jan. 1, 1945	Feb. 1, 1946	Mar. 15, 1946
(44) [Revoked]					
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(44b) Greeley	Colorado	Weld	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(45) Salida	Colorado	Chaffee	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(46) Pueblo	Colorado	Otero and Pueblo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(47) Bridgeport	Connecticut	In the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Fairfield other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(48) Hartford-New Britain	Connecticut	In the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland, in the County of New Haven the Towns of Meriden and Wallingford and in the County of Tolland the Town of Vernon.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Hartford other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks, County of Middlesex other than the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland other than the Town of Vernon.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(49) New Haven	Connecticut	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(50) New London	Connecticut	New London and Windham	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(51) Waterbury	Connecticut	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(52) [Revoked]					
(53) Delaware	Delaware	New Castle	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Delaware	Kent and Sussex	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(54) [Revoked]					
(54a) De Funiak Springs	Florida	Walton	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(55) Banana River	Florida	Brevard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(55a) Fort Pierce	Florida	St. Lucie	Mar. 1, 1943	Dec. 1, 1943	Jan. 1, 1944
(55b) [Revoked and decontrolled]					
(55c) Fort Lauderdale	Florida	Broward County except the City of Hollywood and the Town of Hallandale.	Aug. 1, 1944	Oct. 1, 1944	Nov. 30, 1944
(56) Gainesville	Florida	Alachua	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(57) Jacksonville	Florida	Duval	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(58) Key West	Florida	Monroe	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(59) Lake City	Florida	Columbia	Mar. 1, 1942	May 1, 1943	June 15, 1943
(60) Marianna	Florida	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(61) Orlando	Florida	Orange	Oct. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(61a) [Revoked and decontrolled]					
(61b) Palm Beach County	Florida	In Palm Beach County, Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the Cities of Delray Beach and Lake Worth, and the Towns of Boca Raton, Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.	Aug. 1, 1944	Oct. 1, 1944	Nov. 30, 1944
	Florida	The remainder of Palm Beach County	Aug. 1, 1944	May 1, 1945	June 15, 1945
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Franklin and Gulf	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(62a) [Revoked and decontrolled]					
(62b) Polk County	Florida	Polk	Mar. 1, 1942	Sept. 1, 1946	Oct. 15, 1946
(63) Pensacola	Florida	Escambia	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Okaloosa	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Florida	Santa Rosa	Mar. 1, 1942	May 1, 1943	June 15, 1943
(63a) St. Augustine	Florida	St. Johns	Mar. 1, 1943	June 1, 1944	July 15, 1944
(63b) [Revoked and decontrolled]					
(63c) Sarasota	Florida	Sarasota	Mar. 1, 1944	Sept. 1, 1946	Oct. 15, 1946
(64) [Revoked]					
(64a) Sanford	Florida	Seminole	July 1, 1943	May 1, 1945	June 15, 1945
(64b) Starke	Florida	Bradford and Clay	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(64c) St. Petersburg	Florida	Pinellas	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(65) Tallahassee	Florida	Leon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(66) Tampa	Florida	Hillsborough	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(66a) Daytona Beach	Florida	Volusia	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(66b) Vero Beach	Florida	Indian River	Jan. 1, 1944	May 1, 1945	June 15, 1945
(67) [Revoked]					
(67a) Americus	Georgia	Sumter	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(68) Albany, Georgia	Georgia	Douglerty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(69) Athens	Georgia	Clarke	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(70) Atlanta	Georgia	Clayton, Cobb, De Kalb, and Fulton	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(72) Bainbridge-Cairo, Georgia	Georgia	Decatur and Grady	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(73) Brunswick	Georgia	Camden, McIntosh, and Glynn County, except Sea Island	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(74) Columbus, Ga.	Georgia	Muscogee	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Alabama	In the County of Russell Election Precinct One, including the City of Phenix City.	Jan. 1, 1941	June 1, 1942	July 15, 1942
(74a) Dublin	Georgia	Laurens	July 1, 1943	June 1, 1944	July 15, 1944
(74b) Gainesville	Georgia	Hall	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1945

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed to state (inclusive)
(74c) Dalton.....	Georgia	Whitfield.....	July 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(75) [Revoked and decontrolled]					
(75a) [Revoked and decontrolled]					
(76) Macon.....	Georgia	Bibb, Houston, and Peach.....	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(77) Moultrie.....	Georgia	Colquitt.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(77a) Rome.....	Georgia	Floyd.....	Mar. 1, 1944	May 1, 1945	June 15, 1945
(78) Savannah.....	Georgia	County of Chatham other than Tybee Island.....	Mar. 1, 1942	July 1, 1942	July 15, 1942
(78a) Thomasville.....	Georgia	Thomas County and those portions of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.....	Mar. 1, 1943	June 1, 1944	July 15, 1944
(78b) Tifton.....	Georgia	Tift.....	Mar. 1, 1945	May 1, 1946	June 15, 1946
(79) Toccoa.....	Georgia	Stephens.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(80) Waycross.....	Georgia	Ware.....	Mar. 1, 1942	May 1, 1943	June 15, 1943
(80) Valdosta.....	Georgia	Lowndes.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(80a) Boise.....	Idaho	Ada and Elmore.....	Jan. 1, 1943	Jan. 1, 1944	Feb. 15, 1944
(80b) Blackfoot.....	Idaho	Bingham.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(81) Coeur d'Alene-Pend Orielle.....	Idaho	Bonner and Kootenai.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(81a) Idaho Falls.....	Idaho	Bonneville.....	Mar. 1, 1944	Apr. 1, 1945	May 15, 1945
(81b) Nampa-Caldwell.....	Idaho	Canyon.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(82) Pocatello.....	Idaho	Pannock.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(82a) Twin Falls.....	Idaho	Cassia, Minidoka, and Twin Falls.....	Mar. 1, 1944	June 1, 1945	July 15, 1945
(82b) Bloomington.....	Illinois	McLean.....	Jan. 1, 1945	Jan. 1, 1946	Feb. 15, 1946
(82c) Centralia.....	Illinois	Marion County, and in Clinton County those parts of Centralia City and Wamac Village located therein, and in Washington County that part of Wamac Village located therein.....	Oct. 1, 1945	Mar. 1, 1946	Apr. 15, 1946
(83) Chicago.....	Illinois	Cook Du Page, Kane, and Lake.....	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(84) [Revoked]					
(85) Dixon.....	Illinois	Lee.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(85a) Freeport.....	Illinois	Stephenson.....	Mar. 1, 1944	June 1, 1945	July 15, 1945
(86) Joliet.....	Illinois	Will.....	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(87) Kankakee.....	Illinois	Kankakee.....	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88) La Salle County.....	Illinois	La Salle.....	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88a) Macomb-Canton.....	Illinois	Fulton, McDonough, and Mason.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(88b) Peoria.....	Illinois	Peoria and Tazewell.....	Mar. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(88c) Mattton.....	Illinois	Coles.....	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(88d) Mount Vernon, Ill.....	Illinois	Jefferson.....	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(89) Quad Cities.....	Illinois	Rock Island.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Scott.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Adams.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(90) Quincy.....	Missouri	Lewis and Marion.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(91) Champaign-Vermilion.....	Illinois	Champaign and Vermilion.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(91a) Galesburg.....	Illinois	Knox.....	July 1, 1943	May 1, 1944	June 15, 1944
(92) Rockford.....	Illinois	Boone and Winnebago.....	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	De Kalb.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
(93) Savanna-Clinton.....	Illinois	Carroll.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Clinton.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(94) Springfield-Decatur.....	Illinois	Christian, Logan, Macon, and Sangamon.....	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(94a) Woodstock.....	Illinois	McHenry.....	Oct. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(94b) Bloomington, Ind.....	Indiana	Monroe.....	Sept. 1, 1943	Jan. 1, 1945	Feb. 15, 1945
(95) [Revoked]					
(95a) Auburn.....	Indiana	De Kalb and that part of Ashley Town located in Steuben County.....	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(96) [Revoked]					
(96a) Crawfordsville.....	Indiana	Montgomery.....	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(97) Columbus, Ind.....	Indiana	Bartholomew, Brown, Johnson, Morgan, and Shelby.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Lawrence.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jackson.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(97a) Mt. Vernon, Ind.....	Indiana	Posey.....	Oct. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(97b) Princeton, Ind.....	Indiana	Gibson.....	Jan. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(98) Richmond-Connersville.....	Indiana	Fayette.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Wayne.....	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(98a) Valparaiso.....	Indiana	Porter.....	July 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(99) [Revoked]					
(100) Evansville-Henderson.....	Indiana	Vanderburgh.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Henderson.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Union.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(101) Fort Wayne.....	Indiana	Allen.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Adams.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(102) Gary-Hammond.....	Indiana	Lake.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(103) Indianapolis.....	Indiana	Marion.....	July 1, 1941	July 1, 1942	Aug. 15, 1942
(104) La Fayette.....	Indiana	Fountain, Tippecanoe, and Warren.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(104a) Logansport.....	Indiana	Cass.....	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(105) La Porte-Michigan City.....	Indiana	La Porte and Starke.....	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(105a) New Castle.....	Indiana	Henry.....	Oct. 1, 1943	Apr. 1, 1945	May 15, 1945
(106) Anderson.....	Indiana	Huntington, Miami, and Wabash.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Delaware, Grant, Howard, and Madison.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(107) [Revoked]					
(108) South Bend.....	Indiana	St. Joseph and Elkhart.....	Apr. 1, 1941	June 1, 1942	July 15, 1942
(109) Terre Haute.....	Indiana	Parke and Vermilion.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Edgar.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Vigo.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(110) Vincennes.....	Indiana	Daviss and Knox.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Illinois	Lawrence.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Martin.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(110a) Dubuque.....	Iowa	Dubuque County, and in Delaware County, that part of Dyersville City located therein; in Jones County, that part of Cascade Town located therein; in Jackson County, that part of Zwingle Town located therein.....	May 1, 1945	Apr. 1, 1946	May 15, 1946
	Illinois	The City of East Dubuque in Jo Daviess County.....	May 1, 1945	Apr. 1, 1946	May 15, 1946
(110b) Ames-Marshalltown.....	Iowa	Marshall and Story.....	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(111) [Revoked]					
(111a) Iowa City.....	Iowa	Johnson.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(112) Burlington.....	Iowa	In the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union, in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.....	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Iowa	County of Des Moines other than the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; County of Henry other than the Townships of Baltimore, Center, Mount Pleasant, and New London; County of Lee other than the Townships of Denmark, Green Bay, Madison, and Washington.....	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
	Illinois	County of Henderson.....	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942

## SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(112a) Charles City	Iowa	Floyd	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(113) Cedar Rapids	Iowa	Linn	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(113a) Mason City	Iowa	Cerro Gordo	Oct. 1, 1945	May 1, 1946	June 15, 1946
(113b) Fort Dodge	Iowa	Webster	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(113c) Muscatine	Iowa	Muscatine	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(114) Des Moines	Iowa	Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Jasper	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(114a) Ottumwa	Iowa	Wapello	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1943
(114b) Sioux City	Iowa	Woodbury	July 1, 1943	June 1, 1944	July 15, 1944
	Nebraska	Dakota	July 1, 1943	June 1, 1944	July 15, 1944
(114c) Fairfield	Iowa	Jefferson	Jan. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(114d) Waterloo	Iowa	Black Hawk	May 1, 1945	Mar. 1, 1946	Apr. 15, 1946
(115) Baxter Springs	Kansas	Cherokee and Crawford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Oklahoma	Ottawa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(115a) Concordia	Kansas	Cloud	Oct. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(115b) Council Grove	Kansas	Morris	July 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(115c) Emporia	Kansas	Lyons	July 1, 1945	May 1, 1946	June 15, 1946
(116) Dodge City	Kansas	Finney, Ford, and Gray	Mar. 1, 1942	May 1, 1943	June 15, 1943
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
	Kansas	Pawnee	Mar. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(117) Hutchinson	Kansas	Reno	Mar. 1, 1942	May 1, 1943	June 15, 1943
(118) Junction City-Manhattan	Kansas	Geary and Riley	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(119) Liberal	Kansas	Seward	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(120) Parsons	Kansas	Lafette	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Kansas	Montgomery	July 1, 1941	Sept. 1, 1942	Oct. 16, 1942
(120a) Pratt	Kansas	Pratt	Mar. 1, 1943	June 1, 1944	July 15, 1944
(121) Salina	Kansas	Dickinson, McPherson, Ottawa, and Saline	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(121a) Stafford County	Kansas	Stafford	Jan. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(122) Topeka Lawrence	Kansas	Douglas, Franklin and Shawnee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(123) Wichita	Kansas	Sedgewick	July 1, 1941	June 1, 1942	July 15, 1942
(123a) Danville, Ky	Kentucky	Boyle	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(123b) Bowling Green	Kentucky	Warren	Mar. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(123c) Harrodsburg	Kentucky	Mercer	Oct. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(124) Fort Knox	Kentucky	Bullitt, Harbin, and Meade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(124a) Lexington	Kentucky	Clark and Fayette	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(125) Louisville	Kentucky	Jefferson	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
	Indiana	Clark and Floyd	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(125a) Mayfield	Kentucky	Graves	May 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(125b) Madisonville	Kentucky	Hopkins	Aug. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
(126) [Revoked]					
(126a) Owensboro	Kentucky	Daviess	Mar. 1, 1943	June 1, 1944	July 15, 1944
(127) Paducah	Kentucky	McCracken	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(128) Richmond Ky	Kentucky	Madison	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(129) Alexandria-Leesville	Louisiana	Parishes of Beauregard, Rapides, and Vernon	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(130) Baton Rouge	Louisiana	Parishes of East Baton Rouge and West Baton Rouge	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(130a) Lafayette	Louisiana	Lafayette Parish	Oct. 1, 1944	Mar. 1, 1946	Apr. 15, 1946
(131) Lake Charles	Louisiana	Parish of Calcasieu	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(132) Minden	Louisiana	Parish of Webster	July 1, 1941	July 1, 1942	Aug. 15, 1942
(133) Monroe-Hastrop Louisiana	Louisiana	Parishes of Morehouse, Ouachita, and Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(133a) New Iberia	Louisiana	Iberia and Vermilion	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(134) New Orleans	Louisiana	Parishes of Jefferson, Orleans and St. Bernard	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(134a) Shreveport	Louisiana	Parishes of Bossier and Caddo	July 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(135) Bangor	Maine	Penobscot	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(136) Bath	Maine	Lincoln and Sagadahoc	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(136a) Eastport	Maine	In the County of Washington, the City of Eastport and the Towns of Lubec, Perry, Pembroke, and Robbinston	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(137) Portland	Maine	Androscoggin and Cumberland	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Maine	York	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(138) Presque Isle	Maine	Aroostook	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(139) Baltimore	Maryland	City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(139a) Frederick	Maryland	Frederick	July 1, 1943	June 1, 1944	July 15, 1944
(139b) Cumberland	Maryland	Allegany	Mar. 1, 1944	Apr. 1, 1945	May 15, 1945
(139c) Eastern Shore	Maryland	Dorchester, Wicomico, and Worcester	Mar. 1, 1944	June 1, 1945	July 15, 1945
	Virginia	Accomac	Mar. 1, 1944	June 1, 1945	July 15, 1945
(140) Hagerstown	Maryland	Washington	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(141) Indian Head-Patuxent River	Maryland	Charles	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Maryland	St. Marys and Calvert	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(142) Montgomery-Prince Georges	Maryland	Montgomery and Prince Georges	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(143) Eastern Massachusetts	Massachusetts	Barnstable, Bristol, Middlesex, Norfolk, Plymouth, and Suffolk	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(144) Essex County, Mass	Massachusetts	Essex	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(144a) Greenfield	Massachusetts	Franklin	Jan. 1, 1945	May 1, 1946	June 15, 1946
(145) Pittsfield	Massachusetts	Berkshire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(146) Springfield, Mass	Massachusetts	Hampden and Hampshire	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(147) Worcester	Massachusetts	Worcester	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(148) [Revoked]					
(149) Detroit	Michigan	Macomb, Oakland, and Wayne	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Michigan	Washtenaw	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(150) Grand Rapids-Muskegon	Michigan	Muskegon	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Michigan	Kent and Ottawa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(150a) Hillsdale	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
(151) Jackson, Michigan	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(152) Kalamazoo-Battle Creek	Michigan	Calhoun	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Michigan	Kalamazoo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(153) Lansing	Michigan	Clinton, Eaton, and Ingham	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154) Ludington	Michigan	Mason	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154a) Monroe, Michigan	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(155) Niles	Michigan	Berrien	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(155a) Owosso	Michigan	Shiawassee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(156) Port Huron	Michigan	St. Clair	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(157) Saginaw-Bay City	Michigan	Bay, Midland, and Saginaw	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(157a) Traverse City	Michigan	Grand Traverse	Jan. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(158) [Revoked]					
(158a) Brainerd	Minnesota	Crow Wing	Jan. 1, 1945	Feb. 1, 1946	Mar. 15, 1946
(158b) Austin	Minnesota	Mower	May 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(159) Duluth-Superior	Minnesota	Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Wisconsin	Douglas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(159a) Mankato	Minnesota	Blue Earth County, and in Nicolet County, the City of North Mankato	Mar. 1, 1945	Feb. 1, 1946	Mar. 15, 1946

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(159b) International Falls	Minnesota	In Koochiching County, all of Township 71, Range 23, including Ranier; all of Township 70, Range 24, including South International Falls; all of Township 71, Range 24, including International Falls.	July 1, 1945	Mar. 1, 1946	Apr. 15, 1946
(160) Minneapolis-St. Paul	Minnesota	Anoka, Dakota, Hennepin, Ramsey, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(160b) St. Cloud	Minnesota	In Benton County the portions of St. Cloud City and Sartell Village located therein, and Sauk Rapids Village; in Sherburne County the portion of St. Cloud City located therein; in Stearns County the portions of St. Cloud City and Sartell Village located therein, and Waite Park Village.	Jan. 1, 1945	Jan. 1, 1946	Feb. 15, 1946
(160c) Winona	Minnesota	Winona	July 1, 1945	Apr. 1, 1946	May 15, 1946
(161) [Revoked]					
(162) Biloxi-Pascagoula	Mississippi	Harrison and Jackson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(163) Centreville	Mississippi	Adams, Amite, Pike, and Wilkinson	Mar. 1, 1942	May 1, 1943	June 15, 1943
(164) Columbus, Miss.	Mississippi	Clay and Lee	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(165) Grenada	Mississippi	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(165a) Greenville, Miss.	Mississippi	Grenada, Leflore, and Montgomery	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(166) Hattiesburg	Mississippi	Washington	July 1, 1943	Feb. 1, 1945	Mar. 15, 1945
(167) Jackson, Miss.	Mississippi	Forrest	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(167a) Laurel	Mississippi	Hinds, Madison, and Rankin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(167b) Lamar	Mississippi	Jones	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(168) Meridian	Mississippi	Lamar	July 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(168a) Vicksburg, Miss.	Mississippi	Lauderdale	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(168b) Columbia	Mississippi	Warren	Dec. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(168c) Franklin County	Missouri	Audrain and Boone	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(169) Joplin-Neosho	Missouri	Franklin	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(169a) Jefferson City	Missouri	Jasper and Newton	July 1, 1941	July 1, 1942	Aug. 15, 1942
(170) Kansas City	Missouri	Cole	July 1, 1945	May 1, 1946	June 15, 1946
(171) Pike	Missouri	Clay, Jackson, and Platte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(172) Rolla Waynesville	Kansas	Johnson, Leavenworth, and Wyandotte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(173) Sedalia	Missouri	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(173a) Springfield, Mo.	Missouri	Laclede, Phelps, and Pulaski	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(173b) St. Joseph	Missouri	Johnson and Pettis	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(174) St. Louis	Missouri	Greene	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(175) Great Falls	Illinois	Buchanan	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(175a) Billings	Montana	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(175b) Bozeman	Montana	Madison, Monroe, and St. Clair	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(175c) Missoula	Montana	Cascade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(175d) Butte	Montana	Yellowstone	July 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(176) Alliance	Nebraska	Gallatin	July 1, 1945	Mar. 1, 1946	Apr. 15, 1946
(176a) [Revoked and decontrolled]		Missoula	July 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(176b) Dawes County	Nebraska	Silver Bow	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(177) Grand Island	Nebraska	Box Butte	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(178) Hastings	Nebraska	Dawes	Mar. 1, 1944	June 1, 1945	July 15, 1945
(178a) Holdrege	Nebraska	Hall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(179) Kearney	Nebraska	Adams and Clay	Mar. 1, 1942	Dec. 12, 1942	Jan. 26, 1943
(180) Lincoln	Nebraska	Phelps	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(180a) McCook	Nebraska	Buffalo	Mar. 1, 1942	May 1, 1943	June 15, 1943
(180b) North Platte	Nebraska	Lancaster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(181) Omaha	Nebraska	Redwillow	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(181a) Scottsbluff	Iowa	Lincoln	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(182) Sidney, Nebr.	Nebraska	Dodge and Saunders	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(183) [Revoked]		Douglas and Sarpy	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(183a) [Revoked and decontrolled]		Pottowattamie	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(184) Las Vegas	Nevada	Scotts Bluff	Mar. 1, 1945	Aug. 1, 1946	Oct. 15, 1946
(185) Reno	Nevada	Cheyenne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(185a) Keene	New Hampshire	Clark	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(186) Manchester	New Hampshire	Washoe	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(187) Portsmouth	New Hampshire	Cheshire	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(187a) [Revoked]		Sullivan	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(188) [Revoked]		Hillsborough	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(188a) Southern New Jersey	New Jersey	Rockingham and Strafford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(189) [Revoked]		Burlington, Camden, and Gloucester	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(190) Northeastern New Jersey	New Jersey	Salem	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(190a) Ocean County	New Jersey	Cape May and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(191) Trenton	New Jersey	Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(192) [Revoked]		Sussex	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(193) Albuquerque	New Mexico	Ocean	Feb. 1, 1944	Apr. 1, 1945	May 15, 1945
(193a) Belen	New Mexico	Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(193b) Carlsbad	New Mexico	Hunterdon and Mercer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(194) Clovis	New Mexico	Bernalillo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(195) Deming	New Mexico	That portion of Valencia County lying east of Rio Puerco River	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(196) [Revoked]		Eddy	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(197) Roswell	New Mexico	Lea	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(197a) [Revoked and decontrolled]		Curry and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(197b) Santa Fe	New Mexico	Luna	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(198) [Revoked and decontrolled]		Chaves	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(198a) Tucuman	New Mexico	Otero	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(199) Albany-Troy, N. Y.	New York	Santa Fe County and Precinct No. 28 (Española) in Rio Arriba County.	July 1, 1944	Oct. 1, 1945	Nov. 15, 1945
(200) Binghamton	New York	Quay	July 1, 1944	Sept. 1, 1946	Oct. 15, 1946
(201) Buffalo	New York	Albany and Rensselaer	Oct. 1, 1944	May 1, 1945	June 15, 1945
(202) Elmira	New York	Broome and Tioga	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(202a) Glens Falls	New York	Erle and Niagara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(202b) Ithaca	New York	Chemung and Steuben	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(202c) Gloversville	New York	Warren and Washington	Jan. 1, 1945	Apr. 1, 1946	May 15, 1946
(203) Jamestown	New York	Fulton	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
		Chautauqua	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

See footnotes at end of table.

## SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(203a) Olean	New York	Cattaraugus	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(204) Poughkeepsie	New York	Dutchess, Ulster, and Orange, except that portion of Orange County which is within the West Point Military Reservation.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(205) Rochester	New York	Genesee, Monroe, and Orleans	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(205a) Rockland County	New York	Rockland	Mar. 1, 1945	June 1, 1946	July 15, 1946
(206) [Revoked]					
(207) Schenectady	New York	County of Schenectady and in the County of Saratoga the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	New York	County of Montgomery and the County of Saratoga other than the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(208) Seneca	New York	Ontario, Seneca, and Yates	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(209) Sidney, N. Y.	New York	Chenango, Delaware, and Otsego	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	New York	Wayne	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New York	Cayuga, Onondaga, and Oswego	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(211) Utica-Rome	New York	Herkimer, Madison, and Oneida	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(211a) Westchester County	New York	Westchester	Aug. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(212) Watertown	New York	Jefferson and St. Lawrence	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(212a) Burlington, N. C.	North Carolina	Alamance	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(212b) Asheville	North Carolina	Buncombe	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(212d) Chapel Hill	North Carolina	Orange	Mar. 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(213) Durham	North Carolina	Durham	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(214) Elizabeth City, North Carolina	North Carolina	Pasquotank	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(215) Fayetteville	North Carolina	Chowan and Perquimans	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(216) Goldsboro	North Carolina	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(216a) Greensboro	North Carolina	Lenoir, Wayne, and Wilson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(217) Henderson	North Carolina	County of Guilford other than High Point Township	July 1, 1943	June 1, 1944	July 15, 1944
(217a) High Point	North Carolina	Vance	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	North Carolina	In the County of Guilford, the Township of High Point, including the City of High Point.	July 1, 1944	Feb. 1, 1946	Mar. 15, 1946
(217b) Hickory	North Carolina	Catawba	Mar. 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(218) Jacksonville, N. C.	North Carolina	Onslow	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(219) Laurinburg	North Carolina	Richmond, Robeson, and Scotland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Marlboro	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(220) [Revoked and decontrolled]					
(220a) Oxford	North Carolina	Grauville	Nov. 1, 1943	May 1, 1945	June 15, 1945
(221) New Bern	North Carolina	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221a) Rocky Mount	North Carolina	Edgecombe and Nash	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(221b) Pender County	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(221c) Plymouth	North Carolina	Washington	Jan. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(221d) Raleigh	North Carolina	Wake	Mar. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(222) Southern Pines	North Carolina	Moore	Mar. 1, 1942	May 1, 1943	June 15, 1943
(223) Wilmington, N. C.	North Carolina	New Hanover County, except the portion consisting of Wrightsville Beach and Harbor Island, which are situated approximately one mile East of the U. S. Inland Waterway; Carolina Beach, Kure Beach, Wilmington Beach and Ft. Fisher Beach, which are within the territory bounded on the North by the U. S. Inland Waterway, on the East by the Atlantic Ocean, on the West by the Cape Fear River, and on the South by old Ft. Fisher remains.	Apr. 1, 1941	June 1, 1942	July 15, 1942
(223a) Winston-Salem	North Carolina	Forsyth	Mar. 1, 1944	Mar. 1, 1945	Apr. 15, 1945
(223b) Minot	North Dakota	Ward	June 1, 1944	Apr. 1, 1945	May 15, 1945
(223c) Fargo-Moorhead	North Dakota	Cass	July 1, 1944	June 1, 1945	July 15, 1945
	Minnesota	Clay	July 1, 1944	June 1, 1945	July 15, 1945
(223d) Grand Forks	North Dakota	Grand Forks	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
	Minnesota	City of East Grand Forks in Polk County	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
(223e) Bismarck-Mandan	North Dakota	Burleigh and Morton Counties and that part of Wilton City in McLean County.	Mar. 1, 1945	May 1, 1946	June 15, 1946
(224) Akron	Ohio	County of Summit and in the County of Medina the Township of Wadsworth.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Medina other than the Township of Wadsworth	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(225) Ashtabula	Ohio	Ashtabula	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(225a) Athens	Ohio	Athens	Jan. 1, 1946	Sept. 1, 1946	Oct. 15, 1946
(226) Canton	Ohio	Stark	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	Tuscarawas	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(226a) Cambridge, Ohio	Ohio	Guernsey	Mar. 1, 1944	June 1, 1945	July 15, 1945
(227) Cincinnati	Ohio	Butler, Clermont, Hamilton and Warren	Mar. 1, 1942	Nov. 1, 1942	(9)
	Kentucky	Boone, Campbell, and Kenton	Mar. 1, 1942	Nov. 1, 1942	(9)
(228) Cleveland	Ohio	County of Cuyahoga and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Geauga, and the County of Lake other than the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 15, 1942
(229) Columbus	Ohio	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Licking	Mar. 1, 1942	May 1, 1943	June 15, 1943
(230) Dayton	Ohio	Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(230a) Delaware County	Ohio	Delaware	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(231) [Revoked]					
(231a) Lancaster	Ohio	Fairfield	July 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(232) Lima	Ohio	Allen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(233) Lorain-Elyria	Ohio	Lorain	July 1, 1941	July 1, 1942	Aug. 15, 1942
(234) Mansfield	Ohio	Ashland, Crawford, and Richland	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Knox	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(235) Marion	Ohio	Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(236) [Revoked]					
(236a) Portsmouth, Ohio	Ohio	Scioto	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(237) Ravenna	Ohio	Portage	Apr. 1, 1941	June 1, 1942	July 15, 1942
(238) Sandusky-Port Clinton	Ohio	Eric, Huron, Ottawa, and Sandusky	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(239) Sidney, Ohio	Ohio	Shelby	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(240) Toledo	Ohio	Lucas and Wood	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Hancock and Seneca	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(240a) Wilmington, Ohio	Ohio	Clinton	July 1, 1943	Apr. 1, 1945	May 15, 1945
(241) Youngstown-Warren	Ohio	Mahoning and Trumbull	Apr. 1, 1941	June 1, 1942	July 15, 1942
(241a) Washington Court House Ohio	Ohio	Fayette	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1945
(241b) Zanesville	Ohio	Muskingum County and that part of Roseville Village located in Perry County.	Mar. 1, 1945	May 1, 1946	June 15, 1946

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(241c) Wooster	Ohio	Wayne	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(242) [Revoked]					
(242a) [Revoked and decontrolled]					
(242b) Ardmore	Oklahoma	Carter	July 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(243) Choteau	Oklahoma	Craig, Mayes, Rogers, and Wagoner	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(244) Clinton-Elk City	Oklahoma	Beckham, Custer, and Washita	Mar. 1, 1942	May 1, 1943	June 15, 1943
(244a) Duncan	Oklahoma	Stephens	Oct. 1, 1943	Feb. 1, 1945	Mar. 15, 1945
(244b) Frederick	Oklahoma	Tillman	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(245) Enid	Oklahoma	Garfield	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(245a) Guymon	Oklahoma	Texas	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(246) Lawton	Oklahoma	Comanche	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(247) McAlester	Oklahoma	Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(248) Muskogee	Oklahoma	Muskogee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(249) [Revoked]					
(249a) Ponca City	Oklahoma	Kay	Mar. 1, 1945	June 1, 1946	July 15, 1946
(250) Oklahoma City	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Oklahoma	Canadian	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(250a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(250b) Stillwater	Oklahoma	Payne	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(251) Tulsa	Oklahoma	Creek, Osage and Tulsa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(252) [Revoked]					
(253) Corvallis	Oregon	Brent and Linn	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(253a) Klamath Falls	Oregon	Klamath	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(253b) Lane County	Oregon	Lane	Jan. 1, 1944	Jan. 1, 1945	Mar. 31, 1945
(253c) Douglas	Oregon	Douglas	Jan. 1, 1944	May 1, 1945	June 15, 1945
(254) Medford	Oregon	Jackson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(255) Pendleton	Oregon	Umatilla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(256) Portland-Vancouver	Oregon	Clackamas, Multnomah, and Washington	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Washington	Clark	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Oregon	Clatsop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oregon	Tillamook	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(256a) Salem	Oregon	Marion, and in Polk County, the City of West Salem	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(258) Altoona-Johnstown	Pennsylvania	Blair, Cambria, and Somerset	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(258a) Bradford County	Pennsylvania	Bradford	Jan. 1, 1944	May 1, 1945	June 15, 1945
(259) [Revoked]					
(260) [Revoked]					
(261) Erie	Pennsylvania	Erie	Mar. 1, 1942	Nov. 1, 1942	Aug. 15, 1942
(262) Harrisburg	Pennsylvania	Cumberland, Dauphin, Lebanon, and Perry	Mar. 1, 1942	July 1, 1942	Dec. 16, 1942
	Pennsylvania	Franklin	Mar. 1, 1942	Oct. 1, 1942	Jan. 15, 1943
(262a) Indiana County	Pennsylvania	Indiana	July 1, 1945	Oct. 1, 1946	Nov. 15, 1946
(263) Lancaster-York	Pennsylvania	Lancaster and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(263a) Lewistown	Pennsylvania	Mifflin	Jan. 1, 1946	Sept. 1, 1946	Oct. 16, 1946
(264) Meadville-Titusville	Pennsylvania	Crawford and Venango	Jan. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(265) [Revoked]					
(266) Philadelphia	Pennsylvania	Bucks, Chester, Delaware, Montgomery, and Philadelphia	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(267) Pittsburgh	Pennsylvania	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(268) Reading	Pennsylvania	Berks	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(269) [Revoked]					
(269a) Scranton-Wilkes-Barre	Pennsylvania	Carbon, Lackawanna, and Schuylkill Counties in their entireties, and Luzerne County except Nescopeck Borough, Nescopeck Township, and Salem Township	Mar. 1, 1946	June 1, 1946	July 15, 1946
(269b) State College	Pennsylvania	Centre	Jan. 1, 1946	Sept. 1, 1946	Oct. 15, 1946
(270) Sharon-Farrell	Pennsylvania	Mercer	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(270a) Warren	Pennsylvania	Warren	Apr. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(271) [Revoked]					
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Cameron, Columbia, Montour, Northumberland, Snyder, and Union	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	County of Elk and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(273) Newport	Pennsylvania	Clinton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(274) Providence	Rhode Island	Newport	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(275) Washington County	Rhode Island	Bristol, Kent, and Providence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(276) [Revoked]					
(277) Charleston, South Carolina	South Carolina	Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	South Carolina	Charleston and Dorchester	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	South Carolina	Beaufort and Colleton	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(278) Columbia, S. C.	South Carolina	Aiken	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	South Carolina	Calhoun, Lexington, and Richland	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
	South Carolina	Sumter	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Florence	Mar. 1, 1942	May 1, 1943	June 15, 1943
(278a) Darlington	South Carolina	Darlington	Jan. 1, 1944	July 1, 1945	Aug. 15, 1945
(279) [Revoked]					
(279a) Georgetown	South Carolina	Georgetown	July 1, 1944	July 1, 1945	Aug. 15, 1945
(280) Greenville, S. C.	South Carolina	Greenville	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(280a) [Revoked and decontrolled]					
(280b) [Revoked and decontrolled]					
(280c) Marion	South Carolina	Marion	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(281) Spartanburg	South Carolina	Cherokee, Spartanburg and Union	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(281a) Aberdeen	South Dakota	Brown	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
(282) [Revoked]					
(282a) Mitchell	South Dakota	Davison	July 1, 1945	Aug. 1, 1946	Aug. 15, 1946
(283) [Revoked and decontrolled]					
(284) Rapid City-Sturgis	South Dakota	Lawrence, Meade, and Pennington	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(285) Sioux Falls	South Dakota	Lincoln, Minnehaha, and Turner	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Iowa	Lyon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Minnesota	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(285a) Watertown	South Dakota	Codington	Mar. 1, 1944	Apr. 1, 1945	May 15, 1945
(286) Bristol-Kingsport	Tennessee	Greene, Hawkins, Sullivan, Unicoi, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Virginia	Independent City of Bristol and the Counties of Scott and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(287) Chattanooga	Tennessee	Bradley, Hamilton, and Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Catoosa, Dade, and Walker	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288) Clarksville	Tennessee	Montgomery and Stewart	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288a) Columbia, Tenn.	Tennessee	Maury	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(288b) Cookeville	Tennessee	Putnam	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(289) Cooperhill-McCaysville	Tennessee	Polk	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Georgia	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(290) Dyersburg	Tennessee	Crockett, Dyer, and Lauderdale	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943

See footnotes at end of table.

## SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(291) Jackson-Milan-Humboldt	Tennessee	Carroll, Gibson, and Madison	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(292) Knoxville	Tennessee	Blount and Knox	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(292a) Lenoir City	Tennessee	Anderson and Roane	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(293) Memphis	Tennessee	Loudon	Mar. 1, 1943	June 1, 1944	July 15, 1944
(294) [Revoked]	Tennessee	Shelby	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(295) Nashville	Arkansas	Crittenden	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(295a) [Revoked and decontrolled]	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(296) [Revoked]	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(297) [Revoked and decontrolled]	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(298) [Revoked and decontrolled]	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(299) Amarillo	Texas	Potter and Randall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(300) Austin	Texas	Bastrop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(301) [Revoked]	Texas	Hays, Travis, and Williamson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(302) Beaumont-Port Arthur	Texas	Jefferson and Orange	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(303) Big Spring	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(304) [Revoked]	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(305) Borger	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(305a) [Revoked and decontrolled]	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(306) Brownwood	Texas	Brown, Coleman, and Comanche	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(307) Bryan	Texas	Brazos	Mar. 1, 1942	May 1, 1943	June 15, 1943
(308) Childress	Texas	Childress	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(309) Corpus Christi	Texas	Nueces and San Patricio	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(309a) Dalhart	Texas	Bee and Kleberg	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(310) [Revoked]	Texas	Dallam, Hartley, Moore, and Sherman	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(311) Dallas	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312) [Revoked and decontrolled]	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312a) [Revoked and decontrolled]	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(313) [Revoked]	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(314) [Revoked]	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(315) El Paso	Texas	El Paso	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(316) Fort Worth	Texas	Tarrant	Mar. 1, 1942	Oct. 15, 1942 (Nov. 1, 1942)	Dec. 15, 1942
(317) Gainesville	Texas	Denton	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(318) Greenville, Tex.	Texas	Cooke	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319) Galveston	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319a) Houston	Texas	Galveston and Brazoria	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(319b) Kerrville	Texas	Chambers, Harris, and Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(319c) [Revoked and decontrolled]	Texas	Kerr	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(319d) Huntsville	Texas	Kerr	Jan. 1, 1944	Feb. 1, 1945	Mar. 15, 1945
(320) Killeen-Temple	Texas	Walker	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(321) Laredo	Texas	Bell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(321a) Lockhart	Texas	Lampasas	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(321b) Longview	Texas	Webb	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(322) Lower Rio Grande Valley	Texas	Justices' Precincts 1, 6, and 7 in Caldwell County	Jan. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(322a) Lubbock	Texas	Gregg	July 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(322b) Fatex	Texas	Cameron, Hidalgo, and Willacy	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(323) Marfa-Alpine	Texas	Lubbock	Mar. 1, 1942	Mar. 1, 1944	Apr. 15, 1944
(324) Marshall	Texas	Angelina, Nacogdoches, Panola, and Rusk	Oct. 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(324a) Matagorda Bay	Texas	Presidio	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(324b) McKinney	Texas	Brewster	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(324c) Midland-Odessa	Texas	Harrison, Marion, and Upshur	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(324d) Memphis-Quanah	Texas	Camp, Cass, Morris, Red River, and Titus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(325) Paris, Tex.	Texas	Calhoun, Jackson, and Matagorda	Jan. 1, 1943	June 1, 1944	July 15, 1944
(326) Pecos	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(327) San Angelo	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(328) San Antonio	Texas	Collingsworth, Cottle, Hall, and Hardeman	July 1, 1943	Apr. 1, 1944	May 15, 1944
(329) Sherman-Denison	Texas	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(329a) Sweetwater	Oklahoma	Choctaw	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(330) Texarkana	Texas	Reeves and Ward	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(330a) Tyler	Texas	Tom Green	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(331) Victoria	Texas	Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(332) Waco	Texas	Uvalde	Mar. 1, 1942	May 1, 1943	June 15, 1943
(333) Wichita Falls	Texas	Grayson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(333a) Mineola	Texas	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(333b) Winkler County	Texas	Nolan	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(333c) Logan, Utah	Texas	Bowie	July 1, 1941	July 1, 1942	Aug. 15, 1942
(334) [Revoked]	Arkansas	Miller	July 1, 1941	July 1, 1942	Aug. 15, 1942
(334a) Ogdén	Texas	Smith	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(334b) Price	Texas	Victoria	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(335) Provo, Utah	Texas	McLennan	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(336) Salt Lake City	Texas	Coryell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(336a) Vernal	Texas	Wichita	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(337) [Revoked]	Texas	Wood County and that portion of the City of Winnsboro in Franklin County.	Oct. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(337a) Burlington, Vermont	Utah	Winkler	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(337b) Brattleboro	Utah	Cache	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(337c) Montpelier	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(338) Springfield-Windsor	Utah	Davis, Morgan and Weber	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(338a) St. Albans	Utah	Carbon	July 1, 1945	Sept. 1, 1946	Oct. 15, 1946
(339) Alexandria-Arlington	Utah	Utah	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(340) Blackstone	Utah	Salt Lake	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Nevada	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	That portion of Elko County, Nevada, situated within the radius of 3 miles from the center of U. S. Highway 40, where said highway crosses the Nevada-Utah State Line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
	Utah	Duchesne	Oct. 1, 1944	Apr. 1, 1946	May 15, 1946
	Utah	Uintah	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946
	Vermont	Chittenden	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
	Vermont	Windham	Jan. 1, 1945	May 1, 1946	June 15, 1946
	Vermont	Caledonia and Washington	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
	Vermont	Windsor	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Vermont	Franklin	Jan. 1, 1945	May 1, 1946	June 15, 1946
	Virginia	Independent City of Alexandria and the Counties of Arlington and Fairfax	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
	Virginia	Nottoway	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942

See footnotes at end of table.



SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(340a) Covington	Virginia	Alleghany	Jan. 1, 1945	Jan. 1, 1946	Feb. 15, 1946
(340b) Charlottesville	Virginia	The Independent City of Clifton Forge	Jan. 1, 1945	Mar. 1, 1946	Apr. 15, 1946
(341) Cape Charles	Virginia	Independent City of Charlottesville and the County of Albemarle	Oct. 1, 1944	Feb. 1, 1946	Mar. 15, 1946
(341a) Front Royal	Virginia	Northampton	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(341b) Danville, Va.	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(342) Hampton Roads	Virginia	The Independent City of Danville, and in Pittsylvania County the Magisterial Districts of Tinstall and Dan River	July 1, 1943	Feb. 1, 1945	Mar. 15, 1945
(342a) Lexington, Virginia	Virginia	Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City; in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport	Apr. 1, 1941	June 1, 1942	July 15, 1942
(342b) Lynchburg	Virginia	Independent City of Suffolk; the County of Norfolk; the County of Norfolk other than the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; the County of Princess Anne other than the Magisterial Districts of Kempsville and Lynnhaven	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343) Petersburg	Virginia	In the County of Rockbridge, the Magisterial District of Lexington	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(343a) Quantico	Virginia	Independent City of Lynchburg, and the Counties of Amherst, Bedford, and Campbell	July 1, 1945	May 1, 1946	June 15, 1946
(344) Radford-Pulaski	Virginia	Independent Cities of Hopewell and Petersburg; the Counties of Dinwiddie and Prince George; and in the County of Chesterfield the Magisterial District of Matoaca	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(345) Richmond, Va.	Virginia	In the County of Prince William, the Magisterial District of Dumfries	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(345a) Roanoke	Virginia	Independent City of Radford, and the Counties of Montgomery and Pulaski	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(345b) Winchester	Virginia	Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(346) Yorktown	Virginia	Roanoke County and the Independent City of Roanoke	Jan. 1, 1944	May 1, 1945	June 15, 1945
(347) Bellingham	Washington	Independent City of Winchester, and the Counties of Frederick and Shenandoah	Mar. 1, 1944	July 1, 1945	Aug. 15, 1945
(347a) Ephrata	Washington	Independent City of Williamsburg; the County of James City and York; and in the County of Warwick the Magisterial Districts of Denbigh and Stanley	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(348) Everett	Washington	Whatcom	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(349) [Revoked]	Washington	Skagit	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(350) [Revoked]	Washington	Portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(350a) Olympia	Washington	Snohomish	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(351) Port Angeles-Port Townsend	Washington	Island	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(352) Puget Sound	Washington	Thurston	May 1, 1943	May 1, 1945	June 15, 1945
(352a) Shelton	Washington	Challam and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(353) Spokane	Washington	County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest	Apr. 1, 1941	Nov. 1, 1942	July 15, 1942
(354) Walla Walla	Washington	Mason	Oct. 1, 1943	May 1, 1945	June 15, 1945
(354a) Yakima	Washington	Spokane	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354b) Bluefield	West Virginia	Walla Walla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(355) Charleston, West Virginia	West Virginia	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(355a) Clarksburg	West Virginia	In the County of Benton the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(355b) Huntington	Ohio	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hoyer, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(355c) Martinsburg	West Virginia	Mercer County	Jan. 1, 1945	Apr. 1, 1946	May 15, 1946
(355d) Logan	West Virginia	McDowell, Mingo, Raleigh and Wyoming	Jan. 1, 1945	May 1, 1945	June 15, 1945
(355e) Mineral County	West Virginia	Bluefield Town in Tazewell County	Jan. 1, 1945	Apr. 1, 1946	May 15, 1946
(355f) Morgantown	West Virginia	Kanawha	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(355g) Parkersburg	West Virginia	In Putnam County the Magisterial District of PoCATALICO	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(356) Point Pleasant-Gallipolis	Ohio	Harrison	June 1, 1944	June 1, 1945	July 15, 1945
(356a) Wheeling-Steubenville	Ohio	Calwell and Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356b) Green Bay	Wisconsin	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356c) Eau Claire	Wisconsin	Boyd and Greenup	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356d) La Crosse	Wisconsin	Berkeley	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(356e) Madison	Wisconsin	Logan	Oct. 1, 1943	Mar. 1, 1945	Apr. 15, 1945
(356f) Manitowoc	Wisconsin	Mineral	Oct. 1, 1944	Mar. 1, 1946	Apr. 15, 1946
(356g) Milwaukee	Wisconsin	Marion and Monongalia	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(356h) Sheboygan	Wisconsin	Wood	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(356i) Sparta	Wisconsin	Washington	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(356j) Sturgeon Bay	Wisconsin	Jackson and Mason	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(356k) Casper	Wyoming	Gallia and Meigs	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(357) Appleton	Wisconsin	Brooke, Hancock, Marshall, Ohio, and Wetzel	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(358) Beloit-Janesville	Wisconsin	Belmont, Columbiana, and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(359) Green Bay	Wisconsin	Outagamie County, and that part of New London located in Waupaca County	Mar. 1, 1945	Apr. 1, 1946	May 15, 1946
(360) Eau Claire	Wisconsin	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361) La Crosse	Wisconsin	Brown	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(362) Madison	Wisconsin	Chippewa, Dunn, and Eau Claire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(363) Manitowoc	Wisconsin	La Crosse	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1944
(364) Milwaukee	Wisconsin	Columbia, Dane, and Sauk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(364a) Mondovi-Durand	Wisconsin	Manitowoc	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(364b) Oshkosh-Fond du Lac	Wisconsin	That portion of the City of Kiel in the County of Calumet	Mar. 1, 1942	Apr. 1, 1942	May 15, 1944
(365) Sheboygan	Wisconsin	Kenosha, Milwaukee, Racine, and Waukesha	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(365a) Sparta	Wisconsin	Buffalo and Pepin	Mar. 1, 1944	June 1, 1945	July 15, 1945
(365b) Sturgeon Bay	Wisconsin	Fond du Lac and Winnebago	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(365c) Casper	Wyoming	That portion of the City of Waupun in the County of Dodge	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(366) Sheboygan	Wisconsin	Sheboygan	Jan. 1, 1946	Oct. 1, 1946	Nov. 15, 1946
(367) Sparta	Wisconsin	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(368) Sturgeon Bay	Wisconsin	Door	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(369) Casper	Wyoming	Natrona	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(368a) Cody-Lovell.....	Wyoming.....	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1945
(369) Cheyenne.....	Wyoming.....	That part of Laramie County, consisting of Townships 13 and 14 in Ranges 66 and 67 west of the 6th Principal Meridian including the City of Cheyenne.	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369a) Douglas.....	Wyoming.....	Converse.....	Mar. 1, 1943	May 1, 1944	June 15, 1944
(369b) Thermopolis.....	Wyoming.....	Hot Springs.....	Mar. 1, 1944	May 1, 1945	June 15, 1945
(369c) Laramie.....	Wyoming.....	Albany.....	Jan. 1, 1945	Feb. 1, 1946	Mar. 15, 1946
(370) Alaska.....	Alaska.....	Territory of Alaska.....	Mar. 1, 1942	Nov. 1, 1942	Mar. 15, 1943
(371) Puerto Rico.....	Puerto Rico.....	Puerto Rico.....	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

1 This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.

2 Sections 1, 6, 13.

3 Remaining sections.

4 May 31, 1943, except registrations required by Amendment 87 which must be filed by July 15, 1946.

[Schedule A corrected, 10 F.R. 9588, effective 8-1-45 and 10 F.R. 11350, effective 9-5-45 amended by Am. 1, 8 F.R. 9020, effective 7-1-43; Am. 4, 8 F.R. 10741, effective 8-1-43; Am. 5, 8 F.R. 12025, effective 9-1-43; Am. 10, 8 F.R. 14663, 15585, effective 10-27-43; Am. 11, 8 F.R. 14815, effective 11-1-43; Am. 13, 8 F.R. 16208, 16427, effective 12-1-43; Am. 14, 8 F.R. 17297, effective 1-1-44; Am. 15, 9 F.R. 206, effective 2-1-44; Am. 16, 9 F.R. 972, effective 2-1-44; Am. 18, 9 F.R. 2289, effective 3-1-44; Am. 19, 9 F.R. 3231, effective 4-1-44; Am. 22, 9 F.R. 4541, effective 5-1-44; Am. 23, 9 F.R. 5807, effective 6-1-44; Am. 24, 9 F.R. 5915, effective 6-1-44; Am. 27, 9 F.R. 6819, effective 6-17-44; Am. 28, 9 F.R. 7329, effective 7-1-44; Am. 30, 9 F.R. 9266, effective 8-1-44; Am. 31, 9 F.R. 9513, effective 9-1-44; Corr. to Amdts. 1-34, 9 F.R. 12132, effective 10-4-44; Am. 35, 9 F.R. 11541, 11610, 13857, effective 10-1-44; Am. 36, 9 F.R. 11797, effective 10-1-44; Am. 38, 9 F.R. 12866, effective 11-1-44; Am. 39, 9 F.R. 12967, effective 11-1-44; Am. 40, 9 F.R. 14060, 14357, effective 12-1-44; Am. 42, 9 F.R. 15155, effective 1-1-45; Am. 43, 10 F.R. 48, effective 1-1-45; Am. 45, 10 F.R. 1102, effective 2-1-45; Am. 49, 10 F.R. 2402, effective 3-1-45; Am. 51, 10 F.R. 3436, effective 4-1-45; Am. 52, 10 F.R. 3555, effective 4-1-45; Am. 55, 10 F.R. 4714, effective 5-1-45; Am. 57, 10 F.R. 5577, effective 5-14-45; Am. 58, 10 F.R. 5603, effective 5-15-45; Am. 60, 10 F.R. 6400, effective 6-1-45; Am. 61, 10 F.R. 7853, effective 6-30-45; Am. 62, 10 F.R. 7849, effective 7-1-45; Am. 63, 10 F.R. 7853, effective 7-1-45; Am. 64, 10 F.R. 8017, effective 7-1-45; Am. 65, 10 F.R. 11295, effective 8-31-45; Am. 66, 10 F.R. 11295, effective 9-1-45; Am. 68, 10 F.R. 12004, effective 10-1-45; Am. 69, 10 F.R. 12161, effective 10-1-45; Am. 70, 10 F.R. 12348, effective 10-1-45; Am. 71, 10 F.R. 13528, effective 10-31-45; Am. 72, 10 F.R. 13545, effective 11-1-45; Am. 74, 11 F.R. 247, effective 1-1-46; Am. 75, 11 F.R. 248, effective 1-1-46; Am. 76, 11 F.R. 248, 740, effective 2-1-46; Am. 77, 11 F.R. 1299, 1354, effective 2-1-46; Am. 78, 11 F.R. 1299, effective 2-1-46; Am. 81, 11 F.R. 2189, effective 3-1-46; Am. 83, 11 F.R. 3480, effective 4-1-46; Am. 85, 11 F.R. 4153, effective 4-15-46; Am. 86, 11 F.R. 4731, 6492, effective 5-1-46; Am. 87, 11 F.R. 5396, effective 6-1-46; Am. 89, 11 F.R. 5952, effective 6-1-46; Am. 90, 11 F.R. 5953, effective 6-1-46; Am. 91, 11 F.R. 6763, effective 6-17-46; Am. 92, 11 F.R. 7337, effective 8-1-46; Am. 93, 11 F.R. 7341, effective 8-1-46; Am. 98, 11 F.R. 9697, effective 9-1-46; Am. 102, 11 F.R. 11194, effective 10-1-46 and Am. 103, 11 F.R. 11193, effective 10-1-46; correction to Ams. 102 and 103, 11 F.R. 11816, effective 10-10-46. Effective date of Am. 92 amended by Am. 95, 11 F.R. 8160, effective 7-26-46. Effective date of Am. 93 amended by Am. 96, 11 F.R. 8162, effective 7-26-46.

Effective date. This Rent Regulation for Housing shall become effective June

1, 1943. [Rent Regulation for Housing originally issued May 31, 1943.]

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

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

Issued this 15th day of October 1946.

GEOFFREY BAKER,  
Acting Administrator.

Statement to Accompany Amendment 104 to the Rent Regulation for Housing, Amendment 27 to the Rent Regulation for Housing in the Miami Defense-Rental Area, Amendment 23 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area, Amendment 31 to the Rent Regulation for Housing in the New York City Defense-Rental Area

By these amendments section 6 (c) (1) of the rent regulations is clarified by expressly limiting the effect of the exception from the provisions of section 6, to cases of subtenancy which were not contemplated by the lease or other rental agreement establishing the original landlord-tenant relationship.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-18748; Filed, Oct. 15, 1946; 11:04 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 452, Amdt. 18]

MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

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

has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 452 is amended in the following respects:

1. The schedule in section 6 (a) setting forth percentage increases for individual items is amended by adding the following thereto:

Percent  
Vacuum brake hose and heater hose (other than molded or braided hose) -- 26.8

2. The schedule in section 7 (a) setting forth percentage increases for individual items is amended by adding the following thereto:

Percent  
Vacuum brake hose and heater hose (other than molded or braided hose) -- 26.8

3. Section 14a is amended to read as follows:

SEC. 14a. Regional Office authorization and redelegation of authority by Regional Office. (1) Regional Offices and any District Office to which a Regional Office delegates such authority are authorized to take any and all actions that may be necessary in connection with the processing, approving or disapproving of notices of proposed new list prices and of new non-list prices and requests for exemption from the requirement of establishing new prices, filed under Article III of this regulation, in connection with rebuilt parts and also in connection with new parts where the total sales for the previous calendar or fiscal year of the manufacturer of said new parts were less than \$500,000.

(2) Regional Offices may redelegate to District Offices any and all authority which is delegated to them under paragraph (1) of this section 14a.

This amendment shall become effective October 21, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Statement of Considerations Accompanying Amendment 18 to Maximum Price Regulation 452

In amendment 27 to Maximum Price Regulation 149, producers of molded and braided hose and of cotton rubber lined hose were authorized to increase their maximum prices by 12.1 percent and 20.3 percent respectively. The producers of "all other hose" were author-

ized to increase their maximum prices by 26.8 percent. "All other hose" includes radiator, vacuum brake and heater hose.

In general, resellers of this automotive hose are covered by Maximum Price Regulation 453 and may reflect percentage-wise these suppliers' increases in their resale prices. There are a few resellers of it, however, who perform some manufacturing operations on it and as a consequence their maximum prices for it are determined under Maximum Price Regulation 452. Amendment 15 to Maximum Price Regulation 452, permitted these resellers to increase their maximum prices for radiator hose by 26.8 percent. The increase of 26.8 percent was not extended in the same action to automotive vacuum brake and heater hose as it was not realized at the time that this hose came within the category "all other hose" the maximum prices of which were increased at the producer level by 26.8 percent under Amendment 27 to Maximum Price Regulation 149. Therefore, this action extends the increase of 26.8 percent at the producer level to reseller sales under Maximum Price Regulation 452.

The reasons for the increase of 26.8 percent in sales of automotive hose under Maximum Price Regulation 452 are set forth in the statement of considerations accompanying amendment 15 to that regulation, and are equally applicable to this action. Those reasons are, therefore, specifically referred to and made a part of this statement of considerations.

Section 14a of Maximum Price Regulation 452 authorizes the Regional Office of the Office of Price Administration to take all price actions authorized under Article 111 of that regulation in connection with rebuilt parts, and also in connection with new parts when the total sales for the previous fiscal or calendar year for the manufacturer was less than \$500,000.

In order that these price actions may be made expeditiously the accompanying amendment authorizes regional offices to redelegate to District Offices the authority to take such actions. This re delegation has been requested by regional offices and is in accordance with established administrative procedure.

[F. R. Doc. 46-18741; Filed, Oct. 15, 1946; 11:01 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[RMPR 285,<sup>1</sup> Amdt. 9]

IMPORTED FRESH BANANAS, SALES EXCEPT AT  
RETAIL

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

Section 3 (b) is amended by adding subparagraph (4) to read as follows:

(4) *Special provisions for sales of bananas imported by air.* This subparagraph applies only to sales of bananas that have been imported into the United States from the country of production

by air. The bananas must have been in edible condition without the need of processing at the point of shipment; they must be cut from the stem and carried in protective containers; each banana must be individually labeled to show the country of production, the shipper's name and address, the name and address of the importers and the fact that they have been transported from the point of origin by air. The sales and deliveries must be made direct to retailers. The maximum price for such sales in each case, is the maximum price f. o. b. point of entry otherwise applicable plus the actual cost of the air transportation but not to exceed 8¢ per ton mile.

This amendment shall become effective October 21, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 9 to Revised Maximum Price Regulation 285*

Transportation of perishable fruits and vegetables by air has, since the war, become more and more popular. With the decontrol of most fruits and vegetables the popularity of this mode of transportation has increased still further. The Price Administrator has been approached by persons who desire to import bananas from Mexico and other banana producing countries by air. It has been shown that this can be done rapidly and economically because the fruit can be loaded after it has fully ripened on the plane and it can be shipped cut from the stems in protective containers, thereby minimizing the excess weight prevailing in other modes of shipment. It has also been shown that the average cost of such shipments is about 8¢ per ton mile.

In view of the foregoing the Administrator has said that an allowance should be made for air transportation of bananas. This result is accomplished by the accompanying amendment that permits importers to add the actual cost of air transportation, not to exceed 8¢ per ton mile to the port of entry price. As a protection against abuses, the amendment requires that the fruit be ripened at the time of shipment, that the bananas be cut from the stems and in protective containers and that each banana be appropriately labeled as to point of origin, shippers name and the effect of air shipment. In addition, the allowance may only be taken if the goods are delivered directly to a retailer by the importer. Under these circumstances the cost to the retailer will be only slightly higher than bananas received by normal methods. Under the retail regulation, retailer will be permitted to treat air-borne bananas as a new item and supply their markups to the cost of acquisition. The cost to consumers will be increased slightly. However this increased cost will be more than offset by the condition of the fruit in that a consumer can be sure the bananas are thoroughly ripe at the time they are purchased. No great increase in the cost of living will result from this action since at this time air transportation of ba-

nanas is very new and the quantity will be negligible in comparison to other importers.

To the extent that this action causes an increase in the cost of living the Administrator finds that it is necessary in order to aid in the effective transition from a wartime to a peacetime economy.

[F. R. Doc. 46-18740; Filed, Oct. 15, 1946; 11:01 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami Area,<sup>1</sup> Incl. Amdts. 1-27]

This compilation of Rent Regulation for Housing in the Miami Defense-Rental Area includes Amendment 27, effective October 16, 1946. The text amended by Amendment 27 is underscored.

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of the Act, the Administrator may, by regulation or order, regulate or prohibit speculative or manipulative practices or renting or leasing practices (including practices relating to recovery of the possession) in connection with any defense-rental area housing accommodations, which in his judgment are equivalent to or likely to result in rent increases inconsistent with the purposes of the Act.

By a designation and rent declaration issued by the Administrator on October 5, 1942, the Administrator designated as defense-rental areas certain localities including the Florida Defense-Rental Area, consisting of that portion of the State of Florida not theretofore designated by the Administrator as part of any defense-rental area. By amendments to the designation and rent declaration issued by the Administrator on October 5, 1942, Dade County and the City of Hollywood and the Town of Hallandale in Broward County are separated from the Florida Defense-Rental Area and named the Miami Defense-Rental Area. Since the issuance of said designation and declaration of October 5, 1942, the number of removals of tenants from possession, by means of evictions, actions to evict, the notices to quit or vacate sharply increased and threatened to increase further in the Miami Defense-Rental Area. The purpose and effect of such removals of tenants from possession was to increase the rents of the housing accommodations involved.

In the judgment of the Administrator the increased removals of tenants from possession in the Miami Defense-Rental Area constituted speculative or manipulative practices or renting or leasing practices which were equivalent to or likely to result in rent increases inconsistent with the purposes of the Emergency Price Control Act of 1942.

Eviction Regulation No. 2 was accordingly issued by the Administrator for housing in the Miami Defense-Rental Area. This Eviction Regulation No. 2 was a temporary regulation, and is being replaced by this rent regulation for

<sup>1</sup> 10 F. R. 7532, 8746, 8934, 11663, 14692.

<sup>1</sup> 9 F.R. 14994.

the Miami Defense-Rental Area. The provisions of section 7 of this rent regulation, requiring registration of housing accommodations, will be effective October 1, 1943 in Dade County and October 15, 1943 in the City of Hollywood and the Town of Hallandale in the County of Broward. All other provisions of the regulation will be effective November 1, 1943. The Administrator is issuing a revocation of Eviction Regulation No. 2 to become effective November 1, 1943.

In the judgment of the Administrator, rents for housing accommodations within the Miami Defense-Rental Area have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the designation and rent declaration issued by the Administrator.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the Miami Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Miami Defense-Rental Area on or about September 1, 1943 and during the year prior to that date. The Administrator has given due consideration to such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by the Rent Regulation for Housing in the Miami Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

[Preamble amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

§ 1388.1241 *Rent Regulation for Housing in Miami Defense-Rental Area.* The Rent Regulation for Housing in the Miami Defense-Rental Area is annexed hereto and made a part hereof.

Sec.

1. Scope of this regulation.
2. Prohibition against higher than maximum rents.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.

AUTHORITY: § 1388.1241 issued under 58 Stat. 23, 765.

SECTION 1. *Scope of this regulation—*  
(a) *Housing in the Miami Defense-Rental Area.* This regulation applies to all housing accommodations in the Miami Defense-Rental Area, consisting of the County of Dade and the City of Hollywood and the Town of Hallandale in the County of Broward in the State

of Florida, except as provided in paragraph (b) of this section. The Miami Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

[Paragraph (a) amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

[Subparagraph (2) amended by Am. 15, 10 F.R. 2403, effective 3-1-45]

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided,* That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided,* however, That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Winter resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to November 1, 1943, which were not rented during any portion of the period beginning on June 1, 1946 and ending on September 30, 1946.

This exemption shall be effective only from October 1, 1946, to May 31, 1947, inclusive.

[Subparagraph (6) added by Am. 25, 11 F.R. 10518, effective 9-18-46]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to September 15, 1943 (or for housing accommodations in the City of Hollywood and the Town of Hallandale

in the County of Broward, prior to October 15, 1943).

[Paragraph (d) amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

SEC. 2. *Prohibition against higher than maximum rents—*(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after November 1, 1943 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 9, F.R. 10631, effective 9-1-44]

(b) [Deleted]

[Paragraph (b) deleted by Am. 17, 10 F.R. 11670, effective 9-15-45]

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to November 1, 1943, and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after November 1, 1943, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the

exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the defense-rental area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

[Subparagraph (1) amended by Am. 17]

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1943.

(3) *Maximum rent established under section 4 (b) or (f).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (f), no security deposit shall be demanded or received.

(4) *Maximum rent established under section 4 (c).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (c), no security deposit shall be demanded, received, or retained.

(5) *Maximum rent established under section 4 (d) or (e).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (d) or (e), no security deposit shall be demanded or received except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received or retained.

(6) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

(7) Notwithstanding the preceding provisions of this paragraph (6), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

[Subparagraph (7) added by Am. 24, 11 F.R. 8164, effective 7-26-46]

[Paragraph (d) added by Am. 9, 9 F.R. 10634, effective 9-1-44 and amended by Am. 11, 9 F.R. 12416, effective 10-12-44]

SEC. 3. *Minimum services, furniture, furnishings and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on September 1, 1943 or the date subsequent thereto determining the maximum rent, and as to other services, furniture, furnishing and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on September 1, 1943 or the date subsequent thereto determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* Maximum rents (unless and until changed as provided in section 5) shall be:

(a) *Rented on September 1, 1943.* For housing accommodations rented on September 1, 1943, the rent for such accommodations on that date, or one-twelfth of the total rent for the year ending on August 31, 1943, whichever is the higher.

(b) *Not rented on September 1, 1943.* For housing accommodations not rented on September 1, 1943, the first rent for such accommodations after that date, or one-twelfth of the total rent for the year ending on August 31, 1943, whichever is the higher. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

If the landlord fails to file a proper registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting or November 1, 1943, whichever is the later, shall be received subject to refund to the tenant in any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of §§ 1300.209 or 1300.217 of Revised Procedural Regulation 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a

proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for the failure to file the registration statement required by section 7.

[Above paragraph amended by Am. 15, 10 F.R. 2403, effective 3-1-45 and Am. 20, 11 F.R. 2446, effective 3-9-46]

(c) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating or under specific authorization from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date; the rent so approved, but in no event more than the rent on September 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved: *And provided further,* That as to housing constructed with priority rating obtained prior to October 15, 1945, and in which initial occupancy occurred on or after that date, the landlord may at his option elect to have the maximum rents therefor determined under section 4 (b).

[Above paragraph amended by Am. 19, 11 F.R. 2115, effective 3-1-46 and Am. 22, 11 F.R. 6136, effective 6-5-46]

The provisions of this paragraph (c) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (c) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

[Paragraph (c) amended by Am. 8, 9 F.R. 3423, effective 3-29-44; and Am. 4, 9 F.R. 4028, effective 4-15-44]

(d) *Housing owned and constructed by the Government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

(e) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

In the event the rents on such housing accommodations cease to be governed by the National Rent Schedule of the War or Navy Department, the maximum rents shall be determined by the appropriate subsection of section 4. For the purpose of such determination the premises shall be considered as not rented during the period they were operated under such schedule.

[Above paragraph added by Am. 19, 11 F. R. 2115, effective 3-1-46]

(f) *Changed after September 1, 1943, from unfurnished to fully furnished.* For housing accommodations changed after September 1, 1943 from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a proper registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of §§ 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March

1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to file the registration statement required by section 7.

[Above paragraph amended by Am. 15, 10 F.R. 2403, effective 3-1-45 and Am. 20, 11 F.R. 2446, effective 3-9-46]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In cases under paragraphs (a) (2), (a) (4), (a) (5), (a) (7), (a) (8), (a) (9), (a) (11), (c) (1), (c) (3), and (c) (5), the adjustment of the maximum rent shall be on the basis of the maximum rent which the Administrator finds is generally prevailing in the defense-rental area for comparable housing accommodations.

[Above paragraph amended by Am. 6, 9 F.R. 7168, effective 6-28-44; and Am. 7, 9 F.R. 8053, effective 7-17-44]

In cases under paragraphs (a) (1), (a) (3), (a) (6), (c) (2), (c) (4) and (c) (6), the adjustment of the maximum rent shall be the amount the Administrator finds would have been, on September 1, 1943, or during the year ending on August 31, 1943, the difference in the rental value of the housing accommodations by reason of the change upon which the adjustment is based.

In cases under paragraph (h), the adjustment of the maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations during the corresponding month of the year ending on August 31, 1943.

In cases involving construction, appropriate allowance shall be made for general increases in costs of construction in the defense-rental area since 1939, except that in the case of construction initiated prior to November 23, 1945, such allowance shall reflect general increases in costs of construction in the defense-rental area since September 1, 1943.

[Above paragraph amended by Am. 3, 9 F.R. 3423, effective 3-29-44; Am. 18, 10 F.R. 14399, effective 11-23-45 and Am. 22, 11 F.R. 6136, effective 6-5-46]

In cases involving a major capital improvement, an increase or decrease in the services, furniture, furnishings or equipment, an increase or decrease in the number of subtenants or other occupants, or a deterioration, no adjustment shall be ordered to the extent that a rent used in establishing the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases under paragraph (a) (10) the maximum rent shall be adjusted to an amount to be ascertained by adding to the total rent for the year ending on August 31, 1943, an amount equal to the rent for the housing accommodations

during the month or months of that year most nearly comparable to the month or months during which the accommodations were not rented, and dividing by twelve.

[Above paragraph added by Am. 6, 9 F.R. 7168, effective 6-28-44]

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (c) (7) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided,* That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

[Above paragraphs added by Am. 8, 9 F.R. 10190, effective 9-1-44]

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

[Above paragraph added by Am. 10, 9 F.R. 11349, effective 9-13-44]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, on the grounds that:

(1) *Major capital improvement after September 1, 1943.* There has been, since September 1, 1943, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Major capital improvement or change to furnished prior to September 1, 1943.* There was, during the year ending on August 31, 1943, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, or a change from unfurnished to fully furnished, and as a result the maximum rent for the housing accommodations is substantially lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been, since September 1, 1943, a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided,* That an

adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent during some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, was materially affected by the blood, personal or other special relationship between the landlord and the tenant, and as a result the maximum rent for the housing accommodations is substantially lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations: *Provided*, That no adjustment under this paragraph (a) (4) increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Written lease for term commencing on or prior to September 1, 1941.* There was in force on September 1, 1943, or during some portion of the year ending on August 31, 1943, a written lease for a term commencing on or prior to September 1, 1941, and as a result the maximum rent for the housing accommodations is lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

[Subparagraph (5) amended by Am. 1, 8 F.R. 14047, effective 10-15-43 and Am. 17, 10 F.R. 11670, effective 9-15-45]

(6) *Substantial increase in occupancy.* There has been, since September 1, 1943, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on September 1, 1943, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on September 1, 1943, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(7) *Temporarily exempt from real estate taxes.* During some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the maximum rent is substantially lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

(8) *Not rented during twelve weeks of year ending August 31, 1943.* The housing accommodations were not rented during at least twelve weeks of the year ending on August 31, 1943, and the maximum rent established under section 4 for such accommodations is substantially lower than the maximum rent generally prevailing in the Defense-Rental Area for comparable housing accommodations.

[Subparagraph (8) amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

(9) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (c), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to September 1, 1943, or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on September 1, 1943, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

This paragraph (a) (9) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

[Subparagraph (9) added by Am. 3, 9 F.R. 3423, effective 3-29-44; amended by Am. 4, 9 F.R. 4028, effective 4-15-44]

(10) *Not rented for one or two full months during the year ending on August 31, 1943.* The housing accommodations were not rented for one or two full months but less than twelve weeks during the year ending on August 31, 1943 and the maximum rent established under section 4 for such accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations. The term "full month" means a period of consecutive days constituting a month.

[Subparagraph (10) added by Am. 6, 9 F.R. 7168, effective 6-28-44]

(11) *Peculiar circumstances.* The rent during some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, was materially affected by peculiar circumstances and as a result the maximum rent for the housing accommodations is substantially lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

[Subparagraph (11) added by Am. 7, 9 F.R. 8053, effective 7-17-44]

(12) *Substantial hardship from increase in property taxes or operating*

*costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to September 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

In proper cases increases in payroll and property taxes in effect on the date of the filing of the petition may be considered by the Administrator in determining whether substantial hardship exists.

Increased operating costs due to wage increases paid by the landlord shall not be included in any petition filed hereunder unless such wage increases have been approved by the appropriate wage or salary stabilization agency of the United States in accordance with Executive Order 9697 and the regulations issued by the Office of Economic Stabilization pursuant thereto, or unless approval is not required by said order or regulations.

[Above two paragraphs added by Am. 21, 11 F.R. 4031, effective 4-10-46]

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structure operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means (a) the most recent full calendar or fiscal year used by the landlord, or (b) any twelve-month period ending not more than 90 days prior to the filing of the petition: *Provided, however*, That the current year in all cases shall begin on or after the maximum rent date: *And provided, further*, That if allowance is requested for increases in payroll or property taxes not fully reflected in the "current year" as defined above, at least one calendar month must have passed between the end of the current year and the beginning of the month in which the petition is filed.

[Above paragraph amended by Am. 15, 10 F.R. 2403, effective 3-1-45 and Am. 21]

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (c) where the accommodations are first rented after September 1, 1943 or to maximum rents established under section 4 (b) or (f).

[Subparagraph (12) added to Am. 8, 9 F.R. 10190, effective 9-1-44; corrected 9 F.R. 10718, effective 8-31-44]

(13) *Rented to an employee of landlord.* The housing accommodations were

rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

[Subparagraph (13) added by Am. 10, 9 F.R. 11349, effective 9-13-44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*

(1) *Decreases prior to effective date.* If, on November 1, 1943, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days after such date, file a petition requesting approval of the decreased services. If, on such date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph (b) may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph (b) may be decreased in accordance with the provisions of section 5 (c) (4).

If the landlord fails to file the petition or report required by this paragraph (b) within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or November 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of

§§ 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to comply with this paragraph (b), the order may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to comply with any requirement of this paragraph (b).

[Am. 15, 10 F.R. 2403, effective 3-1-45 and Am. 20, 11 F.R. 2446, effective 3-9-46]

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (b), (d) or (f) of section 4 is substantially higher than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since September 1, 1943.

(3) *Substantial deterioration or change to unfurnished prior to September 1, 1943.* There was a substantial deterioration of the housing accommodations or a change from fully furnished to unfurnished during the year ending on August 31, 1943, and as a result the maximum rent for such accommodations is substantially higher than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

(4) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since September 1, 1943.

(5) *Special relationship between landlord and tenant or peculiar circumstances.* The rent during some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result the maximum rent for the housing accommodations is substantially higher than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

[Subparagraph (5) amended by Am. 7, 9 F.R. 8053, effective 7-17-44]

(6) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (6) of this section.

(7) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section,

since the order issued under that paragraph.

[Subparagraph (7) added by Am. 8, 9 F.R. 10190, effective 9-1-44]

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the maximum rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations, and, where appropriate, may determine the services, furniture, furnishings and equipment included in such rent.

[Paragraph (d) amended by Am. 17, 10 F.R. 11670, effective 9-15-45]

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (f) amended by Am. 2, 8 F.R. 16033, effective 11-25-43]



(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the maximum rent which the Administrator finds is generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy.

(h) *Election by landlord of seasonal maximum rents—(1) Landlord's election.* Where the total rent for housing accommodations for the eight months September 1942 through December 1942 and May 1943 through August 1943 was less than one-half of the total rent for the four months January 1943 through April 1943, the landlord may elect to have seasonal maximum rents applicable to the accommodations. A landlord so elects when he files a registration statement as provided in section 7 and expresses such election on the registration statement. After the landlord has elected seasonal maximum rents, the maximum rents provided by this paragraph shall apply to the housing accommodations until, on petition of the landlord, the Administrator consents to the landlord's request to revoke the election. Upon the granting of such request, the maximum rents provided by section 4 shall apply to the accommodations.

(2) *Maximum rents for particular months.* Upon the landlord's election, as provided in subparagraph (1), the maximum rent for the housing accommodations for a particular month, beginning with the first rental period after the landlord's election, shall be the rent for the accommodations for the corresponding month of the year ending on August 31, 1943: *Provided, however,* That, where the accommodations were not rented or were rented for less than 21 days during such corresponding month of the year ending on August 31, 1943, the maximum rent for the particular month shall be the rent on September 1, 1943, or, if the accommodations were not rented on that date, the first rent after that date.

(3) *Adjustments of maximum rents.* If the maximum rent for a particular month is established under subparagraph (2) by either the rent on September 1, 1943 or the first rent after that date, and is lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations for the corresponding month of the year ending on August 31, 1943, the Administrator, on petition of the landlord, may order an increase in the maximum rent.

If such maximum rent is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations for the corresponding month of the year ending August 31, 1943, the Administrator, on his own initiative or on application of the tenant, may order a decrease in the maximum rent.

[Subparagraph (3) amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

(4) *Reporting first rent.* Where the housing accommodations were not rented on September 1, 1943 and the maximum rent for a particular month is established under subparagraph (2) by the first rent after that date, the landlord, if he has previously filed a registration statement for the accommodations, shall report the first rent after September 1, 1943, within 30 days after the accommodations are first rented after that date, on the form provided therefor. If the landlord has not previously filed a registration statement for the accommodations, he shall file such registration statement within 30 days after first renting, as provided in section 7. If the landlord fails to file the report or registration statement within the time specified, the rent received from the time of first renting or November 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amounts in excess of the maximum rents which may later be fixed by an order under subparagraph (3) decreasing maximum rents. In such case, the order under subparagraph (3) shall be effective to decrease the maximum rents from the time of such first renting or November 1, 1943, whichever is the later. The provisions of this subparagraph (4) and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to file the report required by this subparagraph or the registration statements required by section 7.

SEC. 6. *Removal of tenant—(a) Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration, or if the lease was for a term of less than one year but more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same

terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

[Subparagraph (1) amended by Am. 15, 10 F.R. 2403, effective 3-1-45; Am. 17, 10 F.R. 11670, effective 9-15-45 and Am. 19, 11 F.R. 2115, effective 3-1-46]

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) [Deleted]

[Subparagraph (5) deleted by Am. 17]

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of the housing accommodations prior to September 15, 1943 (or, for housing accommodations in the City of Hollywood and the Town of Hallandale in the County of Broward, prior to October 15, 1943), and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

[Subparagraph (6) amended by Am. 1, 8 F.R. 14047, effective 10-15-43 and Am. 17, 10 F.R. 11670, effective 9-15-45]

(b) *Administrator's certificate—(1) Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the

local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in this area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

[Subparagraph (1) amended by Am. 17, 10 F.R. 11670, effective 9-15-45]

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after September 15, 1943, only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in this defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

[Above paragraph amended by Am. 17]

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in this area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

[Above paragraph added by Am. 26, 11 F. R. 10659, effective 9-20-46]

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the inclusion of such payments is consistent with the purposes of this paragraph (b) (2) and would not be likely to result in the circumvention or evasion thereof.

[Above paragraph added by Am. 26, 11 F. R. 2403, effective 3-1-45]

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment required shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty percent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

[Subparagraph (ii) amended by Am. 17, 10 F. R. 11670, effective 9-15-45 and Am. 26, 11 F. R. 10659, effective 9-20-46]

(iii) The payment of twenty percent or more of the purchase price shall not be a condition to the issuance of a certificate under this paragraph (b) (2) where the purchaser has obtained a loan to be used in purchasing the housing accommodations which is guaranteed in whole or in part by the Administrator of Veterans' Affairs pursuant to the provisions of Title III of the Servicemen's Readjustment Act of 1944.

[Subparagraph (2) amended by Am. 1, 8 F. R. 14047, effective 10-15-43; Am. 5, 9 F. R. 6360, effective 6-9-44; and Am. 12, 9 F. R. 14994, effective 12-27-44]

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or otherwise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of

the housing accommodations at the time of such purchase.

[Subparagraph (1) amended by Am. 23, 11 F. R. 8162, effective 7-26-46]

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reasons of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

[Subparagraph (3) added by Am. 14, 10 F. R. 1973, effective 2-17-45]

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

[Subparagraph (4) added by Am. 26, 11 F. R. 10659, effective 9-20-46]

(c) *Exceptions from section 6—(1) Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the

landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subleasing of the entire accommodations or substantially all of the individual units therein by the tenant, or unless under the local law there is a tenancy relationship between the landlord and subtenant or other such occupant.

[Subparagraph (1) amended by Am. 27, effective 10-16-46]

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

(5) *Relocation of temporary housing by National Housing Agency.* Provisions of this section shall not apply to temporary or movable housing accommodations under the jurisdiction of the National Housing Agency which have been placed in a terminated status by the National Housing Administrator for relocation in another area for the purposes and objectives of Title 5, Public Law 849 (76th Congress), as amended (Lanham Act).

[Subparagraph (5) added by Am. 19, 11 F.R. 2115, effective 3-1-46]

(d) *Notices required*—(1) *Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant and the facts necessary to establish the existence of such ground. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of pos-

session and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought, the facts necessary to establish the existence of such ground, and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply if the eviction is pursuant to the terms of a certificate issued by the Administrator under the provisions of paragraph (b) of this section.

[Subparagraph (1) amended by Am. 22, 11 F.R. 6136, effective 6-5-46]

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon nonpayment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

**SEC. 7. Registration**—(a) *Registration statement.* On or before October 31, 1943, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. Where housing accommodations have been registered and thereafter changed from unfurnished to fully furnished the landlord shall file a new registration statement, within 30 days after the accommodations are first rented fully furnished.

The registration statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy,

that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

[Above paragraph amended by Am. 17]

Any notice, order or other process or paper directed to the person named on the registration statement as the landlord at the address given thereon, or, where a notice of change of identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

[Above two paragraphs added by Am. 16, 10 F.R. 5090, effective 5-5-45]

The provisions of this section shall be applicable to any housing accommodations whose maximum rent is determined under section 4 (d), on its sale by the owning agency, and within thirty days after the sale of such accommodations the new landlord shall file a registration statement as provided in subsection (a) of this section: *Provided, however*, That if the housing accommodations are sold to the United States or a state of the United States or any of its political subdivisions, or any agency of the foregoing, subsection (c) of this section shall continue to be applicable.

[Above paragraph added by Am. 19, 11 F.R. 2115, effective 3-1-46]

(b) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements*—(1) *Housing under section 4 (d).* The foregoing provisions of this section shall not apply to housing accommodations under section 4 (d). The owner of such housing accommodations shall file a schedule or schedules, setting

out the maximum rents for all such accommodations in the defense-rental area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments for which the rent is fixed by the national rent schedule of the War or Navy Department.

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

SEC. 9. *Evasion—(a) General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

[Paragraph (b) amended by Am. 17, 10 F.R. 11670, effective 9-15-45]

[Sec. 9 amended by Am. 13, 10 F.R. 331, effective 1-10-45]

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3<sup>1</sup> (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the defense-rental area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

[Subparagraph (10) amended by Am. 9, 9 F.R. 10634, effective 9-1-44]

(11) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members

of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

*Effective date.* Section 7 of this regulation shall become effective October 1, 1943 in the County of Dade and October 15, 1943 in the City of Hollywood and the Town of Hallandale in the County of Broward. All other provisions of this regulation shall become effective November 1, 1943. [This regulation originally issued September 24, 1943]

[Above paragraph amended by Am. 1, 8 F.R. 14047, effective 10-15-43]

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

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

Issued this 15th day of October 1946.

GEOFFREY BAKER,  
Acting Administrator.

*Statement to Accompany Amendment 104 to the Rent Regulation for Housing, Amendment 27 to the Rent Regulation for Housing in the Miami Defense-Rental Area, Amendment 23 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area, Amendment 31 to the Rent Regulation for Housing in the New York City Defense-Rental Area*

By these amendments section 6 (c) (1) of the rent regulations is clarified by expressly limiting the effect of the exception from the provisions of section 6, to cases of subtenancy which were not contemplated by the lease or other rental agreement establishing the original landlord-tenant relationship.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-18750; Filed, Oct. 15, 1946; 11:05 a. m.]

PART 1388—DEFENSE-RENTAL AREAS  
[Housing, Atlantic County Area,<sup>1</sup> Incl. Amdt. 1-23]

This compilation of Rent Regulation for Housing in the Atlantic County De-

<sup>1</sup>9 F. R. 6819.

<sup>1</sup>9 F.R. 10484, 12865; 10 F.R. 2431, 5077, 11225; 11 F.R. 2444, 3298.

fense Rental Area includes Amendment 23, effective October 16, 1946. The text amended by Amendment 23 is underscored.

## CONTENTS

- Sec.
1. Scope of this regulation.
  2. Prohibition against higher than maximum rents.
  3. Minimum services, furniture, furnishings and equipment.
  4. Maximum rents.
  5. Adjustments and other determinations.
  6. Removal of tenant.
  7. Registration.
  8. Inspection.
  9. Evasion.
  10. Enforcement.
  11. Procedure.
  12. Petitions for amendment.
  13. Definitions.

AUTHORITY: § 1388.1411 issued under 56 Stat. 23, 765.

**SECTION 1. Scope of this regulation—**  
(a) *Housing in the Atlantic County Defense-Rental Area.* This regulation applies to all housing accommodations within the Atlantic County Defense-Rental Area, consisting of the county of Atlantic, New Jersey, except as provided in paragraph (b) of this section.

Wherever the words "the maximum rent date" are referred to in this regulation, "September 1, 1943" shall apply. Wherever the words "the effective date of regulation" are referred to in this regulation, "June 1, 1944" shall apply.

The Atlantic County Defense-Rental Area is referred to hereinafter in this regulation as the "Defense-Rental Area."

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

[Subparagraph (2) amended by Am. 10, 10 F. R. 2402, effective 3-1-45]

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided*, That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided*

further, That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however*, That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis prior to October 1, 1945, which were not rented during any portion of the period beginning on November 1, 1943, and ending on February 29, 1944.

This exemption shall be effective only from June 1, 1946, to September 30, 1946, inclusive.

[Subparagraph (6) amended by Am. 8 and Am. 15]

(7) *Subletting.* The subletting or other subrenting of housing accommodations for a term beginning on or after June 1, 1946, and ending on or before September 30, 1946.

This exemption shall be effective only from June 1, 1946, to September 30, 1946, inclusive.

[Subparagraph (7) amended by Am. 8, 10 F. R. 1452, 1911, effective 2-3-45; Am. 11, 10 F. R. 2617, effective 3-8-45 and Am. 15, 11 F. R. 1773, effective 2-15-46]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

**SEC. 2. Prohibition against higher than maximum rents—**(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 3, 9 F. R. 10634, effective 9-1-44]

(b) [Deleted]

[Paragraph (b) deleted by Am. 13, 10 F. R. 11669, effective 9-15-45]

(c) *Lease with option to buy.* Where a lease of housing accommodations was

entered into prior to the effective date of regulation and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some of all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment, made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation: *Provided, however*, That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

(d) *Security deposits—*(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the defense-rental area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subse-

quent to possession by a tenant under a written lease for his own convenience.

[Subparagraph (1) amended by Am. 13, 10 F. R. 11669, effective 9-15-45]

(2) *Maximum rent established under section 4 (a) or (b).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent established under section 4 (a) or (b).

(3) *Maximum rent established under section 4 (c) or (d).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (c) or (d), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e), or (i).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (e) or (i), no security deposit shall be demanded or received.

(5) *Maximum rent established under section 4 (f).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (f), no security deposit shall be demanded, received, or retained.

(6) *Maximum rent established under section 4 (g) or (h).* Where the maximum rent of the housing accommodations is or initially was established under section 4 (g) or (h), no security deposit shall be demanded or received except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(7) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

(8) Notwithstanding the preceding provisions of this paragraph (d), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

[Subparagraph (8) added by Am. 21, 11 F. R. 8164, effective 7-26-46]

[Paragraph (d) added by Am. 3, 9 F. R. 10634, effective 9-1-44; amended by Am. 5, 9 F. R. 12415, effective 10-12-44 and as otherwise noted]

**SEC. 3. Minimum services, furniture, furnishings and equipment.** Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

**SEC. 4. Maximum rents.** Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date; *Provided, however,* That where the accommodations were sublet on a seasonal basis on the maximum rent date, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(b) *Not rented on maximum rent date but rented during two months ending on that date.* For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period: *Provided, however,* That where the housing accommodations were sublet on a seasonal basis on the date of the last rent for such accommodations during the two-month period, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(c) *First rent after the maximum rent date but before effective date.* For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date.* For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date.* For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a proper registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of §§ 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator

within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act or failure to file the registration statement required by section 7.

[Above paragraph amended by Am. 10, 10 F. R. 2402, effective 3-1-45 and Am. 17, 11 F. R. 2446, effective 3-9-46]

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating or under specific authorization from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved: *And provided further,* That as to housing constructed with priority rating obtained prior to October 15, 1945, and in which initial occupancy occurred on or after that date, the landlord may at his option elect to have the maximum rents therefor determined under section 4 (e).

[Above paragraph amended by Am. 16, 11 F. R. 2114, effective 3-1-46 and Am. 19, 11 F. R. 5823, effective 5-27-46]

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation

formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War and Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

In the event the rents on such housing accommodations cease to be governed by the National Rent Schedule of the War or Navy Departments, the maximum rents shall be determined by the appropriate subsection of section 4. For the purpose of such determination the premises shall be considered as not rented during the period they were operated under such schedule.

[Above paragraph added by Am. 16, 11 F. R. 2114, effective 3-1-46]

(i) *Changed on or after the effective date of regulation, from unfurnished to furnished.* For housing accommodations changed on or after the effective date of regulation from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a proper registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of §§ 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to file a proper registration statement within the time specified, the order under section 5 (c) (1) may relieve the landlord of the duty to refund. Where a proper registration statement was filed before March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator before September 1, 1945. Where a proper registration statement is filed on or after March 1, 1945, the landlord shall have the duty to refund only if the order under section 5 (c) (1) is issued in a proceeding commenced by the Administrator within three months after the date of filing of such registration statement. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph amended by Am. 10, 10 F. R. 2402, effective 3-1-45 and Am. 17, 11 F. R. 2446, effective 3-9-46]

**SEC. 5. Adjustments and other determinations.** In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (a) (14), (c) (6), and (c) (8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraphs (a) (6) and (c) (5) of this section the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent.

[Above paragraph amended by Am. 2, 9 F. R. 10189, effective 3-1-45 (effective date of Am. 2 amended by Am. 10, 10 F. R. 2402, effective 3-1-45); Am. 4, 9 F. R. 11349, effective 9-13-44; Am. 13, 10 F. R. 11669, effective 9-15-45 and Am. 19, 11 F. R. 5823, effective 5-27-46]

In cases involving construction, appropriate allowance shall be made for general increases in costs of construction in the defense-rental area since 1939, except that in the case of construction initiated prior to November 23, 1945, such allowance shall reflect general increases in costs of construction in the defense-rental area since the maximum rent date.

[Above paragraph amended by Am. 14, 10 F. R. 14399, effective 11-23-45 and Am. 19, 11 F. R. 5823, effective 5-27-46]

In cases under paragraphs (a) (7), (a) (14) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

[Above paragraph amended by Am. 19]

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (8) of this section, the adjustment in the maximum rent shall be in the amount the

Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rents granted under paragraph (a) (12) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

[Above two paragraphs added by Am. 2, 9 F. R. 10189, effective 3-1-45 (effective date amended by Am. 10)]

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

[Above paragraph added by Am. 4, 9 F. R. 11349, effective 9-13-44]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in the services, furniture, furnishings or equipment, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 4, 9 F. R. 11349, effective 9-13-44]

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided*, That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the

rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided*, That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (5) amended by Am. 13, 10 F. R. 11669, effective 9-15-45]

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

[Subparagraph (6) amended by Am. 13]

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that

date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (11) added by Am. 1, 9 F. R. 8054, effective 7-17-44]

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

In proper cases increases in payroll and property taxes in effect on the date of the filing of the petition may be considered by the Administrator in determining whether substantial hardship exists.

Increased operating costs due to wage increases paid by the landlord shall not be included in any petition filed hereunder unless such wage increases have been approved by the appropriate wage or salary stabilization agency of the United States in accordance with Executive Order 9697 and the regulations issued by the Office of Economic Stabilization pursuant thereto, or unless approval is not required by said order or regulations.

[Above two paragraphs added by Am. 18, 11 F. R. 4031, effective 4-10-46]

For the purposes of this paragraph (a) (12) the term:



(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means (a) the most recent full calendar or fiscal year used by the landlord, or (b) any twelve-month period ending not more than 90 days prior to the filing of the petition: *Provided, however,* That the current year in all cases shall begin on or after the maximum rent date: *And provided, further,* That if allowance is requested for increases in payroll or property taxes not fully reflected in the "current year" as defined above, at least one calendar month must have passed between the end of the current year and the beginning of the month in which the petition is filed.

[Subparagraph (v) amended by Am. 10, 10 F. R. 2402, effective 3-1-45 and Am. 18, 11 F. R. 4031, effective 4-10-46]

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after the maximum rent date or to maximum rents established under section 4 (c), (d), (e), or (i).

[Subparagraph (12) added by Am. 2, 9 F. R. 10169, 10718, effective 3-1-44 (effective date amended by Am. 10)]

(13) *Rented to an employee of the landlord.* The housing accommodations were rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

[Subparagraph (13) added by Am. 4, 9 F. R. 11349, effective 9-13-44]

(14) *Change from year round to seasonal renting.* The accommodations are located in a resort community, are primarily adapted to occupancy on a seasonal basis, are vacant, and the establishment of seasonal variations in the rent would not, in the opinion of the area rent director, be inconsistent with the purposes of the act.

[Subparagraph (14) added by Am. 19, 11 F. R. 5823, effective 5-27-46]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*  
(1) *Decreases prior to effective date.* If,

on the effective date of regulation, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph (b) may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph (b) may be decreased in accordance with the provisions of section 5 (c) (3).

If the landlord fails to file the petition or report required by this paragraph (b) within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of §§ 1300.209 or 1300.217 of Revised Procedural Regulation No. 3. If the Administrator finds that the landlord was not at fault in failing to comply with this paragraph (b), the order may relieve the landlord of the duty to refund. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to comply with any requirement of this paragraph (b).

[Subparagraph (3) amended by Am. 10, 10 F. R. 2402, effective 3-1-45 and Am. 17, 11 F. R. 2446, effective 3-9-46]

(c) *Grounds for decrease of maximum rent.* The Administrator at any

time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (i) of section 4 is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (4) amended by Am. 1, 9 F. R. 8054, effective 7-17-44]

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement.

[Subparagraph (5) amended by Am. 13, 10 F. R. 11669, effective 9-15-45]

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) of this section.

(8) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

[Subparagraph (8) added by Am. 2, 9 F. R. 10189, effective 3-1-45 (effective date amended by Am. 10, 10 F. R. 2402, effective 3-1-45)]

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations

on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the services, furniture, furnishings, and equipment included in such rents.

[Paragraph (d) amended by Am. 13]

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the ten-

ant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

**SEC. 6. Removal of tenant—(a) Restrictions on removal of tenant.** So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration, or if the lease was for a term of less than one year but more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

[Subparagraph (1) amended by Am. 10, 10 F. R. 2402, effective 3-1-45; Am. 13, 10 F. R. 11669, effective 9-15-45 and Am. 16, 11 F. R. 2114, effective 3-1-46]

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or other-

wise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) [Deleted]

[Subparagraph (5) deleted by Am. 13, 10 F. R. 11669, effective 9-15-45]

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation, and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

[Subparagraph (6) amended by Am. 13]

(b) *Administrator's certificate—(1) Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in this area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the petitioner establishes, that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

[Subparagraph (1) amended by Am. 13]

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation, only as provided in this paragraph (b) (2).

[Above paragraph corrected, 11 F. R. 11815, effective 10-10-46]

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in this defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

[Above paragraph amended by Am. 13, 10 F. R. 11669, effective 9-15-45]

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in this area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

[Above paragraph added by Am. 22, 11 F. R. 10658, effective 9-20-46]

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the inclusion of such payments is consistent with the purposes of this paragraph (b) (2) and would not be likely to result in the circumvention or evasion thereof.

[Above paragraph amended by Am. 10, 10 F. R. 2402, effective 3-1-45]

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid

and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

[Subparagraph (ii) amended by Am. 13 and Am. 22, 11 F. R. 10658, effective 9-20-46]

(iii) The payment of twenty per cent or more of the purchase price shall not be a condition to the issuance of a certificate under this paragraph (b) (2) where the purchaser has obtained a loan to be used in purchasing the housing accommodations which is guaranteed in whole or in part by the Administrator of Veterans' Affairs pursuant to the provisions of Title III of the Servicemen's Readjustment Act of 1944.

[Subparagraph (iii) added by Am. 6, 9 F. R. 14987, effective 12-27-44]

(3) *Occupancy by purchaser of stock in a cooperative.* (i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or otherwise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

[Subparagraph (i) amended by Am. 20, 11 F. R. 8160, effective 7-26-46]

(ii) Where the cooperative was organized as such or acquired its title or leasehold interest in the structure or premises on or after February 17, 1945, or the effective date of regulation, whichever is the later, or where the purchased stock originally was issued on or after that date, no certificate shall be issued, unless on such date the cooperative was in the process of organization and the Administrator finds that substantial hardship would result from the failure to issue a certificate, or unless, at the time of issuance of the certificate, stock in the cooperative has been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iii) Where the cooperative was organized and acquired its title or leasehold interest in the structure or premises before February 17, 1945, or the effective date of regulation, whichever is the later, and on that date stock in the cooperative allocated to more than 50% of the dwelling units in the structure or premises was held by the cooperative, or by another person owning more shares than those allocated to a single dwelling unit, or both, no certificate shall be issued for occupancy by a purchaser of stock so held or owned on such date, unless, at the time of issuance of the certificate, stock in the cooperative is owned or has

been purchased by persons who are then tenants of at least 80% of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises.

(iv) In all other cases, including those excepted from paragraph (b) (3) (ii) and (iii), the issuance of a certificate shall be pursuant to paragraph (b) (2).

[Subparagraph (3) added by Am. 9, 10 F. R. 1973, effective 2-17-45]

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

[Subparagraph (4) added by Am. 22, 11 F. R. 10658, effective 9-20-46]

(c) *Exceptions from section 6—(1) Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subleasing of the entire accommodations or substantially all of the individual units therein by the tenant, or unless under the local law there is a tenancy relationship between the landlord and subtenant or other such occupant.

[Above paragraph amended by Am. 23, effective 10-16-46]

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy Personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

(5) *Relocation of temporary housing by National Housing Agency.* Provisions of this section shall not apply to temporary or movable housing accommodations under the jurisdiction of the National Housing Agency which have been placed in a terminated status by the National Housing Administrator for relocation in another area for the purposes and objectives of Title 5, Public Law 849 (76th Congress), as amended, (Lanham Act.)

[Subparagraph (5) added by Am. 16, 11 F. R. 2114, effective 3-1-46]

(d) *Notices required*—(1) *Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant and the facts necessary to establish the existence of such ground. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought, the facts necessary to establish the existence of such ground, and specifying the time when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply if the eviction is pursuant to the terms of a certificate issued by the Administrator under the provisions of paragraph (b) of this section.

[Subparagraph (1) amended by Am. 19, 11 F. R. 5823, effective 5-27-46]

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

**Sec. 7. Registration**—(a) *Registration statement.* On or before July 15, 1944,

or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

[Above paragraph amended by Am. 13]

Any notice, order or other process or paper directed to the person named on the registration statement as the landlord at the address given thereon, or, where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Procedural Regulation No. 3, constitute notice to the person who is then the landlord.

[Above two paragraphs added by Am. 12, 10 F. R. 5090, effective 5-5-45]

The provisions of this section shall be applicable to any housing accommodations whose maximum rent is determined under section 4 (g), on its sale by the owning agency, and within thirty days after the sale of such accommodations the new landlord shall file a registration statement as provided in subsection (a) of this section: *Provided, however*, That if the housing accommodations are sold to the United States or a State of the United States or any of its political subdivisions or any agency of the foregoing, subsection (c) of this section shall continue to be applicable.

[Above paragraph added by Am. 18, 11 F. R. 2114, effective 3-1-46]

(b) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements*—(1) *Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the defense-rental area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War and Navy Department.

**Sec. 8. Inspection.** Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may from time to time require.

**Sec. 9. Evasion**—(a) *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

[Paragraph (b) amended by Am. 13, 10 F. R. 11669, effective 9-15-45]

[Sec. 9 amended Am. 7, 10 F. R. 330, effective 1-10-45]

**SEC. 10. Enforcement.** Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

**SEC. 11. Procedure.** All registration statements, reports, and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3<sup>2</sup> (§§ 1300.201 to 1300.253, inclusive).

**SEC. 12. Petitions for amendment.** Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3<sup>2</sup> (§§ 1300.201 to 1300.253, incl.).

**SEC. 13. Definitions.** (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the act.

(3) "Rent Director" means the person designated by the Administrator as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the defense-rental area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator services, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant lessee, sublessee, or other person entitled

to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

[Subparagraph (10) amended by Am. 3, 9 F. R. 10634, effective 9-1-44]

(11) "Hotel" means any establishment generally recognized as such in its community containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

**Effective date.** This Rent Regulation for Housing in the Atlantic County Defense-Rental Area shall become effective June 17, 1944.

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

Issued this 15th day of October 1946.

GEOFFREY BAKER,  
Acting Administrator.

*Statement to Accompany Amendment 104 to the Rent Regulation for Housing, Amendment 27 to the Rent Regulation for Housing in the Miami Defense-Rental Area, Amendment 23 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area, Amendment 31 to the Rent Regulation for Housing in the New York City Defense-Rental Area*

By these amendments section 6 (c) (1) of the rent regulations is clarified by expressly limiting the effect of the exception from the provisions of section 6, to cases of subtenancy which were not contemplated by the lease or other rental agreement establishing the original landlord-tenant relationship.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent

circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-18749; Filed, Oct. 15, 1946; 11:05 a. m.]

#### PART 1305—ADMINISTRATION

[SO 132, Amdt. 64]

#### EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF LIVESTOCK, AND FOOD MANUFACTURED FROM LIVESTOCK

Supplementary Order No. 132 is amended in the following respect:

In section 1 (a) (4), the following commodities are added in alphabetical order:

Livestock and food or feed products processed or manufactured in whole or substantial part from livestock (domestic and imported). A food or feed product shall be deemed to be made in substantial part from livestock if it contains 33⅓% or more by weight or volume of livestock, or of livestock and any one or more of the commodities decontrolled by section 1A (e) 7 and section 1A (e) 8 (a) of the Emergency Price Control Act of 1942, as amended and not subject to price control. Weight or volume is determined on the basis of the weight or volume of the total ingredients (exclusive of water added as an ingredient) in the product before mixture.

This amendment shall become effective at 12:01 a. m. October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Approved: October 15, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-18778; Filed, Oct. 15, 1946; 11:56 a. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City Area,<sup>2</sup> (§ 1388.1281)]

##### HOUSING IN NEW YORK CITY AREA

Section 6 (c) (1) of the Rent Regulation for Housing in the New York Defense-Rental Area is amended to read as follows:

(c) *Exceptions from section (6) — (1) Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subleasing of the entire accommodations or substantially all of the individual units therein by the tenant, or unless under the local

<sup>1</sup> 10 F. R. 14954, 15170; 11 F. R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3247, 3396, 4021, 4090, 4861, 6066, 5353, 5539, 5598, 5599, 5650, 5740, 5868, 5781, 6232, 6606, 6863, 6863, 7185, 8446, 8534, 8647, 8643, 8827, 8864, 9032, 9031, 9189, 9349, 9447, 9525, 9526, 9850, 10704, 10003, 10106, 11197, 11191, 11923.

<sup>2</sup> 11 F. R. 4016, 4583, 5542, 5824, 8149, 8163, 10659.

<sup>3</sup> 9 F. R. 10484, 12865; 10 F. R. 2431, 5077, 11295; 11 F. R. 2444, 3298.

law there is a tenancy relationship between the landlord and subtenant or other such occupant.

This amendment shall become effective October 16, 1946.

Issued this 15th day of October 1946.

GEOFFREY BAKER,  
Acting Administrator.

Statement to Accompany Amendment 104 to the Rent Regulation for Housing, Amendment 27 to the Rent Regulation for Housing in the Miami Defense-Rental Area, Amendment 23 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area, Amendment 31 to the Rent Regulation for Housing in the New York City Defense-Rental Area

By these amendments section 6 (c) (1) of the rent regulations is clarified by expressly limiting the effect of the exception from the provisions of section 6, to cases of subtenancy which were not contemplated by the lease or other rental agreement establishing the original landlord-tenant relationship.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 46-18747; Filed, Oct. 15, 1946; 11:03 a. m.]

PART 1389—APPAREL

[2d Rev. MPR 578, Amdt. 8]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL LOW PRICED GARMENTS

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

Second Revised Maximum Price Regulation 578 is amended in the following respects:

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

(1) *Garments produced from fabrics obtained under CPA Order M-328B, Schedules C, J, K, or Supplement XIII of Schedule A.* Except as stated in (i) and (ii) below, this regulation applies to all garments whose principal materials (lining and pocketing materials are considered principal materials) were obtained with priority assistance granted under CPA Order M-328B, Schedules C, J, K, or Supplement XIII of Schedule A.

(i) The garments described in the following table are not covered by this regulation when sold by the manufacturer or manufacturing-retailer at a net price which exceeds the cut-off price specified for that garment in Appendix B, C, or D, but only if such net selling price is at or below the price specified in the following table opposite each such garment.

M-328B Schedule and Item No. under which fabric obtained	Garment description	Cut-off price	
		Manufacturer's price	Manufacturing-retailer's price
C-5 (a)....	Men's shirts, sizes 13½ to 17, made of combed cotton fabric.	Dozen \$30.00	Each \$3.80
C-5 (b)....	Men's shirts, sizes 17½ and up, made of combed cotton fabric.	36.25	4.60
C-7 (a)....	Men's undershorts, sizes 28 to 44, made of combed cotton fabric.	11.25	1.40
C-7 (b)....	Men's undershorts, sizes 46 and up, made of combed cotton fabric.	14.00	1.75
K-1.....	Men's tropical weight suits (manufactured by other than tailors-to-the-trade).	Each 23.75	37.00
K-1 (a)....	Men's suits, all weights (manufactured by tailor-to-the-trade only).	30.00	47.00
J-11 (a)....	Women's, misses', and juniors' slips, sizes 9-17, 12-44, made of rayon fabrics.	Dozen 17.50	2.30
J-11 (b)....	Women's slips, extra sizes, 46 and up, made of rayon fabric.	20.00	2.60

(ii) This regulation does not apply to ladies' or men's handkerchiefs, nurses' uniforms, caps, collars, cuffs, aprons or bibs, gowns, suits or coats for doctors, dentists, internes, orderlies, druggists, and barbers, coats and apron sets or pants for commercial food handlers and processors, uniform dresses or gowns for hospital patients and workers, commercial food handlers and processors, and beauticians, although made of materials obtained with priority assistance under Schedule C of CPA Order M-328B.

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

SEC. 2. *Maximum prices for sales by manufacturers and manufacturing-retailers—(a) Over-riding ceiling price.* Each manufacturer and manufacturing-retailer must find his maximum price for garments covered by this regulation according to the instructions given in paragraph (b) of this section: except, however, that in no case may a manufacturer or a manufacturing-retailer establish a maximum price for any garment produced from fabrics obtained with priorities assistance under Civilian Production Administration Order M-328B, Schedules C, J, K, or Supplement XIII of Schedule A, which exceeds the lower of: (1) the cut-off price listed for that garment in Appendix B, C, or D of this regulation (for the garments described in the table under section 1 (a) (1) (i), the cut-off price listed for that garment in that table), or (2) the "highest price line limitation" provided in the regulation under which the maximum price for that garment is established in accordance with paragraph (b) of this section.

3. A note is added immediately following table I of section 3 to read as follows:

NOTE: Where the manufacturer's net selling price, either per dozen or per garment, is higher than the highest price listed in Column 1, the corresponding maximum net ceiling price for a regular sale at wholesale is found as follows:

(1) Take one-half of the manufacturer's net selling price, either per dozen or per garment, and find the wholesaler's net ceiling price listed in Column 2 opposite that amount

(2) Multiply that wholesaler's net ceiling price by 2.

4. A note is added immediately following table III of section 4 to read as follows:

NOTE: Where the supplier's price per dozen is higher than the highest price listed in Column 1, the retail ceiling price per garment is found as follows:

(1) Take one-half of the supplier's price per dozen and find the retail ceiling price per garment listed in Column 2 opposite that amount

(2) Multiply that retail ceiling price per dozen by 2.

5. The table in Appendix B, Cotton Garments, is amended to read as follows:

Garment	Size range	Cut-off price	
		Manufacturer's price	Manufacturing-retailer's price
Dresses:		Dozen	Each
Infants'.....	0-1.....	\$12.00	\$1.50
Toddler's.....	1-3.....	18.00	2.25
Children's.....	3-6x.....	18.00	2.25
Girls'.....	7-14.....	19.25	2.40
Teen-age girls'.....	10-16.....	22.50	2.80
Women's, misses' and juniors'.....	(36-44) (8-20) (7-17).....	27.00	3.40
Women's extra sizes.....	46 and up.....	35.00	4.40
Maternity dresses (women's, misses' and juniors').....	All sizes.....	35.00	4.40
Blouses:			
Children's.....	2-6x.....	13.50	1.70
Girls'.....	7-14.....	15.50	1.95
Slips:			
Toddler's.....	1-3.....	4.50	.55
Girls' (gertrude type).....	2-14.....	8.00	1.00
Girls' (shoulder strap).....	10-16.....	9.75	1.25
Women's.....	38-44.....	10.75	1.35
Women's extra sizes.....	46 and up.....	13.50	1.70
Panties: Girls'.....	2-12.....	6.00	.75
Nightgowns:			
Infants'.....	0-1.....	5.75	.75
Toddler's.....	1-3.....	6.50	.80
Children's.....	2-8.....	9.75	1.25
Girls'.....	8-16.....	15.00	1.90
Women's.....	42 and up.....	22.00	2.80
Gertrudes (infants').....	0-1.....	5.50	.70
Kimonos (infants').....	0-1.....	5.50	.70
Shirts:			
Boys'.....	11-14½.....	15.00	1.90
Men's.....	13½-17.....	20.25	2.60
Men's extra sizes.....	17½ and up.....	27.50	3.50
Shirts and blouses (boys').....	2-10.....	10.75	1.35
Undershorts:			
Boys'.....	6-16.....	6.00	.75
Men's.....	28-44.....	7.00	.90
Men's extra sizes.....	46 and up.....	11.00	1.40
Pants (boys).....	4-10.....	14.75	1.85
Wash suits:			
Toddler's.....	1-3.....	18.00	2.30
Boys'.....	3-12.....	19.50	2.50
Creepers and rompers (infants').....	6 mos. 2 yrs.....	12.50	1.60
Overalls and coveralls:			
Infants'.....	6 mos. 2 yrs.....	11.75	1.50
Toddler's.....	1-4.....	12.75	1.60
Children's (boys' and girls').....	2-8.....	12.75	1.60
Sunsuits: Boys' and girls'.....	1-8.....	9.00	1.15
Pajamas:			
Toddler's.....	1-4.....	14.50	1.85
Children's.....	2-8.....	16.25	2.10
Girls'.....	8-16.....	18.75	2.40
Boys'.....	8-16.....	18.75	2.40

9 F. R. 13114, 13637; 10 F. R. 14506, 14627; 11 F. R. 1511, 4866, 6235, 8446.

This amendment shall become effective October 31, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment 8 to Second Revised Maximum Price Regulation 578*

Second Revised Maximum Price Regulation 578, with only limited exceptions, includes within its coverage all garments made of materials obtained with priorities assistance under Schedules C, J or K of Conservation Order M-328B of the Civilian Production Administration. Accordingly, when CPA has made changes in the provisions of that order, correlative changes have been made by amendment to Second Revised Maximum Price Regulation 578.

For the current quarter, the only basic change made by CPA in Order M-328B was to revise the provision for the set-aside of wool fabrics in Schedule K covering certain men's wool garments. Upon its finding that priorities assistance for fabric to manufacture these garments is no longer necessary, CPA has discontinued the set-aside of wool fabrics. However, since cotton and rayon fabrics for body lining and pocketing still appear to be in very short supply, Schedule K has been revised to provide that upon a showing of circumstances of hardship, CPA will grant priorities to procure such fabrics to be used as components in the production of the listed garments. Under special circumstances, CPA will also grant priority for wool fabrics for body construction. Where body fabric or component materials are obtained with priorities assistance assigned under Schedule K, the garments produced from such fabrics become subject to Order M-328B.

The only change in Second Revised Maximum Price Regulation 578 made necessary by the foregoing revision in the CPA schedule was to assure that garments whose components of body lining and pocketing were obtained with priorities assistance would be covered by this regulation. This has been accomplished by defining principal materials, as used in section 1 (a) of this regulation, to include such components.

In previous quarters, when the Civilian Production Administration raised cut-off prices in the applicable schedules of Conservation Order M-328B to maintain its required proportion of production of low cost apparel in the light of increases in the cost of materials, the cut-off prices established by this regulation were correspondingly increased. In its program for the third quarter, CPA substituted for its cut-off price a price designated as a "current price". The import of the "current price" used in the CPA order and its relation to the provisions of this regulation are more fully explained in the statement of considerations accompanying Amendment 7 to this regulation which was issued August 1, 1946. In view of the fact

that the "current price" provision of the CPA order is related to a maximum price in effect under applicable OPA regulations on June 30, 1946, for a garment of the same specifications, it was not necessary for the Civilian Production Administration to change its current prices to compensate for subsequent fabric cost increases. However, since the cut-off prices provided in Second Revised Maximum Price Regulation 578 are an absolute limitation on the price at which a manufacturer may sell garments produced from fabrics obtained with priority assistance, these cut-off prices must be adjusted to reflect general fabric cost increases in order to maintain the required production of such garments. Accordingly, the accompanying amendment increases the cut-off prices of Appendix B, covering cotton garments, to reflect cotton fabric cost increases in the third quarter. No changes in cut-off prices are made for the apparel items listed in Appendix C or Appendix D of the regulation. The increased cut-off prices for cotton garments provided by the accompanying amendment were established after consultation with the Civilian Production Administration and are considered to represent the price levels necessary to maintain the same proportion of production of each of these garments as has been previously covered by the program, allowing for increases in the prices of the fabrics available therefor.

In view of the foregoing, and on the basis of all information available, the Administrator finds that the maximum prices established for wholesalers and retailers under this regulation and under the other maximum price regulations applicable to their sales of these garments continue to meet the requirements of section 2 (t) of the Emergency Price Control Act of 1942, as amended.

The accompanying amendment makes certain changes in language to clarify the provisions relating to the exclusion from coverage, under certain conditions, of specified garments, although made of fabrics obtained with priority assistance under CPA Order M-328B. The amendment also establishes a separate category in Appendix B for maternity dresses, with a cut-off price of \$35.00 per dozen. These dresses were heretofore included with other dresses in each size range and were subject to the cut-off price applicable to the size range within which they were made.

[F. R. Doc. 46-18743; Filed, Oct. 15, 1946; 11:02 a. m.]

**PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS**

[MPR 355, Amdt. 41]

**RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS**

**NOTE:** Federal Register Document 46-15095 (NP) was filed with the Division of the Federal Register on October 14, 1946, at 4:27 p. m.

**TITLE 33—NAVIGATION AND NAVIGABLE WATERS**

**Chapter I—Coast Guard, Department of the Treasury**

**PART 1—GENERAL ORGANIZATION AND JURISDICTION**

**PART 20—PROCEDURES APPLICABLE TO THE PUBLIC**

*Corrections*

In F. R. Doc. 46-15356, appearing at page 177A-74, Part II, Section 1, of the issue for September 11, 1946, the following corrections are made:

1. In the first sentence of § 1.05-15 (f) the words "The Office of Personnel directors" should read "The Office of Personnel directs".
2. In the second sentence of § 20.01-30 the word "cedtain" should read "certain".

**TITLE 41—PUBLIC CONTRACTS**

**Chapter I—Procurement Division, Department of the Treasury**

[Proc. Div. Circ. Letter B-43, Supp. 1, Oct. 3, 1946]

**PART 8—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION<sup>1</sup>**

**HOUSEHOLD AND QUARTERS FURNITURE; EXCEPTION**

Paragraph (a) (*Household and quarters furniture*) of § 8.1 (*Exclusive procurement by Procurement Division; commodities*) is hereby revised to read as follows:

(a) *Household and quarters furniture.* Household and quarters furniture, new, within continental United States (excluding Alaska), where the purchase exceeds \$100.

Date: October 3, 1946.

(Sec. 1, E. O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939, 41 CFR 1.2, 3.2)

[SEAL]

CLIFTON E. MACK,  
Director of Procurement.

[F. R. Doc. 46-18534; Filed, Oct. 15, 1946; 8:46 a. m.]

**TITLE 46—SHIPPING**

**Chapter I—Coast Guard: Inspection and Navigation**

**Subchapter A—Procedures Applicable to the Public**

**PART 1—GENERAL COURSE AND METHODS**

**PART 2—VESSEL INSPECTIONS**

**PART 4—INVESTIGATIONS AND HEARINGS**

*Corrections*

In F. R. Doc. 46-15356, appearing at page 177A-74, Part II, Section 1, of the issue for September 11, 1946, the following corrections are made.

1. The following language should be inserted in lieu of the last two sentences

<sup>1</sup>This part formerly Part 4.

of § 1.01 (a): "The functions are listed in 33 CFR 1.10-20. As indicated in 33 CFR 1.50-20, he is deemed to have final authority subject to the rights of appeal set forth in § 2.01-70 of this chapter."

2. In the first sentence of § 2.01-1 (b) the words "Marine Inspection Officer" should read "Marine Inspection Office".

3. In § 2.01-25 (c) (2) the reference "Coast Guard form 696" should read "Coast Guard form 969".

4. In § 2.01-25 (d) the period following the reference "Coast Guard form 967" should be changed to a comma.

5. In § 2.01-60 (b) the words "Certification of Overtime Service" should read "Certificate of Overtime Service".

6. In § 2.30-10 the period after the reference "Coast Guard form 1512" should be changed to a comma.

7. In the second sentence of § 4.01-30 the reference "1.80-80" should read "1.80-90".

8. In the last sentence of § 4.01-45 the word "jublic" should read "public".

#### PART 36—LICENSED OFFICERS AND CERTIFICATED MEN

#### PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

##### Corrections

In F. R. Doc. 46-16287, appearing under the headnote "Miscellaneous Amendments to Regulations" at page 10077, Part I of the issue of September 11, 1946, the following corrections are made:

1. In § 36.1-5 (b) (2) the word "neutralized" should read "naturalized".

2. The numeral "9" before the reference "36.1-9a Pilot of tank vessels not over 150 gross tons" should be deleted.

3. In the third sentence of § 62.110 (a) (4) the reference "(NAVCG-806)" should read "(NAVCG-866)".

4. In the first sentence of § 62.204 (b) (4) the reference "Form NGG" should read "Form NCG".

#### APPENDIX A—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

##### Corrections

In F. R. Doc. 46-16283, appearing under the headnote "Cancellation of Certain Waivers" at page 10076, Part I of the issue of September 11, 1946, the following corrections are made:

1. In Part III (z) the reference "46 CRF 63.9" should read "46 CFR 63.9".

2. In Part IV (i) the words "ampere fuze" should read "ampere fuse".

3. In Part IV (j) the reference "VC-S-AP3" should read "VC2-S-AP3".

#### TITLE 49—TRANSPORTATION AND RAILROADS

##### Chapter I—Interstate Commerce Commission

[S. O. 624]

##### PART 95—CAR SERVICE

##### MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of October A. D. 1946.

It appearing, that there is a shortage of box cars for the transportation of all commodities, which will be aggravated during the coming months by weather conditions and that there is an urgent need to regulate transportation of grain in carloads to Atlantic Seaboard ports (Hampton Roads, Va., and north thereof) by limiting the number of cars of grain permitted in those ports; the Commission is of opinion an emergency requiring immediate action exists to prevent further aggravation of the car shortage and undue delay to equipment, it is ordered, that:

(a) *Movement of grain into port areas restricted.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain waybilled and consigned to any elevator for direct delivery to a vessel in the port area of any Atlantic Seaboard port (Hampton Roads, Va., and north thereof) unless such origin carrier has first obtained a permit from the elevator or the delivering railroad in the port area authorizing the movement of such grain in carloads into the port area.

(b) *Appointment of agent and designation of duties:*

(1) Mr. A. S. Johnson, Assistant Director, Railway Transport Department, Office of Defense Transportation, Room 5139 ICC Building, Phone: Republic 7500, Ext. 73208, is hereby designated and appointed as an agent of this Commission and authorized to appoint elevators or delivering carriers in the port areas as permit agents under paragraph (a) hereof.

(2) In appointing elevators and delivering carriers in port areas described herein as permit agents Mr. Johnson is authorized to prescribe the terms and conditions under which permits may be issued and is authorized at any time to change, revoke or cancel the terms or conditions under which permits may be issued.

(c) *Application.* The provisions of this order shall apply to foreign commerce as well as interstate commerce.

(d) *Effective date.* This order shall become effective at 7:00 a. m., October 14, 1946.

(e) *Expiration date.* This order shall expire at 7:00 a. m., January 1, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-18537; Filed, Oct. 15, 1946; 8:55 a. m.]

[S. O. 625]

#### PEDDLING GRAPES FROM CARS PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of October A. D. 1946.

It appearing, that there is a shortage of railroad freight cars; that the holding of railroad freight cars for peddling of wine or juice grapes therefrom is resulting in detention and is delaying unduly the use of such cars; in the opinion of the Commission an emergency exists requiring immediate action in all sections of the country; it is ordered, that:

(a) *Peddling grapes from railroad freight cars prohibited; definition.* As used in this order the term "Car Peddling" means the unloading or removal from a railroad freight car of a lot or quantity of less than 100 containers of wine or juice grapes for transfer of either possession or title to a wholesaler, retailer, or consumer.

(b) *Car peddling prohibited.* No common carrier by railroad subject to the Interstate Commerce Act shall allow or permit car peddling from any railroad freight car or cars.

(c) *Application.* The provisions of this order shall apply to intrastate as well as interstate traffic.

(d) *Effective date.* This order shall become effective at 12:01 a. m., October 14, 1946.

(e) *Expiration date.* This order shall expire at 11:59 p. m., December 14, 1946, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-18536; Filed, Oct. 15, 1946; 8:55 a. m.]

#### Chapter II—Office of Defense Transportation

[Gen. Order ODT 67]

##### PART 502—DIRECTION OF TRAFFIC MOVEMENT

##### OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, in order to conserve and providently utilize vital transportation equipment, materials and supplies; to provide for the preferential transportation of material of war and for the prompt and continuous movement of other necessary traffic, the attainment of which purposes is essential to the war



effort; and it being deemed necessary in the public interest and to promote the national defense, by reason of the short supply of domestic transportation equipment and facilities, to regulate, allocate, and promote the use and distribution among essential activities of the transportation equipment and facilities of carriers by water, it is hereby ordered, that:

Sec.	
502.330	Control of vessels.
502.331	Transportation of certain grain shipments prohibited.
502.332	Applicability.
502.333	Definitions.
502.334	Communications.

**AUTHORITY:** §§ 502.330 to 502.334, inclusive, issued under Title III of the Second War Powers Act, 1942, as amended, 54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress, 60 Stat. 345; 50 U. S. C. App. 633, 645, 1152; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; E. O. 9729, 11 F. R. 5641.

§ 502.330 *Control of vessels.* Whenever the Office of Defense Transportation deems it necessary in the public interest and to promote the national defense, any person having possession or control of any American vessel operating on the Great Lakes, notwithstanding any contract, charter, subcharter, lease, or other commitment, express or implied, with respect to the use or operation of such vessel, shall cause such vessel (a) to be operated in such manner, for such purposes, and between such points and ports, or (b) to be chartered, leased or rented by any such person to such other person or persons, as the Office of Defense Transportation shall from time to time direct. Unless the interested parties agree upon the amount of compensation payable for the use of any such vessel, so directed to be chartered, leased, or rented, or unless the amount of such compensation shall have been determined by a Federal or State agency having jurisdiction in the premises, such compensation shall be in an amount determined by the Office of Defense Transportation to be just and equitable, subject to any applicable maximum or minimum price established by any competent governmental authority.

§ 502.331 *Transportation of certain grain shipments prohibited.* Notwithstanding any contract, charter, subcharter, lease, or other commitment, express or implied, no person shall transport on the Great Lakes in an American vessels, any shipment of grain from any point on the Great Lakes located outside the continental United States: *Provided,* That the provisions of this section shall not apply to any shipment of grain transported from Fort William, Ontario, to Duluth, Minnesota, or Superior, Wisconsin.

§ 502.332 *Applicability.* The provisions of §§ 502.330 to 502.334, inclusive, shall be applicable only in the continental United States.

§ 502.333 *Definitions.* As used in §§ 502.330 to 502.334, inclusive:

(a) The term "person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of per-

sons, or any trustee, receiver, assignee, or personal representative.

(b) The term "American vessel" means any watercraft or other artificial contrivance of whatever description which is suitable for use, or is capable of being used, in the transportation, by water, of cargoes of ore, coal, or grain, and which is documented under the laws of the United States or is owned by a citizen of the United States.

(c) The term "continental United States" means the forty-eight States and the District of Columbia.

§ 502.334 *Communications.* Communications concerning §§ 502.330 to 502.334, inclusive, should refer to "General Order ODT 67" and should be addressed to the Waterways Transport Department, Office of Defense Transportation, 1800 Terminal Tower, Cleveland 13, Ohio.

This General Order ODT 67 shall become effective on October 15, 1946, and shall remain in full force and effect until further order of the Office of Defense Transportation.

Issued at Washington, D. C., this 11th day of October 1946.

J. M. JOHNSON,  
Director of the Office of  
Defense Transportation.

[F. R. Doc. 46-18577; Filed, Oct. 15, 1946;  
8:47 a. m.]

## Notices

### DEPARTMENT OF LABOR.

#### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

#### ISSUANCE TO VARIOUS INDUSTRIES

Notice of Issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Independent Telephone Learner Regulations, July 17, 1944 (9 F. R. 7125):

The special learner certificates issued to the following companies under the above regulations provide for the employment of learners in the occupation of commercial switchboard operator for a period not in excess of 480 hours at not less than 30 cents per hour for the first 320 hours and 35 cents per hour for the

remaining 160 hours of the learning period. The number of learners authorized to be employed depends on the number of operators in the exchange, i. e., one learner if the exchange employs 8 operators or less, two learners if the exchange employs from 9 to 18 operators, etc. See Regulations, Part 522, § 522.083.

Central Iowa Telephone Company, 815 13th Street, Belle Plaine, Iowa; effective October 12, 1946, expiring October 11, 1947.

National Trail Telephone Company, Altamont, Illinois; effective October 12, 1946, expiring October 11, 1947.

National Trail Telephone Company, St. Elmo, Illinois; effective October 12, 1946, expiring October 11, 1947.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 9th day of October 1946.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 46-18602; Filed, Oct. 15, 1946;  
8:45 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES

#### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

Name and address of firm, industry, learner occupants, number of learners, learning period, learner wage, effective and expiration dates:

Bethel College, North Newton, Kansas; College Press; twenty-two (22) learners, as compositor, pressman, linotype operator, bookbinder, typist, stenographer, office machine operator and related operations, for a learning period of 1,000 hours at 30 cents for the first 500 hours and 35 cents for the next 500 hours; effective October 1, 1946, expiring September 30, 1947.

Maryville College, Maryville, Tennessee; Sewing Room; six (6) learners, sewing machine operator, for a learning period of 50 hours at 20 cents per hour; effective September 25, 1946, expiring September 30, 1947.

Southern Missionary College, Colledge-dale, Tennessee; Print Shop; thirty-five (35) learners, as compositor, pressman, bindery worker and related operations, for a learning period of 500 hours at 35 cents per hour;

Furniture Factory; sixty (60) learners, as cabinet and furniture maker and related operations, for a learning period of 400 hours at 35 cents per hour;

Broom Shop; twenty (20) learners, as broom maker and related operations, for a learning period of 350 hours at 35 cents per hour;

effective September 27, 1946, expiring September 30, 1947.

Signed at New York, New York, this 9th day of October 1946.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 46-18603; Filed, Oct. 15, 1946;  
8:47 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket Nos. G-627, G-635]

CITY OF PITTSBURGH ET AL.

ORDER POSTPONING HEARING

OCTOBER 10, 1946.

City of Pittsburgh, complainant, v. Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company, defendants, Docket No. G-627. In the matter of Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company, Docket No. G-635.

Upon consideration of the request of Kentucky West Virginia Gas Company and Pittsburgh & West Virginia Gas Company for a postponement of the hearing in the above-entitled matters:

The Commission orders that:

The hearing be and the same is hereby postponed from October 14, 1946, to November 4, 1946, at 10:00 a. m. o'clock, in the hearing room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Issued this 11th day of October 1946.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-18576; Filed, Oct. 15, 1946;  
8:47 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 626]

#### UNLOADING OF COMMODITIES AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of October A. D. 1946.

It appearing, that 15 cars containing less carload merchandise at Chicago, Illinois, on The Atchison, Topeka and Santa Fe Railway Company, have been on hand under load for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that

(a) *Commodities at Chicago, Illinois, be unloaded.* The Atchison, Topeka and Santa Fe Railway Company, its agents or employees, shall unload immediately the following cars, loaded with less carload merchandise, now on hand at Chicago, Illinois, awaiting forwarding:

L&N	47847	B&O	380192
DL&W	46208	SP	31062
B&O	178316	ATSF	146886
NYC	107322	B&O	267751
B&O	295492	NYC	115692
PM	85531	NKP	8125
ACL	56468	WLE	27850
PRR	563716		

(b) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-18538; Filed, Oct. 15, 1946;  
8:54 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 7491]

HANS VON BLUMENTHAL

In re: Stock owned by Hans von Blumenthal. F-28-5581-A-1, F-28-5581-D-1.

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

1. That Hans von Blumenthal, whose last known address is Ruhlaerstrasse 12, Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Four hundred forty-two (442) shares of no par value common capital stock of Steinway & Sons, 109 West 57th Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number 861, registered in the name of Hans von Blumenthal and presently in the custody of said Steinway & Sons, 109 West 57th Street, New York, New York, together with all declared and unpaid dividends thereon,

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

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

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

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

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

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

Executed at Washington, D. C., on August 21, 1946.

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

[F. R. Doc. 46-18587; Filed, Oct. 15, 1946;  
8:49 a. m.]

[Vesting Order 7539]

DR. GAD BADRIAN

In re: Bond and stock owned by Dr. Gad Badrian. F-28-4422-A-1.

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

1. That Dr. Gad Badrian, whose last known address is 33 Wuerttembergischestrasse, Berlin W., Germany, is a resident of Germany and a national of a designated enemy country (Germany);
2. That the property described as follows:

a. Five (5) shares of no par value common capital stock of Bethlehem Steel Corporation, 25 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number 210379, registered in the name of Tucker & Co., and presently in the custody of J. Henry Schroder Banking Corporation, 46 William Street, New York 5, New York, together with all declared and unpaid dividends thereon, and

b. One United States of America 2½% Treasury Bearer Bond of \$1000.00 face value, bearing the number 45837H, and presently in the custody of J. Henry Schroder Banking Corporation, 46 William Street, New York 5, New York, together with any and all rights thereunder and thereto,

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

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

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

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

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

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

Executed at Washington, D. C., on September 5, 1946.

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

[F. R. Doc. 46-18588; Filed, Oct. 15, 1946; 8:50 a. m.]

[Vesting Order 7570]

WALTER A. KUELPMANN

In re: Stock owned by Walter A. Kuelpmann, also known as Walter A. Kulpmann. F-28-23206-A-1.

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

1. That Walter A. Kuelpmann, also known as Walter A. Kulpmann, whose last known address is Koln a/Rhein-Deutz-Thusneldastrasse 12, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One hundred (100) shares of \$.10 par value common capital stock of Consolidated Textile Co., Inc., 86 Worth Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered NY 89538, registered in the name of Walter A. Kuelpmann, and presently in the custody of The First National Bank, Allendale, New Jersey, together with all declared and unpaid dividends thereon.

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

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

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

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

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

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

Executed at Washington, D. C., on September 5, 1946.

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

[F. R. Doc. 46-18589; Filed, Oct. 15, 1946; 8:50 a. m.]

[Vesting Order 7633]

FRANK MAYOR

In re: Estate of Frank Mayor, deceased. File D-66-1772; E. T. sec. 10610.

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

That the property described as follows: Cash in the amount of \$762.71 in the possession and custody of the County Treasurer of Wayne County, Michigan, Depository, deposited to the credit of Steve Simon pursuant to Court Order dated March 2, 1944, in the matter of the estate of Frank Mayor, deceased, subject, however, to any lawful commission and disbursement of the Treasurer in and for the County of Wayne, Michigan, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary namely,

National and Last Known Address

Steve Simon, Hungary.

That such property is in the process of administration by John J. Kozaren, as Depository, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan,

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

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

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

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

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 18, 1946:

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

[F. R. Doc. 46-18590; Filed, Oct. 15, 1946;  
8:50 a. m.]

[Vesting Order 7634]

KAMERA NAKASONE

In re: Estate of Kamera Nakasone, deceased. File D-39-18685; E. T. sec. 15144; H-401.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Kamado Nakasone, in and to the Estate of Kamera Nakasone, deceased.

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

*National and Last Known Address*

Kamado Nakasone, Japan.

That such property is in the process of administration by Sibyl Davis, Statutory Administrator, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

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

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

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

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

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

Executed at Washington, D. C. on September 18, 1946.

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

[F. R. Doc. 46-18591; Filed, Oct. 15, 1946;  
8:50 a. m.]

[Vesting Order 7636]

KONRAD POPP

In re: Estate of Konrad Popp, a/k/a Conrad Popp, deceased. File No. D-28-9692; E. T. sec. 13506.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Babette Popp, Margarethe Popp, Johanna Popp, Christianna Stromsdorfer, formerly Christianna Popp, and Johann Popp, in and to the Estate of Konrad Popp, a/k/a Conrad Popp, deceased, is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Babette Popp, Germany.  
Margarethe Popp, Germany.  
Johanna Popp, Germany.  
Christianna Stromsdorfer, formerly Christianna Popp, Germany.  
Johann Popp, Germany.

That such property is in the process of administration by Kunigunda Roth, also known as Laura Roth, as Executrix of the Estate of Konrad Popp, a/k/a Conrad Popp, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

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

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

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

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

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

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

Executed at Washington, D. C., on September 18, 1946.

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

[F. R. Doc. 46-18592; Filed, Oct. 15, 1946;  
8:50 a. m.]

[Vesting Order 7637]

MARIE REINMANN

In re: Estate of Marie Reinmann, a/k/a Marie Reinmann Karl, deceased. File No. D-28-9463; E. T. sec. 12724.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Anna Karl, Junita Karl, Berthold Engel, Leni Schachtmeier and Marie Schachtmeier, and each of them, in and to the estate of Marie Reinmann a/k/a Marie Reinmann Karl, deceased,

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

*Nationals and Last Known Address*

Marie Anna Karl, Germany.  
Junita Karl, Germany.  
Berthold Engel, Germany.  
Leni Schachtmeier, Germany.  
Marie Schachtmeier, Germany.

That such property is in the process of administration by Adolph Pollitz, Jr., as Executor of the Estate of Marie Reinmann a/k/a Marie Reinmann Karl, deceased, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York;

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

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

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on September 18, 1946.

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

[F. R. Doc. 46-18593; Filed, Oct. 15, 1946;  
8:51 a. m.]

[Vesting Order 7640]

MARTHA SCHILLER

In re: Estate of Martha Schiller, also known as Martha Emma Schiller, deceased. File D-28-10288; E. T. sec. 14655.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Warnoth, Arthur Ernest Schiller, also known as Arthur Giesecke Schiller, and each of them, in and to the Estate of Martha Schiller, also known as Martha Emma Schiller, deceased,

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

*Nationals and Last Known Address*

Ida Warnoth, Germany.  
Arthur Ernest Schiller, also known as Arthur Giesecke Schiller, Germany.

That such property is in the process of administration by Raymond J. Schiller, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles,

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

nationals of a designated enemy country (Germany);

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

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

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

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

Executed at Washington, D. C., on September 18, 1946.

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

[F. R. Doc. 46-18594; Filed, Oct. 15, 1946;  
8:51 a. m.]

[Supp. Vesting Order 7801]

CHARLES W. KUHNE

In re: Estate and trust u/w of Charles W. Kuhne, deceased. File D-28-7923; E. T. sec. 8742.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Aurbach, Elizabeth Aurbach, Kurt Aurbach, ——— Aurbach (child of Otto and Katharine Aurbach), Käthe Siemon Becker, Clara Looock Grüner, Walter Looocke, Karl Scheidt, Wilhelm Scheidt, Hans Siemon, Herman Siemon, Max Siemon, Otto Siemon, Agnes Scheidt Timmler, Elisabeth Ulrich, Otto Ulrich, Martha Ulrich, Paul Ulrich, Hedwig Ulrich von Westerhagen, the children, names unknown, of each of the aforesaid nationals, Elizabeth Scheidt Hausenfelder, Hedwig Siemon Katzebue, Alice Kuhne, Fritz Kuhne, Karl Kuhne, Margot Kurtze, Hans (Johannes) Looock, Willie Scheidt, Carl Schiefeler, Bruno Schwarze, Paul Siemon, Rudolph Siemon, Emma Teichman, Auguste Looock Voigt, and Elizabeth Schiefeler Wirstdorf, and each of them in, to and against the estate of Charles W. Kuhne, deceased, (other than the property vested in the Alien Property Custodian by Vesting Order Number 4990, dated June 5, 1945), and in, to and against the property now in the possession of the Lincoln

National Bank and Trust Company, Trustee, pursuant to the provisions of Item Eight of the Will of Charles W. Kuhne, deceased,

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

*Nationals and last-known address*

Anna Aurbach, Germany.  
Elizabeth Aurbach, Germany.  
Kurt Aurbach, Germany.  
——— Aurbach (child of Otto and Katharine Aurbach), Germany.  
Käthe Siemon Becker, Germany.  
Clara Looock Grüner, Germany.  
Walter Looocke, Germany.  
Karl Scheidt, Germany.  
Wilhelm Scheidt, Germany.  
Hans Siemon, Germany.  
Herman Siemon, Germany.  
Max Siemon, Germany.  
Otto Siemon, Germany.  
Agnes Scheidt Timmler, Germany.  
Elisabeth Ulrich, Germany.  
Otto Ulrich, Germany.  
Martha Ulrich, Germany.  
Paul Ulrich, Germany.  
Hedwig Ulrich von Westerhagen, Germany.  
Children, names unknown, of each of the aforesaid nationals, Germany.  
Elizabeth Scheidt Hausenfelder, Germany.  
Hedwig Siemon Katzebue, Germany.  
Alice Kuhne, Germany.  
Fritz Kuhne, Germany.  
Karl Kuhne, Germany.  
Margot Kurtze, Germany.  
Hans (Johannes) Looock, Germany.  
Willie Scheidt, Germany.  
Carl Schiefeler, Germany.  
Bruno Schwarze, Germany.  
Paul Siemon, Germany.  
Rudolph Siemon, Germany.  
Emma Teichman, Germany.  
Auguste Looock Voigt, Germany.  
Elizabeth Schiefeler Wirstdorf, Germany.

That such property is in the process of administration by Lincoln National Bank and Trust Company, 116 East Berry Street, Fort Wayne, Indiana, as Executor and Trustee of the Estate of Charles W. Kuhne, Deceased, acting under the judicial supervision of the Superior Court No. 2, Allen County, Indiana;

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

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

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

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

be determined to take any one or all of such actions.

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

Executed at Washington, D. C., on October 9, 1946.

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

[F. R. Doc. 46-18595; Filed, Oct. 15, 1946; 8:51 a. m.]

[Vesting Order 7809]

HENRY HEMPLER

In re: Estate of Henry Hempler, deceased. File D-28-10465; E. T. sec. 14882.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Johannes Hempler, heirs, next of kin and personal representatives, names unknown, of George Johannes Hempler, deceased, and each of them, in and to the Estate of Henry Hempler, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

George Johannes Hempler, Germany.

Heirs, next of kin and personal representatives, names unknown, of George Johannes Hempler, deceased, Germany.

That such property is in the process of administration by George Justus Hempler, as Administrator, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Grays Harbor,

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

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

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

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

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

Executed at Washington, D. C. on October 10, 1946.

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

[F. R. Doc. 46-18596; Filed, Oct. 15, 1946; 8:51 a. m.]

[Vesting Order 7811]

FRED G. STEINHAGEN

In re: Trust under the last will and testament of Fred G. Steinhagen, deceased. File D-28-10351; E. T. sec. 14739.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frieda Steinhagen in and to the Trust under the last will and testament of Fred G. Steinhagen, deceased,

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

*National and Last Known Address*

Frieda Steinhagen, Germany.

That such property is in the process of administration by Erich W. H. Last, as Trustee, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of King.

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

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

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

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

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

Executed at Washington, D. C. on October 10, 1946.

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

[F. R. Doc. 46-18597; Filed, Oct. 15, 1946; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 30-54]

CLARENCE A. SOUTHERLAND AND JAY SAMUEL HARTT

NOTICE OF FILING OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of October 1946.

In the matter of Clarence A. Southerland and Jay Samuel Hartt, successor trustees of the estate of Midland Utilities Company; File No. 30-54.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("Act") by Clarence A. Southerland and Jay Samuel Hartt, formerly successor trustees of the estate of Midland Utilities Company, for an order under said act finding that they have ceased to be a holding company.

Notice is further given that any interested person may, not later than the 25th day of October 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time thereafter such application as filed or as amended may be granted.

All interested persons are referred to said application which is on file in the office of this Commission for a complete statement of the matters contained in such application, which may be summarized as follows:

On or about February 13, 1939, Clarence A. Southerland and Jay Samuel Hartt, as successor trustees of the estate of Midland Utilities Company, a corporation in reorganization under section 77B of the Bankruptcy Act in the United States District Court for the District of Delaware ("Court"), filed a notification of registration under section 5 (a) of the act. A joint modified plan of reorganization for Midland Utilities Company, and its parent, Midland United Company, filed pursuant to section 11 (f) of the act and Chapter X of the Bankruptcy Act, was confirmed by the Court on April 7, 1945, and has since been consummated. On May 25, 1945, Clarence A. Southerland and Jay Samuel Hartt, pursuant to an order of the Court, divested themselves of all right, title, and interest in and to all assets held by them as trustees. As a result of such action taken by them, applicants state that they do not own,

control, or hold, with power to vote, directly or indirectly, 10% or more of the outstanding voting securities of a public utility company or of a holding company. In addition, pursuant to an order of the Court, Clarence A. Southerland and Jay Samuel Hartt have been discharged as successor trustees of the estate of Midland Utilities Company. Accordingly, applicants request that the Commission find and declare by order that Clarence A. Southerland and Jay Samuel Hartt, as successor trustees of the estate of Midland Utilities Company, have ceased to be a holding company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-18578; Filed, Oct. 15, 1946;  
8:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 610, Amdt. 2 to Order 20]

STERLING MOTOR TRUCK CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7, 8 and 9 of Maximum Price Regulation 610. It is ordered:

Order No. 20 under Maximum Price Regulation 610 is amended in the following respects:

1. Paragraph (a) (1) (i) is amended by deleting the following item and applicable price deduction:

Description: Deduction  
Seat 640S (without windshield) -- \$305.40

2. Paragraph (a) (1) (i) is further amended by adding the following item and applicable price deduction.

Description: Deduction  
Seat, bucket, one, with genuine leather upholstery replacing standard seat cushions and lazybacks ----- \$2.53

3. The narrative immediately preceding the schedule in paragraph (a) (2) is amended to read as follows:

(2) *Charges for extra or optional equipment except for those items listed in the schedule of subparagraph (iv)—(i) Wholesale prices.* A charge for each item of extra or optional equipment not to exceed the net wholesale price in effect on January 1, 1941, for each such item of extra or optional equipment to the applicable class of purchaser, multiplied by the increase factor approved by the Office of Price Administration under section 8 of Maximum Price Regulation 610. The charge so determined shall be subject to the discounts, allowances, and terms of delivery in effect on March 31, 1942, to the applicable class of purchaser. The Company shall compute the net wholesale price for each item of extra or optional equipment by applying the approved increase factor to the net wholesale price in effect on January 1, 1941.

(ii) *List prices.* The Company shall compute retail list prices for extra or optional equipment for use of resellers in

determining maximum resale prices. These retail list prices shall be computed by applying the approved increase factor to the list price in effect on January 1, 1941 for each item of extra or optional equipment.

(iii) *Filing.* The Company shall file the dollar and cents net wholesale and list prices for each item of extra or optional equipment with the National Office of Price Administration Office, Automotive Branch, Washington, D. C., within 48 hours after such adjusted prices are established pursuant to subparagraphs (i) and (ii) above.

(iv) *Charges for items of extra or optional equipment which are modifications of similar items for which prices were in effect on January 1, 1941 or for items for which there were no prices in effect on January 1, 1941, for these or similar items.* A charge for each item of extra or optional equipment installed at the factory not to exceed the applicable wholesale prices in the following schedule subject to the discounts, allowances and terms of delivery in effect on March 31, 1942.

4. The schedule now appearing at the end of the narrative in paragraph (a) (2) is placed at the end of paragraph (a) (2) (iv) and is amended to include the following items of extra or optional equipment and applicable prices.

Description	Wholesale Price	List Price
<b>Seats:</b>		
Two-bucket, with genuine leather upholstery replacing standard cushions and lazybacks.....	\$39.19	\$60.29
One-bucket, sponge rubber with standard upholstery replacing standard cushions and lazybacks.....	2.89	4.45
Two-bucket, sponge rubber with standard upholstery replacing standard cushions and lazybacks.....	50.03	76.97
One-bucket, sponge rubber with genuine leather upholstery replacing standard cushions and lazybacks.....	17.34	26.63
Two-bucket, sponge rubber with genuine leather upholstery replacing standard cushions and lazybacks.....	78.92	121.42
Sponge rubber cushions and lazybacks with standard upholstery.....	46.79	71.98
Sponge rubber cushions and lazybacks with genuine leather upholstery.....	60.51	93.09
Standard type cushions and lazybacks with genuine leather upholstery.....	17.53	26.97
640S seat (without windshield).....	198.51	305.40
<b>Tires:</b>		
8.25-20 10 ply all-purpose replacing highway tread.....	2.72	4.18
9.00-20 10 ply all-purpose replacing highway tread.....	3.02	4.65
10.00-20 12 ply all-purpose replacing highway tread.....	3.89	5.98
10.00-22 12 ply all-purpose replacing highway tread.....	4.12	6.34
11.00-20 12 ply all-purpose replacing highway tread.....	4.36	6.70
11.00-22 12 ply all-purpose replacing highway tread.....	4.66	7.17
11.00-24 12 ply all-purpose replacing highway tread.....	4.94	7.60
12.00-24 14 ply all-purpose replacing highway tread.....	6.84	10.52

5. The last sentence in paragraph (a) (5) is amended to read as follows: "In the case of a sale to a user, the amount that may be included in the handling and delivery charge for preparing and conditioning operations shall be determined in accordance with section 10 (6) (3) of Maximum Price Regulation 610."

This amendment shall become effective October 16, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment No. 2 to Order No. 20 Under Maximum Price Regulation 610

The Sterling Motor Truck Company, Inc., Milwaukee, Wisconsin, has applied for maximum prices for several items of extra or optional equipment under sections 7, 8, and 9 of the Maximum Price Regulation 610. This action adds these items of extra or optional equipment to the list appearing in Order 20. In general it fixes the prices for such items on the same basis as was used in establishing maximum prices in the original order. Insofar as the opinion accompanying Order 20 to Maximum Price Regulation 610 is applicable to the action it is made a part hereof.

This action also provides a means for the Company to establish prices for other items of extra or optional equipment pursuant to section 8 of Maximum Price Regulation 610 by applying an increase factor, to be approved by the Office of Price Administration, Washington, D. C., to maximum prices in effect on January 1, 1941. After such prices, both wholesale and list, are computed in accordance with the approved increase factor they are to be filed with the Office of Price Administration within 48 hours.

The prices authorized by, or to be computed under, the terms with the accompanying amendment are in accord with the provisions of Maximum Price Regulation 610 and the provisions of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18738; Filed, Oct. 15, 1946;  
11:00 a. m.]

[MPR 594, Amdt. 10 to Rev. Order 4]

FORD MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9a of Maximum Price Regulation 594, it is ordered:

Revised Order 4 is amended in the following respect:

1. Paragraph (b) is deleted.

This amendment shall be effective immediately.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 10 to Revised Order 4 under Maximum Price Regulation 594

Paragraph (b) of Revised Order 4 establishes maximum prices for Ford passenger automobiles when sold for export on a knocked down basis. These maximum prices will henceforth be established by letter under Maximum Price Regulation 594. Therefore the amendment which this opinion accompanies deletes paragraph (b) in its entirety.

[F. R. Doc. 46-18745; Filed, Oct. 15, 1946;  
11:03 a. m.]

[MPR 64, Order 330]

PITTSSTON STOVE CO.

## APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes ceiling prices for sales at retail of the six models of gas combination ranges listed below manufactured by the Pittston Stove Company, Pittston, Pennsylvania. For sales by retail dealers to ultimate consumers, the ceiling prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model:	Ceiling prices for sales to ultimate consumers
24-40 with open base.....	\$228.75
44-40 with open base.....	251.00
139-41 with open base.....	236.75
24-40 with closed base.....	234.00
44-40 with closed base.....	256.00
139-41 with closed base.....	242.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his ceiling price by deducting \$9.00 from the ceiling price shown above for his sales on an installed basis. If the retailer sells a stove equipped at the factory with any of the items listed below, he may add to the applicable ceiling price for the stove shown above an amount no greater than that set forth below opposite that item of equipment:

Additional equipment:	Amount which may be added
Buffet shelf No. 38.....	\$21.00
Buffet shelf No. 36.....	20.50
Back guard rail.....	5.00
Antirust water front.....	7.75

In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the applicable OPA retail ceiling prices established by this order for sales of the range to ultimate consumers. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the ceiling price is \$9.00 less than the price shown on the label.

(c) The ceiling prices established by this order supersede those established for the same ranges by Order No. 310 under Maximum Price Regulation No. 64. All the provisions of Maximum Price Regulation No. 64 continue to apply to sales of articles covered by this order, except to the extent that they are modified by this order. The ceiling prices established by this order have been determined in accordance with section 11b of that regulation and may not, therefore, be increased under that section.

(d) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 64 shall apply to the terms used herein.

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

(f) This order shall become effective on the 16th day of October 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 330 Under Maximum Price Regulation 64*

Section 11b (c) of Maximum Price Regulation No. 64 required manufacturers of stoves subject to preticketing by the manufacturer having retail ceiling prices fixed prior to August 19, 1946, to recompute those ceiling prices so as to insure the return to retailers of a percentage markup over their current invoice cost equal to the average percentage markup which they received on sales of the same or similar stoves on March 31, 1946. To achieve this result the manufacturer was required to determine a markup factor for each stove applicable to his current ceiling prices to distributors, or, if he did not sell to distributors, to his largest class of purchaser, by dividing his March 31, 1946, ceiling price to that class by his March 31, 1946, retail ceiling price for his most comparable stove in Zone 1.

The Pittston Stove Company, Pittston, Pennsylvania, hereinafter referred to as the applicant, did not have resale ceiling prices established under Maximum Price Regulation No. 64 on March 31, 1946, for the combination ranges it is now offering for sale. The resale ceiling prices so established were not fixed until after March 31, 1946. Hence the applicant had no models in his line on March 31, 1946, which he could use to determine a markup factor to be applied to his current ceiling prices for sales to his largest buying class of purchaser to enable him to recompute the retail ceiling prices of his ranges in accordance with section 11b (c) of Maximum Price Regulation No. 64. It is, therefore, necessary to issue an order establishing new retail ceiling prices for each stove now in his line under section 11 of Maximum Price Regulation No. 64 which provides that orders may be issued establishing retail ceiling prices whenever a manufacturer's ceiling prices have been determined under the regulation.

The retail ceiling prices established by the accompanying order were determined by dividing the retail ceiling price which would have been established under Maximum Price Regulation No. 64 for the same stove on March 31, 1946, by the applicant's ceiling price to his largest buying class of purchaser as it would have been set under the same regulation on the same date, and applying the resulting markup factor to the applicant's current ceiling price under Maximum Price Regulation No. 64 to the same class of purchaser. The resulting ceiling prices return to the retailers a percentage markup equal to the average percentage markup they would have received on March 31, 1946, in connection with sales

of the same stove. The retail ceiling prices established are, therefore, in accordance with the requirements of section 2 (t) of the Emergency Price Control Act of 1942, as amended, and in line with the level of ceiling prices fixed under Maximum Price Regulation No. 64.

The accompanying order requires compliance with the notification, preticketing, terms of sale and other general provisions of Maximum Price Regulation No. 64.

[F. R. Doc. 46-18584; Filed, Oct. 15, 1946; 8:52 a. m.]

[MPR 188, Order 5232]

LAKE STATES PRODUCTS CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes ceiling prices for sales of the one model of automatic domestic dishwasher manufactured by the Lake States Products Company, Jackson, Michigan.

(1) The ceiling prices for sales by any person to the classes of purchasers named below of the one model of domestic automatic dishwasher manufactured by the Lake States Products Company are as follows:

Article	Ceiling price for sales to—	
	Ultimate consumers	Dealers
Automatic domestic dishwasher with self-contained hot water heater.	Each \$24.50	Each \$145.84

These ceiling prices include delivery but do not include installation.

(2) For sales by the manufacturer these ceiling prices apply to all sales and deliveries since Maximum Price Regulation No. 188 become applicable to those sales and deliveries.

(b) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on any other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method of Maximum Price Regulation No. 188 for the establishment of ceiling prices for those sales and no sales or deliveries may be made until ceiling prices have been authorized by the Office of Price Administration.

(c) The manufacturer shall attach to every dishwasher for which a retail ceiling price is established by this order a tag or label which contains its OPA retail ceiling price, a statement that the retail ceiling price includes delivery, and a statement that the tag or label may not be removed until the article is sold to an ultimate consumer.

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



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

This order shall become effective on the 16th day of October 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Order 5232 Under Maximum Pricing Regulation 188

On September 5, 1946, Lake States Products Company, Jackson, Michigan, applied to the Office of Price Administration for the establishment of its ceiling prices for sales of its automatic dishwasher which it manufactures.

Since the applicant has not previously manufactured an article the ceiling price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be established in line with the level of maximum prices already established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which ceiling prices have been properly established under the regulation. The prices established by this order are in line with the ceiling prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of ceiling prices established by Maximum Price Regulation No. 188.

In view of the shortage in supply of dishwashers and in consonance with the preticketing program instituted by the Office of Price Administration in connection with resales of consumer appliances, the accompanying order establishes ceiling prices for resales at dealer and consumer levels of the dishwasher it covers. The resale ceiling prices established allow the reseller a markup enjoyed by him in connection with his sales of comparable products.

[F. R. Doc. 46-18585; Filed, Oct. 15, 1946; 8:52 a. m.]

[MPR 591, Order 859]

AETNA STANDARD ENGINEERING CO., AND ACE STORM WINDOW CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation 591, It is ordered:

(a) The maximum delivered prices for sales, uninstalled, by any person to consumers of the "Ace" Extruded Aluminum Storm Window and Screen complete with glass, insert screen, wire and hardware, as described in the application dated June 25, 1946 which is on file with the Maximum Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be the list prices, per window size, as follows:

PRICE SCHEDULE  
TWO-LIGHT ALUMINUM COMBINATION STORM SASH AND SCREEN

Window glass size	Unit price (frame, 2-glass inserts, 1-screen insert)	Additional screen insert	Extra glass insert
14 x 15	\$16.15	\$2.46	\$3.04
16	16.41	2.50	3.12
18	16.89	2.61	3.26
20	17.39	2.70	3.41
21	17.63	2.76	3.48
22	17.87	2.81	3.55
24	18.37	2.90	3.70
26	18.89	3.00	3.84
28	19.37	3.11	3.99
30	19.87	3.20	4.14
32	20.37	3.29	4.28
34	20.87	3.38	4.42
36	21.37	3.47	4.56
38	21.87	3.56	4.70
40	22.37	3.65	4.84
42	22.87	3.74	4.98
16 x 15	16.54	2.55	3.20
16	16.80	2.61	3.27
18	17.33	2.70	3.43
20	17.85	2.81	3.59
21	18.11	2.87	3.67
22	18.35	2.90	3.75
24	18.89	3.02	3.91
26	19.41	3.13	4.06
28	19.92	3.22	4.22
30	20.44	3.33	4.38
32	20.96	3.44	4.54
34	21.48	3.55	4.70
36	22.00	3.66	4.86
38	30.03	5.03	6.69
40	30.72	5.17	6.91
42	31.41	5.32	7.12
18 x 15	16.95	2.65	3.35
16	17.22	2.70	3.43
18	17.76	2.79	3.60
20	18.30	2.90	3.77
21	18.56	2.96	3.86
22	18.85	3.02	3.94
24	19.39	3.13	4.11
26	19.92	3.24	4.28
28	20.48	3.35	4.45
30	21.02	3.44	4.62
32	21.57	3.57	4.79
34	22.12	3.69	4.96
36	22.67	3.81	5.13
38	30.96	5.23	7.07
40	31.69	5.37	7.29
42	32.43	5.52	7.52
20 x 15	17.33	2.74	3.50
16	17.63	2.79	3.59
18	18.20	2.90	3.77
20	18.76	3.02	3.95
21	19.04	3.07	4.05
22	19.33	3.13	4.14
24	19.91	3.24	4.32
26	20.46	3.35	4.50
28	21.03	3.46	4.68
30	21.61	3.57	4.87
32	22.16	3.68	5.05
34	22.71	3.79	5.23
36	23.26	3.90	5.41
38	31.75	5.35	7.45
40	32.48	5.49	7.69
42	33.21	5.64	7.93
22 x 15	17.74	2.81	3.65
16	18.02	2.89	3.75
18	18.65	3.00	3.95
20	19.22	3.11	4.14
21	19.52	3.16	4.24
22	19.81	3.24	4.33
24	20.41	3.35	4.53
26	20.98	3.46	4.72
28	21.57	3.57	4.91
30	22.18	3.70	5.11
32	22.77	3.81	5.30
34	23.36	3.93	5.49
36	23.95	4.05	5.68
38	32.72	5.56	7.83
40	33.51	5.72	8.08
42	34.29	5.88	8.33
24 x 15	18.13	2.90	3.81
16	18.44	2.98	3.91
18	19.06	3.09	4.11
20	19.67	3.22	4.32
21	19.98	3.27	4.42
22	20.28	3.33	4.53
24	20.91	3.46	4.73
26	21.51	3.57	4.94
28	22.13	3.70	5.14
30	22.74	3.83	5.35
32	23.37	3.94	5.56
34	24.00	4.05	5.76
36	24.63	4.17	5.96
38	33.66	5.72	8.21
40	34.52	5.88	8.48
42	25.36	6.04	8.75
26 x 15	18.56	3.00	3.96
16	18.85	3.07	4.06
18	19.48	3.18	4.28
20	20.15	3.31	4.50
21	20.44	3.39	4.61

PRICE SCHEDULE—Continued  
TWO-LIGHT ALUMINUM COMBINATION STORM SASH AND SCREEN—continued

Window glass size	Unit price (frame, 2-glass inserts, 1-screen insert)	Additional screen insert	Extra glass insert
26 x 22	\$20.78	\$3.44	\$4.72
24	21.40	3.57	4.94
26	22.05	3.70	5.16
28	22.63	3.83	5.38
30	23.33	3.94	5.59
32	23.98	4.07	5.81
34	24.63	4.20	6.02
36	25.28	4.33	6.23
38	34.57	5.95	8.59
40	35.44	6.12	8.67
42	36.31	6.29	9.15
27 x 15	18.72	3.65	4.03
16	19.06	3.11	4.15
18	19.70	3.24	4.37
20	20.35	3.37	4.59
21	20.68	3.44	4.71
22	21.02	3.50	4.82
24	21.66	3.63	5.04
26	22.31	3.76	5.27
28	22.96	3.89	5.49
30	23.62	4.01	5.71
32	24.27	4.14	5.94
34	24.92	4.27	6.16
36	25.57	4.40	6.38
38	34.96	6.04	8.80
40	35.83	6.21	9.09
42	36.59	6.39	9.39
28 x 15	18.93	3.09	4.11
16	19.28	3.16	4.22
18	19.92	3.29	4.45
20	20.59	3.42	4.68
21	20.92	3.48	4.80
22	21.26	3.55	4.91
24	21.90	3.68	5.14
26	22.57	3.81	5.38
28	23.24	3.94	5.61
30	23.92	4.07	5.84
32	24.57	4.20	6.07
34	25.22	4.33	6.30
36	25.87	4.46	6.53
38	35.36	6.12	9.01
40	36.23	6.29	9.32
42	37.09	6.47	9.63
30 x 15	19.33	3.18	4.26
16	19.67	3.26	4.38
18	20.36	3.39	4.63
20	21.03	3.52	4.87
21	21.39	3.59	4.99
22	21.74	3.66	5.11
24	22.42	3.79	5.35
26	23.11	3.92	5.59
28	23.79	4.05	5.84
30	24.49	4.20	6.08
32	25.18	4.33	6.32
34	25.87	4.46	6.56
36	26.56	4.59	6.80
38	36.36	6.29	9.39
40	37.28	6.47	9.71
42	38.20	6.64	10.03
32 x 15	19.72	3.22	4.41
16	20.07	3.35	4.54
18	20.79	3.48	4.80
20	21.50	3.63	5.05
21	21.85	3.68	5.18
22	22.20	3.76	5.30
24	22.92	3.90	5.56
26	23.64	4.04	5.81
28	24.35	4.18	6.07
30	25.05	4.32	6.32
32	25.77	4.46	6.58
34	26.49	4.60	6.84
36	27.21	4.74	7.10
38	37.24	6.51	9.81
40	38.20	6.69	10.16
42	39.16	6.88	10.51
34 x 15	20.11	3.37	4.57
16	20.50	3.44	4.70
18	21.22	3.57	4.97
20	21.96	3.72	5.23
21	22.33	3.79	5.37
22	22.68	3.87	5.50
24	23.44	4.01	5.76
26	24.16	4.14	6.03
28	24.90	4.29	6.30
30	25.62	4.44	6.56
32	26.38	4.59	6.83
34	27.14	4.74	7.10
36	27.90	4.89	7.37
38	38.21	6.72	10.19
40	39.23	6.92	10.56
42	40.24	7.12	10.91
36 x 15	20.52	3.46	4.76
16	20.89	3.53	4.82
18	21.66	3.68	5.14
20	22.42	3.83	5.41
21	22.79	3.90	5.55
22	23.16	3.98	5.69
24	23.94	4.13	5.97
26	24.70	4.27	6.25
28	25.46	4.42	6.53
30	26.21	4.57	6.81

PRICE SCHEDULE—Continued

TWO-LIGHT ALUMINUM COMBINATION STORM SASH AND SCREEN—continued

Window glass size	Unit price (frame, 2-glass inserts, 1-screen insert)	Additional screen insert	Extra glass insert
32 x 32	\$26.97	\$4.72	\$7.09
34	27.73	4.87	7.37
36	28.49	5.02	7.65
38	29.25	5.17	7.93
40	30.01	5.32	8.21
42	30.77	5.47	8.49
38 x 15	21.71	4.35	4.87
16	22.09	4.43	5.02
18	22.89	4.57	5.31
20	23.67	4.72	5.60
21	24.05	4.80	5.74
22	24.44	4.87	5.89
24	25.22	5.04	6.18
26	26.03	5.14	6.47
28	26.81	5.33	6.76
30	27.59	5.48	7.05
32	28.38	5.63	7.34
34	29.17	5.78	7.63
36	29.97	5.93	7.92
38	30.77	6.08	8.21
40	31.57	6.23	8.50
40 x 15	23.15	4.43	6.06
16	23.61	4.52	6.27
18	24.53	4.67	6.70
20	25.50	4.83	7.13
21	25.94	4.91	7.35
22	26.42	4.98	7.56
24	27.35	5.15	7.99
26	28.27	5.30	8.42
28	29.22	5.46	8.85
30	30.16	5.61	9.28
32	31.10	5.78	9.71
34	32.04	5.93	10.14
36	32.98	6.08	10.57
38	33.93	6.23	11.00
40	34.88	6.38	11.43
42 x 15	23.55	4.52	6.20
16	24.03	4.60	6.42
18	25.00	4.76	6.87
20	25.97	4.95	7.32
21	26.45	5.01	7.54
22	26.93	5.09	7.77
24	27.90	5.25	8.22
26	28.86	5.41	8.66
28	29.83	5.57	9.11
30	30.80	5.74	9.56
32	31.76	5.90	10.01
34	32.73	6.06	10.46
36	33.70	6.22	10.91
38	34.67	6.38	11.36
40	35.64	6.54	11.81
44 x 15	23.91	4.61	6.34
16	24.42	4.70	6.58
18	25.42	4.87	7.04
20	26.42	5.04	7.51
21	26.92	5.11	7.75
22	27.42	5.20	7.98
24	28.42	5.36	8.45
26	29.42	5.54	8.92
28	30.42	5.70	9.39
30	31.42	5.87	9.86
32	32.42	6.04	10.33
34	33.42	6.20	10.80
36	34.42	6.36	11.27
38	35.42	6.52	11.74
40 x 15	24.33	4.70	6.48
16	24.84	4.79	6.72
18	25.87	4.96	7.21
20	26.90	5.13	7.70
21	27.42	5.21	7.95
22	27.93	5.30	8.19
24	28.96	5.47	8.69
26	29.99	5.64	9.17
28	31.02	5.81	9.66
30	32.05	5.99	10.15
32	33.08	6.16	10.64
34	34.11	6.33	11.13
36	35.14	6.50	11.62

(b) The maximum delivered prices for sales of the commodity subject to this order to dealers by any person shall be the list prices set forth in paragraph (a) above, reduced by 33 1/3 per cent.

(c) The maximum prices f. o. b. point of shipment for sales to distributors by any person shall be the list prices set forth in paragraph (a) above, reduced by successive discounts of 40 and 10 per cent.

(d) The maximum prices on an installed basis on sales to consumers shall be the list prices set forth in paragraph

(a) above, plus either the actual cost of installation, which shall in no event exceed \$2.00 per window, or the charge established in the appropriate area order, whichever is lower.

(e) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) Except on sales to consumers, any seller affected by this order shall give written notice to each of his purchasers of the maximum resale prices established by this order for such purchasers. Such notice shall be given at or before the issuance of the first invoice after the effective date of this order.

(g) Aetna Standard Engineering Co. and/or Ace Storm Window Co. shall attach a tag to each item covered by this order, which shall contain substantially the following:

OPA maximum retail price uninstalled \$..... Including freight and crating. A charge for installation may be added not to exceed the lower of the following: Actual cost of installation, not to exceed \$2.00 per window, or the maximum price established by any applicable OPA area order.

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

This order shall become effective October 16, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Order No. 859 Under Section 9 of Maximum Price Regulation 591

The accompanying Order No. 859 under section 9 of Maximum Price Regulation 591 establishes maximum prices for sales of the various window sizes of the Ace Aluminum Combination Storm Windows and Screens. The subject article is manufactured by the Aetna Standard Engineering Co. and the Ace Storm Window Co., both companies acting together in a joint enterprise. The order establishes list prices for uninstalled sales to consumers, as well as maximum prices for the various levels of distribution, and a formula for determining the installation charge to the consumer.

The application, dated June 25, 1946, was submitted by Ace Storm Window Co. but in subsequent conference it was represented to the Office of Price Administration by both of the above companies that they desire to carry on jointly the manufacturing of the subject storm windows. The Ace Storm Window Co. is the owner of patents and designs for the units which are to be fabricated in the Aetna Standard Engineering Co.'s plant.

The maximum prices per window size, etc., established by this order are in line with prices of comparable commodities. The margins provided for the various classes of resellers by the prices and markups established in this order are in

line with margins enjoyed by comparable resellers of similar commodities, and conform to the customary practice of the industry, as does the installation charge provided therein.

[F. R. Doc. 46-18552; Filed, Oct. 15, 1946; 8:54 a. m.]

YORK INDUSTRIES, INC.

[MPR 188, Order 5233]

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) This order established maximum prices for sales and deliveries of the safes and chests listed below manufactured by York Industries, Inc.

(1) For all sales and deliveries by York Industries, Inc., to Diebold, Inc. the maximum prices are those set forth below:

Article	Model No.	Maximum price for sales to Diebold, Inc.
<i>Each</i>		
Safe	1410-1	\$23.65
Safe	1410-1Y	20.90
Safe	5536-1	145.75
Safe	5536-1E	161.15
Safe	2015-1	39.05
Safe	1713-1	30.25
Safe	2015-1Y	35.75
Safe	2515-1	45.65
Safe	4020-1E	90.75
Safe	1713-1Y	27.50
Safe	2515-1Y	41.25
Safe	4020-1	79.20
Safe	2015-2	57.20
Safe	2515-2	66.00
Chest	531	40.13
Chest	485	158.89
Chest	474	60.72
Chest	480	106.66
Chest	475	66.00

(2) For sales by persons other than the manufacturer the prices shall be the prices set forth in the catalog and price lists of the York Safe and Lock Company as in effect during October 1941 for sales in each zone as designated in these catalogs and price lists and subject to the same terms and conditions of sales to each class of purchaser.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The prices established by this order may be increased by 21 percent which is authorized by Order No. 274 issued under Revised Supplementary Order No. 119, on July 29, 1946, for the manufacturer's prices.

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

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

(e) This order shall become effective on the 16th day of October 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Order 5233 Under Maximum Price Regulation 188*

The accompanying order under § 1499.158 of Maximum Price Regulation No. 188 establishes ceiling prices for sales of certain safes manufactured by York Industries, Inc. Maximum prices are established for sales by the manufacturer and for sales by purchasers for resale.

York Industries, Inc., formerly known as the York Safe and Lock Company, York, Pennsylvania, who were formerly in the business of manufacturing safes and selling them both to consumers and to purchasers for resale. From information which has been submitted to the Office, it has been indicated that the company has discontinued its general operations insofar as they relate to the general manufacture and sale of safes and is limiting its activities in regard to safes to the manufacture of safes for sales solely to Diebold, Inc., Canton, Ohio. This company is reselling safes directly to consumers and may also make sales to other persons who will in turn sell to consumers.

Since the York Industries, Inc. had never sold to a class of purchaser of the same class as Diebold, Inc., it was necessary to establish maximum prices for the manufacturer's sales to this purchaser under the Fourth Pricing Method of Maximum Price Regulation No. 188. Accordingly, on June 25, 1946, Order No. L-4154 under § 1499.158 of Maximum Price Regulation No. 188 was issued.

It also appears that Diebold, Inc. in respect to most sales which it will make of these safes which are the same as those which York Safe and Lock Company formerly manufactured and sold under its own name, is not the successor to the York Safe and Lock Company under the provisions of the General Maximum Price Regulation as incorporated into Maximum Price Regulation No. 188 since it is not conducting its business from places which are different from those in which it formerly did business. It will therefore be necessary for Diebold, Inc. to establish its prices as a new seller. If Diebold, Inc. determined its prices under the applicable provisions of the General Maximum Price Regulation it will be necessary to file a great number of individual applications because of the number of places of business from which sales would be made. Under those provisions it also appears that the resulting prices would not be the same as the prices at which the particular safes were sold to the same classes of purchasers by the York Safe and Lock Company. Accordingly, it has been deemed advisable to establish resellers' prices by an order under the Fourth Pricing Method of Maximum Price Regulation No. 188 in accordance with the provi-

sions of section 6.4 of Second Revised Supplementary Regulation 14 which provides that orders establishing manufacturers' prices may also establish resellers' prices which otherwise would be determined under the General Maximum Price Regulation. The accompanying order is therefore issued. The maximum prices established thereby for sales by York Industries, Inc. to Diebold, Inc. are the same as those established by Order No. L-4154. Prices established for sales by Diebold, Inc. and other purchasers for resale are the same which the York Safe and Lock Company had in effect during October 1941 for sales in each zone as specified in its catalogues and price lists in effect at that time.

York Industries, Inc. has received an adjustment of its ceiling prices by Order No. 274, issued on July 29, 1946 under the provisions of Revised Supplementary Order No. 119. In conformity with the provisions of that order and the provisions of Revised Order No. 11 under § 1499.159e of Maximum Price Regulation No. 188, the maximum prices established by this accompanying order, may be increased by 21%, which was the authorized percentage increase in York Industries, Inc. manufacturer's prices which was provided by Order No. 274.

[F. R. Doc. 46-18586; Filed, Oct. 15, 1946; 8:53 a. m.]

[MPR 592, Amdt. 1 to Order 103]

UNITED CLAY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order 103 under section 16 of Maximum Price Regulation No. 592, specified construction materials and refractories. United Clay Products Co. Docket No. 6122-592.16-286.

For reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, *It is ordered*, That Order 103 under section 16 of Maximum Price Regulation 592, effective August 10, 1946, is amended as follows:

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

(a) The maximum net prices, in effect on August 9, 1946, for sales by the United Clay Products Company, Washington, D. C., of clay building brick produced by the United Brick Corporation, Washington, D. C., to its various classes of purchasers may be increased by an amount not in excess of \$4.00 per M for standard size brick equivalent.

2. Paragraph (c) is amended to read as follows:

(c) Any person purchasing any of the products covered by this order from the United Clay Products Company as produced by the United Brick Corporation, Washington, D. C., for the purpose of resale in the same form may increase his maximum resale prices, in effect on August 9, 1946, by adding the percentage increase in cost actually resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area

where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

This amendment shall become effective October 16, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amdt. 1 to Order 103 Under Section 16 of Maximum Price Regulation 592*

The accompanying amendment to Order 103 under section 16 of Maximum Price Regulation 592 permits the United Clay Products Company, Washington, D. C., to increase its maximum prices, established by Order 103 for brick produced by its subsidiary, the United Brick Corporation, by an additional amount not in excess of \$1.25 per M for standard size brick equivalent. This results in a total increase of \$4.00 per M for standard size brick permitted under Order 103. This increase is predicated upon increased labor costs resulting from the granting of certain wage and salary increases approved in accordance with Executive Order 9697.

Previously, in Order 103, effective August 10, 1946, the United Clay Products Company was permitted an adjustment of \$2.75 per M for brick produced by the United Brick Corporation. That action was based upon an analysis of the cost and financial data for the years 1936 to 1939, inclusive, 1941, 1945 and the first four months of 1946, both for the applicant's over-all operations and for those of its subsidiary, and the adjustment granted was computed to enable the applicant to recover total costs plus a reasonable profit on its subsidiary's brick production. After reflecting into the 1946 data the approved wage increase, it appears that the increased labor cost no longer permits the applicant to earn a reasonable profit on its subsidiary's brick operations. Accordingly, the accompanying amendment permits an additional adjustment of \$1.25 per M, which will return to the company a reasonable profit on this commodity; the increase thereby totals \$4.00 per M.

Resellers, (except in areas where specific maximum prices are established by area orders), are permitted to increase their existing maximum prices by the percentage increase in cost to them resulting from the increase granted the manufacturers. Thus, these resellers will continue to realize the same percentage margin. The accompanying amendment does not, however, permit resellers to increase their maximum prices where such prices are established by dollars-and-cents area pricing orders. In the latter case, appropriate adjustments of such orders will be made where necessary.

[F. R. Doc. 46-18553; Filed, Oct. 15, 1946; 8:53 a. m.]

[MPR 580, Rev. Order 205]

DR. A. POSNER SHOES, INC.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Revised Order 205. Establishing ceiling

prices at retail for certain articles. Docket No. 6063-580-13-811.

Order 205 is redesignated Revised Order 205 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles distributed at wholesale by Dr. A. Posner Shoes, Inc., 137 Duane Street, New York, New York, having the brand name "Dr. Posner."

Wholesaler's unadjusted selling price <sup>1</sup>	Retail ceiling price		
	Except in Far West <sup>2</sup> and Far South <sup>3</sup>	In Far West	In Far South
\$1.53	\$3.05	\$3.55	\$3.55
2.14	3.60	4.10	4.10
2.42	4.05	4.55	4.55
2.52	4.20	4.70	4.70
2.68	4.50	5.00	5.00
2.75	4.60	5.10	5.10
2.85	4.75	5.25	5.25
3.16	5.30	5.80	5.80
3.21	5.35	5.85	5.85
3.37	5.60	6.10	6.10
3.40	5.70	6.20	6.20
3.60	6.00	6.50	6.50
3.62	6.05	6.55	6.55
3.70	6.20	6.70	6.70
3.72	6.20	6.70	6.70
3.88	6.45	6.95	6.95
4.05	6.75	7.25	7.25
4.12	6.85	7.35	7.35
4.22	7.00	7.50	7.50
4.87	8.00	8.50	8.50
4.97	8.25	8.75	8.75

<sup>1</sup> Wholesaler's Unadjusted Selling Price means the wholesaler's price prior to any adjustment received pursuant to Supplementary Regulation 14E or Maximum Price Regulation 210.

<sup>2</sup> Far West includes only Colorado, Wyoming, New Mexico, Arizona, Idaho, Montana, Utah, Nevada, California, Oregon, and Washington.

<sup>3</sup> Far South includes only South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same unadjusted selling price to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after November 1, 1945, Dr. A. Posner Shoes, Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price—\$-----

On and after December 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to December 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, Dr. A. Posner, Shoes, Inc., as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order.

(e) At the time of or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order and, hereafter, any subsequent amendment thereto.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 16, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Revised Order 205 Under Maximum Price Regulation No. 580*

The accompanying revised order No. 205 embodies the original order and all subsequent amendments thereto, issued to Dr. A. Posner, Shoes, Inc., 137 Duane Street, New York 13, New York, under section 13 of Maximum Price Regulation 580, and also increases the uniform retail ceilings for certain shoe styles covered by this order for which the suppliers have received a price increase under Amendment 3 to Supplementary Order 162. Furthermore, to conform with existing regulations, the marketing, tagging and posting provision has been revised.

[F. R. Doc. 46-18744; Filed, Oct. 15, 1946; 11:02 a. m.]

[MPR 188, Amdt. 1 to Order 5105]

HAND TOOLS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered* that Order No. 5105 under Maximum Price Regulation is amended in the following respect:

1. There is added to the list of articles in paragraph (b) of section 3 the following:

Article:	<i>Percentage increase in manufacturers maximum prices</i>
Stillson type pipe wrenches.....	22

This amendment shall become effective on the 21st day of October 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

*Opinion Accompanying Amendment No. 1 to Order No. 5105 Under Maximum Price Regulation No. 188*

The accompanying amendment to Order No. 5105 under Section 1499.159b of Maximum Price Regulation No. 188 grants tool manufacturers an increase of 22% in their maximum prices as determined under Maximum Price Regulation No. 188 for their sales of Stillson type pipe wrenches. The increase is the total increase over Maximum Price Regulation No. 188 prices allowed by the order and is not in addition to the 5% previously granted on "mechanics hand service tools" into which category pipe wrenches fall.

The increases in tool prices previously authorized by Order 5105 were made in accordance with a long established price adjustment standard known as the "industry earnings standard". An exposition of the standard and of the method used in calculating increases required by it is to be found in the opinion accompanying the order.

At a recent informal meeting between OPA officials and a majority of the manufacturers of Stillson wrenches, the manufacturers claimed that their present ceiling prices for these articles, which constituted a relatively small proportion of their total sales, were less than their manufacturing costs. They pointed out that Stillson wrenches had for many years prior to the war been sold by most manufacturers as a loss item, and that increases in cost of labor and materials had increased the per unit loss to an unreasonable extent and that for that reason production of these important low-end tools had been curtailed.

In support of the statements made at the meeting, three manufacturers who have cost breakdowns, submitted data on their unit factory costs of various sizes of wrenches and proportions of sales of each size to their total sales of Stillson wrenches. Data regarding unit costs of producing Stillson wrenches were available from an adjustment application filed by a fourth manufacturer. These four manufacturers constituted a majority of the producers and account for the bulk of the output. From this data there was determined for each company the percentage amount by which the weighted average unit factory cost exceeded the average maximum price under Maximum Price Regulation No. 188. These percentage amounts were then averaged because inter-company production weights were not available. It was determined that an increase of 22% over the manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 188, exclusive of the 5% adjustment afforded by Order 5105, was necessary to cover the average factory costs of Stillson type wrenches.

In the opinion of the Administrator the adjusted prices permitted by the amendment will enable manufacturers to resume or expand production of these

lower priced articles which manufacturers have refrained from producing because of the disparities between their costs and their ceiling prices.

Provisions of Order 5105 and Maximum Price Regulation No. 614 authorize increases in the maximum prices of wholesalers and retailers respectively for articles for which manufacturers are granted an adjustment in the accompanying amendment which preserve resellers average percentage discounts or mark-ups in effect on March 31, 1946 as required by the Emergency Price Control Act as now amended.

[F. R. Doc. 46-18752; Filed, Oct. 15, 1946; 11:06 a. m.]

[MPR 610, Amdt. 1 to Order 5]

WHITE MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7 of Maximum Price Regulation 610, *It is ordered:*

Order 5 under Maximum Price Regulation 610 is amended in the following respect:

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

(i) The Company shall multiply its January 1, 1941 list price for each item of extra or optional equipment by the increase factor approved by the Office of Price Administration for adjusting the Company's January 1, 1941 prices under section 8 of Maximum Price Regulation 610. In the event the Company shall make changes in the specifications, design, material or equipment of any item of extra or optional equipment the maximum price for which has been previously established in accordance with the provisions of this paragraph (i) it shall increase or decrease, as the case may be, the list price then in effect by the amount approved by letter or order of the Office of Price Administration under section 7 of Maximum Price Regulation 610 to reflect the net difference in direct materials and direct labor resulting from any changes in specification, design, material or equipment.

This amendment shall become effective October 17, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 1 to Order 5 under Maximum Price Regulation 610

The amendment which this opinion accompanies effects a change in Order 5 under Maximum Price Regulation 610 to enable the Company to compute maximum prices under section 7 for extra or optional equipment where there are changes in specification, design, material or equipment.

Order 5 prior to this amendment required the Company to compute an adjusted list price for optional equipment by increasing its January 1, 1941 list price

by an increase factor approved by this Office pursuant to section 8. This amendment permits the Company to increase or decrease, as the case may be, the adjusted list price by an amount approved by this Office under section 7 of Maximum Price Regulation 610 to reflect the net difference in direct materials and direct labor costs resulting from any changes in specification, design, material or equipment.

The amendment will obviate the necessity of amending Order 5 each time there is a change in the specifications of an item of optional equipment and will lighten the administrative burden considerably.

[F. R. Doc. 46-18737; Filed, Oct. 15, 1946; 11:00 a. m.]

[MPR 478, Amdt. 2 to Rev. Order 168]

COATED FABRICS

AUTHORIZATION OF SALES AT ADJUSTABLE MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 17 of Maximum Price Regulation 478, *It is ordered:*

The last literary sentence in the second paragraph of Revised Order 168 is revoked and the following sentence is substituted therefor:

This order is automatically revoked when the Office of Price Administration changes the existing maximum prices for sales covered by this order, or on November 15, 1946, whichever is earlier.

This amendment shall become effective October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 2 to Revised Order 168 Under Maximum Price Regulation 478

The accompanying amendment extends the expiration date of Revised Order 168 to Maximum Price Regulation 478 from October 15, 1946, to November 15, 1946.

Revised Order 168 and Amendment 1 thereto were originally issued to promote continued distribution of coated fabrics during a period of rising textile prices and pending issuance of price relief from this Office. The price relief which has thus far been granted took into account increased textile costs experienced by the coated fabric manufacturing industry up to August 5, 1946. Textile prices have been increasing at a monthly rate with the result that the industry has not received compensation for a number of textile cost increases experienced by them since August 5, 1946.

At the time Amendment 1 was issued it was believed that action would be taken by this Office before October 15, 1946, which would allow manufacturers, wholesalers, and supply jobbers who are covered by Revised Order 168 to obtain automatic adjustment of such increased costs. Such action will not be taken prior to October 15, 1946, because the necessary studies have not been completed. It is believed that the proposed

price revision to Maximum Price Regulation 478 will be completed on or before October 31, 1946.

The reasons given in the opinion accompanying Amendment 1 to Revised Order 168 apply to the action here taken.

[F. R. Doc. 46-18742; Filed, Oct. 15, 1946; 11:02 a. m.]

[MPR 610, Amdt. 1 to Order 23]

AVAILABLE TRUCK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 7 of Maximum Price Regulation 610, *It is ordered:*

Order 23 under Maximum Price Regulation 610 is amended in the following respects:

1. The factory selling price for the Models No. C250 SP and CS250 SP appearing in paragraph (a) (1) are amended to read as follows:

Chassis Model No.:	Factory selling price
C250 SP.....	\$2,308
CS250 SP.....	2,518

2. The list price for the Models No. C250 SP and CS250 SP appearing in paragraph (c) (1) are amended to read as follows:

Chassis Model No.:	List price f. o. b. factory
C250 SP.....	\$2,816
CS250 SP.....	3,072

This amendment shall be effective October 17, 1946, for truck models C250 SP and CS250 SP sold by the Available Truck Company on and after October 17, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 1 to Order 23 under Maximum Price Regulation 610

The Available Truck Company, Chicago, Illinois, has applied for an adjustment in the maximum prices authorized for its model C 250 SP and its model CS 250 SP trucks by Order No. 23 under Maximum Price Regulation 610. The application was filed pursuant to section 7 of Maximum Price Regulation 610 for an amount sufficient to reflect the net difference in direct material and direct labor costs due to changes in the specifications, design, materials or equipment of these two models.

When Order 23 was originally issued the opinion accompanying the order noted that no allowance had been made for these changes because the Company did not make such a request. Now, however, the Company has submitted the necessary information and requests the increases. This action grants the increase as authorized by section 7 of the regulation.

This action is in accordance with the provisions of Maximum Price Regulation 610 and the provisions of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18739; Filed, Oct. 15, 1946; 11:01 a. m.]

[MPR 594, Amdt. 7 to Order 7]

CHRYSLER CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9a of Maximum Price Regulation 594, It is ordered: Order 7 under Maximum Price Regulation 594 is amended in the following respects:

1. The schedule in paragraph (a) (2) is amended by adding the following items of extra or optional equipment and applicable net wholesale price:

Description	Net wholesale price
Accessory group "CX" (convertible coupe only):	
Back-up light.....	} \$37.85
Bumper end buffer plates, front.....	
Bumper end buffer plates, rear.....	
Cigar lighter.....	
Clock, electric.....	
Directional signal lights.....	
Wheel covers, plastic.....	
Accessory group "CCX" (convertible coupe only):	
Back-up light.....	} 17.48
Front bumper end plates.....	
Rear bumper end plates.....	
Directional signal lights.....	

2. The schedule in paragraph (d) (2) is amended by adding the following items of extra or optional equipment and applicable net wholesale price:

Description	Net wholesale price
Accessory group "CX" (convertible coupe only):	
Back-up light.....	} \$39.74
Bumper end buffer plates, front.....	
Bumper end buffer plates, rear.....	
Cigar lighter.....	
Clock, electric.....	
Directional signal lights.....	
Wheel covers, plastic.....	
Accessory group "CCX" (convertible coupe only):	
Back-up light.....	} 18.38
Front bumper end plates.....	
Rear bumper end plates.....	
Directional signal lights.....	

3. The schedule in paragraph (f) (2) is amended by adding the following items of extra or optional equipment and applicable factory retail price:

Description	Factory retail price
Accessory group "CX" (convertible coupe only):	
Back-up light.....	} \$54.05
Bumper end buffer plates, front.....	
Bumper end buffer plates, rear.....	
Cigar lighter.....	
Clock, electric.....	
Directional signal lights.....	
Wheel covers, plastic.....	
Accessory group "CCX" (convertible coupe only):	
Back-up light.....	} 23.95
Front bumper end plates.....	
Rear bumper end plates.....	
Directional signal lights.....	

This amendment shall become effective October 15, 1946.

Issued this 15th day of October 1946.

PAUL A. PORTER,  
Administrator.

Opinion Accompanying Amendment 7 to Order 7 Under Maximum Price Regulation 594

The amendment which this opinion accompanies establishes pursuant to sec-

tion 9a maximum prices for two new accessory groups when sold as original equipment with the Dodge Convertible Coupe. The groups are designated "CX" and "CCX" and consist of the same items of optional equipment as groups "C" and "CC" respectively except that a back-up light is added as an additional item in each group. The net wholesale price for company sales of group "CX" was computed by adding to the established net wholesale price of group "C" the additional cost of direct materials and direct labor of the back-up light. The same procedure was followed for group "CCX" based on the established price of the group "CC." In these circumstances the prices requested by the Chrysler Corporation for its sales are in accordance with section 9a and are approved.

Wholesale and retail maximum prices for these new groups of optional equipment are also established by this amendment. These retail prices allow to resellers their customary pre-war margin over acquisition cost.

The maximum prices authorized in this action are in accordance with Maximum Price Regulation 594 and the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18746; Filed, Oct. 15, 1946; 11:03 a. m.]

Regional and District Office Orders.

[Region IV, 2d Rev. Order G-10 Under RMPR 122, Amdt. 8]

SOLID FUELS IN HENRICO AND HANOVER COUNTIES, PART OF CHESTERFIELD COUNTY, AND CITY OF RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (f) (2) of Second Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 issued by this office on April 18, 1945, is amended to read as follows:

(f) \* \* \*

(2) Coal sold in 12-pound bags. (a) When High Volatile Stove or Nut coal is sold to consumers in 12-pound bags at a retail establishment or at a dealer's yard, the maximum prices are 11¢ each and 30¢ for three if sold in one sale.

(b) When High Volatile Stove or Nut coal is sold to consumers in 12-pound bags and delivered to the consumer's residence, the maximum price is 11¢ per bag.

(c) When High Volatile Stove or Nut coal is sold to retailers in 12-pound bags, the maximum price is 9¢ per bag.

Effective date. This amendment shall become effective July 27, 1946.

Issued July 27, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

Opinion Accompanying Amendment No. 8 to Second Revised Order No. G-10 Under Revised Maximum Price Regulation No. 122

Amendment No. 8 to Second Revised Order No. G-10 under Revised Maximum

Price Regulation No. 122 issued simultaneously herewith permits increases in the price of High Volatile Stove and Nut coal sold to consumers in 12 pound bags and is justified by the increases in prices at the mines by Amendment 158 to Maximum Price Regulation No. 120.

[F. R. Doc. 46-18569; Filed, Oct. 15, 1946; 8:48 a. m.]

[Region VIII Rev. Order G-98 Under Gen. MPR, Amdt. 5]

LUMBER IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-98 under § 1499.18 (c) of the General Maximum Price Regulation is amended in the following respect:

Subparagraph (2) under paragraph (c) is amended to read as follows:

(2) For other thicknesses, adjust the price of the same grade of lumber of 4/4" thickness as follows:

If thickness is—	Multiply price for 4/4" by—
2/4 inches.....	65 percent.
5/8 inches.....	75 percent.
3/4 inches.....	85 percent.
5/4 inches.....	102 percent.
6/4 inches.....	103 percent.
8/4 inches.....	107 percent.
10/4 inches.....	115 percent.
12/4 inches.....	125 percent.

Even out to nearest quarter dollar.

This amendment shall become effective October 17, 1946.

Issued this 7th day of October 1946.

BEN C. DUNIWAY,  
Regional Administrator.

Opinion Accompanying Amendment No. 5 to Revised Order No. G-98 Under § 1499.18 (c) of the General Maximum Price Regulation

This amendment establishes prices for certain specified thicknesses of lumber covered by this order, other than those thicknesses already listed in subparagraph (c) (2) of the order.

The purpose in establishing these prices was to enable sellers to price these odd thicknesses without resort to the Regional Administrator of the Office of Price Administration for the determination of a price; thereby, the pricing has been facilitated for sellers and the administrative load entailed in the processing of applications has been eliminated.

The maximum prices established by this amendment represent no increase and are in line with those already established by the order for other thicknesses of lumber.

In the opinion of the Regional Administrator the action taken is generally fair and equitable and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended, and the Executive Orders supplementary thereto.

[F. R. Doc. 46-18568; Filed, Oct. 15, 1946; 8:48 a. m.]

[Scranton Adopting Order 7 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

**BUILDING AND CONSTRUCTION MATERIALS IN THE SUNBURY, PA., AREA**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the FEDERAL REGISTER, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director of the Scranton District Office, *It is hereby ordered:*

1. Adopting Order No. 7 as amended, under Basic Order No. 1, as amended, under General Order 68, as amended, is

hereby further amended by substituting for the schedule attached to said order as amended, the amended schedule known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 7, as amended, under Basic Order No. 1, as amended, under General Order No. 68, as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 7th day of October 1946.

JOHN A. HART,  
District Director.

**SCHEDULE**

Maximum prices for certain building and construction materials in the Sunbury area consisting of the townships of Sunbury, Selinsgrove, Northumberland, Lower Augusta, Rockefeller, Upper Augusta and point in Northumberland County; The township of Union in Union County; and the townships of Monroe, Penn and Union in Snyder County all in the State of Pennsylvania, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item	Maximum delivered price		Maximum yard price	
	Amount	Unit	Amount	Unit
Plaster, hard wall.....	\$18.50	Ton.....	\$1.00	Bag, 100 pound.
Plaster gauging.....	2.00	Bag, 100 pound.....		
Keene's cement.....	2.50	do.....		
Finishing lime.....	.67	Bag, 50 pound.....		
	22.40	Ton.....		
Gypsum lath 3/4".....	30.00	1,000 feet.....	28.00	1,000 feet.
Portland cement.....	.765	100 pound bag.....	.715	Bag, 100 pound.
Masonry mortar.....	14.30	Ton.....	.715	Bag, 70 pound.
Mason's hydrated lime.....	17.92	do.....	.50	Bag, 50 pound.
Clay drain tile 5".....	.06 1/2	Per foot.....		
Clay drain tile 4".....	.07	do.....		
Vitrified clay sewer pipe No. 18S-4".....	.16	do.....		
Vitrified clay sewer pipe No. 18S-6".....	.24	do.....		
Flue lining 9 x 9.....	.32	do.....		
Flue lining 9 x 13.....	.48	do.....		
Flue lining 13 x 13.....	.605	do.....		
Gypsum wallboard 3/4".....	40.00	1,000 feet.....		
Asphalt roofing—50 pound—mineral surface.....	2.65	Roll.....		
Asphalt shingles, 210-pound (3 in 1) thickbutt.....	6.00	Per square.....		
Asphalt shingles, 165-pound, 2 tab. hexagon.....	4.45	do.....		

*Opinion Accompanying Amendment No. 2 to Adopting Order No. 7 Under Basic Order No. 1, as Amended, Under General Order No. 63, as Amended*

The accompanying amendment gives effect to manufacturers' increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, to wit, August 29, 1946, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to the amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-18566; Filed, Oct. 15, 1946; 8:49 a. m.]

[Region IV 2d Rev. Order G-2 Under RMPR 122]

**SOLID FUELS IN CLARKE COUNTY, GA.**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised

Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Clarke County, Georgia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous order.* This order supersedes Revised Order No. G-2 under Re-

vised Maximum Price Regulation No. 122 and any Amendment and Supplementary Orders thereunder previously issued by this Office. Said Revised Order No. G-2, the amendment and supplementary orders thereunder are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

**BITUMINOUS COAL**

Size	Per ton, 2,000 pounds	Per 1/2 ton, 1,000 pounds	Per 1/4 ton, 500 pounds	Per 1/10 ton, 100 pounds
From district No. 13: Montevallo 8" block.....	\$12.58	\$6.54	\$3.40	\$0.67
From district No. 8: 5" to 6" Harlan or Jellico lump or block (premium).....	11.52	6.01	3.14	.63
5" to 6" Harlan or Jellico lump or block (regular) and 2 1/2" x 5" and 3" x 6" Harlan or Jellico egg (premium).....	11.02	5.76	3.01	.60
2 1/2" x 5" and 3" x 6" Harlan or Jellico egg (regular) and 0" to 1 1/4" stoker.....	10.52	5.51	2.89	.58
Nut and slack.....	7.42	3.96	2.11	.42

(1) The maximum price for any quantity less than 100 pounds of the above coals shall be determined by adding \$1.00 to the applicable per ton price named herein and dividing the sum by the proportionate divisor. For example, the maximum price for 50 pounds of Montevallo 8" Block would be determined as follows:

\$12.58 plus \$1.00 = \$13.58  
50 pounds = 1/40 of 2,000 pounds  
\$13.58 ÷ 40 = \$0.34, which is the maximum price.

(2) In carload sales the price shall be 10¢ per ton less than the prices set out in this paragraph (e).

(f) *Maximum authorized service charges and required deductions—(1) Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(2) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) *Credit.* No additional charge may be made for the extension of credit.

*Effective date.* This order shall become effective as of August 22, 1946.

Issued September 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

*Opinion Accompanying Second Revised Order No. G-2 Under Revised Maximum Price Regulation No. 122*

Second Revised Order No. G-2 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith by the Atlanta Regional Office under

§ 1340.260 of said regulation. This order establishes flat (dollars-and-cents) prices for certain specified fuels when delivery is made within the boundaries of Clarke County, Georgia.

The Second Revised Order incorporates all of the provisions of the Revised Order including the supplementary orders and amendments thereto previously issued by this office and the considerations applicable to such issuances as stated in the accompanying opinions are likewise applicable to the issuance of the Second Revised Order. Incorporated in this order are: the increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; the mine increases authorized by Amendment No. 158 to Maximum Price Regulation No. 120, effective June 21, 1946; increases of 8¢ per ton in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation No. 122, effective July 26, 1946; and increases of 18¢ per ton as authorized by Amendment No. 48 to Revised Maximum Price Regulation No. 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices established by the Second Revised Order have received clearance from the Solid Fuels Price Branch, Office of Price Administration, Washington, D. C. in accordance with the requirements of § 1340.260 of said Revised Maximum Price Regulation No. 122.

It appears that the Second Revised Order will furnish the dealers affected and the purchasing public with a more readily available and understandable price list and that it will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order.

[F. R. Doc. 46-18571; Filed, Oct. 15, 1946; 8:48 a. m.]

[Scranton Adopting Order 8 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

**BUILDING AND CONSTRUCTION MATERIALS IN THE CITY OF WILLIAMSPORT AND LYCOMING COUNTY, PA.**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the FEDERAL REGISTER, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director of the Scranton District Office, it is hereby ordered:

1. Adopting Order No. 8 as amended, under Basic Order No. 1, as amended, under General Order 68, as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the amended schedule known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, adopting Order No. 8, as amended, under Basic Order No. 1, as amended, under General Order No. 68, as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 7th day of October 1946.

JOHN A. HART,  
District Director.

**SCHEDULE**

Maximum prices for certain building and construction materials in the city of Williamsport and all of Lycoming County all in the State of Pennsylvania, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item	Maximum delivered price		Maximum yard price	
	Amount	Unit	Amount	Unit
Plaster, hard wall.....	\$1.02	Bag, 100 pound...	\$0.97	Bag, 100 pound.
	18.90	Ton.....		
Plaster gauging.....	2.00	Bag, 100 pound...	1.75	Bag, 100 pound.
Keene's cement.....	2.35	do.....	2.25	Do.
Finishing lime.....	.73	Bag, 50 pound....	.67	Bag, 50 pound.
	24.64	Ton.....		
Gypsum lath 3/8".....	24.00	1,000 feet and over.	23.00	1,000 feet and over.
	27.00	Less than 1,000 feet.	26.00	Less than 1,000 feet.
Metal lath corner bead expanded type.....	.04	Foot.....		
Portland cement, standard (paper bags).....	.865	Bag, 100 pound....	.765	Bag, 100 pound.
	15.50	Ton.....	14.80	Ton.
Masonry mortar (paper sacks).....	.785	Bag, 70 pound....	.715	Bag, 70 pound.
	2.76	Barrel.....	2.66	Barrel.
Mason's hydrated lime.....	.615	Bag, 50 pound....	.55	Bag, 50 pound.
Fire brick—9" straight, first quality.....	.09	Each.....	.085	Each.
	65.00	Per 1,000.....	60.00	Per 1,000.
Clay drain tile—3".....	.07	Foot.....		
Clay drain tile—4".....	.08	do.....		
Vitrified clay sewer pipe No. 1SS-4".....	.34	2-foot length....	.33	2-foot length.
Vitrified clay sewer pipe No. 1SS-6".....	.535	do.....	.515	Do.
Flue lining 9 x 9.....	.70	do.....		
Flue lining 9 x 13.....	1.04	do.....		
Flue lining 13 x 13.....	1.34	do.....		
Gypsum wallboard—3/8".....	40.00	1,000 feet.....		
Asphalt roofing—90 pound—mineral surface.....	2.45	Roll or square....		
Asphalt shingles 210-pound (3 in 1) thickbutt.....	5.90	Square.....		
Asphalt shingles 165-pound 2 tab. hexagon.....	4.90	do.....		

**Opinion Accompanying Amendment No. 2 to Adopting Order No. 8 Under Basic Order No. 1, as Amended, Under General Order No. 68, as Amended.**

The accompanying amendment gives effect to manufacturers' increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, to wit, August 29, 1946, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to the amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-18567; Filed, Oct. 15, 1946; 8:49 a. m.]

[Region IV Rev. Order G-12 Under RMPR 122, Amdt. 2]

**SOLID FUELS IN AUGUSTA, GA., AREA**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-12 under Revised Maximum Price Regulation No. 122, issued by this office on April 20, 1945, is hereby amended in the following respects:

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

(e) **Maximum prices.** Maximum prices established by this order are as

follows for sales on a "Direct Delivery or Domestic" basis:

(1) High volatile bituminous coal from District No. 8.

Size	Per ton, 2,000 pounds	Per 1/2 ton, 1,000 pounds	Per 1/4 ton, 500 pounds
Lump, chunk, block, or egg.....	\$11.02	\$5.76	\$3.01
Stoker.....	10.97	5.74	3.12
Slack.....	7.92	4.21	2.37

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

(f) \* \* \* (2) **Sacked coal.** For coal in sacks, the dealer may charge not more than 55¢ for 75 pounds at the yard, and 65¢ for 75 pounds if the dealer makes delivery.

**Effective date.** This amendment shall become effective as of August 22, 1946.

Issued October 2, 1946.

JOHN R. DEKLE, Jr.,  
Acting Regional Administrator.

**Opinion Accompanying Amendment No. 2 to Revised Order No. G-12 Under Revised Maximum Price Regulation No. 122**

Amendment No. 2 to Revised Order No. G-12 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation, and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment



No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18572; Filed, Oct. 15, 1946; 8:47 a. m.]

[Region IV Order G-30 Under RMPR 251]

**PLUMBING SERVICES AND INSTALLED PLUMBING AND HEATING FIXTURES AND MATERIALS IN NORTH CAROLINA**

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, it is ordered:

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials, which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in the State of North Carolina.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV, under section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein, except that paragraph 4 (f) of Order G-2 be changed to read as follows:

Master plumber means any person who, as owner or supervisor, renders plumbing services and who, in areas where a master plumber is required to be licensed, is licensed as such by the appropriate government agency.

and that paragraph 4 (g) be changed to read as follows:

Journeyman plumber means any person who has completed his plumbing apprenticeship, who renders plumbing service under the jurisdiction or supervision of a master plumber, and who, in areas where he is required to be licensed, is so licensed.

If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

**APPENDIX**

*Maximum prices of plumbing and heating services and sales of installed fixtures and materials.* The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in subparagraph (a) below, plus the maximum prices of plumbing fixtures, materials, and sub-contracted work as set forth in sub-paragraphs (b) and (c) below.

(a) *The maximum hourly service rate.* The maximum hourly service charge for labor involved shall be the straight time hourly rate set forth in Column A, or the legal wages paid per hour plus the percentage set forth in Column B, whichever is lower, together with any applicable overtime:

Types of labor	Maximum hourly service rates	
	Column "A," straight time charges per hour	Column "B" 1 percentage markup of legal wages paid (percent)
Master plumbers.....	\$2.65	50
Journeyman plumbers.....	2.65	50
Apprentice plumbers.....	1.50	40
Helpers.....	1.50	40
Laborers.....	1.40	40

1 In calculating the hourly service rate per hour in column B, the resulting figure may be rounded to the nearest 5 cents (0.05). In no instance, however, shall the resulting figure be in excess of the amount shown in column A.

(b) *Maximum prices of installed plumbing and heating fixtures and materials.* (1) *Fixtures.* The maximum amount which may be charged for any fixture involved in the process of repairing or installing, as defined in the Basic Order, shall not exceed the seller's cost plus thirty-three and one-third per cent (33 1/3%). (The seller's cost shall be deemed to be the wholesale net price lawfully charged the plumbing trade for fixtures and equipment by established wholesale plumbing supply firms nearest his place of business, based on their published price lists, together with the actual transportation charges paid therefor by the seller but not in excess of the common carrier rate from the nearest point of supply. If the fixtures being sold are marked by a manufacturer's label showing the approved OPA retail ceiling price, the seller may charge the price marked on the tag in lieu of the percentage markup stated above, but in no event may the seller charge more than the price marked on the tag).

*Materials.* The maximum amount which may be charged for materials involved in the process of repairing or installing, as defined in the Basic Order, shall not exceed the seller's actual cost, plus a markup of fifty per cent (50%), except that whenever the unit cost of material involved is less than \$2.00 and such material is used as a replacement part in a repair job not exceeding a cost of \$25.00 to the purchaser, a markup not to exceed one hundred per cent (100%) on the cost of the material may be charged.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet metal work, pipe covering, plastering, painting, electrical work, etc., incidental to the installation or repair of plumbing and heating, shall not exceed the actual cost of such sub-contracted work, plus a

markup not in excess of twenty per cent (20%).

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

This order shall become effective October 18, 1946.

Issued September 25, 1946.

JOHN D. MOSLEY,  
Acting Regional Administrator.

*Opinion Accompanying Order G-30 Under Section 9 of Revised Maximum Price Regulation 251*

Under section 9 of Revised Maximum Price Regulation 251, the Price Administrator and each Regional Administrator of the Office of Price Administration is authorized to issue and put in effect pricing orders establishing maximum prices for particular kinds, types or classifications of construction services or sales of installed building materials, or both, applicable to a particular community or a defined area.

The Regional Administrator for Region IV of the Office of Price Administration has issued Regional Order No. G-2 (Basic Order No. 1) under Revised Maximum Price Regulation 251, covering plumbing services and installed plumbing and heating fixtures and materials, containing basic legal provisions which all local dollars-and-cents ceiling price orders involving plumbing services and installed plumbing and heating fixtures and materials have in common, and it has effect only when specifically adopted by an adopting order which makes a specific set of prices effective in an area and incorporates by reference said Basic Order.

There is issued simultaneously herewith Order No. G-30 under section 9 of Revised Maximum Price Regulation 251. This order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in the State of North Carolina, which ceiling prices are set forth in the appendix following section 3 of the order.

This Order No. G-30 adopts all the provisions of Order G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251, with two exceptions, as set forth in the adopting order.

After consultation with the members of the industry involved and after giving consideration to the suggestions offered, it is the opinion of the Regional Administrator of Region IV that the prices fixed in this order are generally fair and equitable and will effectuate the purpose of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18570; Filed, Oct. 15, 1946; 8:48 a. m.]

[Scranton Adopting Order 27 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

**BUILDING AND CONSTRUCTION MATERIALS IN LACKAWANNA AND LUZERNE COUNTIES, PA.**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Regis-

ter, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director of the Scranton District Office, it is hereby ordered:

1. Adopting Order No. 27 as amended, under Basic Order No. 1, as amended, under General Order 68, as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the amended schedule

known as Schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 27, as amended, under Basic Order No. 1, as amended, under General Order No. 68, as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 7th day of October 1946.

JOHN A. HART,  
District Director.

mentary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-18565; Filed, Oct. 15, 1946; 8:50 a. m.]

[Syracuse Adopting Order 3 Under Basic Order 1 Under Gen. Order 68, Amdt. 4]

**CERTAIN BUILDING AND CONSTRUCTION MATERIALS IN THE SYRACUSE AREA**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Syracuse District Office, *It is hereby ordered:*

1. Adopting Order No. 3 as amended, under Basic Order No. 1 as amended, is hereby further amended by substituting for the schedule attached to said order as amended, the annexed schedule known as schedule of August 29, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 3 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 29th day of August 1946.

GEORGE G. MOORE,  
District Director.

**SCHEDULE**

Maximum prices for certain building and construction materials in the city of Syracuse and that area immediately surrounding the city of Syracuse extending to and including the villages of Liverpool, Fairmount, Solway, Fayetteville, Onondaga Hill, Nedrow, East Syracuse, Minua, Collamer, North Syracuse and Jamesville, all in the State of New York, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item	Maximum yard prices to purchasers for resale on an installed basis (this includes contractors)		Maximum delivered prices to purchasers for resale on an installed basis (this includes contractors)		Maximum over the counter prices to ultimate users (this includes consumers)	
	Price	Unit	Price	Unit	Price	Unit
Plaster, hardwall	\$1.00	Bag, 100 pound	\$1.00	Bag, 100 pound	\$0.02½	1 pound.
Plaster gauging	1.80	100 pound	1.85	100 pound	.04½	Do.
Keene's cement	2.25	do	2.25	do	.04	Do.
Finishing lime	.67	50 pound	.73	50 pound	.02½	Do.
Gypsum lath ¾"	27.50	1,000 square feet	29.00	1,000 square feet	.96	32 square feet.
Metal lath, 2.5-pound painted diamond mesh.	.29	Square yard	.30	Square yard	.30	Square yard.
Metal lath, 3.4-pound, painted diamond mesh.	.31	do	.32	do	.32	Do.
Corner bead—standard type	.04	Foot	.04	Foot	.04	Foot.
Corner bead—expanded type	.06	do	.06	do	.06	Do.
Portland cement	.715	94 pound	.765	94 pound	.02	1 pound.
Masonry mortar	.665	70 pound	.715	70 pound	.02	Do.
Mason's hydrated lime	.56	50 pound	.615	50 pound	.02	Do.
Waterproof cement	1.015	94 pound	1.115	94 pound	.02½	Do.
Concrete block 8 x 8 x 16 cinder.	.14	Each	.16	Each	.15	Each.
Fire brick 9" straight 1st quality	105.00	Per 1,000	110.00	Per 1,000	.11	Do.
Fire clay (100-lb bag)	1.20	100 pounds	1.25	100 pounds	.02	1 pound.
Clay drain tile 3"	.09	Foot	.10	Foot	.10	Foot.
Clay drain tile 4"	.10	do	.11	do	.11	Do.
Clay drain tile 6"	.22	do	.23	do	.23	Do.
Vitrified clay sewer pipe 4"	.39	2-foot length	.39	2-foot length	.39	2-foot length.
Vitrified clay sewer pipe 6"	.58	do	.58	do	.58	Do.
Flue lining 8½ x 8½	.78	do	.78	do	.78	Do.
Flue lining 8½ x 13	1.16	do	1.16	do	1.16	Do.
Flue lining 13 x 13	1.48	2 feet	1.48	2 feet	1.48	2 feet.
Gypsum Wallboard ¾"	40.00	1,000 square feet	40.00	1,000 square feet	.04½	Square foot.
Gypsum Sheathing ½"	45.00	do	45.00	do	.04½	Do.
Asphalt roofing 90 lb. mineral surface	2.60	Roll	2.60	Roll	.02½	Do.
Asphalt or tarred felt 30 lb.	2.45	do	2.45	do	2.45	Roll.
Asphalt or tarred felt 15 lb.	2.45	do	2.45	do	2.45	Do.
Asphalt shingles 210 lb. (3 in 1) Thick-but.	6.00	Square	6.00	Square	6.00	Square.
Asphalt shingles 165 lb. 2 tab. hexagon	4.75	do	4.75	do	4.75	Do.
Asphalt roofing smooth 35 lb.	1.25	Roll	1.25	Roll	1.25	Roll.
Asphalt roofing smooth 45 lb.	1.75	do	1.75	do	1.75	Do.
Asphalt roofing smooth 55 lb.	2.10	do	2.10	do	2.25	Do.
Asphalt roofing smooth 65 lb.	2.45	do	2.45	do	2.45	Do.
Fibre insulation board ½" st'd lath & board.	53.75	1,000 square feet	53.75	1,000 square feet	53.75	1,000 square feet.
Fibre insulation board 25 32" asphalt sheathing.	87.75	do	87.75	do	87.75	Do.
Asbestos cement siding 12 or 24 x 27 st'd colors.	8.25	Square	8.25	Square	8.75	Square.
St'd density synthetic fibre board 3/16" (4 x 8).	40.00	1,000 square feet	40.00	1,000 square feet	.04½	Square foot.
Hard density synthetic fibre board ½" tempered (st'd size)	100.00	do	100.00	do	100.00	1,000 square feet.
Thermal insulation-Batts (paper-backed) Full Thick.	65.00	do	65.00	do	70.00	Do.
Thermal insulation, loose in bags (4x8)	1.10	Bags, 35-40 lb.	1.10	Bags, 35-40 lb.	1.10	Bags 35-40 lb.
Thermal insulation, loose in bags (modulated).	1.30	do	1.30	do	1.30	Do.

Opinion Accompanying Amendment No. 2 to Adopting Order No. 27 Under Basic Order No. 1, as Amended, Under General Order No. 68, as Amended

The accompanying amendment gives effect to manufacturers' increases that have been granted on the items for which maximum prices are fixed by this order,

up to the date of the schedule attached to this amendment, to wit, August 29, 1946, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to the amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede Supple-

Item	Maximum prices	
	Amount	Unit
1. Plaster—neat	\$1.12	Bag, 100 pounds.
2. Plaster—sanded	.77	Do.
3. Plaster—gauging	1.87	Do.
4. Plaster—moulding	1.87	Do.
5. Plaster—bonding	1.22	Do.
6. Keene's cement	2.02	Do.
7. Finishing lime	.67	Bag, 50 pounds
8. Gypsum lath, ¾"	26.00	1,000 square feet
9. Metal lath, 3.4-pound, painted diamond mesh.	.36	Square yard.
10. Metal lath, 3.4-pound, galvanized.	.415	Do.
11. Metal lath, 3.4-pound, 3/8" high rib painted.	.39	Do.
12. Metal lath, 3.4-pound, 3/8" high rib galvanized.	.45	Do.
13. Metal lath corner bead expanded.	.0535	Linear foot.
14. Portland cement (paper bags).	.515	Bag, 94 pounds.
	2.49	Barrel, 324 pounds, f. o. b. carload.
15. Masonry mortar	.765	Bag, 70 pounds.
16. Mason's hydrated lime	.67	Bag, 50 pounds.

SCHEDULE—Continued

Item	Maximum prices	
	Amount	Unit
17. Gypsum block—partitions 3" hollow.	\$0.11	Square foot.
18. Metal lath—corner rite (2" x 2" and 3" x 3" painted).	.0324	Linear foot.
19. Gypsum block—partitions 4" hollow.	.12	Square foot.
20. Gypsum block—partitions 6" hollow.	.18	Do.
21. Clay drain tile 3".....	.0677	Linear foot.
22. Clay drain tile 4".....	.0809	Do.
23. Clay drain tile 6".....	.1716	1-foot length.
24. Vitrified clay sewer pipe 4".....	.22	Linear foot.
25. Vitrified clay sewer pipe 6".....	.335	Do.
26. Flue lining 8½" x 8½" or 9" x 9".....	.45	Do.
27. Flue lining 8½" x 13"....	.665	Do.
28. Flue lining 13" x 13"....	.85	Do.
29. Gypsum wallboard ½".....	37.00	1,000 square feet—less than 1,000 square feet.
	35.00	1,000 square feet—more than 1,000 square feet.
30. Gypsum wallboard ½".....	42.00	1,000 square feet—less than 1,000 square feet.
	40.00	1,000 square feet—more than 1,000 square feet.
31. Gypsum Sheathing ½".....	33.00	1,000 square feet.
32. Asphalt Coated Waterproof Sheathing.	49.40	Do.
33. Asphalt Roofing—90 lb. Mineral Surface.	2.60	100 square foot roll.
34. Asphalt or Tarred Felt—15 lb.	2.55	432 square foot roll.
35. Asphalt or Tarred Felt—30 lb.	2.55	216 square foot roll.
36. Asphalt Shingles 210 lb. Thickbutt (3 in 1).	6.29	100 square feet.
37. Asphalt Shingles 165 lb. 2 tab. Hexagon.	4.72	Do.
38. Fibre Insulation Board ½".....	53.75	1,000 square feet—Less than 1,000 square feet.
Standard Lath and Board.	50.52	Do.
39. Fibre Insulation Board 2½" Asphalt Sheathing.	78.00	Do.
40. Hard Density Synthetic Fibre Board ½" Tempered (Standard Size).	74.10	Do.
	82.00	1,000 square feet.
41. Thermal Insulation Blankets (Paper backed) Medium.	45.00	Do.
42. Thermal Insulation Blankets Single (Paper backed) Standard.	55.00	Do.
43. Thermal Insulation Blankets (Paper backed) thick.	70.00	Do.
44. Thermal Insulation—Batts 2".....	40.00	Do.
45. Thermal Insulation—Batts full thick.	60.00	Do.
46. Thermal Insulation—Loose in Bags (Plain).	1.20	Bag, 40 pound.
47. Thermal Insulation—Loose in Bags (Nodulated).	1.40	Do.
48. Upson Wall Board ½".....	2.004	1,000 square feet.
49. ¾" Beaver Board and Square Deal Board.	36.00	Do.
50. American Board.....	35.00	Do.

Opinion Accompanying Amendment 4 to Adopting Order 3 Under Basic Order 1, as Amended Under General Order 68, as Amended

The accompanying amendment gives effect to manufacturer's increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to this amendment and made a part of the order supersedes all previous schedules. This amendment does not, however, supersede

Supplementary Order 179 relating to increased freight on certain commodities. [F. R. Doc. 46-18563; Filed, Oct. 15, 1946; 8:50 a. m.]

[Region IV Order G-50 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ELIZABETH CITY, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, Order No. G-50 under Revised Maximum Price Regulation No. 122, issued by this office June 1, 1945, is hereby amended in the following respects:

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

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) Low volatile bituminous coal from district No. 7.

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg.....	\$12.49	\$6.50	\$3.37
Pea stoker and nut.....	10.44	5.47	2.86
Domestic run-of-mine.....	10.69	5.60	2.92
Stove.....	12.39	6.45	3.35

(2) High volatile bituminous coal from district No. 8.

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg.....	\$10.61	\$5.56	\$2.90

(3) Briquettes from district No. 7.

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Briquettes.....	\$13.04	\$6.77	\$3.51

(4) Yard slack from districts No. 7 and 8.

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Yard slack.....	\$9.10	\$4.80	\$2.53

2. Subparagraph (f) (3) is amended to read as follows:

(f) *Maximum authorized service charges and required deductions.* \* \* \* (3) *Sacked coal.* The dealer may charge not more than 81¢ per cwt. of coal plus 15¢ deposit on the sack.

*Effective date.* This amendment shall become effective as of August 22, 1946.

Issued October 2, 1946.

JOHN R. DEKLE, Jr.,  
Acting Regional Administrator.

Opinion Accompanying Amendment No. 2 to Order No. G-50 Under Revised Maximum Price Regulation No. 122

Amendment No. 2 to Order No. G-50 under Revised Maximum Price Regulation No. 122 is issued simultaneously herewith under § 1340.260 of said regulation and incorporates the several increases authorized by Amendment No. 158 to Maximum Price Regulation 120, effective June 21, 1946; increases in freight rates as authorized by Amendment 46 to Revised Maximum Price Regulation 122, effective July 26, 1946; increases allowed by Amendment No. 42 to Revised Maximum Price Regulation No. 122, effective March 30, 1946; and increases of 18¢ per ton as authorized by Amendment 48 to Revised Maximum Price Regulation 122 to meet the requirements of section 2 (t) of the Price Control Extension Act of 1946.

The prices specified have affirmatively been found to be generally fair and equitable to all dealers in the area covered by the order. It has likewise been affirmatively found that the issuance of said amendment will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-18573; Filed, Oct. 15, 1946; 8:47 a. m.]

[Region IX Order G-2C Under RMPR 395]

VIENNA SAUSAGE, POTTED MEAT, CERTAIN DRY SAUSAGES AND BULK LARD

VIRGIN ISLANDS REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Territorial Director of the Virgin Islands of the United States for the Office of Price Administration by section 9a (b) of Revised Maximum Price Regulation 395, *It is hereby ordered:*

(a) The maximum prices set forth in sections 19 and 22 of Revised Maximum Price Regulation 395 for the commodities listed below are hereby superseded and maximum prices are hereby established as follows:

Commodity	Quantity	At whole-sale	At retail	St. John
		St. Croix, St. Thomas	St. Croix, St. Thomas	
Vienna sausage, Armour.	4oz		Per unit \$0.20	Per unit \$0.20
Potted meat, Armour.	3¼ oz.		.11	.11
Star Milan sausage, Armour.	1 lb.		.92	.92
Holstein sausage, Armour.	do.		.79	.79
Mortadella sausage, Armour.	do.		.76	.76
Imported bulk (loose) lard (Armour brand only).	37-lb. tin.	\$9.70	.30	.30

(b) Except as provided for by paragraph (a) above, the provisions of Revised Maximum Price Regulation 395 shall continue to apply to all sales and

deliveries at wholesale and/or retail of the above listed commodities.

(c) This order shall be automatically revoked on the effective date of an amendment to Revised Maximum Price Regulation 395 adjusting maximum prices for the above listed commodities. It may be amended or revoked at any time.

A copy of this order has been filed in the Territorial Office of the Virgin Islands of the United States for the Office of Price Administration, where it may be inspected by the public.

This order shall become effective as of September 27, 1946.

Issued this 27th day of September 1946.

JACOB A. ROBLES,  
Territorial Director.

*Opinion Accompanying Order G-2C Under Revised Maximum Price Regulation No. 395*

Large shipments of canned Vienna sausage, potted meats, dry sausages and bulk lard have recently arrived in the U. S. Virgin Islands. These items are widely consumed and have been in extremely short supply since June 1946.

Owing to increases granted at the processor's level with pass-throughs at the wholesale and retail levels, average current landed costs of these commodities have risen appreciably above previous costs so as to impair March 31, 1946, average percentage markups by more than 5%. It is therefore necessary, in the judgment of the Territorial Director, to issue this general order adjusting maximum prices for the above enumerated commodities in accordance with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended.

This order increases the March 31, 1946, retail prices of processed meats and bulk lard by amounts ranging from 2 cents on Potted Meat to 18 cents per pound on Mortadella sausage. The situation is being watched for any changes that may require an upward or downward adjustment in the prices hereby established.

[F. R. Doc. 46-18564; Filed, Oct. 15, 1946; 8:50 a. m.]

[New Hampshire Order G-1 Under MPR 592, Amdt. 1]

**CLAY BUILDING BRICK IN NEW HAMPSHIRE**

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the District Office of the Office of Price Administration, within and for the State of New Hampshire, by Region I Second Revised Order of Delegation, Amendment 10, *It is ordered*: Order No. G-1 under section 17 of Maximum Price Regulation No. 592 be and hereby is amended as follows:

1. By striking out the whole of paragraph (c) under section II thereof and inserting in place thereof, the following: "(c) Actual transportation and handling costs for delivery to a retail yard or to

an ultimate consumer incurred by such manufacturer may be added to the maximum prices set forth in paragraph (a) above if such charges were made during March 1942."

2. By striking out the whole of paragraph (d) under section II thereof and inserting in place thereof the following: "(d) A manufacturer of bricks who was not in business in the State of New Hampshire during March 1942 must grant the same customary discounts, allowances, and differentials as were in effect during March 1942 for his most closely competitive seller of the same class, and he may not add transportation and handling costs for delivery in excess of the actual costs incurred by him."

3. By adding at the end of said section II the following new paragraph:

(e) If a manufacturer of bricks was not in business in the State of New Hampshire during March 1942 and because of the nature and kind of bricks he proposes to produce and manufacture, he is unable to find a competitor in said State, then and in that event, he shall make written application to the District Office of the Office of Price Administration at Concord, New Hampshire, for the establishment of a price or prices for transportation and handling charges.

This amendment shall become effective October 1, 1946.

Issued this 30th day of September 1946.

JOHN D. JAMESON,  
District Director.

*Opinion Accompanying Amendment 1 to Order G-1 Under Section 17 of Maximum Price Regulation 592*

It appears that since the issuance of Order No. G-1 the provisions relating to transportation at the rates customarily charged during March 1942 is working a hardship upon manufacturers because of the increased wage rates and transportation rates being charged at present, and that there is no way the manufacturer can be compensated for these additional charges unless he is permitted to add to the price for the bricks sold, the actual costs incurred by him for transportation and handling in connection therewith.

After study and consideration, it has been found to be just and fair and in conformity with the spirit of the law and the regulation to permit the manufacturer to recover his actual transportation and handling costs, rather than limiting him to the rates that he was paying therefor during the base period, namely, March 1942.

This Amendment No. 1 to Order No. G-1 under section 17 of Maximum Price Regulation No. 592 will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Order No. 9250, Executive Order No. 9328, Executive Order No. 9599, Executive Order No. 9651, and Executive Order No. 9697.

[F. R. Doc. 46-18560; Filed, Oct. 15, 1946; 8:51 a. m.]

[Newark Adopting Order 5 under Basic Order 1 Under Gen. Order 68, Amdt. 3]

**BUILDING MATERIALS IN NEWARK, N. J., DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order No. 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director Newark District Office, *It is hereby ordered*:

1. Adopting Order No. 5, as amended, under Basic Order No. 1 as amended, under General Order 68 as amended is hereby further amended by striking out in the title of said order, and of Revised Schedule A annexed thereto, the words, "Maximum prices for certain building and construction materials in the city of Trenton and the adjacent townships of Ewing, Lawrence and Hamilton, all in the state of New Jersey, on sales by all persons to ultimate users or to purchasers for resale on an installed basis," and inserting in place thereof the following: "Maximum prices for certain building and construction materials in the County of Mercer in the State of New Jersey, on sales by all persons to ultimate users or to purchasers for resale on an installed basis."

2. Said order is further amended by striking out section 2 and inserting in place thereof the following:

**Sec. 2. Territory covered by this order.** The geographical area covered by this order is the County of Mercer in the State of New Jersey.

3. Except as hereby amended, Adopting Order No. 5 as amended, under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same, and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 16th day of September 1946.

RICHARD J. TARRANT,  
District Director.

*Opinion Accompanying Amendment 3 to Adopting Order 5 Under Basic Order 1, as Amended, Under General Order 68 as Amended*

On January 4, 1946, Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order 68 as amended, was issued effective January 7, 1946. This order has been amended by amendments 1 and 2 and is further amended by the accompanying amendment.

The accompanying amendment extends the territory covered by the order to include the entire county of Mercer in the State of New Jersey, instead of limiting the territory to the City of Trenton and the adjacent townships of Ewing, Lawrence, and Hamilton, which was the territory covered by the original order.

From a further investigation and consultation with the members of the industry affected, it appeared to be practicable and appropriate to extend the territory covered.

[F. R. Doc. 46-18561; Filed, Oct. 15, 1946; 8:51 a. m.]

[Region II Order G-61 Under §§ 1340.260 and 1340.259 (a) (1) of RMPR 122, Amdt. 2]

**SOLID FUELS IN YONKERS, N. Y.**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-61 is amended in the following respects:

1. Paragraphs (d) (1) and (d) (2) are amended to read as follows:

**(d) Schedule I. \* \* \***

(1) Sales on a "direct-delivery" basis. For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 pounds (for sales of 100 pounds or more, but less than ¼ ton)	Per 50-pound bag
Broken, egg, stove, nut	\$16.98	\$8.75	\$4.50	\$1.04	\$0.57
Pea	15.13	7.50	4.05	.93	.51
Buckwheat	11.98	6.25	3.25	.81	.45
Rice	10.93	5.70	3.00	.75	.40
Barley	9.58	5.05	2.65		
Screenings	5.92	2.95			

Discounts and service charges remain unchanged.

(2) "Yard sales" to resellers. For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton for sales of ½ ton or more	Per 100 pounds (for sales of 100 pounds or more, but less than ½ ton)	Per 50-pound bag
Broken, egg, stove, nut	\$14.68	\$0.92	\$0.51
Pea	13.08	.81	.45
Buckwheat	10.43	.70	.395
Rice	9.38	.61	.345
Barley	8.93		
Screenings	4.63		

On "yard sales" to persons other than resellers (i. e. consumers), you may add 30 cents per net ton to the above schedule prices. (Discounts remain unchanged).

This Amendment No. 2 to Order No. G-61 shall become effective as of September 16, 1946.

Issued September 9, 1946.

JAMES L. MEADER,  
Regional Administrator.

Opinion Accompanying Amendment 2 to Order G-61 Under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation 122

By order of the Interstate Commerce Commission, Docket 27766, October 10, 1945, modified February 15, 1946, carriers, transporting anthracite in carloads from producing points in the Wyoming, Lehigh

and Schuylkill Mine Regions of Pennsylvania, were ordered to reduce the rail freight charges by 25¢ per gross ton (22¢ per net ton) on all sizes for transshipment by barge. Carriers were granted permission to publish tariffs on one day's notice by the Interstate Commerce Commission, No. 30140, August 8, 1946, and effective August 12, 1946, such tariffs were issued.

By Order No. 3, effective August 13, 1946, under Revised Order No. 1 to Revised Supplementary Regulation No. 11, a 16½ percent increase was granted persons performing towing and transportation services in New York Harbor and connecting waterways. This increase was retroactive by reason of adjustable pricing. Amendment No. 94, effective August 19, 1946, to Revised Supplementary Regulation No. 11 suspended from price control transportation by water and towing services performed within harbor limits by carriers other than common carriers subject to the Stabilization Act of 1942 as amended.

The effect of the above transportation cost adjustments is reflected in the schedules of the amendment which this opinion accompanies, by a downward revision of 5¢ per net ton on all sizes of Anthracite in both "Direct Delivery" and "Yard Sales" Schedules. This figure was determined by weighting out the average tonnage moving into the area for the 12 month period ending March 31, 1945. Weighted average transportation costs were used at the time the original order was promulgated, and therefore the same procedure has been used in the accompanying amendment.

The schedules in the accompanying amendment also incorporate the increases permitted under Second Revised Order No. G-75 and Amendment Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-18558; Filed, Oct. 15, 1946; 8:52 a. m.]

[St. Louis Order 1 Under Gen. Order 68, Amdt. 1]

**CERTAIN BUILDING MATERIALS IN ST. LOUIS COUNTY, MO.**

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. 1 under General Order 68 is amended in the following respects:

1. Section I is hereby revoked, and a new section I is added to read as follows:

**SECTION I. What this order does.** This order establishes maximum prices for retail sales of all materials specifically described in Appendix A of this order when such sales are made in the geographical area comprising the City of St. Louis and St. Louis County, Missouri, by persons whose annual total dollar volume of sales of the items described in Appendix "A" is \$1,500.00 or more.

Persons whose annual total volume of sales of such materials is less than \$1,500.00, although exempted from this order, remain under price control subject to the provisions of the General Maximum Price Regulation or other applicable price regulations.

2. Section III is hereby revoked, and a new section III is added to read as follows:

**Sec. III. Maximum prices.** Subject to the provisions of paragraph (c) of section VI, maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order, subject to the terms and conditions of sale and other limitations set forth therein.

3. Section VI is hereby revoked, and a new section VI is added to read as follows:

**Sec. VI. Invoices and notification.** (a) Each seller making sales subject to this order shall, if requested by any purchaser of commodities subject hereto, make available to such purchaser for inspection a copy of this order.

(b) Each seller covered by this order is required to furnish each purchaser with an invoice at the time of sale, which must contain the following information:

1. Name and address of the purchaser.
2. Description of each commodity sold.
3. Quantity of each commodity sold.
4. Price charged for each commodity sold.
5. Type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery zone, or delivered outside free delivery zone
6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.
7. A statement of cash discounts allowed for prompt payment.
8. A separate statement of any amount added for the extension of credit.

(c) When an invoice does not contain a sufficiently complete description of an item sold to show that the price appearing on its face is within the maximum prices fixed by this order, the maximum price applicable to such sale shall be the maximum price of the lowest priced item under this order to which the incomplete description could apply. In the absence of any description the maximum price shall be the lowest price that can be computed under this order.

(d) Each seller is required to keep a duplicate copy of each of his sales invoices in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours, for a period of two years from the date of sale.

4. Appendix A is amended by removing from the list of articles contained therein the following:

Thermal insulation batts 2" thick (P. B.) and full thick.	1M sq. ft.	\$56	\$56	\$56
---	------------	------	------	------

5. Appendix A is amended by adding immediately after the listing of "Smooth Roofing Paper 35#" the following item:

Smooth roofing paper 45 lb., grade 1.	108 ft. roll.	\$1.46	\$1.46	\$1.46
---------------------------------------	---------------	--------	--------	--------

6. Appendix A is amended by adding immediately after the listing of "Hard Density Synthetic Fibreboard ½" Tempered Std. Size", the following items:

Thermal insulation (P. B.) full thick batts.....	1M sq. ft.	\$60	\$60	\$60
2" Kimsul blankets.....	1M sq. ft.	50	50	50
2" Balsom wool blankets.....	1M sq. ft.	57	57	57
2" Celotex blanket.....	1M sq. ft.	57	57	57

This amendment to Order No. 1 under General Order 68 shall become effective April 30, 1946.

Issued April 25, 1946.

WILLIAM H. BRYAN,  
District Director.

Opinion Accompanying Amendment 1 to Order 1 Under General Order 68

The accompanying amendment adds items of building materials to those already listed in Appendix A of Order 1, and establishes dollars-and-cents ceiling prices thereon. A survey of a representative group of sellers, made by the Office of Price Administration, determined that such dollars-and-cents ceiling prices are in line with the level of prices existing in the City of St. Louis and St. Louis County, under the provisions of maximum price regulations applicable prior to the issuance of the amendment. The establishment of these prices is in conformity with the present program of the Office of Price Administration to establish dollars-and-cents prices on building materials, and provide a simplified pricing method eas-

ily understood and applied by both buyer and seller. "Thermal Insulation Batts 2" Thick", an item infrequently sold at retail, has been removed from the coverage of the order.

In order to prevent evasion of the provisions of the order, sellers have been required to invoice without reference to a seller's records. This requirement is not always complied with, however, and enforcement of the provisions of the order is hindered by absence of required invoice descriptions. To secure compliance of invoicing provisions and to assist in enforcement of the provisions of the order, sections III and VI of the order have been amended. It is now provided that maximum prices for commodities improperly invoiced shall be the lowest maximum price for any commodity which will meet the description as given on the invoice, or if no description is given, the lowest price that can be computed under the order.

[F R. Doc. 46-18559; Filed, Oct. 15, 1946; 8:51 a. m.]

[Pittsburgh Rev. Adopting Order 19 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

BUILDING AND CONSTRUCTION MATERIALS IN ALLEGHENY COUNTY, PA.

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

with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by General Order 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Pittsburgh District Office; It is hereby ordered:

1. Adopting Order No. 19, as amended, under Basic Order No. 1, as amended, under General Order 68, as amended, is hereby further amended by substituting for the schedule attached to said order, as amended, the annexed schedule known as Schedule of September 25, 1946, which is made a part of said order. The schedule attached to this amendment and to said order, supersedes all previous schedules.

2. Except as hereby amended, Adopting Order No. 19, as amended, under Basic Order No. 1, as amended, under General Order 68, as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 25th day of September 1946.

WILLIAM K. HARRISON,  
District Director.

SECOND REVISED SCHEDULE A

Item	Maximum delivered prices to ultimate users (this includes consumers).		Maximum delivered prices in less-than-truckload quantities to purchasers for resale on an installed basis (this includes contractors).		Maximum delivered prices in truckload quantities to purchasers for resale on an installed basis (this includes contractor).	
	Price	Unit	Price	Unit	Price	Unit
1. Plaster, hardwall.....	\$1.42	100-pound bag	\$21.55	Ton	\$20.30	Ton
2. Plaster, gauging.....	1.42	do	21.55	do	20.30	Do.
3. Plaster, gauging, white.....	2.14	do	38.50	do	35.15	Do.
4. Plaster, moulding, common.....	1.42	do	21.55	do	20.30	Do.
5. Plaster, moulding, white.....	2.14	do	38.50	do	35.15	Do.
6. Keene's cement.....	2.65	do	53.05	do	51.00	Do.
7. Finishing lime.....	.89	50-pound bag	23.80	do	22.40	Do.
8. Gypsum lath, 3/8".....	.87	32 square feet	24.75	M square feet	24.75	M square feet.
9. Metal lath 2.2 lb., ptd. copper-bearing diam. mesh.....	.215	Square yard	.215	Square yard	.215	Square yard.
10. Metal lath 2.5 lb., ptd. copper-bearing diam. mesh.....	.27	do	.27	do	.27	Do.
11. Metal lath 3.4 lb., ptd. copper-bearing diam. mesh.....	.375	do	.375	do	.375	Do.
12. Metal lath 3.4 lb., galvanized.....	.37	do	.37	do	.37	Do.
13. Metal lath 2.75 lb., copper-bearing flat rib painted.....	.30	do	.30	do	.30	Do.
14. Metal lath 3.4 lb., 3/8" copper-bearing high rib painted.....	.37	do	.37	do	.37	Do.
15. Metal lath, corner bead, wing type.....	.035	Linear foot	31.95	M linear feet	31.95	M linear feet.
16. Metal lath, corner bead, expanded type.....	.05	do	44.45	do	44.45	Do.
17. Metal lath, sheet lath, 4.5 lb. copper bearing.....	.435	Square yard	.435	Square yard	.435	Square yard.
18. Portland cement.....	1.16	94-pound bag	3.37	Barrel	3.11	Barrel.
19. Masonry mortar.....	.80	Cubic foot	2.87	do	2.61	Do.
20. Mason's hydrated lime.....	7.75	50-pound bag	21.57	Ton	19.22	Ton.
21. Waterproof cement (gray).....	1.20	do	4.42	Barrel	3.92	Barrel.
22. Waterproof cement (white).....	2.78	do	11.12	do	11.12	Do.
23. Hi-early cement.....	1.20	do	4.42	do	3.92	Do.
24. Plain white cement.....	2.55	do	10.20	do	9.20	Do.
25. Clay drain tile—3".....	.10	Linear foot	.09	Linear foot	.09	Linear feet.
26. Clay drain tile—4".....	.11	do	.10	do	.10	Do.
27. Clay drain tile—6".....	.17	do	.17	do	.17	Do.
28. Vitrified clay sewer pipe 4" and fittings.....	1.27		1.30		1.30	
29. Vitrified clay sewer pipe 6" and fittings.....	1.29		1.31		1.31	
30. Vitrified clay sewer pipe 8" to 24" inclusive and fittings.....	1.29		1.32		1.32	
31. Vitrified clay sewer pipe 15" D. S. (3' lengths) and fittings.....	1.14		1.17		1.17	
32. Vitrified clay sewer pipe 18" to 24" D. S. inclusive (3' lengths) and fittings.....	1.12		1.15		1.15	
33. Wall coping—camelback old style.....	1.29		1.32		1.32	
34. Wall coping—laplock new style.....	1.21		1.24		1.24	
35. Stove pipe.....	1.29		1.32		1.32	
36. Chimney tops—old style.....	1.29		1.32		1.32	
37. Channel pipe.....	1.29		1.32		1.32	
38. 4" and 6" perforated pipe.....	1.11		1.14		1.14	
39. Flue lining—4 1/2 x 8 1/2 to 18 x 18 inclusive.....	1.30		1.32		1.32	
40. Flue lining—20 x 20 and 24 x 24.....	1.3		1.6		1.6	
41. Flue lining round 4" to 24" inclusive.....	1.30		1.33		1.33	
42. Gypsum wallboard 3/8".....	\$0.051	Square foot	\$45.90	M square feet	\$45.90	M square feet.
43. Asphalt roofing, 40-lb.....	3.20	Roll	3.20	Roll	3.20	Roll.
44. Asphalt or tarred felt, 15-lb.....	3.07	do	3.07	do	2.95	Do.
45. Asphalt or tarred felt, 30-lb.....	3.07	do	3.07	do	2.95	Do.
46. Asphalt shingles, 210-lb. (3 in 1) thickbutt.....	7.30	Square	7.08	Square	7.08	Square.
47. Asphalt shingles, 165-lb. 2-tab hexagon.....	6.84	do	6.14	do	6.14	Do.
48. Thermal insulation batts full thick.....	66.30	M square feet	66.30	M square feet	66.50	M square feet.
49. Thermal insulation, blankets 2" thick.....	45.90	do	45.90	do	45.90	Do.
50. Thermal insulation, loose in bags, plain.....	1.27	40-lb. bag	1.27	40-lb. bag	1.27	40-lb. bag.

1 Percent off list. All percentages are to be applied only to the authorized list prices in MPR 206.

**Opinion Accompanying Amendment No. 2 to Rev. Adopting Order 19 Under Basic Order No. 1 as Amended, Under General Order No. 68, as Amended**

The accompanying amendment gives effect to manufacturer's increases that have been granted on the items for which maximum prices are fixed by this order, up to the date of the schedule attached to this amendment, so as to comply with the provisions of section 2 (t) of the Emergency Price Control Act of 1942, as amended. The schedule attached to this amendment and made a part of the order supersedes all previous schedules. This amendment does supersede Supplementary Order 179 relating to increased freight on certain commodities.

[F. R. Doc. 46-18487; Filed, Oct. 14, 1946; 8:50 a. m.]

[Region VI Order G-1 Under Rev. SO 119]

**FELKER BROS. MFG. CO.**

**ESTABLISHMENT OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of section 6 of Revised Supplementary Order No. 119, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of iron or steel culverts manufactured by Felker Brothers Manufacturing Company, Marshfield, Wisconsin (hereinafter referred to as the "manufacturer").

(b) *Manufacturer's maximum prices.* For sales covered by the General Maximum Price Regulation, the manufacturer's maximum prices for iron or steel culverts shall be the manufacturer's maximum prices as of March, 1942, under § 1499.2 of the General Maximum Price Regulation plus 10.1 per cent.

(c) *Reseller's maximum prices.* Each reseller of iron or steel culverts manufactured by the Felker Brothers Manufacturing Company covered by this order may add to his maximum prices established under § 1499.2 of the General Maximum Price Regulation the 10.1 per cent increase charged him by the manufacturer pursuant to the provisions of this order.

(d) Manufacturer and resellers must maintain customary discounts, allowances, and handling and delivery charges.

(e) *Notification.* At the time of or prior to the first invoice to the purchaser for resale, the manufacturer shall furnish each such purchaser with a copy of this order.

(f) *Definition.* Reseller means any person who buys iron or steel culverts manufactured by Felker Brothers Manufacturing Company subject to this order for resale.

(g) *Applicability.* The maximum prices established by this order are applicable to all sales and deliveries of iron or steel culverts subject to this order made in the continental United States.

(h) All requests not granted herein are denied.

This order may be amended, modified, or revoked at any time.

This Order No. G-14 shall become effective on the 29th day of August, 1946.

Issued this 28th day of August, 1946.

EARL W. CLARK,  
Regional Administrator.

**Opinion Accompanying Order G-14 Under Revised Supplementary Order 119**

On May 17, 1946, the Felker Brothers Manufacturing Company, Marshfield, Wisconsin (hereinafter referred to as the "manufacturer") filed an application under the provisions of Revised Supplementary Order No. 119 for an adjustment in maximum prices for iron or steel culverts. Revised Supplementary Order No. 119 provides the means whereby adjusted maximum prices may be authorized to a "reconverting manufacturer" for sales of a "reconversion product" as those terms are defined in that order, and for sales of the same articles by resellers.

This office finds that adjusted maximum prices may be authorized under section 6. The pre-war 1941 profit and loss statement has been used. Material, both direct and indirect, has been adjusted to reflect legal material cost increases. Direct and indirect labor has also been adjusted to reflect legal adjustments. In addition to the total adjusted costs thus derived, a profit factor of 2.0 per cent has been added in accordance with the provisions of Revised Supplementary Order No. 119. On this basis we find that in order to realize the total costs and the allowable profit of 2.0 per cent, it is necessary that the manufacturer's maximum prices be increased over the prices established under the General Maximum Price Regulation by 10.1 per cent.

In accordance with section 2 (t) of the Emergency Price Control Act of 1942, as amended, the same percentage increase granted to the manufacturer has been extended to the reseller who purchases for resale. This allows resellers the average current cost of acquisition of the articles in question, plus such average percentage mark-up as was in effect on March 31, 1946.

The adjustment granted in this order is consistent with the provisions of Revised Supplementary Order No. 119 and the General Maximum Price Regulation insofar as the latter regulation is not superseded by Revised Supplementary Order No. 119.

[F. R. Doc. 46-18557; Filed, Oct. 15, 1946; 8:52 a. m.]

[Region VII 3d Rev. Order G-24 Under Rev. MPR 122, Amdt. 20]

**MOFFAT COAL CO.**

**ADJUSTMENT OF SPECIFIC MAXIMUM PRICES**

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons

set forth in the accompanying opinion, this Amendment No. 20 is issued.

1. Third Revised Order No. G-24 under Revised Maximum Price Regulation No. 122, as amended, is hereby further amended by deleting from paragraph (d), Part I, Mines in District 17, all of category (2), which reads as follows:

Operator	Sub-district	Index No.	Size groups	Amount	Effective date
(2) Moffat Coal Co.—Moffat Nos. 1 and 2.....	4	51	All	\$0.15	11-28-44

*Effective date.* This Amendment No. 20 shall become effective on the 27th day of August 1946.

Issued this 27th day of August 1946.

ARTHUR S. BRODHEAD,  
Regional Administrator.

**Opinion Accompanying Amendment 20, Third Revised Order G-24 Under Revised Maximum Price Regulation 122**

It has been brought to the attention of this Regional Office that Moffat Coal Company recently closed and ceased production at its Moffat Nos. 1 and 2 Mines (sometime referred to as Moffat No. 1), and has put into production its Moffat No. 3 Mine, Index No. 58, in Sub-district 4 of District 17, which is not a high-cost producer. Therefore, category (2) of Part I, Mines in District 17, has become obsolete, and therefore the same is deleted by this Amendment No. 20.

[F. R. Doc. 46-18562; Filed, Oct. 15, 1946; 8:50 a. m.]

**LIST OF COMMUNITY CEILING PRICE ORDERS**

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on October 10, 1946.

*Region I*

Boston Order 1, Amendment 9, covering dry groceries in Massachusetts except Dukes and Nantucket counties. Filed 3:11 p. m.

Boston Order G-3, Amendment 15, covering dry groceries in certain defined areas in New England. Filed 4:04 p. m.

Concord Order 17, Amendments 14 and 15, covering dry groceries in the State of New Hampshire. Filed 3:10 p. m.

Hartford Order 8, Amendment 9, covering dry groceries. Filed 4:05 p. m.

Montpelier Order 15, Amendment 11, covering dry groceries in the State of Vermont. Filed 3:11 p. m.

Providence Order 8, Amendment 11, covering dry groceries in the State of Rhode Island except the town of New Shoreham. Filed 4:03 p. m.

Providence Order 8, Amendment 10, covering dry groceries in the State of Rhode Island except the town of New Shoreham. Filed 3:58 p. m.

*Region II*

Baltimore Order 59, Amendment 2, covering dry groceries in the Baltimore, Maryland area. Filed 3:09 p. m.

Baltimore Order 60, Amendment 2, covering dry groceries in the Baltimore, Maryland area. Filed 3:09 p. m.

Baltimore Order 61, Amendment 2, covering dry groceries in the counties of Allegany, Garrett and Washington, Maryland. Filed 3:09 p. m.

Baltimore Order 63, covering dry groceries in the Baltimore, Maryland area. Filed 4:01 p. m.

Baltimore Order 64, covering dry groceries in the Baltimore, Maryland area. Filed 4:01 p. m.

District of Columbia Order 17, Amendments 3 and 4, covering dry groceries in the Washington, D. C. area. Filed 3:10 p. m.

Newark Order 27, Amendment 2, covering dry groceries in certain counties in New Jersey. Filed 3:09 p. m.

Newark Order 28, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 4:04 p. m.

Newark Order 29, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 4:05 p. m.

Newark Order 30, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 4:03 p. m.

Scranton Order 30, covering dry groceries in certain counties in Pennsylvania. Filed 4:06 p. m.

Scranton Order 31, covering dry groceries in certain counties in Pennsylvania. Filed 4:06 p. m.

Scranton Order 32, covering dry groceries in certain counties in Pennsylvania. Filed 4:07 p. m.

Scranton Order 33, covering dry groceries in certain counties in Pennsylvania. Filed 4:05 p. m.

Syracuse Order 52, Amendment 1, covering dry groceries in the State of New York. Filed 3:09 p. m.

Wilmington Order 29, covering dry groceries in Delaware north of the Chesapeake and Delaware Canal. Filed 4:02 p. m.

Wilmington Order 30, covering dry groceries in Delaware north of the Chesapeake and Delaware Canal. Filed 4:02 p. m.

*Region IV*

Atlanta Order 38, Amendment 14, covering dry groceries in the Atlanta area. Filed 3:08 p. m.

Atlanta Order 39, Amendment 13, covering dry groceries in the Atlanta area. Filed 3:08 p. m.

Atlanta Order 38, Amendment 15, covering dry groceries in the Atlanta area. Filed 3:08 p. m.

Atlanta Order 40 and 41, Amendments 13 and 11, covering dry groceries in the Savannah area. Filed 3:08 p. m.

Birmingham Order 25, Amendments 12 and 13, covering dry groceries sold for Groups 1 and 2 stores in the Birmingham area. Filed 3:07 and 3:56 p. m.

Birmingham Order 26, Amendments 13 and 14, covering dry groceries sold

for Groups 3 and 4 stores in the Birmingham area. Filed 3:07 and 3:57 p. m.

Birmingham Order 27, Amendments 11 and 12, covering dry groceries sold for Groups 1 and 2 stores in the Birmingham area. Filed 3:07 and 3:56 p. m.

Birmingham Order 28, Amendment 13, covering dry groceries sold for Groups 3 and 4 stores in the Birmingham area. Filed 3:56 p. m.

Nashville Order 24, Amendment 1, covering dry groceries in certain areas in Tennessee and Bristol, Virginia. Filed 4:00 p. m.

*Region V*

Dallas Order 30, Amendment 14, covering dry groceries. Filed 3:05 p. m.

Dallas Order 31, Amendments 23 and 24, covering dry groceries. Filed 3:05 p. m.

Fort Worth Order 20 and 21, Amendments 12 and 19, covering dry groceries. Filed 3:05 and 3:06 p. m.

Kansas City Order 24, Amendments 8, 9 and 10, covering dry groceries in certain counties in Missouri. Filed 3:04 and 3:03 p. m. and 3:05 p. m.

Kansas City Order 25, Amendments 7, 8, and 9, covering dry groceries in certain counties in Missouri. Filed 3:03 p. m.

Oklahoma City Order 18, Amendments 11, 12 and 13, covering dry groceries in certain counties in Oklahoma. Filed 3:02 and 3:59 p. m. 20 and 21.

Oklahoma City Order 19, Amendments 17, 18, and 19, covering dry groceries in the State of Missouri. Filed 3:02 and 4:00 p. m. and 3:01 p. m.

San Antonio Order 18, Amendments 10, 11 and 31, covering dry groceries. Filed 3:12, 3:03 and 3:13 p. m.

San Antonio Order 18, Amendments 32 and 33, covering dry groceries. Filed 3:13 p. m.

*Region VI*

Chicago Order 14 and 15, Amendments 17 and 14, covering dry groceries. Filed 4:14 p. m.

*Region VII*

Albuquerque Order 46, Amendment 5, covering dry groceries in the Northwestern, Central and Extreme Southwestern New Mexico area. Filed 3:07 p. m.

Albuquerque Order 47, Amendment 5, covering dry groceries in certain areas in New Mexico. Filed 3:06 p. m.

Albuquerque Order 48, Amendment 3, covering dry groceries in the Southern and Eastern New Mexico area. Filed 3:06 p. m.

Helena Order 68-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:07 p. m.

Helena Order 69-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:07 p. m.

Helena Order 70-F, Amendment 1, covering fresh fruits and vegetables for the Glasgow, Glendive, Miles City, Sidney, Havre and Chinook areas. Filed 3:07 p. m.

Helena Order 71-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Montana. Filed 3:12 p. m.

Helena Order 72-F, Amendment 1, covering fresh fruits and vegetables for the Billings, Butte and Great Falls area. Filed 3:12 p. m.

*Region VIII*

Arizona Order 28, Amendments 2 and 3, covering dry groceries in Yuma county, Arizona. Filed 4:07 and 3:06 p. m.

Arizona Order 30, Amendments 2 and 3, covering dry groceries in Coconino-Yavapai and Southeastern Arizona area. Filed 4:12 and 3:06 p. m.

Arizona Order 31, Amendment 3, covering dry groceries in Mohave county and Southern Navajo-Apache area. Filed 3:06 p. m.

Arizona Order 34, Amendment 3, covering dry groceries in the Southern Arizona area. Filed 4:12 p. m.

Nevada Order 40, Amendments 2 and 4, covering dry groceries in the Reno and Sparks area. Filed 3:12 and 4:13 p. m.

Nevada Order 41, Amendment 2, covering dry groceries in certain areas in Nevada. Filed 3:12 p. m.

Nevada Order 42, Amendments 2 and 4, covering dry groceries in certain areas in Nevada. Filed 3:11 and 4:13 p. m.

Nevada Order 43, Amendments 2 and 4, covering dry groceries in Henderson, Boulder City, Las Vegas, Pittman and Whitney. Filed 3:11 and 4:14 p. m.

Nevada Order 44, Amendments 2 and 4, covering dry groceries in Carson City, Fallon, Lovelock, Reno and Sparks. Filed 3:11 and 4:14 p. m.

Nevada Order 45, Amendments 2 and 4, covering dry groceries in Babbitt, Elko, Ely, Tonopah and Winnemucca. Filed 3:11 and 3:58 p. m.

Nevada Order 46, Amendments 2 and 4, covering dry groceries in Boulder City, Henderson and Las Vegas. Filed 3:11 and 3:59 p. m.

Seattle Order 30, Amendments 23 and 25, covering dry groceries in certain areas in Washington. Filed 4:08 and 4:07 p. m.

Seattle Orders 31 and 32, Amendment 24, covering dry groceries in certain areas in Washington. Filed 4:13 and 4:11 p. m.

Seattle Orders 31 and 32, Amendment 26, covering dry groceries. Filed 4:11 and 4:10 p. m.

Seattle Order 33, Amendment 24, covering dry groceries in certain areas in Washington. Filed 4:10 p. m.

Seattle Order 33, Amendment 26, covering dry groceries. Filed 4:10 p. m.

Seattle Order 34, Amendments 29 and 31, covering dry groceries in certain counties in Washington. Filed 4:06 and 4:08 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
*Secretary.*

[F. R. Doc. 46-18556; Filed, Oct. 15, 1946; 8:52 a. m.]