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**Rules, Regulations, Orders**

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**TITLE 7—AGRICULTURE**

**CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION**

[General Sugar Quota Regulations, Series 7, No. 1, Rev. 2]

**PART 821—SUGAR QUOTAS**

**SUGAR CONSUMPTION REQUIREMENTS AND QUOTAS FOR THE CALENDAR YEAR 1940**

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, approved September 1, 1937, I, Paul H. Appleby, Acting Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public notice of these regulations (constituting a revision of and superseding General Sugar Quota Regulations, Series 7, No. 1, Rev. 1<sup>1</sup>), which shall have the force and effect of law and shall remain in force and effect until amended or superseded by orders or regulations hereafter made by the Secretary of Agriculture.

§ 821.23 *Other quotas*—(a) *Revised quotas*. There are hereby established, pursuant to section 202 of the said act, for foreign countries and the Commonwealth of the Philippine Islands, for the calendar year 1940, the following quotas:

Area:	<i>Quotas in terms of short tons, raw value</i>
Commonwealth of the Philippine Islands.....	982, 441
Cuba.....	1, 749, 744
Foreign countries other than Cuba.....	24, 177

(Sec. 202, 50 Stat. 905; 7 U.S.C., Supp. V, 1112)

§ 821.24 *Proration of quota for foreign countries other than Cuba*—(a) *Revised prorations*. The quota for foreign countries other than Cuba is hereby prorated, pursuant to section 202 of the said act, among such countries as follows:

Country:	<i>Prorations in Pounds</i>
Argentina.....	14, 105
Australia.....	197
Belgium.....	284, 776
Brazil.....	1, 158
British Malaya.....	25
Canada.....	545, 931
China and Hongkong.....	278, 782
Colombia.....	258
Costa Rica.....	19, 930
Czechoslovakia.....	254, 774
Dominican Republic.....	6, 452, 490
Dutch East Indies.....	204, 537
Dutch West Indies.....	6
France.....	169
Germany.....	114
Guatemala.....	324, 055
Haiti.....	891, 763
Honduras.....	3, 321, 388
Italy.....	1, 694
Japan.....	3, 879
Mexico.....	5, 836, 506
Netherlands.....	210, 808
Nicaragua.....	9, 889, 949
Peru.....	10, 754, 118
Salvador.....	7, 942, 670
United Kingdom.....	339, 309
Venezuela.....	280, 609
Sub-total.....	47, 854, 000
Unallotted reserve.....	500, 000
Total.....	48, 354, 000

(Sec. 202, 50 Stat. 905; 7 U.S.C., Supp. V, 1112)

§ 821.25 *Direct - consumption portion of quotas*—(a) *Virgin Islands*. None of the quota established in § 821.22 hereof for the Virgin Islands may be filled by direct consumption sugar.

**RULES, REGULATIONS, ORDERS**

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Area:	<i>Quotas in terms of short tons, raw value</i>
Domestic beet sugar.....	1, 549, 898
Mainland cane sugar.....	420, 167
Hawaii.....	938, 037
Puerto Rico.....	797, 982
Virgin Islands.....	8, 916

(Sec. 202, 50 Stat. 905; 7 U.S.C., Supp. V, 1112)

<sup>1</sup> 5 F.R. 1121.



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(b) *Other areas.* The quotas established in Sec. 821.23 hereof for the following listed areas may be filled by direct-consumption sugar not in excess of the following amount for each such area:

Area:	Amount of direct consumption sugar in terms of short tons, raw value
Commonwealth of the Philippine Islands.....	80, 214
Cuba.....	375, 000

(Sec. 207, 50 Stat. 907; 7 U.S.C., Supp. V, 1117)

§ 821.26 *Liquid sugar quotas.* There are hereby established, pursuant to section 208 of said act, for foreign countries, for the calendar year 1940, quotas for liquid sugar as follows:

Country:	In terms of wine gallons of 72% total sugar content
Cuba.....	7, 970, 558
Dominican Republic.....	830, 894
Other foreign countries.....	0

(Sec. 208, 50 Stat. 908; 7 U.S.C., Supp. V, 1118)

§ 821.27 *Restrictions on marketing and shipment.* (a) For the calendar year 1940, all persons are hereby forbidden, pursuant to section 209 of the said act, from bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or any foreign country, any sugar or liquid sugar after the quota for such area, or the proration of any such quota, has been filled.

(b) For the calendar year 1940, all persons are hereby forbidden, pursuant to section 209 of the said act, from shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugar-cane grown in either the domestic beet sugar area or the mainland cane sugar area after the quota for such area has been filled. (Sec. 209, 50 Stat. 908; 7 U.S.C., Supp. V, 1119; sec. 504, 50 Stat. 915; 7 U.S.C., Supp. V, 1174)

§ 821.28 *Inapplicability of quota regulations.* These regulations shall not apply to (1) the first 10 tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba; (2) the first 10 tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, for religious, sacramental, educational, or experimental purposes; (3) liquid sugar imported from any foreign country, other than Cuba, in individual sealed containers not in excess of 1½ gallons each; or (4) any sugar or liquid sugar imported, brought into, or produced or manufactured in, the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed. (Sec. 212, 50 Stat. 909; 7 U.S.C., Supp. V, 1122)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 18th day of September 1940.

[SEAL] PAUL H. APPLEBY,  
Acting Secretary of Agriculture.

[F. R. Doc. 40-3915; Filed, September 18, 1940; 11:25 a. m.]

TITLE 22—FOREIGN RELATIONS  
CHAPTER I—DEPARTMENT OF STATE

PART 65—VISAS; DOCUMENTS REQUIRED OF BONA FIDE ALIEN SEAMEN ENTERING THE UNITED STATES

§ 65.51 *Waiver of crew list visa requirements.* Under the emergency provisions of section 30 of the Alien Registration Act, 1940, and of Executive Order No. 8429,<sup>1</sup> of June 5, 1940, the crew list visa requirements are waived for vessels sailing between ports of the United States and Canada and Newfoundland which do not touch at ports of other countries. (Sec. 30, Public, No. 670, 76th Cong., 3d sess., approved June 28, 1940; E. O. 8429, June 5, 1940)

CORDELL HULL,  
Secretary of State.

SEPTEMBER 16, 1940.

[F. R. Doc. 40-3914; Filed, September 18, 1940; 11:20 a. m.]

TITLE 26—INTERNAL REVENUE  
CHAPTER I—BUREAU OF INTERNAL REVENUE

[T. D. 5007]

SUBCHAPTER C—MISCELLANEOUS EXCISE TAXES

PART 183—PRODUCTION OF DISTILLED SPIRITS  
*Amending Regulations 4*

Section 213 of the Act of June 25, 1940 (Public—No. 656—76th Congress), is as follows:

<sup>1</sup> 5 F.R. 2145.

(a) Section 2800 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsections:

(g) *Defense tax for five years.*—In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period after June 30, 1940, and before July 1, 1945, shall be the rates set forth under the heading "Defense-Tax Rate":

Section	Description of Tax	Old rate	Defense-tax rate
2800(a)(1)	Distilled spirits generally.	\$2.25	\$3.00
2800(a)(1)	Brandy .....	2.00	2.75

Pursuant to the foregoing provision of law, sections 2802 (a), 2812, 3176, and 3254 (g) of the Internal Revenue Code, and sections 3 and 6 of the Federal Alcohol Administration Act, as amended (27 U.S.C. Supp., 203, 206), § 183.95 of Regulations 4<sup>1</sup> is hereby revoked, and the title to Article IX and §§ 183.60, 183.136 (a), (b), 183.161, 183.167, 183.168, 183.169, 183.256, 183.264, 183.265, 183.295, 183.309, and 183.390 of the said regulations are hereby amended to read as follows:

Article IX—Federal Alcohol Administration Act Permit

§ 183.60 *Permit required.* Under the Federal Alcohol Administration Act and the regulations issued pursuant thereto (27 CFR, Part 1), any person, except an agency of a State or political subdivision thereof, or any officer or employee of any such agency, intending to engage in the business of producing distilled spirits, is required to procure a permit therefor. (Sec. 3, 49 Stat. 978; 27 U.S.C. Supp., 203)

§ 183.136 *Change in individual, firm, or corporate name.* Where there is a change in the individual, firm, or corporate name of the distiller, he must comply with the following requirements:

(a) *Amended permit.* Procure from the district supervisor under the Federal Alcohol Administration Act an amended basic permit authorizing operation of the distillery under the new name.

(b) *Amended notice, Form 27-A.* Submit to the district supervisor an amended notice on Form 27-A, in triplicate, covering the new name, which notice must be approved before operations may be commenced under the new name.

§ 183.161 *Examination of other qualifying documents.* Upon receipt of notice, plat, plans, bond, consent (Form 1602), if any, or indemnity bond in lieu thereof, and other documents required by these regulations of persons intending to qualify as distillers, the district supervisor will examine the same to determine whether they have been properly executed, and whether they reflect compliance with the requirements of the law and regulations. Where any required document has not been filed, or where errors or discrepancies are found in those filed, or where the documents filed do not reflect compliance with these regu-

<sup>1</sup> 5 F.R. 827.

lations, action thereon will be held in abeyance until the omission, or error, or discrepancy has been rectified, and there has been full compliance with all requirements. (Sec. 3176, I.R.C.)

§ 183.167 *Approval of qualifying documents.* If the district supervisor finds, upon examination of the inspection report, that the person seeking to qualify as a distiller has complied in all respects with the requirements of law and these regulations, and the distiller's bond (Form 30) and the consent (Form 1602), if any, or indemnity bond filed in lieu thereof, may properly be approved under § 183.166, and if the applicant is entitled to a permit, he will note his recommendation for approval on all copies of the distiller's bond, consent or indemnity bond, and notice, and his approval on all copies of the plat and plans, and will forward all copies of the distiller's bond, consent or indemnity bond, and notice, and the original copy of the plat, plans, and other qualifying documents, together with a copy of all inspection reports, to the Commissioner for final action. The issuance of a permit should be withheld pending approval by the Commissioner of the notice, bond, and other qualifying documents required under the internal revenue laws. (Sec. 3176, I.R.C.)

§ 183.168 *Disapproval of qualifying documents.* If the district supervisor finds that the applicant has not complied in all respects with the requirements of the law and regulations, or that the situation of the distillery is such as would enable the distiller to defraud the United States, or that the bond should be disapproved under § 183.166, he will note his recommendation for disapproval on the bond, and will forward to the Commissioner for final action such copies of the qualifying documents as are required to be so forwarded by the preceding section in the case of recommendation for approval, together with a copy of all inspection reports. Where a bond is recommended for disapproval, the district supervisor will furnish the Commissioner with a full statement of the reasons therefor. If the applicant is not entitled to a permit, the district supervisor will, upon disapproval of the application therefor, return all copies of the qualifying documents to the applicant without action thereon or reference to the Commissioner. (Sec. 3176, I.R.C.)

§ 183.169 *Disposition of qualifying documents.* Where the distiller's bond (Form 30), consent (Form 1602), if any, or indemnity bond filed in lieu thereof, notice (Form 27-A), and special application (Form 1613), if any, are approved by the Commissioner, the district supervisor will, upon receipt of approved copies of such documents from the Commissioner, as provided in Article XVII, forward one copy of the distiller's bond, consent or indemnity bond, special application, notice, plat, plans, and other

qualifying documents to the distiller and will retain one copy of such qualifying documents for the file of the distiller. The extra copy of the special application (Form 1613), if any, received from the Commissioner will be placed by the district supervisor in the file of the rectifier. If the distiller's bond, consent or indemnity bond, or special application, is disapproved, the district supervisor will, upon receipt from the Commissioner of the disapproved copies of such documents and other qualifying documents submitted therewith, return all copies of the qualifying documents to the proprietor, with advice as to the reasons for disapproval. (Sec. 3176, I.R.C.)

§ 183.256 *Rate of tax.* The law imposes a tax on distilled spirits produced in or imported into the United States at the rate of \$3 on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid when withdrawn from bond, except brandy distilled at less than 190 degrees proof, on which the tax is imposed at the rate of \$2.75 on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon. (Sec. 3176, I.R.C.; sec. 2800 (a), I.R.C., as amended)

§ 183.264 *Unfinished spirits.* The distiller may take samples of spirits in the course of distillation and prior to their deposit in the cistern room. Each sample may not exceed one-half pint, unless it is shown that such is an insufficient quantity for the purpose for which the sample is desired, and the Commissioner authorizes the taking of a larger sample, not to exceed one pint. The total number of samples must be restricted to the minimum necessary to determine the quality of the spirits being produced. (Sec. 3176, I.R.C.)

§ 183.265 *Finished spirits.* The distiller may take from the cistern room of the distillery samples of distilled spirits for chemical analysis or organoleptic examination only. Such samples may not exceed one pint for each distillation of each kind of distilled spirits produced daily, unless it is shown that such is an insufficient quantity for the purpose for which the sample is desired, and the Commissioner authorizes the taking of a larger sample, not to exceed one quart. (Sec. 3176, I.R.C.)

§ 183.295 *Issuance of tax-paid stamps.* The collector will issue the requisite tax-paid stamps. Each tax-paid stamp shall bear the signature of the collector, who shall write or stamp thereon the date of payment of the tax, by whom paid, the number of gallons and tenths of gallons of proof spirits, and the serial number of the cask. Facsimile signatures of collectors may be affixed by the use of hand stamps to the tax-paid stamps, care being taken to use only such

ink as will neither fade nor blur. The collector will enter the serial numbers of the stamps in the appropriate spaces on all copies of Forms 179 and 1520, sign the certificate of tax-payment on each copy of Form 179, retain one copy of each Form 179 and Form 1520, and return the remaining three copies of Form 179 and two copies of Form 1520 to the distiller with the stamps. (Sec. 3176, I.R.C.; sec. 2802 (a), I.R.C.)

§ 183.309 *Mixing of different spirits prohibited.* The product of two or more distillers shall not be mingled in a storage tank; nor shall spirits distilled from different materials, or different combinations of the same materials at less than 190 degrees proof, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, be mingled in a storage tank; nor shall spirits distilled during different distilling seasons, or at proofs differing more than 10 degrees, be so mingled. (Sec. 3176, I.R.C.; sec. 3254 (g), I.R.C.)

§ 183.390 *Bulk containers.* Under the regulations issued pursuant to the Federal Alcohol Administration Act (27 CFR, Part 3), distillers may sell or dispose of distilled spirits in bulk, that is, containers having a capacity in excess of 1 gallon, (1) to other distillers and proprietors of internal revenue bonded warehouses, industrial alcohol plants and industrial alcohol bonded warehouses, including those operating tax-paid bottling houses; (2) to proprietors of class 8 customs bonded warehouses (imported spirits only); (3) to rectifiers; (4) to winemakers (brandy or alcohol) for fortification of wine; (5) to any agency of the United States, or of any State or political subdivision thereof; (6) for export; (7) on warehouse receipts, conforming to the regulations issued under the Federal Alcohol Administration Act, for distilled spirits in internal revenue bonded warehouses; and (8) for industrial use, as follows: For experimental purposes, and for use in the manufacture (a) of medicinal, pharmaceutical, or antiseptic products, including prescriptions compounded by retail druggists; (b) of toilet products; (c) of flavoring extracts, sirups, or food products; or (d) of scientific, chemical, mechanical, or industrial products; provided such products are unfit for beverage use. Distilled spirits produced at a proof in excess of 159 degrees and reduced in the receiving cisterns to not more than 159 and not less than 100 degrees of proof may, however, upon tax-payment, as provided in § 183.272 (d), be transported for beverage purposes only; and under the regulations issued pursuant to the Federal Alcohol Administration Act (27 CFR, Part 3) distillers may not sell in bulk for industrial use other distilled spirits produced under these regulations, unless

such spirits are shipped or delivered directly to the industrial user thereof. (Sec. 6, 49 Stat. 985; 27 U.S.C. Sup., 206)

[SEAL] GUY T. HELVERING,  
Commissioner.

Approved SEPTEMBER 16, 1940.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 40-3912; Filed, September 18, 1940;  
11:05 a. m.]

### Notices

#### DEPARTMENT OF AGRICULTURE.

##### Farm Security Administration.

#### EXECUTION OF EASEMENTS FOR THE GOVERNMENT IN CONNECTION WITH RESETTLEMENT TYPE PROJECTS

Section 4 of the Bankhead-Black Act (49 Stat. 2035) requires Presidential approval of easements or analogous grants of interest in land comprising resettlement type projects whenever the grantee is a public body or a local governmental unit. After such Presidential approval has been obtained, the easement may be executed only by the Secretary or, in his absence, the Acting Secretary. In all other cases within the purview of Farm Security Administration Instruction 526.1, however, easements may be executed by the Director of the Resettlement Division. This authority may not be redelegated.

Approved September 6, 1940.

[SEAL] GEORGE S. MITCHELL,  
Acting Administrator.

[F. R. Doc. 40-3916; Filed, September 18, 1940;  
11:25 a. m.]

#### DEPARTMENT OF COMMERCE.

##### Civil Aeronautics Authority.

[Docket No. SA-19]

IN THE MATTER OF INVESTIGATION OF ACCIDENT INVOLVING AIRCRAFT OF UNITED STATES REGISTRY NC 26063, WHICH OCCURRED NEAR ALBANY, NEW YORK, ON AUGUST 30, 1940

#### NOTICE OF HEARING<sup>1</sup>

Notice is hereby given that a public hearing in connection with the above entitled matter will be held in Room 2, Federal Building, Albany, New York, at 9:00 A. M. (E. S. T.), Friday, September 20, 1940, before the undersigned Examiner.

Dated, Washington, D. C., September 16, 1940.

ROBERT W. CHRISP,  
Examiner.

[F. R. Doc. 40-3908; Filed, September 18, 1940;  
9:35 a. m.]

<sup>1</sup> Issued by the Civil Aeronautics Board.

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5904]

IN RE APPLICATION OF J. P. MARCHANT, D. J. CAREY, AND MELVIN MEYER (TRANSFERORS), AND FLORIDA WEST COAST BROADCASTING CO., INC. (TRANSFeree)

Dated February 28, 1940, for transfer of control of Lake Region Broadcasting Co., licensee of Station WLAK; class of service, Broadcast; class of station, Broadcast; location, Lakeland, Florida; present operating assignment: Frequency, 1310 kc.; Power, 250 w; Hours of operation, Unlimited.

[File No. B3-TC-216]

#### NOTICE OF HEARING

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether there has been a direct or indirect transfer of control of Lake Region Broadcasting Company, licensee of WLAK, Lakeland, Florida, from any one or more of its stockholders to The Tribune Company, and/or any subsidiary thereof, and/or any other person or entity, without having first obtained the written consent of the Commission, as required by section 310 (b) of the Communications Act of 1934.

2. To determine whether there have been any contracts, agreements or understandings, written or oral, with respect to the voting rights of any stock, the ownership or control over Station WLAK or rights or interest therein, the use, management or operation of the station by any person or entity other than the licensee thereof, which have not been reported to the Commission, as required by Rule 43.1, formerly Rule 340.01.

3. To determine the extent to which the service area of Station WFLA overlaps the service area of Station WLAK.

4. To determine whether a grant of the above-entitled application would place the ownership of the only radio station at Lakeland, Florida in a corporation which operates another broadcast station serving in whole or in part the Lakeland area, and which corporation is, in turn, controlled by the publisher of a newspaper circulated in said area, and if so, whether such control would result substantially in a monopoly of the media for general dissemination of intelligence in said area.

5. To determine what changes, improvements or betterments, if any, will result to the service of Station WLAK from the granting of the application.

The application involved herein will not be granted by the Commission unless the issues listed above are deter-

mined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' addresses are as follows:

J. P. Marchant, D. J. Carey, and Melvin Meyer (transferors), care of Lake Region Broadcasting Company, Radio Station WLAK, foot of East Lime Street, Lakeland, Florida.

Florida West Coast Broadcasting Co., Inc., (transferee), care of W. Walter Tison, Tarr Building, Tampa, Florida.

Dated at Washington, D. C., September 17, 1940.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 40-3917; Filed, September 18, 1940;  
11:36 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 4122]

IN THE MATTER OF FOOD DISPLAY MACHINE CORPORATION, A CORPORATION, M. J. KULIKOWSKI, MRS. M. J. KULIKOWSKI, AND GEORGE H. HARDT, INDIVIDUALS

#### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

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

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, October 15, 1940, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner

will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-3906; Filed, September 17, 1940;  
2:58 p. m.]

[Docket No. 4171]

IN THE MATTER OF INTER-STATE RIBBON AND CARBON CORPORATION, A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

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

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, October 1, 1940, at nine o'clock in the forenoon of that day (eastern standard time) in Room 483, Main Post Office Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-3907; Filed, September 17, 1940;  
2:58 p. m.]

[Docket No. 4086]

IN THE MATTER OF IDEAL CANDY NOVELTIES Co., INC., A CORPORATION; AND ABRAHAM ARONOFF AND ROSE ARONOFF, INDIVIDUALLY AND AS OFFICERS OF IDEAL CANDY NOVELTIES Co., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1940.

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

Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

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

*It is further ordered*, That the taking of testimony in this proceeding begin on Friday, September 27, 1940, at ten o'clock in the forenoon of that day (Eastern Standard Time) at St. George Hotel, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-3909; Filed, September 18, 1940;  
11:01 a. m.]

[Docket No. 4096]

IN THE MATTER OF C. H. STALLMAN & SON, INC., A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of September, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

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

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, September 24, 1940, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Jury Room 3062, United States Court House, Philadelphia, Pa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-3910; Filed, September 18, 1940;  
11:01 a. m.]

[Docket No. 4150]

IN THE MATTER OF ECONOMY SALES Co., INC., A CORPORATION; AND SAMUEL KNIGHT ALIAS SAMUEL NITKE, INDIVIDUALLY AND AS PRESIDENT OF ECONOMY SALES Co., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 17th day of September, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A. Section 41),

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

*It is further ordered*, That the taking of testimony in this proceeding begin on Wednesday, September 25, 1940, at ten o'clock in the forenoon of that day (eastern standard time) in the St. George Hotel, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-3911; Filed, September 18, 1940;  
11:02 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-480]

IN THE MATTER OF WISCONSIN VALLEY IMPROVEMENT COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of September, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

*It is ordered*, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on October 1, 1940, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW.,

Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered,* That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c)

of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 28, 1940.

The matter concerned herewith is in regard to an application by Wisconsin Valley Improvement Company pursuant

to section 2 (a) (8) of the said Act for an order declaring it not to be a subsidiary of Wisconsin Public Service Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, or a subsidiary of Wisconsin Power and Light Company, a subsidiary of The Middle West Corporation, a registered holding company.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 40-3913; Filed, September 18, 1940;  
11:12 a. m.]