

FEB 24 1943

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934

VOLUME 8 NUMBER 37

Washington, Tuesday, February 23, 1943

Regulations

Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.36f *Proportionate shares for farms in the Territory of Hawaii for the 1943 crop*—(a) *Proportionate share for any farm.* The proportionate share for any farm in the Territory of Hawaii for the 1943 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1943.

(b) *Adherent planter protection.* The provisions of this determination shall be subject to the following conditions: (1) that no changes in the planter-plantation sugarcane and sugar production relationship shall have been made, and (2) that no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Branch, Food Distribution Administration, and the Director of the Division of Special Programs of the Agricultural Adjustment Agency, acting either jointly or severally.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132)

Done at Washington, D. C. this 18th day of February, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 43-2768; Filed, February 19, 1943; 12:37 p. m.]

Chapter XI—Food Distribution Administration

[FDO 22]

PART 1425—CANNED AND PROCESSED FOODS RESTRICTIONS ON SALE AND DELIVERY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of canned and processed foods and to meet

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TITLE 6—AGRICULTURAL CREDIT
Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS
LOAN REQUIREMENTS

Part 10 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 10.10 *Farm unit; required area and yield of farm.* To constitute a proper unit for a bank loan, a farm must be of sufficient area to yield at the hands of an ordinarily capable farmer, putting it to the use to which it is generally adapted, using average methods, and receiving normal prices, an income sufficient to maintain the family of the applicant, pay operating expenses and taxes, maintain the property, and discharge the interest and amortization payments on his loan. Since the earning power of land varies because of difference in the quality of soils, climatic conditions, crop adaptation, and market facilities, no arbitrary acreage limit should be established as necessary for a farm unit. Any decision that a particular property does not constitute a proper farm unit should be reached only after careful consideration of standards of living, the factors of production, and the earning power of the individual farm.

(Sec. 6, 47 Stat. 14, sec. 12 "Fifth", 39 Stat. 370, as amended; 12 U.S.C. 665, 771 "Fifth")

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43-2844; Filed, February 22, 1943; 10:25 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Food Distribution Administration¹

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR FARMS IN THE TERRITORY OF HAWAII FOR THE 1943 CROP

Pursuant to the provisions of subsections (a) and (b) of section 302 of the

¹ Formerly Sugar Branch.



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), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

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Telephone information: DIstrict 0525.

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war and civilian needs, *It is hereby ordered*, As follows:

§ 1425.1 *Canned and processed foods, allocation and restrictions on sale and delivery*—(a) *Definitions*. (1) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by the Director.

(2) "Canner" means any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(3) "Processor" means any person other than a canner engaged in the commercial processing of foods to produce a frozen, dried, pickled, preserved, or otherwise nonperishable product.

(4) "Pack" means the total amount (by weight unless otherwise specified) of all grades of any particular food canned by any canner or processed by any processor during any packing season or during a crop year or calendar period

specified by the Director as a quota period.

(5) "Government agency" means any officer, board, agency, commission, or government owned or government controlled corporation of the United States specifically designated by the Director.

(6) "Person" means any individual, partnership, corporation, association or other business entity.

(b) *Restrictions.* (1) Each canner and each processor shall set aside for the requirements of government agencies such canned or processed foods packed by him as the Director may from time to time order, without regard to previously existing contracts. All such canned or processed foods so set aside shall, unless and until released, be held for allocation to any government agency by the Director. Orders to set foods aside pursuant to this paragraph (b) (1) may be by general supplementary order or by written notice by the Director to the individual canner or processor. There shall not be calculated as part of the foods required to be set aside by this paragraph, foods delivered to any government agency when not so allocated to such agency by the Director.

(2) Canned or processed foods required to be set aside for governmental requirements by any other order of the Secretary of Agriculture under Executive Order 9280 or by the Director pursuant to such an order, shall not be required to be set aside by this order.

(3) The Director may allocate canned or processed foods to any government agency by specifically designating such agency as the authorized purchaser thereof, either by letter to the agency, by letter to the canner or processor, or by naming such agency in a general supplementary order. The Director will allocate foods pursuant to this order only to the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Railroad, the Treasury of the United States, the Coast and Geodetic Survey, the Veterans' Administration, the Department of Agriculture, and any agencies of the United States Government for supplies to be delivered to or for the account of the government of any country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and any other agency when the Director shall find that allocation to such agency is directly essential to the war effort.

(4) If he determines that any canned or processed foods set aside pursuant to this order are not required for government agencies, the Director may release such canned or processed foods at any time and may so notify the canner or processor, or he may delegate authority to release such foods to the agency to which he has allocated them.

(5) The Director may issue specifications at any time as to processing, pack-

ing, containers, container treatment, can marking, labeling, boxing, and strapping, or he may authorize any government agency to issue such specifications.

(c) *Certificates and reports relating to the cans covered by this order*—(1) *Certificates.* Each canner who purchases any cans to pack any food for governmental use pursuant to this order—whether such purchase is by contract or on open account order—shall furnish to the can manufacturer, from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture that such canner is familiar with the terms of this order (in its present form or as it may be amended from time to time), and that, during the life of this order, he will not use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer, need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificates if he knows, or has reason to believe it to be false.

(2) *Reports.* Each canner and each processor shall, within 15 days after he has completed a seasonal pack, or in the instance of a non-seasonal product, at such times as may be prescribed, mail to or file with the Food Distribution Administration, United States Department of Agriculture a report thereof in such form as may be prescribed from time to time by the Director.

(d) *Inspection and grading.* Any canned or processed foods required to be set aside under this order shall be subject to inspection and grading at any time by the Director or by any person or government agency thereto authorized by him.

(e) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned and processed foods and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unrea-

sonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref.: FD-22.

(j) *Conservation Order M-86 superseded.* This order supersedes in all respects Conservation Order M-86, as amended (7 F.R. 10326), and supplemented¹, of the War Production Board except that as to violations of said conservation order, as amended and supplemented, or rights accrued, liabilities incurred, or appeals taken under said order, as amended and supplemented, prior to the effective date hereof said Conservation Order M-86, as amended and supplemented, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Conservation Order M-86, as amended and supplemented, shall be considered under paragraph (g) hereof.

(k) *Effective date.* This order shall be effective as of the date of its issuance

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of February 1943.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

EXHIBIT A—CANNER'S CERTIFICATE²

Certificate Required by paragraph (c) (1) of Food Distribution Order 22. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in

¹Supplementary Order M-86b, as amended (7 F.R. 8647), Supplementary Order M-86a, as amended (7 F.R. 9705), Supplementary Order M-86e, as amended (7 F.R. 10327).

²Secretary of Agriculture.

its present form or as it may be amended from time to time, remains in effect.

(Applicant's Name)

(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 22, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 22, and any and all amendments thereto, and that said applicant will not use any cans purchased from

(Name of Can Manufacturer)

(Address of Can Manufacturer)

in violation of the terms of said Order and amendments.

(Legal Name of Applicant)
By-----
(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U.S.C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-2763; Filed, February 19, 1943; 12:38 p. m.]

[FDO 22-1]

PART 1425—CANNED AND PROCESSED FOODS
CANNED FRUITS AND VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of those orders, *It is hereby ordered*, As follows:

§ 1425.4 *Quota restrictions and allocations of canned fruits and vegetables (1942, 1942-43 pack)*—(a) *Definitions*. When used in this order the terms as defined in Food Distribution Order No. 22,¹ shall have the same meaning, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions*. Each canner shall set aside to be delivered for the requirements of government agencies, pursuant to Food Distribution Order No. 22, a quota of fruits and vegetables packed by him at any time in the calendar year 1942 or, when specified in Tables II and III, attached hereto, in 1942-43. Such quota of fruits and vegetables shall be of the kinds and in the percentages set forth in Columns A and B of Tables I, II, and III, attached hereto.

If the type, style, or variety of any such fruit or vegetable is described in Column C, such quota shall be in the type, style, and variety described, but

other types, styles or varieties shall be substituted to the extent that those specified in Column C are not packed. To the extent that the canner's production of the first preference grade of such fruit or vegetables specified in Column E is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column F to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column G to complete his quota. To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column D. The balance shall be reserved in the next largest can sizes available in the order of preference specified in Column D.

Any canner who is required to set aside canned goods pursuant to this order shall provide himself with the necessary materials to pack such canned goods in export boxes which may be nailed wooden boxes, weatherproof solid fiber boxes, or wirebound wood boxes, at his option according to specifications attached hereto, except that nailed wooden boxes and weatherproof solid

fiber boxes shall not be wired or strapped except as specifically directed by the purchaser.

(c) If any canned foods set aside for the requirements of government agencies have not been purchased within sixty days after the mailing or filing of the report prescribed in paragraph (c) (2) of Food Distribution Order No. 22, or such other time as the Director may fix, the canner may notify the Director in writing, that if such canned foods are not purchased within sixty days he will no longer hold such foods set aside. If any of such canned food is not purchased within sixty days after the mailing or filing of such notice, and if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(d) The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, Seasonal Pack Report. In the case of products listed in Tables II and III, of which the seasonal pack is completed in 1943, the report shall be filed within fifteen days of the completion thereof and shall not be limited to the year 1942 as indicated in the caption of said Form PD-343.

(e) *Effective date*. This order shall be effective as of the date of its issuance.

(E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE I—PRIMARY PRODUCTS

NOTE: The quota of any product listed in Column A to be set aside by any canner for the Government shall be equal to the percentage shown in Column B applied to his total 1942 pack of that product.

A	B	C	D	E			F	G
				First preference	Second preference	Third preference		
Canned fruits and vegetables	Percentage of 1942 pack	Description	Can sizes preferred in order listed	Grade				
Fruit cocktail.....	40		10-2½-2.....	Choice.....	Fancy.....			
Peaches ²	38	Clings, freestone; halves, sliced.	10-2½-2.....	Choice.....	Top std. clings only. ¹		Fancy.	
Pears.....	40	Bartlett halves.....	10-2½-2.....	Choice.....	Top std. ¹		Standard.	
Asparagus.....	30	Culturally bleached all green.	10-2.....	Fancy cut.....	Fancy spear.....			
Beans, Lima.....	35	Fresh.....	10-2.....	Ext. std.....	Fancy green.....		Std. fresh white.	
Beans, string.....	35	Cut-green, wax; round, flat.	10-2.....	Ext. std.....	Top std. ¹		Fancy.	
Corn, sweet.....	35	Yellow-white; cream style. Whole kernel.	#2-full inside enamel—Cream style and whole kernel; #10—full inside enamel—Whole kernel only.	Ext. std.....	Fancy.....		Standard.	
Peas.....	35	Alaska's, 3, 4, sieve, sweets, 3 sieve and larger, ungraded.	10-2.....	Ext. std.....	Top std. ¹		Fancy.	
Tomatoes.....	35		10-2½-2.....	Ext. std.....	Top std. ¹		Fancy.	
Tomato catsup.....	38		10-14 oz. glass and larger.	Fancy 25% solids.	Standard.....			
Tomato juice.....	17		10-3 cyl. (404 x 700).	Fancy.....				

¹ Top Standard means 70-74 inclusive as defined in terms of U. S. Grades.

² Except Freestone Peaches packed in California. (See Table II.)

¹ *Supra*.

TABLE II—SECONDARY PRODUCTS

NOTE: The use of tinplate in packing these products is restricted by Conservation Order No. M-81 as it may be amended from time to time. The quota to be set aside for the Government will be equal to the percentage shown in Column B below applied to the maximum production permitted by Order M-81. If actual production is less than the quota, the entire pack of the particular product shall be set aside.

A	B	C	D	E			G
				Grade			
Canned fruits and vegetables	Percentage as defined above	Description	Can sizes preferred in order listed	First preference	Second preference	Third preference	
Apples ¹	100	Heavy pack	10	Standard			
Applesauce ²	60	Fresh	10-2	Fancy	Standard		
Apricots	75	Halves unpeeled	10-2½	Choice	Top Std. ³	Fancy	
Cherries RSP	44	Red pitted (water pack)	10-2	Standard			
Cherries, sweet	50	Light, dark pitted, unpitted	10-2½-2	Choice	Top Std. ¹	Fancy	
Peaches	26	Freestone (Cal. only) halves—sliced	10-2½-2	Choice	Fancy		
Pineapple	34	Sliced, crushed, tidbits (except salad and cocktail tidbits), chunks	10-2½-2	Fancy	Standard		
Pineapple juice	14		10-3 cyl. (404 x 700) 2½-2	Fancy			
Prunes, fresh	50	Italian	10-2½	Choice	Fancy		
Beets	100	Cut-quartered sliced-diced	10-2½-2	Fancy	Top Std. ²		
Carrots	100	Diced	10-2½-2	Fancy	Top Std. ²		
Pumpkin	72		2½	Fancy	Top Std. ²		
Spinach	58		10-2½-2	Fancy	Top Std. ²		

¹ Top standard means 70-74 inclusive as defined in terms of U. S. Grades.
² Top standard means 80-84 inclusive as defined in terms of U. S. Grades.
³ 1942-1943 seasonal pack.

TABLE III—CANNED CITRUS PRODUCTS¹

NOTE: The quota to be set aside for Governmental purchase from a canner's production during the quota period of any product listed in Column A shall be computed by applying the percentage in Column B against the canner's total production, by weight, of that product in the base period. The quota period shall be August 1, 1942 to July 31, 1943, in Florida, Texas and Arizona, and December 1, 1942 to November 30, 1943 in California. The base period shall be the corresponding period one year prior to the quota period.

A	B	C	D	E			G
				Grade			
Product	Percent of 1941-42 pack	Type, style, variety	Can sizes (sequence denotes preference)	First preference	Second preference	Third preference	
Grapefruit	19	Segments	2	Fancy	Choice	Standard	
Grapefruit juice	48	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Standard		
Orange juice	21	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Standard		
Orange and grapefruit juice blended	100	Sweetened or unsweetened	10-3 cyl. 2	Fancy	Standard		

¹ Added.

SPECIFICATIONS FOR BOXES

1. **Weatherproof solid fiber boxes.** Weatherproof solid fiber boxes must be of one piece regular slotted construction, metal stitched body joint; construction in accordance with the following table:

Total weight (exclusive of box)	Minimum thickness of board (inch)	Minimum bursting strength (pounds)
Not exceeding 42 lbs.	0.090	325
Over 42 lbs., but not exceeding 65 lbs.	.100	375

Boards shall further comply with the following waterproofing tests: Specimens 6" x 10", cut from unscored sections of boxes, shall be completely immersed in water for one hour, after which the component piles must not separate beyond 2" from the edges of the piece; after total immersion for 2½ hours similar samples must test not less than 50% of the originally specified bursting

strength, and must weigh not more than 150% of the weight before immersion.

Bottom flaps shall be metal stitched, to the extent the canner's facilities permit, otherwise bottom flaps shall be securely sealed by gluing over all areas in contact; top flaps shall be sealed by gluing over all areas in contact. The sealed boxes shall be reinforced by two flat or round steel straps each having a joint or knot breaking strength of not less than 290 lbs., applied at right angles (over sides, top, and bottom, and over ends, top, and bottom), toward centers of respective panels, but over points of contact of cans with wall of box. Box-maker shall print or clearly mark by knurled impressions which do not impair the strength of the board, approximately ⅜" wide, to indicate the position of the strapping, and shall print a guarantee of compliance with this specification.

2. **Wirebound wood boxes.** Shall comply with Federal Specification NN-B-631a, except as follows: Styles 1, 2, or 3 boxes, or boxes with twisted loop closures, may be used. Veneer or sawed boards, of the following thicknesses, shall be used:

Total weight (exclusive of box)	Minimum thickness of sides, top, bottom, ends, and liners			
	Group I woods (see note 1) (inch)	Group II and Group III woods (inch)	Group IV woods (inch)	Group I, II, III, or IV woods (inch)
Not exceeding 55 lbs.	3/16	1/4	3/8	3/8
Over 55 lbs., but not exceeding 85 lbs.	1/4	5/16	1/2	1/2
Over 85 lbs., but not exceeding 125 lbs.	5/16	3/8	1/2	1/2

NOTE 1: The following species of Group I may be of the same thickness permitted for Group II or III woods for sides, top, bottom, end and liners only: Cottonwood, Cypress, Magnolia, Noble Fir and Spruce.

Cleats shall not be less than 1 3/16" x 1 3/16" and shall be made of Group II, III or IV woods.

Binding wires shall be not less than No. 15 gauge (.072" diameter). Girth wires shall be spaced not more than 6" apart. End wires on Style No. 3 boxes shall be spaced not more than 6" from cleats or from each other.

Style No. 3 boxes shall have 2 edge liners not less than 1 1/8" wide attached to each end perpendicular to (across) the grain of the end boards.

Boxes shall be printed with the name and address of the manufacturer and a guarantee of compliance with this specification.

3. **Nailed wooden boxes.** Boxes shall be made of new materials and of good commercial quality. All boxes shall be made of seasoned lumber having a moisture content not to exceed 18%. The pieces shall show no defects that materially weaken them, expose the contents of the box to damage or interfere with nailing. No knot or knot hole shall have a diameter exceeding one-third the width of the piece. Surfaces of box parts shall be sufficiently smooth to permit legible stenciling and shall not be splintery. Boxes for weights not exceeding 75 lbs. shall be Style 1, Federal Specification NN-B-621a. Boxes for weights exceeding 75 lbs. shall be Style 5 with triangular cleats for round or oval cans and Style 4 for square and oblong cans.

[Thickness of parts of boxes]

Total weight (exclusive of box)	Minimum finished thickness of ends				Minimum finished thickness of sides, tops, and bottoms			
	Group I or II woods (inch)	Group III or IV woods (inch)	Group I or II woods (inch)	Group III or IV woods (inch)	Group I or II woods (inch)	Group III or IV woods (inch)	Group I or II woods (inch)	Group III or IV woods (inch)
Not exceeding 55 lbs.	5/8	3/4	3/4	3/4	3/4	3/4	3/4	3/4
Over 55 lbs., but not exceeding 75 lbs.	3/4	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8
Over 75 lbs., but not exceeding 100 lbs.	3/4	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8	1 1/8

Each side, top and bottom shall be nailed to each end piece with not less than four six-penny cement coated box nails for Groups I and II woods, or four five-penny cement coated box nails for Groups III and IV woods, spaced not more than three inches apart.

Boxes shall be sized to allow approximately one-eighth inch over exact length, width and height of contents.

The nailed boxes shall be reinforced by two flat or round steel straps, each having a joint or knot breaking strength of not less than 290 lbs., applied over sides, top and bottom, approximately 1/6 the distance from each end of box.

[F. R. Doc. 43-2764; Filed, February 19, 1943; 12:36 p. m.]

[FDO 22-2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED FRUIT AND FRUIT JUICES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.2 Quota restrictions and allocations of canned fruit and fruit juices—

(a) *Definitions.* When used in this order the terms as defined in Food Distribution Order 22¹, shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions.* Every canner of canned fruits and fruit juices shall set aside to be delivered for the requirements of Government agencies, a quota of canned fruits and fruit juices packed by him at any time in the calendar year 1943 or, when specified, in 1942-43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such fruits and fruit juices is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any fruits or fruit juices, listed in Table I, which he did not pack during the base period, and for which unlimited tinplate is available under § 1068.1, Conservation Order M-81², as amended³, he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the fruits or fruit juices in question during the quota period.

(c) *Definition of quota period.* With the exceptions hereinafter listed, the quota period is 1943. In case of grapefruit, grapefruit juice, orange juice, and orange juice and grapefruit juice blended, the quota period is August 1, 1942 to July 31, 1943, in Florida, Texas, and Arizona, and December 1, 1942 to November 30, 1943, in California.

(d) *Definition of base period.* The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) *Applicability of order.* Fruits and fruit juices not listed in Table I are not required to be set aside. Fruits and fruit juices packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to fruits and fruit juices packed in other territories and possessions of the United States.

(f) *Provisions applicable when whole pack not set aside for Government.* The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such fruits and fruit juices specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinplate, and from the part packed in glass only when the part packed in tinplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds

of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

(g) *Reports.* The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) *Purchase, inspection and specifications.* Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) *Effective date.* This order shall be effective as of the date of its issuance. (E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February 1943.

[SEAL]

ROY F. HENDRICKSON,
Director of Distribution.

TABLE I—CANNED FRUITS AND FRUIT JUICES

A Product	B Percentage of base period pack	C Type, style, variety (sequence does not denote preference)	D Grade			G Can sizes (sequence denotes preference)
			First preference	Second preference	Third preference	
Apples.....	63	Heavy pack.....	Standard.....	Fancy.....	-----	10.
Applesauce.....	41	-----	Fancy.....	Standard.....	-----	10-2.
Apricots.....	60	Halved, unpeeled.....	Choice.....	Standard.....	Ple or water pack.	10-2½.
Berries ¹	50	-----	Water pack.....	-----	-----	10.
Blueberries.....	100	-----	Water pack.....	(Syrup pack not desired.)	-----	10.
Cherries, RSP.....	70	Red sour pitted (water pack).	Standard.....	-----	-----	10-2.
Cherries, sweet.....	65	Light or dark; (pitted or unpitted).	Choice.....	Top standard ¹	Fancy.....	10-2½-2.
Figs.....	100	Kadota.....	Choice.....	Fancy.....	-----	10.
Fruit cocktail.....	64	-----	Choice.....	Fancy.....	-----	10-2½.
Grapefruit.....	19	Segments.....	Fancy.....	Choice.....	Broken.....	2.
Grapefruit juice.....	58	Sweetened, unsweetened.	Fancy.....	Standard.....	-----	10-3 cyl.-2.
Orange juice.....	45	Sweetened, unsweetened.	Fancy.....	Standard.....	-----	10-3 cyl.-2.
Orange juice.....	21	Sweetened, unsweetened.	Fancy.....	Standard.....	-----	10-3 cyl.-2.
Orange and grapefruit juice blended.	100	Sweetened, unsweetened (50% orange) (50% grapefruit).	Fancy.....	Standard.....	-----	10-3 cyl.-2.
Peaches.....	55	Yellow clingstone, halved or sliced.	Choice.....	Top standard ¹	-----	10-2½.
-----	-----	Freestone (except California), yellow, halved or sliced.	Choice.....	Fancy.....	-----	10-2½.
Pears.....	60	Bartlett, halved.....	Choice.....	Top standard ¹	Fancy.....	10-2½.
Pineapple.....	70	Sliced, crushed, chunks, tidbits, (except cocktail tidbits).	Fancy.....	Standard.....	-----	10-2½.
Pineapple juice.....	37	-----	Fancy.....	-----	-----	10-3 cyl.-2.

¹ *Supra.*

² 7 F.R. 10321.

³ 8 F.R. 228.

¹ Top standard means 70-74 inclusive as defined in terms of U. S. grade.

² Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.

[FDO 22-3]

PART 1425—CANNED AND PROCESSED FOODS
CANNED VEGETABLES

Pursuant to the authority vested in me by Food Distribution Order No. 22, dated February 19, 1943 issued under the authority of Executive Order No. 9280, dated December 5, 1942 and to effectuate the purposes of those orders *It is hereby ordered*, As follows:

§ 1425.3 *Quota restrictions and allocations of canned vegetables*—(a) *Definitions*. When used in this order the terms as defined in Food Distribution Order 22,¹ shall have the same meaning unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) *Quota restrictions*. Every canner of canned vegetables shall set aside to be delivered for the requirements of Government agencies, a quota of canned vegetables packed by him at any time in the calendar year 1943 or, when specified, in 1942-43. The quota to be set aside from a canner's pack of any product listed in Column A of Table I, attached hereto, packed during the quota period for that product, shall be computed by applying the percentage in Column B against the canner's total pack in the base period, including his pack both in metal and glass containers. If the type, style, variety or grade of any such vegetables is described in Table I, such quota shall be in the type, style, variety and grade described, but other types, styles, varieties or grades shall be substituted to the extent that those specified in Table I are not packed. If a canner is preparing to pack during the quota period any vegetables, listed in Table I, which he did not pack during the base period, and for which unlimited tinsplate is available under § 1068.1, Conservation Order M-81,² as amended,³ he shall so advise the Director of Food Distribution by letter, stating the anticipated quantities to be packed, and shall set aside a quota determined by applying the percentage set forth in Column B against the canner's total pack of the vegetables in question during the quota period.

(c) *Definition of quota period*. The quota period is 1943.

(d) *Definition of base period*. The base period is in all cases the corresponding twelve-month period one year prior to the quota period.

(e) *Applicability of order*. Vegetables not listed in Table I are not required to be set aside. Vegetables packed in the Hawaiian Islands must be set aside as prescribed by this order, but this order does not apply to vegetables packed in other territories and possessions of the United States.

(f) *Provisions applicable when whole pack not set aside for Government*. The following provisions apply whenever any product may be packed for nongovernmental requirements as well as for governmental requirements: To the extent that the canner's production of the first preference grade of such vegetables specified in Column D is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. To the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column E to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside sufficient of his production of the third preference grade, if any, specified in Column F to complete his quota. If a canner packs both in tinsplate and glass, insofar as the above grade standards permit the quota shall be set aside from the part packed in tinsplate, and from the part packed in glass only when the part packed in tinsplate is insufficient.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column G. The balance shall be reserved in the largest can sizes available in the order of preference specified in Column G.

(g) *Reports*. The report prescribed by paragraph (c) (2) of Food Distribution Order No. 22, shall be given on Form PD-343, revised. The report shall be filed within fifteen days of the completion of the pack.

(h) *Purchase, inspection and specifications*. Until further notice, the Army of the United States is hereby allocated the quotas prescribed by this order, to purchase for its own account and the account of other government agencies named in paragraph (b) (3) of Food Distribution Order No. 22, whenever it has agreed with such other agencies to do so. The Army of the United States and the Food Distribution Administration in the Department of Agriculture are also authorized to inspect and grade such canned foods pursuant to paragraph (d) of Food Distribution Order No. 22. The Army of the United States is also authorized to issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to paragraph (b) (5) of Food Distribution Order No. 22.

(i) *Effective date*. This order shall be effective as of the date of its issuance. (E.O. 9280, 7 F.R. 10179; Food Distribution Order 22)

Issued this 19th day of February, 1943.
[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

TABLE I—CANNED VEGETABLES

A Product	B Percentage of base period pack	C Type, style, variety (sequence does not denote preference)	D, E, F Grade			G Can sizes (sequence denotes preference)
			First preference	Second preference	Third preference	
Asparagus.....	43	All green or culturally bleached.	Fancy cut.....	Fancy spear.....	.....	10-2.
Beans, lima.....	37	Fresh.....	Extra standard.....	Fancy.....	Standard.....	10-2.
Beans, snap.....	38	Green, wax-cut.....	Extra standard.....	Top standard ¹	Fancy.....	10-2½-2.
Beets.....	100	Cut, quartered, diced, sliced, whole 1½" diameter and under.	Fancy.....	Top standard ¹.....	.....	10-2½-2.
Carrots.....	130	Diced.....	Fancy.....	Top standard ¹	Standard except for size (chips).	10-2½-2.
Corn, sweet ¹	40	White, yellow-cream style, whole kernel.	Fancy.....	Extra standard.....	Top standard ²	10-2.
Peas.....	48	Alaska—3, 4, sieve; sweet—3 sieve and larger, ungraded.	Extra standard.....	Top standard ¹	Fancy.....	10-2.
Pumpkin or squash.....	51	.....	Fancy.....	Top standard ¹.....	.....	2½.
Spinach.....	48	.....	Fancy.....	Top standard ¹.....	.....	10-2½.
Tomatoes.....	40	.....	Extra standard.....	Top standard ¹	Fancy.....	10-2½-2.
Tomato catsup.....	61	.....	Fancy 20%-33% solids.	Fancy 33% solids or over.	Fancy 25% solids.	10-3 cyl.-2½-2; 14 oz. glass or larger.
Tomato juice.....	43	.....	Fancy.....	.....	.....	10-3 cyl.-2.
Tomato puree.....	71	Heavy (minimum specific gravity—1.045).	Fancy.....	.....	.....	10.
Tomato paste.....	40	.....	Fancy.....	.....	.....	10-2½-2.

¹ Top Standard means 80-84 inclusive as defined in terms of U. S. grades.
² Top Standard means 70-74 inclusive as defined in terms of U. S. grades.
³ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

¹ *Supra*.
² 7 F.R. 10321.
³ 8 F.R. 228.

[FDO 23]

PART 1465—FISH

RESTRICTIONS ON THE SALE OF SPECIFIED CANNED FISH

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to insure an adequate supply and efficient distribution of canned fish of the 1942 pack to meet war and civilian needs, *It is hereby ordered*, As follows:

§ 1465.11 *1942 pack of canned fish, allocation and restrictions on sales—(a) Definitions.* When used in this order unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Canner" means any person, partnership, association, business trust, corporation or any organized group of persons, whether incorporated or not, engaged in the business of canning fish in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) "Pack" means the total amount, by net weight, of all grades of fish enumerated in Groups 1 to 4 in paragraph (b) (1), packed by any canner from March 1, 1942 to February 28, 1943.

(3) "Government agency" means any officer, board, agency, commission, or government-owned or government-controlled corporation of the United States specifically designated by the Director.

(4) "Delivery to Government agencies" means the transfer of title of the canned fish to the Food Distribution Administration or any Government agency designated by the Director. Such delivery may be evidenced by execution of bill of lading or receipt acceptable to the Director or designated agency.

(5) "Director" means the Director of Food Distribution, United States Department of Agriculture or any employee of the United States Department of Agriculture designated by the Director.

(b) *Restrictions on canners.* (1) Notwithstanding any previous notice of release by any Government agency, no canner after February 19, 1943, may sell for delivery any part of his pack of the following fish packed by him at any time from March 1, 1942 to February 28, 1943, except as permitted by this order:

Group 1 Salmon: Red, sockeye, or blueback (*Oncorhynchus nerka*); Pink (*Oncorhynchus gorbuscha*); Silver, silverside, medium red, or coho (*Oncorhynchus kisutch*); Chum or keta (*Oncorhynchus keta*); King, chinook or spring (*Oncorhynchus tshawytscha*); Steelhead, or steelhead trout (*Salmo irideus* and *S. Clarki*, sometimes called *S. Gairdneri*).

Group 2 Pilchard: (*Sardinia caerulea*), by whatever name known, including sardines.

Group 3 Sea herring: Atlantic (*Clupea harengus*), by whatever name known, including sardines.

Group 4 Mackerel: Atlantic (*Scomber scombrus*); Pacific (*Pneumatophorus japonicus diego*).

(2) Each canner may deliver, to any agency or agencies of the United States

Government, specifically designated by the Director, any part or all of the canned fish listed in paragraph (b) (1), packed by him during the period specified in this order.

(3) 80% by net weight is hereby established as each canner's quota percentage for such sale to Government agencies of his pack of each species of Groups 2, 3, and 4, and 60% of his pack of each species of Group 1 of canned fish listed in paragraph (b) (1), packed during each quota period. The following quota periods are hereby established:

Period 1—March 1, 1942—January 31, 1943.
Period 2—February 1943.

(4) The Food Distribution Administration within the Department of Agriculture is hereby allocated the quantities prescribed by this order, and authorized to purchase, for governmental requirements, those quantities and such other and further quantities as may be allocated to it from time to time. Said Food Distribution Administration is also authorized to inspect and grade such canned fish pursuant to paragraph (d) of this order.

(5) Any canner who has delivered to Government agencies his quota of his pack of any species of any Group of canned fish listed in paragraph (b) (1), packed during any quota period may deliver to persons other than Government agencies 20% of his pack of each species of Groups 2, 3, and 4, and 40% of his pack of each species of Group 1, packed during such quota period. The quantities permitted by this order to be delivered to other than Government agencies may be delivered by a canner in advance of delivery of his quota to Government agencies if so authorized by the Director: *Provided*, That the Director finds the canner is unable to deliver his quota for reasons beyond his control: *And provided further*, That he has obliged himself by contract to make deliveries of his quota when able: *Provided further*, That specific releases for delivery to other than Government agencies in excess of the percentages specified in this paragraph of any canner's pack of any species of any group listed in paragraph (b) (1), granted prior to February 19, 1943, by the Agricultural Marketing Administration, or the Food Distribution Administration, of the United States Department of Agriculture, or the Director General for Operations of the War Production Board and which subsequent to February 19, 1943, may be granted by the director, shall not be construed as being in violation of this order.

(6) Each canner shall mail to or file with the Food Distribution Administration, weekly within three days after the close of each calendar week on Form PD-495, "Canned Fish; Weekly Pack Report." A report on such form, shall be filed within fifteen days after the completion of each canner's seasonal pack, covering the entire amount of such pack.

(7) The Director may issue specifications at any time as to processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping, or he may authorize any Government agency to issue such specifications.

(c) *Certificates relating to the cans covered by this order—(1) Certificates.* Each canner who purchases any cans to pack fish for Government use pursuant to this Order—whether such purchase is by contract or on open account order—shall furnish, to the can manufacturer from whom he buys, a certificate, signed by an authorized official, in substantially the form attached hereto as "Exhibit A", which shall constitute certification to the Food Distribution Administration that such canner is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that during the life of this order, he will not use any cans purchased from such can manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given can manufacturer need be furnished by a canner to that can manufacturer but no can manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false.

(d) *Inspection and grading.* Any canned fish required to be set aside under this order shall be subject to inspection and grading at any time by the Director or by any person or any Government agency specifically authorized by the Director.

(e) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, purchases, production and sales, and shall maintain such other records for such other periods of time, and shall execute and file such reports upon such forms and submit such information, as the Director may from time to time request or direct, and within such times as he may prescribe.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of canned fish and premises used in his business, and all of his books, records and accounts shall upon request be submitted to audit and inspection, by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wil-

fully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution; United States Department of Agriculture; Washington, D. C. Ref: FD-23.

(j) *Effective date of and termination.* This order shall take effect on the date of issuance thereof, and, shall continue in effect until revoked.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of February 1943.
[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

EXHIBIT A—CANNER'S CERTIFICATE¹

Certificate required by paragraph (c) (1) of Food Distribution Order 23. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in its present form or as it may be amended from time to time, remains in effect.

(Applicant's Name)

(Applicant's Address) (Date)

In accordance with paragraph (c) (1) of Food Distribution Order 23, to conserve the supply and direct the distribution of certain canned foods, the undersigned hereby certifies—and this shall constitute a certification to the Food Distribution Administration, United States Department of Agriculture—that the undersigned applicant is familiar with the terms of said Food Distribution Order 23, and any and all amendments thereto, and that said applicant will not use any cans purchased from

(Name of Can Manufacturer)

(Address of Can Manufacturer)
In violation of the terms of said Order and amendments.

(Legal Name of Applicant)

By -----
(Title of Official Reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

[F. R. Doc. 43-2767; Filed, February 19, 1943; 12:38 p. m.]

¹Secretary of Agriculture.
No. 37—2

[Food Directive 5]

PART 1400—DELEGATIONS OF AUTHORITY
DELEGATION OF AUTHORITY WITH RESPECT TO
RATIONING CONTROL OF PROCESSED
FOODS

Pursuant to the authority vested in me by Executive Order 9280, dated December 5, 1942, and in order to enable the Office of Price Administration to undertake, administer, and enforce rationing programs with respect to processed foods, *It is hereby ordered*, as follows:

§ 1400.5 *Food Directive No. 5; control over processed foods.* (a) In order to permit the efficient rationing of processed foods, processed foods are hereby declared to be rationed foods for the purposes of Food Directive No. 3 (8 F.R. 2005). The Office of Price Administration is authorized to exercise all the powers delegated to it by Food Directive No. 3, subject to the terms and conditions thereof, with respect to all processed foods.

(b) Notwithstanding the provisions of Food Directive No. 3, the Office of Price Administration is hereby authorized to exercise control over the sale, transfer, delivery, or other disposition of processed foods by any person, or to any person, and control over the acquisition, use, or distribution of processed foods by any person.

(c) As used in this directive, the term "processed foods" means and includes:

(1) All fruit, fruit juices, vegetables, vegetable juices, soups, baby foods of all kinds, fish, shellfish, and milk packed in hermetically sealed containers of any type and sterilized by the use of heat.

(2) All jams, jellies, preserves, fruit butters, pickles and relishes.

(3) All frozen fruits and vegetables.

(4) All dried and dehydrated fruits and vegetables.

(5) All dried and dehydrated soups, including but not limited to meat, poultry, or vegetable bouillon cubes.

(6) All combinations of any of the foregoing with meat.

(7) All combinations of any of the foregoing.

(d) This Food Directive No. 5 shall become effective February 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 20th day of February, 1943.
[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2815; Filed, February 20, 1943; 12:15 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT
Chapter I—Aid of Civil Authorities and
Public Relations

PART 5—SAFEGUARDING TECHNICAL
INFORMATION

CLASSIFICATION OF VISITORS

Section 5.17 (c) is added as follows:

§ 5.17 *Classification of visitors.* * * *

(c) Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects. (R.S. 161; 5 U.S.C. 22) [Par. 58, AR 380-5, September 28, 1942, as amended by C 5, January 23, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2849; Filed, February 22, 1943; 10:26 a. m.]

Chapter III—Claims and Accounts

PART 34—MILITARY COURT FEES

WITNESSES; CIVILIANS

Section 34.3(a)(2)(ii)¹ is amended as follows:

§ 34.3 *Witnesses*—(a) *Civilians.* * * *

(2) * * *
(ii) (a) Witnesses attending in such courts, shall receive for each day's attendance and for the time necessarily occupied in going to and returning from the same, \$2 (but see (b) below), and 5 cents per mile for going from his or her place of residence to the place of trial or hearing and 5 cents per mile for returning: *Provided*, That witnesses (other than witnesses who are salaried employees of the Government and detained witnesses) in the United States courts, who attend court at points so far removed from their respective residence as to prohibit return thereto from day to day, shall be entitled, in addition to the compensation provided by existing law, as modified by this Act, to a per diem of \$3 for expenses of subsistence for each day of actual attendance and for each day necessarily occupied in traveling to attend court and return home. In cases in which the United States is a party, witnesses on behalf of the United States shall be entitled to the payments provided by this section.

(b) The Act of July 2, 1942 (56 Stat. 468) and other Department of Justice appropriation acts provided that no part of the sums therein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day, which fee shall not exceed \$1.50 except in the District of Alaska. (R.S. 161; 5 U.S.C. 22) [Par. 3b, AR 35-4120, March 18, 1942, as amended by C. 2, February 3, 1942]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2850; Filed, February 22, 1943; 10:26 a. m.]

¹7 F.R. 2630, 9805.

PART 36—CLAIMS AGAINST THE UNITED STATES

APPREHENSION OF ABSENTEES

Sections 36.30 and 36.40 are amended and § 36.41 is rescinded as follows:

§ 36.30 *Apprehension of absentees*—
(a) *Military personnel.* All military personnel are authorized and directed to arrest absentees, whatever may be the grade of the person making the arrest or of the person arrested.

(b) *Civil personnel.* Any civil officer or citizen may arrest, detain, and deliver an absentee when authorized by any commissioned officer of the Army. Such authority may be given by distributing W. D., A.G.O. Form No. 45, Descriptive List of Absentee Wanted by the United States Army, or in reply to an inquiry in accordance with paragraph (c) of this section.

(c) *Inquiry from civil officer or citizen.* Upon receipt of word by a post or organization commander from a civil officer or other citizen that such civilian intends to arrest or has arrested an alleged unauthorized absentee from his post or organization, the commander will ascertain such person's status and will promptly inform the inquirer concerning it by telephone, telegraph, or other expeditious means. If the person held is an absentee, the commander will direct the person holding him either to deliver him to or request a guard from the nearest military post, or hold him awaiting the arrival of a guard, and will inform such person of his right to payment for his services.

(d) *Guards.* W.D., A.G.O. Form No. 45 directs the arresting officer to deliver an absentee to the nearest military post or hold him and inform the commanding officer of the nearest military post. Upon receipt of information that a civil officer or other civilian is holding an absentee the post commander will cause a guard to be sent for the absentee so that delivery will be accomplished as quickly as may be and in any event not later than 24 hours after receipt of the notification. If it is impracticable for the commander receiving the notification to provide a guard from his command he will make arrangements with a commander capable of providing a guard or will report the case to the commanding general of the service command.

(e) *Service commands.* Commanding generals of service commands will take steps to secure the active cooperation of all local boards and police forces, and such other officials and organizations as they may deem useful to insure that absentees are returned promptly to military control. (R.S. 161; 5 U.S.C. 22; 47 Stat. 1575; 10 U. S. C. 1431) [Par. 12, AR 615-300, January 30, 1943]

§ 36.40 *Property of absentee.* (a) When an enlisted man absents himself without leave, his company commander will cause the public property, including clothing, for which the absentee is re-

sponsible to be searched for and secured. His personal effects will be retained with his organization until he returns or until he is dropped from the rolls. In the latter case they will be disposed of as follows:

(1) Decorations, medals, discharges, and other military papers will be forwarded to The Adjutant General.

(2) Articles having material value will be disposed of by sale and the proceeds therefrom, together with any money left by the absentee, will be deposited with a disbursing officer, whose receipt will be taken and forwarded to The Adjutant General. The receipt will show the nature of the deposit.

(3) Articles having no salable value will be destroyed.

(b) In no case will the effects of an absentee, or any proceeds of the sale thereof, be turned over to his relatives, nor any payment made therefrom on any account, except with the approval of the War Department. (R.S. 161; 5 U.S.C. 22) [AR 615-300, January 30, 1943]

§ 36.41 [Rescinded] (R.S. 161; 5 U.S.C. 22) [AR 615-300, January 30, 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2851; Filed, February 22, 1943; 10:26 a. m.]

Chapter VI—Organized Reserves

PART 62—RESERVE OFFICERS' TRAINING CORPS

WASTE MATERIAL AND SALVAGE PROPERTY

Section 62.47 (f) (3) is hereby amended as follows:

§ 62.47 *Waste material and salvage property.* * * *

(f) *Disposition of waste material and salvage property by sale.* * * *

(3) *Copies of invitation for bids to be furnished The Quartermaster General.* Three copies of each invitation for bids covering the sale of waste materials and salvage property will be furnished The Quartermaster General on the same date that distribution thereof is made to prospective purchasers and bidders from posts, camps, and stations within the continental limits of the United States except Alaska, and two copies from posts, camps, and stations in the departments beyond the continental limits of the United States, Alaska, and Puerto Rico.

(Sec. 47, 39 Stat. 192; sec. 34, 41 Stat. 777; 10 U.S.C. 389) [Par. 24, AR 30-2145, September 2, 1942, as amended by C 2, February 11, 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2852; Filed, February 22, 1943; 10:26 a. m.]

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

NECKTIE, INSIGNIA, ETC.

Sections 79.14, 79.24 (7 F.R. 11, 9449), and 79.63 (7 F.R. 11), are amended and 79.54a is added as follows:

§ 79.14 *Necktie.* For officers, warrant officers, and enlisted men.

(a) *Material.* Without stripe or figure, of adopted standard (§ 79.2 (a) (3)).

(b) *General description.* Of adopted four-in-hand type. (R.S. 1296; 10 U.S.C. 1391) [Par. 14, AR 600-35, November 10, 1941, as amended by C 11, January 18, 1943]

§ 79.24 *Insignia for collar and lapel of coat.* * * *

(b) *Other officers, Army nurses, and warrant officers.* * * *

(2) *Insignia of arm, service, and bureau.* * * *

(xxiv) *Transportation Corps.* A ship's steering wheel, superimposed thereon a shield charged with a winged car wheel on a rail, all of the same material, 1 inch in height.

(xxv) *Warrant officers.* * * *

(xxvi) *Members of the United States Army Band.* * * *

(xxvii) *First Special Service Force.* * * * (R.S. 1296; 10 U.S.C. 1391)

[Par. 24, AR 600-35, November 10, 1941, as amended by C12, February 5, 1943]

§ 79.63 *Colors of arms, services, bureau, etc.* * * *

(w) *Transportation Corps.* Brick red with golden yellow.

(x) *Warrant officers.* Brown. (R.S. 1296; 10 U.S.C. 1391) [Par. 63, AR 600-35, November 10, 1941, as amended by C 12, February 5, 1943]

§ 79.54a *Badge, flight surgeon.* The device consists of a pair of wings 3.125 inches of gold color metal with the letter "O" in the center of the wings, superimposed thereon the Medical Corps insignia. (R.S. 1296; 10 U.S.C. 1391) [Par. 54½, AR 600-35, November 10, 1941, as amended by C 13, February 11, 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2853; Filed, February 22, 1943; 10:26 a. m.]

Chapter IX—Transport

PART 92—CHARTER AND REDELIVERY OF VESSELS

CHARTER OF VESSELS

Sections 92.1 to 92.13, inclusive, are hereby amended as follows:

Sec.
92.1 Commercial vessels.
92.2 Charters.
92.3 Time charter.
92.4 Bare-boat charter.
92.5 Rental of vessels by the Government.

Sec.	
92.6	Owners' obligation as to condition.
92.7	Survey.
92.8	Inventories.
92.9	Repairs.
92.10	Removal of equipment, etc.
92.11	Execution of charter.
92.12	Disposition of survey, inventory, etc.
92.13	Change of form of charter.

AUTHORITY: §§ 92.1 to 92.13, inclusive, issued under R. S. 161; 5 U.S.C. 22.

§ 92.1 *Commercial vessels.* Commercial vessels as necessary and available will be chartered by an agency of the Government created for that purpose and will be refitted for troop and cargo service in accordance with standard specifications, under the direction of the Chief of Transportation, and assigned to the several ports to supplement the owned service. [Par. 1]

§ 92.2 *Charters.* Privately owned vessels when requisitioned or chartered in the usual way by the Government for and on account of the Transportation Corps of the War Department will be taken over under the charter party on the prescribed form. [Par. 2]

§ 92.3 *Time charter.* Under this form of charter the owner or other Government agency maintains in seaworthy condition and operates the vessel for the War Department, furnishing at owner's or other Government agency's expense all tools, equipment, supplies, and services, and also employs, pays, and discharges the master, officers, and crew, and is charged with the upkeep of the vessel. [Par. 3]

§ 92.4 *Bare-boat charter.* Under this form of charter the United States takes over and operates the vessel, furnishing all provisions, fuel, and water; pays, hires, and discharges the master, officers, and crew, and is charged with the upkeep of the vessel. [Par. 4]

§ 92.5 *Rental of vessels by the Government.* Where the Government is in possession of a private vessel under rental agreement with the owners or other Government agency thereof during the time negotiations for its purchase by the Government are in progress, rent for the vessel is properly payable under the rental agreement until approval of purchase agreement by the proper Government official, but in absence of any specific agreement the Government is not required or obligated to pay rent for the vessel subsequent to approval of purchase agreement up to and including date of payment of purchase money. (See 26 Comp. Dec. 738) [Par. 6]

§ 92.6 *Owners' obligation as to condition.* Under either form of charter the vessel when accepted by the United States will be, or will forthwith be, made by and at the expense of the owner or other Government agency, tight, strong, and well and sufficiently tackled, appared, furnished, and equipped, and in every respect seaworthy and in good running order and condition; fit for the service in

which she has usually been employed. The following instructions must be carefully and thoroughly followed, as neglect in preparing and preserving a complete detailed record of the condition of the vessel at the time she is taken over, together with a complete detailed inventory, may cause great trouble and loss to the Government at the time of redelivery of the vessel to the owner, or other Government agency. [Par. 7]

§ 92.7 *Survey.* (a) Upon receiving orders to take over a vessel from a private owner, or other Government agency, the officer charged with this duty, hereinafter called chartering officer, will call upon the owner or other Government agency delivering to him a copy of the requisition order, and arrange with the owner or other Government agency to make a survey of the physical condition of the ship and its machinery. The chartering officer will require the superintending engineer of the Army Transport Service at the nearest port to detail one or more marine experts experienced in the hull and deck departments of ocean-going steam vessels and one or more marine experts, holding license as chief engineer of ocean-going steam vessels and experienced in the operation, repair, and maintenance of the steam-engine department of ocean-going steam vessels, who in conjunction with the chartering officer and the owner or his representative will make a full, complete, and detailed survey of the physical condition of the ship, its equipment, and machinery. This survey will specify the condition of each element and unit in the ship, whether excellent, good, fair, or poor, and if any element or unit be found other than excellent will specify in detail in what respect the condition is other than excellent, for example, if the bearing of crank shaft of main engine were found to have been burned out and the metal run, it would not be sufficient to show the main crank shaft as being "poor" but it would be required to have survey show in what respect it was "poor" by specifying the exact condition in detail. Such survey involves the opening up for inspection of all engines, machinery, and auxiliaries for examination, and the testing by operation of all machinery and appliances. The vessel must also be drydocked for survey, and report made on underwater parts including measurement of extent to which tail shaft is down, condition of paint on bottom, and any plates set up or indented, any seams or rivets leaking, and any bilge keels broken, bent, or loose.

(b) This survey will be certified as correct as to the date taken, both by the chartering officer, the superintending engineer or his assistant, and the owner or his representative or other Government agency. In the event the owner or other Government agency does not agree as to any item or items of the survey, or refuses to sign such survey, a detailed statement as to disputed items, signed by the owner or his representative,

should be obtained. If the owner or other Government agency refuses or neglects to make such statement, a detailed report as to items not agreed upon will be appended to the report of survey.

(c) Embodied in the report of survey will be a brief statement of the history of the vessel including its name, type, dead-weight tonnage, gross tonnage, passenger capacity; speed in knots per hour; consumption of coal or oil per 24 hours; the service in which the vessel has been engaged; a statement of accidents, groundings, collisions, etc., within the past year; when last drydocked; when last painted from truck to water line; when bottom last scaled and painted; when water tanks last scaled, cleaned, cement washed, and tested for tightness; when tail shafts last drawn; and a copy of United States inspection certificate, copy of hull board report on last drydocking, and copy of classification certificate and when classification expires appended. If the ship has no classification, that fact will be certified by owners.

(d) The report of survey will be accomplished in accordance with a model form to be furnished by the Chief of Transportation. [Par. 8]

§ 92.8 *Inventories.* The port steward and transportation purveyor will, in company with the chartering officer, make a complete inventory of the consumable stores, provisions, coal, oil, and water, as well as all furnishings, spares, tools, and supplies on the vessel. This inventory will be checked with the inventory furnished by the owner or other Government agency under terms of the charter and, in case it does not agree in all respects with the owner's or other Government agency's inventory, the owner's or other Government agency's attention will be called to any discrepancies, and if not corrected a full and detailed report of the items of difference should be made. [Par. 2]

§ 92.9 *Repairs.* As it is the duty of the owner or other Government agency, as hereinbefore stated, to deliver the vessel to the Government in every respect seaworthy and in good running order and condition, immediately upon the completion of the survey the owner or other Government agency will be notified in writing to accomplish forthwith such repairs as may be necessary to make the vessel seaworthy and place her in good and efficient running order. This notice will contain a detailed statement of the work demanded by the Government and be prepared by the superintending engineer and signed by him as well as by the chartering officer. In the event that the owner or other Government agency does not at once comply with the notice to make the vessel seaworthy and place her in good and efficient running order, or in the event the Government deems it expedient to itself accomplish the repairs necessary to put the vessel in good running order

and condition or to make her seaworthy, such work will be directed by the chartering officer to be done under the supervision of the superintending engineer, and charged to the owner or other Government agency, the charges being deducted from the charter hire. An accurate account of the cost of such repairs will be kept. [Par. 10]

§ 92.10 *Removal of equipment, etc.* In the event the Government removes from the vessel any of its furnishings, equipment, appliances, furniture, machinery, or installations, the superintending engineer will cause all such articles to be carefully boxed or crated and properly labeled with name of ship and list of contents; and same to be stored in a safe place for preservation against the time of redelivery of vessel to owner, or other Government agency. The superintending engineer will cause lists to be made in quadruplicate, showing all removals and giving the contents of each box or crate with place where stored; one copy of which will be delivered to the Chief of Transportation, one copy to owner of vessel, or other Government agency, one copy placed with the ship's papers, and one copy filed with the officer in command at the port where the removals are made. [Par. 11]

§ 92.11 *Execution of charter.* (a) The chartering officer will have the charter executed by the owner or other Government agency and by himself for the United States in triplicate, one copy for the General Accounting Office, Military Division, one copy for the Chief of Transportation, and one copy for the contractor on the ship.

(b) In determining the amount to be inserted in paragraph 14, time form, and paragraph 9, bare-boat form, the owner or other Government agency will be warned and cautioned against stating a false or fictitious value for his vessel; but will state true value of the vessel considering its age, history, and present condition. [Par. 12]

§ 92.12 *Disposition of survey, inventory, etc.* The original and three copies of the survey, inventory, and reports connected therewith will be retained by or forwarded to the officer in charge of the designated home port, who will send one copy of each to the Chief of Transportation, one copy to the owner or other Government agency or the vessel, and one copy will be placed with the ship's papers. [Par. 13]

§ 92.13. *Change of form of charter.* In the event a boat has been under time charter and she is to be taken over on bare-boat form, all the steps heretofore outlined by way of survey, inventory, etc., will be performed as if the boat were coming into Government service for the

first time with no previous Government service. [Par. 14]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2789; Filed, February 20, 1943;
9:32 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50817]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE

PRESQUE ISLE AIR BASE, MAINE¹

FEBRUARY 19, 1943.

The Presque Isle Air Base, Presque Isle, Maine, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from February 20, 1943.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL]

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2838; Filed, February 20, 1943;
3:47 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 29]

PART 803—GENERAL ORDERS

RATES OF PAY OF EMPLOYEES OF THE PAN AMERICAN UNION

§ 803.29 *General Order No. 29.* The National War Labor Board hereby delegates to the Director General of the Pan American Union power to make wage and salary adjustments with respect to employees of the Pan American Union insofar as such adjustments are necessary to correct maladjustments, or to correct inequalities, or gross inequities, as defined in the Board's Statement of Wage Policy of November 6, 1942, and any other general order or policy heretofore or hereafter announced thereunder.

(E.O. 9250, 7 F.R. 7871)

Adopted February 18, 1943.

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-2836; Filed, February 20, 1943;
2:55 p. m.]

¹This document affects the tabulation in 19 CFR 4.13.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 129, 2d Ed.]

PART 603—SELECTIVE SERVICE OFFICERS

MEDICAL ADVISORY BOARDS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E. O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend section 603.31 to read as follows:

§ 603.31 *Composition, appointment, and duties.* (a) In each State, medical advisory boards shall be appointed by the Governor. The boards shall, if practicable, consist of internists; eye, ear, nose, and throat specialists; orthopedists; surgeons, psychiatrists; clinical pathologists; radiographers; and dentists. In the event that a complete medical advisory board cannot be made available in any area, the Governor may appoint one or more individual specialists to act as a medical advisory board.

(b) Upon proper request, the medical advisory board shall examine and submit a report on the physical and mental fitness for service of a registrant who has been rejected for or separated from either military service or work of national importance under civilian direction. Upon request of the Director of Selective Service, the medical advisory board shall examine and submit a report on the physical and mental fitness of any assignee who is performing work of national importance and, if requested, shall recommend for or against the discharge of such assignee based upon his physical or mental condition.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 20, 1943.

[F. R. Doc. 43-2843; Filed, February 20, 1943;
4:12 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R.

2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-214]

COVE, INC.

Paragraph (b) of § 1010.214 *Suspension Order S-214* issued January 15, 1943, is hereby amended to read as follows:

§ 1010.214 *Suspension Order S-214*. (b) For a period of sixty days from the effective date of this order no application filed by Cove, Inc., or any other person for authorization to complete the said construction of the remodeling of the premises situated at 1301-03 Locust Street, Philadelphia, Pennsylvania, shall be granted.

Issued this 19th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2783; Filed, February 19, 1943; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-245]

MANDAN ELECTRIC SUPPLY CO.

John Iverson, doing business as Mandan Electric Supply Company, Mandan, North Dakota, is a warehouse as defined in General Preference Order M-9-a. From February 6, 1942, to June 9, 1942, the Company sold a substantial quantity of copper wire on orders which did not bear any preference ratings. During this period the Company was aware of the restrictions contained in General Preference Order M-9-a and its sales constituted wilful violations of that order which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.245 *Suspension Order No. S-245*. (a) John Iverson, doing business as Mandan Electric Supply Company, his successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy wire, except with the written approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John Iverson, doing business as Mandan Electric Supply Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on February 24, 1943, and shall expire on May 24, 1943, at which time the restrictions

contained in this order shall be of no further effect.

Issued this 19th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2784; Filed, February 19, 1943; 5:00 p. m.]

PART 932—CORK AND PRODUCTS AND MATERIALS OF WHICH CORK IS A COMPONENT

[General Preference Order M-8-a as Amended Feb. 20, 1943]

Section 932.2 *General Preference Order M-8-a* is hereby amended to read as follows:

§ 932.2 *General Preference Order M-8-a*—(a) *Definitions*. For the purposes of this order:

(1) "Cork" means unmanufactured cork in all forms, including corkwood, bark, waste, by-product, shavings, curls, and refugo.

(2) "Supplier" means any person in the United States who engages in the importation, sale, manufacture, or processing of cork or in the importation of manufactured cork in finished or semi-finished form.

(b) *Reserve established*. On and after October 1, 1941, each supplier is hereby directed to set aside his entire stock of cork and all finished and semi-finished products and materials of which cork is a component, as a reserve, for the fulfillment of present and future defense orders and such other orders and uses as may be authorized or directed from time to time by the Director General for Operations. No deliveries or withdrawals shall be made from this reserve, either for customers of such supplier or for purposes of manufacture or processing by such supplier, except pursuant to specific directions heretofore or hereafter issued by the Director General for Operations. Not later than November 1 for the month of November, 1941, and thereafter from time to time, the Director General for Operations will issue to each supplier specific directions covering deliveries by such supplier of cork and products and materials of which cork is a component which may be made by such supplier to his customers during any specified period, and further directing the kinds and quantities of cork products and materials of which cork is a component which may be manufactured by such supplier and the kinds and quantities of cork which may be used or processed by such supplier in the manufacture of such products and materials. The use, process to final product, and deliveries by such suppliers shall be made as directed in such allocation schedules. The Director General for Operations may also at any time limit or direct the uses which any person may or not make of cork products and materials of which cork is a component, and require any person

seeking to place a purchase order for cork or products or materials of which cork is a component to place such order with one or more particular suppliers.

(c) *Special limitations*—(1) *Cork discs*. Notwithstanding any general authorization for the processing or delivery of cork discs for beverage crowns granted in any allocation schedule:

(i) No person not regularly engaged in the business of manufacturing and selling crowns with cork discs shall purchase or receive cork discs not in crown shells if his inventory, plus the amount to be acquired, is in excess of the number of cork discs not in crown shells he can and will insert or have inserted in crown shells during the 30-day period succeeding the date of proposed acquisition; and

(ii) No person shall sell or deliver cork discs not in crown shells to any person, other than one regularly engaged in the business of manufacturing and selling crowns with cork discs, unless the purchaser shall execute in duplicate Form PD-711, and deliver one copy to the seller with the purchase order. The seller shall retain such copy in his files for a period of 2 years.

(d) *Reports*. Each supplier shall execute and file with the War Production Board the following reports at the times specified:

(1) Form PD-29, on or before the 10th day of each month.

(2) Form PD-31, on or before the 10th day of each month.

(3) Form PD-32, on the 3d, 13th, and 23d days of each month.

(4) Such other forms at such times as may be specified from time to time. All other persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request.

(e) *Miscellaneous provisions*—(1) *Appeal*. 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.

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

(3) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork, Asbestos and Fibrous Glass Division, Washington, D. C. Ref.: M-8-a.

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

or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2805; Filed, February 20, 1943;
11:40 a. m.]

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

[Priorities Regulation 11, as Amended
Feb. 20, 1943]

PRODUCTION REQUIREMENTS PLAN

§ 944.32 *Priorities Regulation No. 11*—(a) *Purpose*. It is the purpose of this regulation to provide for the integration of the system of distributing scarce materials in the interest of the war and the maintenance of the essential civilian economy by requiring principal industrial users of scarce materials to qualify under the production requirements plan and to obtain preference rating assistance primarily under that plan.

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

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

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "PRP application" means an application for priority assistance under the production requirements plan on Form PD-25A or any other prescribed form.

(4) "PRP certificate" means the copy of a PRP application which has been returned to the applicant by the Director General for Operations with an assignment of preference ratings or other priority action endorsed thereon, and includes any supplementary or advance quarter ("bob-tail") certificate which may be issued from time to time.

(5) "PRP unit" means any person who is qualified under the production requirements plan by the issuance to such person of a PRP certificate. In case the certificate is issued to a branch, plant, department, or other division of a corporation or business, "PRP unit" refers only to the portion of the business to which the certificate is issued.

(6) "Production material" means material (including fabricated parts and subassemblies) which will be delivered by a PRP unit as its product, or will be physically incorporated into such product, and includes the portion of such material normally consumed or converted into scrap or by-products in the course of processing. It does not include any supplies or manufacturing equipment.

(7) "Supplies" means maintenance and repair materials and operating supplies. It also includes minor items of productive capital equipment (such as

jigs and fixtures, dies and die blocks, portable pneumatic or portable electric tools, material required for minor relocation of plant machinery and equipment) and such items as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge. It does not include any of the following regardless of whether normally carried as operating supplies according to established accounting practice:

(i) Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

(ii) Printed matter and stationery.

(iii) Paper, paperboard and products manufactured therefrom; molded pulp products.

(iv) Fuel or electric power.

(v) Office machinery or office equipment (whether purchased or leased).

(vi) Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specifically designed and used to furnish protection against specific occupational hazards (other than weather):

(a) Asbestos clothing.

(b) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

(c) Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

(d) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(e) Other safety leather gloves or mittens, but only if stitched or steel reinforced.

(f) Safety industrial leather clothing other than gloves or mittens.

(g) Metal mesh gloves, aprons and sleeves.

(h) Plastic and fibre safety helmets.

(vii) Production material.

(viii) Materials for plant expansion or plant construction:

Provided, That this paragraph shall not prevent the acceptance by a PRP Unit of deliveries of "supplies" as defined in this regulation prior to February 23, 1943, pursuant to preference ratings properly applied prior to said date.

(8) "Listed material" means, with respect to any quarter, any material listed and given an item number on the Materials List No. 1, Revised, appearing on

the form of PRP application for that quarter or required to be separately listed by supplementary instructions from the War Production Board.

(9) "Listed fabricated item" means, with respect to any quarter, any part, assembly or other item listed and given an item number on the Fabricated Items List No. 2 appearing on the form of PRP applications for that quarter. The first quarter for which such a list will be in effect will be the first quarter of 1943. "Listed fabricated item" also includes any item required to be listed separately by supplementary instructions from the War Production Board.

(10) "Class I producer" means any person (or any branch, plant, department, or other division of a corporation or business which operates as a separate entity and maintains a separate inventory) whose receipts or withdrawals from inventory during the most recent calendar quarter, or whose anticipated receipts or withdrawals from inventory during the current or next succeeding calendar quarter, of metals in the forms included on the attached metals list aggregate five thousand dollars or more in value, except:

(i) Any agency of the United States, of any foreign government, of any state or territory, or of any subdivision thereof except when and to the extent that any such agency is engaged in the manufacture of commodities or other materials or the furnishing of repair facilities (such as Navy yards, arsenals, prison factories, etc.);

(ii) Any person to the extent that he is engaged in the business of:

(a) Transportation by any means;

(b) Furnishing of heat, light, power, electricity, gas or water to others;

(c) Quarrying;

(d) Production, refining, transportation, distribution or marketing of petroleum or associated hydrocarbons;

(e) Communications;

(f) Sewerage or drainage;

(g) The sale of material which he has not manufactured, processed, fabricated, assembled, or otherwise physically changed, including sales as a distributor, wholesaler, retailer, warehouse, industrial or mill supply house or scrap dealer;

(h) Construction at the site, of buildings, structures, or projects; and

(iii) Any producer located in Alaska, Panama Canal Zone, or in any territory or possession of the United States outside of the continental United States.

(11) "Assignment" of a preference rating means the granting to any person, by order or certificate issued by or under authority of the Director General for Operations, of the right to use such rating.

(12) "Application" of a preference rating means the use of the rating by the person to whom it is initially assigned by or under the authority of the Director General for Operations, and includes the initial issuance by any governmental agency, under authority of the Director General for Operations, of a preference rating certificate rating a delivery to be made directly to such agency.

(13) "Extension" of a preference rating means the use of the rating by any person to whom it is applied or extended by another person.

(c) Every Class I producer shall file a PRP application for the first quarter of 1943, except that no application shall be required of any person who becomes a Class I producer after December 31, 1942. Applications for the first quarter of 1943 shall be filed not later than October 25, 1942, or in the case of a person who was not a Class I producer as of October 15, 1942, as promptly after October 25, 1942, as possible. No person is required to file a PRP application for the second quarter of 1943 or for any subsequent quarter except as specifically directed by the Director General for Operations. The Director General for Operations may specifically require other persons to file such applications from time to time, and may also exempt particular Class I producers from the requirements of this paragraph or extend or advance their time for filing PRP applications. Any other processors of materials desiring priority assistance on a quarterly basis may also, with the consent of the Director General for Operations, qualify under the Production Requirements Plan, although not required to do so by this regulation.

(d) *Restrictions on application and extension of ratings by PRP units.* No PRP unit shall apply or extend any rating to the delivery of any material during any quarter other than the ratings authorized on its PRP certificates for that quarter; and the deliveries to which such ratings are so applied shall be limited in amount as specified on such certificates, with the following exceptions:

(1) A PRP unit may apply ratings specifically assigned to it for acquisition of items of capital equipment or materials for authorized plant expansion or plant construction.

(2) A PRP unit may apply to deliveries of material during the second quarter of 1943 and thereafter, the ratings assigned or permitted in Priorities Regulation No. 11A.

(3) In addition a PRP unit which receives a rated purchase order requiring the processing by another person of material owned and supplied by the PRP unit may extend the rating, for processing only and not for acquisition of material, to the person who is to do such processing for it.

(4) [Revoked January 30, 1943]

(5) In case preference rating assistance for a material is denied on the PRP certificate on the express ground that such assistance is unnecessary or that ratings for such material are not currently being assigned on PRP certificates, the provisions of this paragraph (d) shall not apply to such material.

(6) A PRP Unit may extend an AAA rating it receives, where necessary to obtain material which it will deliver or which will be physically incorporated into material which it will deliver on the AAA rating, subject to the following restrictions:

(i) The AAA rating may not be extended for quantities of material in ex-

cess of those required to be delivered by it or to be physically incorporated into materials to be delivered by it on the AAA rating;

(ii) The rating may not be extended to obtain any material to the extent that it has such material on hand which it would be required to divert for the purpose of supplying the material to be delivered on the AAA rating in accordance with the provisions of Priorities Regulation No. 1;

(iii) The rating may not be extended to replace inventory;

(iv) The quantity of any material obtained with the assistance of the AAA rating must, to the extent possible, be deducted from any quantity of such material authorized for receipt on its PRP certificates and not yet received; and

(v) In case it is necessary to extend the rating for materials other than those, or in excess of the quantities, authorized on its PRP certificates, a PD-25F form must be filed within three days after such extension reporting the excess quantity or the other materials to which the AAA rating was extended.

(e) *Restrictions on receipt of listed materials and fabricated items.* No PRP unit shall in any quarter accept deliveries (whether rated, unrated or allocated) of any listed material or any listed fabricated item, whether as production material, supplies or for any other use, in excess of the amounts specifically rated or otherwise authorized on its PRP certificates for such quarter, plus any balance of such materials or items authorized by its PRP certificates for delivery in the previous quarter which is in transit to the PRP unit at the end of the previous quarter or within three days thereafter, with the following exceptions:

(1) A PRP unit may accept deliveries of any balance of listed fabricated items specifically rated or otherwise authorized for the preceding quarter but not yet received.

(2) A PRP unit may in addition, subject to the applicable regulations and orders of the War Production Board, accept delivery of any such materials and items which consist of items of capital equipment or material for authorized plant expansion or plant construction.

(3) Any PRP unit which has applied ratings under the interim procedure specified in paragraph (i) of this regulation based on a particular PRP application may, until receipt of that particular PRP certificate, accept deliveries of the quantities of the materials to which it is authorized to apply ratings under the interim procedure. After receipt of such PRP certificate it may accept deliveries of listed materials and listed fabricated items in excess of the quantities authorized on such certificate only if the same were in transit to the PRP unit at the time its supplier received notice of postponement or cancellation of delivery pursuant to the provisions of paragraph (j) of this regulation and even then may not accept delivery of such materials or items unless shipment was made within ten days (including Sundays) after receipt by the PRP unit of the PRP certificate which necessitated such postponement or cancellation.

(4) A PRP unit may accept delivery of material to which it extends an AAA rating in accordance with the provisions of paragraph (d) (6) of this regulation.

(5) A PRP unit may accept delivery of listed materials or listed fabricated items in excess of the quantities authorized on its PRP certificates, to the extent that cancellation or postponement of such delivery is waived by the provisions of paragraph (j) (3) of this regulation.

(6) A PRP unit may, during the second quarter of 1943 and thereafter, accept delivery of listed materials or listed fabricated items to the extent permitted by Priorities Regulation No. 11A.

(f) *Restrictions on use of material.* Each PRP unit shall also comply with any additional restrictions which may be contained in its PRP certificate, including (without limitation) restrictions on the amount of material to be put into production, the use of any material, apportionment of quantities of material between different products, or on the sale of or delivery of specified products.

(g) *Prohibition against placing duplicate orders.* No PRP unit shall duplicate, in whole or in part, purchase orders which it has placed with one or more suppliers for delivery of any material (whether rated, unrated, or allocated) in such manner that the amount of such material ordered exceeds the amount actually required for delivery (not exceeding the amount authorized), even though the PRP unit intends to cancel or reduce its purchase orders prior to completion of delivery, to the amount of actual requirements as rated or otherwise authorized on its PRP certificate.

(h) *Scheduling of deliveries.* Each PRP unit shall, so far as practicable, place its purchase orders for the production material and supplies rated or otherwise authorized on its PRP certificate so as to call for substantially equal deliveries during each of the three months of the quarter, and shall in no event, unless absolutely necessary to maintain its delivery schedule or to obtain the minimum quantities practicably procurable, order for delivery during the first month of the quarter more than 40%, or during the first two months of the quarter more than 80%, of the total quantity of any production material authorized for delivery during the quarter.

(i) *Interim procedure.* During the interim between filing a PRP application for a particular quarter and receipt of the PRP certificate for such quarter a person may apply or extend preference ratings for delivery during such quarter, and, in case he shall have submitted advance quarter applications, may on or before February 2, 1943, but not thereafter, apply or extend preference ratings for delivery during only the first advance quarter, as follows:

(1) If he has been operating under the Production Requirements plan, he may apply the same preference ratings he was authorized to apply by his PRP certificates for the preceding quarter, to orders calling for delivery of not more than 40% during the first month of the quarter and 70% during the entire quarter, of the quantities of the materials indicated as his anticipated requirements on his PD-25A and on any PD-25F application

for the quarter, submitted prior to receipt by him of the first PRP certificate received by him for the quarter.

(2) If he has not been operating under the Production Requirements Plan, he may continue to apply and extend ratings under any applicable preference rating orders or preference rating certificates in the same manner as permitted prior to the beginning of the particular quarter; and, notwithstanding the termination of any preference rating order on or after the end of the preceding quarter, the same shall be deemed to continue in effect as to any such person until he receives his PRP certificate: *Provided, however,* That he shall not apply or extend ratings to the delivery in the particular quarter of any material in an aggregate quantity greater than 40% during the first month of the quarter, nor greater than 70% during the entire quarter, of the amount of such material which he has indicated as his anticipated requirements on his PRP application for the quarter, subject to any further restrictions contained in the preference rating certificates or orders assigning the ratings which he is applying or extending.

(3) After a person has received an advance quarter authorization, he may not thereafter apply ratings under the interim procedure to deliveries in that advance quarter of any materials included in the authorization for that quarter, until he files a complete PD-25A application for such quarter, but must use only the ratings authorized on advance quarter authorizations for such materials in that quarter. Upon the filing of a complete PD-25A application for a quarter a PRP unit may then rate purchase orders in accordance with the interim procedure even if this permits rating quantities in excess of those authorized by a previous advance quarter authorization for that quarter.

(4) A person who applies or extends any preference rating pursuant to this paragraph (1) shall deduct the amount of any material which he has received or to which he has applied or extended such rating from the amount rated or otherwise authorized by his corresponding PRP certificate (on Form PD-25A or PD-25F, as the case may be) when issued to him.

(j) *Rerating on receipt of PRP certificates.* (1) Each PRP unit, not later than the seventh day (including Sundays) after the receipt of any PRP certificate for a quarter, shall adjust its outstanding purchase orders so that they shall not exceed, either in quantities or in grades of preference rating, those authorized for the quarter and for any advance quarters covered by the PRP certificates in accordance with the provisions of this regulation; but this provision shall not require the adjustment of orders duly placed under paragraph (1) of this regulation for materials covered by a PD-25F application filed before receipt of a PD-25A certificate, until the return of such PD-25F certificate.

(2) This adjustment may be made by cancellation, postponement of deliveries, or by rerating. To the extent that au-

thorized ratings are higher than those already applied to outstanding orders, rating adjustment shall be optional, and, with respect to any material, the balance of any authorized rating not used may be added to the authorized amount of any lower authorized rating.

(3) No person shall be required by the provisions of this paragraph (j), however, to cancel any order or portion thereof calling for delivery during the first twenty-one days of November 1942 or during the first twenty-one days of January 1943, of any listed material, if the producer thereof certifies in writing to such person (i) that substitution of other orders, or diversion of the material to fill other orders, (even if such other orders call for later delivery or carry a lower rating) is impossible, and (ii) that the production of such material has been completed or that cancellation would disrupt the producer's production schedules and result in substantially diminished production. Nothing herein contained, however, shall relieve a PRP unit from the obligation of cancelling or postponing delivery under other orders calling for delivery of similar material during the quarter, as to which no certification is received, to the extent necessary to bring the total receipts of such material during the quarter within the quantities authorized on its PRP certificates.

(k) *Restrictions on Class I producers who have not filed PRP applications.* Any Class I producer who has not filed his PRP application by the time required by this regulation or by any specific direction of the Director General for Operations may not extend or apply any rating, other than AAA ratings, until he has mailed or personally submitted his PRP application to the War Production Board: *Provided, however,* That these restrictions do not apply to ratings specifically assigned to a Class I producer for the purpose of acquisition of items of capital equipment, or materials for authorized plant expansion or plant construction.

(l) *Effect on existing orders and certificates.* (1) The provisions of this regulation do not terminate any other existing order or certificate granting preference rating assistance, but limit and prohibit the use of such orders or certificates by specified persons in the manner set forth above.

(2) The provisions of this regulation do not relieve PRP unit from compliance with the terms of any order of the War Production Board controlling the distribution or restricting the use of any specific material, including requirements for the filing or supplying of applications or other documents in connection with the purchase, sale, delivery, or use of any such material.

(m) *Special provisions with respect to metal mills.* Notwithstanding the foregoing provisions of this regulation, the following provisions shall govern with respect to any person (hereinafter in this paragraph (m) referred to as a "metal mill") to the extent that he is engaged in producing metals in any of the forms included on the attached metals list:

(1) A metal mill, in determining whether it is a Class I producer within the meaning of paragraph (b) (10) of this regulation, may exclude all receipts or withdrawals from inventory of metals which will be processed by the metal mill to produce any of the forms listed on the attached metals list. However, there must be included any metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed.

(2) A metal mill need not include in its PRP application materials which will be processed by it to produce metals in any of the forms listed on the attached metals list, but it must include any material, including metals in the forms listed, which will be used by it for maintenance, repair, or operating supplies, or will be fabricated by it beyond the forms listed, and for which it requires priority assistance.

(3) A metal mill may extend and apply preference ratings assigned by a preference rating order or certificate, in the manner heretofore permitted, for delivery to it of material which has been excluded from its PRP application pursuant to the provisions of subparagraph (2) of this paragraph (m) and may accept delivery of such material.

(4) A metal mill, to the extent that it is engaged in producing any of the following:

(i) Pig iron and ferroalloys;

(ii) The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bars, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, steel castings (rough as cast), skelp, rolling mill rolls, ingot molds;

(iii) Coke for use in the production of pig iron and ferroalloys;

May accept deliveries of supplies in any quarter without regard to the limitations of paragraph (e) hereof of this regulation and, notwithstanding the limitations of paragraph (d) hereof, may apply the ratings assigned on its PRP certificate to deliveries of supplies in the amounts essential for proper operation, subject, however, in every case to the restrictions of § 944.14 of Priorities Regulation No. 1 and to all other applicable regulations and orders.

(n) [Revoked January 30, 1943]

(o) *Exceptions or exemptions.* The Director General for Operations may grant exceptions or exemptions with respect to any or all provisions of this regulation. Any such action shall be in writing over the signature of the Director General for Operations and shall

refer specifically to the fact that it is an exemption from or an exception to this regulation.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

METALS LIST

(a) Any of the metals listed in subparagraph (1) below in any of the forms listed in subparagraph (2) below:

(1) Metals:

Iron	Zinc
Carbon steel	Nickel
Alloy steel	Tin
Stainless steel	Cupro-nickel
Aluminum	Monel
Magnesium	Nickel-silver
Copper	Chrome nickel
Brass	Cadmium
Bronze	Silver
Lead (including anti-monial)	Tantalum metal
	Tungsten carbide

(2) *Forms of metal.* Anodes, bars, billets, blooms, blocks, castings (including die castings), cones, dust, extruded shapes, fabricated shapes, foil, forgings, ingots, pigs, pipe, plates, powder, rails, refinery shapes, rings, rivets, rods, scrap, sheets, shot, skelp, slabs, strip, structural shapes and piling, tie plates and track accessories, tube and tubing, tube rounds, wheels and axles, wire and wire rods, wire products (including barbed and twisted fencing, bale ties, nails, staples, rope and strand but not including insect wire screen cloth).

[F. R. Doc. 43-2811; Filed, February 20, 1943; 11:41 a. m.]

PART 967—FORMALDEHYDE, HEXAMETHYLENETETRAMINE AND PENTAERYTHRITOL

[Allocation Order M-25 (General Preference Order M-25), as Amended Feb. 20, 1943]

Part 967 is hereby amended with respect to its heading to read, "Formaldehyde, Hexamethylenetetramine and Pentaerythritol".

The title General Preference Order M-25 is hereby amended to read, "Allocation Order M-25".

Section 967.1 is hereby amended in its entirety to read as follows:

§ 967.1 *Allocation Order M-25—(a) Definitions.* For the purpose of this order:

(1) "Formaldehyde" means the chemical compound known by that name in any form and from whatever source derived. The term formaldehyde includes formaldehyde in solution form of any concentration including, but not limited to, solutions known as Formalin and Formol. The term formaldehyde also includes formaldehyde in dry form, commonly known as paraformaldehyde.

(2) "Hexamethylenetetramine" means the reaction product of formaldehyde and ammonia known also as hexamethylenamine, methenamine, hexamine, aminoform, urotropin, formin, cystamin, and cystogen.

(3) "Pentaerythritol" means the reaction product of formaldehyde and acetaldehyde.

(4) "Supplier" means any producer or distributor as herein defined.

(5) "Producer" means any person who produces formaldehyde, hexamethylene-

tetramine or pentaerythritol, regardless of whether he produces it for his own account or pursuant to toll agreement.

(6) "Distributor" means any purchaser of formaldehyde, hexamethylenetetramine, or pentaerythritol from a producer for purpose of resale without further processing or admixing.

(b) *Restrictions on use and delivery of formaldehyde, hexamethylenetetramine or pentaerythritol.* (1) On and after March 1, 1943, no supplier of formaldehyde, hexamethylenetetramine or pentaerythritol shall use or deliver such material, and no person shall accept delivery of such material from a supplier, except as specifically authorized by the Director General for Operations, upon application pursuant to paragraph (f).

(2) Each person authorized to use or accept delivery of formaldehyde, hexamethylenetetramine or pentaerythritol shall use such material only for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) In addition to regular monthly allocations, the Director General for Operations, at his discretion, may at any time issue special directions to any person with respect to the use, transportation or delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol by such person, or of products made from such materials allocated to such person, notwithstanding the provisions of paragraphs (c), (d) or (e) hereof, or may issue special directions to any producer with respect to the kinds or quantity of formaldehyde, hexamethylenetetramine or pentaerythritol which he may produce or manufacture.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph (b) (1):

(1) Any person may use or accept delivery of formaldehyde in any form or solution containing 555 pounds or less of formaldehyde by weight (for example, 1,500 pounds or less of 37% formaldehyde solution by weight), 100 pounds or less of hexamethylenetetramine, and 350 pounds or less of pentaerythritol in the aggregate during any one calendar month without specific authorization under this order:

(i) *Provided,* That such person has not been specifically authorized to use or accept delivery of any quantity of the same material during such month, and also

(ii) *Provided,* That such material is not used in the manufacture of resins for protective coatings, plastics or adhesives.

(2) Any supplier may deliver formaldehyde, hexamethylenetetramine or pentaerythritol without specific authorization under this order, to any person entitled to accept delivery pursuant to paragraph (c) (1) above, *Provided,* That:

(i) No producer shall deliver an aggregate amount of formaldehyde, hexamethylenetetramine or pentaerythritol, respectively, in any one calendar month pursuant to this paragraph, in excess of 2% of the amount of such material which he is specifically authorized to deliver during such month; and

(ii) No supplier shall make delivery of formaldehyde, hexamethylenetetramine or pentaerythritol during any month pursuant to this paragraph, if such delivery will prevent completion of any delivery which has been specifically authorized for such month; and

(iii) Any supplier may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Defense plant production exemption.* Formaldehyde, hexamethylenetetramine and pentaerythritol produced by any department or agency of the United States Government, or produced in any plant owned by any agency of the United States Government, and which is delivered to and consumed by any such department, agency or plant, may be so used and delivered without specific authorization under this order, notwithstanding the provisions of paragraph (b) (1).

(e) *Special exemption for March.* Notwithstanding the provisions of paragraph (b) (1), any supplier may deliver formaldehyde, hexamethylenetetramine or pentaerythritol, and any person may accept such delivery, prior to receipt of authorization by the Director General for Operations to make and to accept such delivery, if:

(1) Application pursuant to paragraph (f) to make and to accept such delivery shall have been filed with, or mailed to, the War Production Board on or before February 28, 1943; and

(2) Shipment shall have originated on or before March 31, 1943.

(f) *Applications and reports.* (1) Each person seeking authorization to accept delivery of formaldehyde, hexamethylenetetramine and pentaerythritol, and each supplier seeking authorization to use or accept delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol, shall file application on Form PD-600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applications for delivery from a supplier shall be filed in time to ensure that copies will have reached the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is requested, where the supplier is a producer; and on or before the 10th day where the supplier is a distributor.

During February, 1943, applications shall be filed as soon as practicable.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant; one (with columns 11 through 23 inclusive blank) shall be sent to the supplier, and three certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C. Ref.: M-25.

Number of sets. A separate set of PD-600 application forms shall be submitted for each supplier and requests on separate sets of forms shall be made for formaldehyde, hexamethylenetetramine and pentaerythritol, respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M-25; under unit of measure, specify pounds; and fill in other information as required.

Column 1. In the case of formaldehyde, specify whether dry or solution form and specify strength of the solution. In the case of hexamethylenetetramine and pentaerythritol, specify grade as U. S. P., Technical, or other specified grade.

Column 2. Fill in as indicated.

Column 3. Fill in as follows:

For orders on hand:

- Primary product
- Export (in original form)
- Resale (in original form)

For anticipated orders:

- Primary product
- Export (in original form)
- Resale (in original form)

Inventory (in original form)

- The primary products referred to above should be specified as follows:

(For formaldehyde)

- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)

Hexamethylenetetramine
Pentaerythritol
Ethylene glycol
Embalming fluid
Drugs and pharmaceuticals (specify)
Disinfectants
Insecticides
Fungicides
Cellulose esters (specify)
Dyes
Photographic chemicals
Other (specify)

(For hexamethylenetetramine)

- Explosives
- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)
- Drugs and pharmaceuticals (specify)
- Other (specify)

(For pentaerythritol)

- Allocated resins (specify type of resin)
- Non-allocated resins (specify type of resin)
- Explosives
- Other (specify)

Column 4. Opposite any primary product listed in Column 3 which is subject to allocation, specify only the allocation order number in Column 4. For each primary product not under allocation, specify end use in Column 4.

Opposite "Resale" in Column 3, suppliers shall write into Column 4 "upon further authorization, or under paragraph (c)".

Opposite "Export" in Column 3, specify in Column 4 the name of the individual, company or governmental agency to whom or for whose account the material will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify Lend-Lease. Also, indicate in Column 4 the same information with respect to any primary product listed in Column 3 which will be exported and which is not under allocation. For example, where explosives are specified in Column 3, indicate whether such explosives are to be exported.

Opposite "Inventory" in Column 3, leave Column 4 blank.

Columns 5, 6, 7, 8, and 9. Leave blank.

Column 10. Specify requested delivery dates.

Table II. Fill in as indicated. The same grades, if any, shall be listed in Column 11 as in Column 1.

Table III. Fill in as indicated.

Table IV. Fill in as indicated for each primary product listed in Column 3 above, except those primary products under direct allocation under another War Production Board order (such as allocated synthetic resins).

(2) Each supplier seeking authorization to make delivery of formaldehyde, hexamethylenetetramine or pentaeryth-

ritol during any calendar month shall file application on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Each supplier shall make application on Form PD-601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested, except that applications for March, 1943, may be filed or mailed as late as February 28, 1943.

Number of copies. Four copies shall be prepared, of which one shall be retained by the supplier and three certified copies shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-25.

Number of sets. A separate set of PD-601 forms shall be filed for each plant or shipping point of supplier, and a separate set for formaldehyde, hexamethylenetetramine and pentaerythritol respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M-25; under unit of measure, specify pounds; and fill in other information as required.

Table I. Fill in as indicated. Each supplier filing a PD-600 application for use or acceptance of delivery, specifying himself as his supplier, shall list his own name as customer on his PD-601 form.

Table II. Fill in all columns as indicated. Grades shall be specified as provided in the instructions above for Column 1 of Form PD-600.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(g) **Allocations for inventory.** Formaldehyde, hexamethylenetetramine or pentaerythritol allocated for inventory shall not be used for any purpose except as specifically directed by the Director General for Operations or except to fill orders for authorized uses pending arrival of the formaldehyde, hexamethylenetetramine or pentaerythritol allocated to fill such orders. Upon arrival of such material, the allocated inventory shall be restored.

(h) **Delayed deliveries.** Each supplier shall fill all authorized orders in full and during the month for which allocated, as far as possible.

Each supplier shall notify the War Production Board of the cancellation of any authorized order, or of postponement of any authorized delivery for more than ten days after the allocation month, or of his inability to make any authorized delivery, as soon as possible after he has notice of such fact.

(i) **Notification of customers.** Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(j) **Miscellaneous provisions—(1) Applicability of regulations.** This order and all transactions affected hereby are

subject to all applicable provisions of War Production Board regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

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

(3) **Communications.** All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M-25.

Issued this 20th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2812; Filed, February 20, 1943; 11:41 a. m.]

PART 1075—CONSTRUCTION

[Preference Rating Order P-55-a]

§ 1075.8 *Preference Rating Order P-55-a; Conditions applicable to the holding and disposition of war housing units—(a) Rental and sales price.* Pursuant to the provisions of Application Form PD-105 and revisions thereof (and related instruments filed in connection therewith), hereinafter referred to as "application form," requiring permission from the Director General for Operations, among other things, to increase the applicable amount of rental therein set forth, to dispose of any dwelling unit for more than the applicable amount as there set forth or to dispose of it other than in the manner stated for that unit:

(1) With respect to rentals which may be charged the first occupant of the dwelling unit, holders of Preference Rating Order P-55 are hereby permitted to charge rentals in excess of rentals set forth in the application form wherever and to the extent that such increased rental charge is authorized by the National Housing Agency or its representatives, prior to occupancy of the dwelling unit and such amount so authorized is hereby approved.

(2) With respect to rentals chargeable after the dwelling unit has been occupied, holders of Preference Rating Order P-55 are hereby permitted to charge rentals in excess of rentals set forth in the application form wherever and to the extent that such increased rental charge is specifically authorized by the Office of Price Administration; and such rental so authorized is hereby approved.

(3) Holders of Preference Rating Order P-55 are hereby permitted to sell or otherwise dispose of any dwelling unit for more than the amount set forth in

the application form wherever and to the extent that such increased amount is authorized by the National Housing Agency or its representatives, and such amount so authorized is hereby approved.

(4) Holders of Preference Rating Order P-55 are hereby permitted to dispose of any dwelling unit in a manner other than in the manner stated in the application form wherever and to the extent that such other manner of disposition is authorized by the National Housing Agency or its representatives, and such manner of disposition is hereby approved.

(b) *War workers.* Notwithstanding the provisions of the application form wherein the owner certifies that he will not sell or rent any structure or portion thereof for at least thirty or sixty days after its completion except for occupancy by a person engaged in war activity as there defined, holders of Preference Rating Order P-55 are in addition hereby permitted so to dispose of such structure or portion thereof to such other persons as the National Housing Agency or its representatives may determine to be eligible to occupy such structure or portion thereof in accordance with regulations or orders of the National Housing Agency.

(c) *Conditions applicable to owners of war housing.* No person to whom a Preference Rating Order P-55 has been assigned shall transfer or dispose of any dwelling unit to which such order relates, or accept payment of rental or sales price for any such unit except in the manner and for the amount set forth in the application form or in the manner and for the amount approved pursuant to paragraph (a) hereof; nor shall any such person so transfer or dispose of any such unit to any person other than the persons specified in paragraph (b) hereof, except as authorized by regulations or orders of the National Housing Agency.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed be addressed to: War Production Board, Washington, D. C., Ref.: P-55-a.

(e) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priorities assistance by the Director General for Operations, and may be denied permission to begin construction under General Conservation Order L-41.

Issued this 20th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2806; Filed, February 20, 1943; 11:40 a. m.]

PART 1076—PLUMBING AND HEATING
SIMPLIFICATION

[Schedule XII to Limitation Order L-42, as Amended Feb. 20, 1943]

PLUMBING FIXTURES

§ 1076.14 *Schedule XII to Limitation Order L-42—(a) Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes or fabricates plumbing fixtures.

(2) "Plumbing fixture" means any bathtub, bidet, bath (foot sitz), drain pool (for a septic tank system), drain board, fountain (drinking, wash), interceptor (grease, oil, plaster), lavatory, laundry tray, sink (except a scullery sink, with or without drain boards), sink and laundry tray combination, sink leg, shower receptor, shower stall and receptor combination, septic tank, water closet bowl (including frostproof bowl), urinal, urinal tank, water closet tank (other than a pressure tank for a frostproof closet); but it does not include any plumbing fixture trim not specifically named in this schedule:

[NOTE: Paragraph (a) (2) amended on Feb. 20, 1943]

(b) *Limitations.* Pursuant to Limitation Order L-42 the following limitations are established for the manufacture of plumbing fixtures:

No metal may be used in the manufacture of plumbing fixtures except that:

(1) Any person may incorporate into any plumbing fixture the minimum quantity of metal which is required for coating, nuts, bolts, screws, clamps, rivets and other items of joining hardware, excluding chair carriers, which are necessary for the construction, assembly or installation of the plumbing fixture, provided that such use is not prohibited by any other order of the Director General for Operations.

(2) In addition, any person may incorporate into any of the following named plumbing fixtures the metals specified in quantities not exceeding those designated, provided that such use is not prohibited by any other order of the Director General for Operations:

(i) Into any wash fountain, 36 inches or more in diameter, including reinforcing mesh and rods, trap, column, fixture trim and internal piping, twenty-five pounds of metal (including a maximum of one pound of copper or copper base alloy);

(ii) Into any grease interceptor (excluding flow control device), five pounds of ferrous metal;

(iii) Into any oil interceptor, five pounds of ferrous metal;

(iv) Into any plaster interceptor, eight pounds of ferrous metal;

(v) Into any cement or concrete laundry tray, one ounce of zinc for waste plug in each outlet and ferrous metal as follows: one compartment, one and a half pounds for reinforcement, one and a half pounds for cast-in waste fitting; two compartments, two pounds for re-

inforcement, two and a half pounds for cast-in twin waste fitting; three compartments, three pounds for reinforcement, four pounds for one single cast-in waste fitting and one cast-in twin waste fitting;

(vi) Into any cement or concrete shower receptor and cast-in drain, six pounds of ferrous metal;

(vii) Into any shower stall and receptor combination, twenty-four pounds of ferrous metal (only secondary quality of sheet steel, including the rejects and trimmings, may be used);

(viii) Into any concrete septic tank, ferrous metal required for reinforcement only, inlet or outlet connection, internal syphon and internal syphon pipe connection;

(ix) Into any water closet bowl that is to be supplied with water through a diaphragm or a piston type flush valve or a pressure tank, one pound of ferrous metal for spud;

(x) Into any water closet bowl that is to be supplied with water from a water closet tank, one pound of ferrous metal for spud;

(xi) Into any component working parts of any tank for water closet (other than a pressure tank for a frostproof closet), four pounds of metal;

(xii) Into any urinal, one pound of ferrous metal for spuds;

(xiii) Into any component working parts of any tank for urinal, having $\frac{3}{4}$ " automatic flush valve, five pounds of metal; having 1" automatic flush valve, seven pounds of metal; having $1\frac{1}{4}$ " or larger automatic flush valve, ten pounds of metal.

(3) The restrictions of this order shall not apply to the use of lead.

(c) *General exceptions.* The prohibitions and restrictions contained in this schedule shall not apply to the use of metal in the manufacture of any plumbing fixture or any part thereof which is being produced:

(1) Under a specific contract or sub-contract for use in chemical plants, research laboratories or hospitals, where and to the extent that the physical, chemical and aseptic properties make the use of other materials impracticable. This exception, however, does not include any plumbing fixture used in private rooms or nurses' or attendants' quarters in any plant, laboratory or hospital.

(2) Under a specific contract or sub-contract for use as part of the equipment of any aircraft or any vessel other than a pleasure craft where the use of other material is impracticable: *Provided, however,* That no monel metal shall be used in the manufacture of any trough urinal.

(3) Under a specific contract or sub-contract specifying trough urinals for delivery to, or for the account of, the Army, or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use outside the continental United States (the several States and the District of Columbia): *Provided, however,* That no monel

metal shall be used in the manufacture of any such trough urinal.

(d) *Simplified practices; exceptions.* No plumbing fixtures which do not conform to the standards established by this schedule shall be produced or delivered by any producer or accepted from any producer except with the express permission of the Director General for Operations: *Provided, however,* That the foregoing shall not prohibit the delivery by any producer of such plumbing fixtures as were in his stock in finished form on December 30, 1942, nor the receipt of such plumbing fixtures from such producer: *Provided, further,* That the foregoing shall not prohibit machining or assembling materials put into process prior to December 30, 1942, nor the delivery of the completed plumbing fixtures so produced, nor receipt of such plumbing fixtures from the producer: *Provided,* That the plumbing fixtures covered by the foregoing exceptions were not processed, produced or delivered in violation of this schedule as in effect prior to December 30, 1942.

(e) *Reports.* Each producer to whom this schedule applies, shall on or before the 15th day of each month, file with the War Production Board a report on Form PD 727 which shall cover the preceding month or portion thereof.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2813; Filed, February 20, 1943;
11:41 a. m.]

PART 1223—STANDARDIZATION AND
SIMPLIFICATION OF PAPER

[Schedule X to Limitation Order L-120]

HOUSEHOLD WAX PAPER ROLLS IN CUTTER
BOXES

§ 1223.11 *Schedule X to Limitation Order L-120—(a) Standard ream count.* Basis weights for wax paper used in household rolls for enclosure in cutter boxes shall be calculated by reference to a standard ream of 500 sheets 24" x 36", with a tolerance of 7½%, after waxing, over or under the specified weight, instead of by reference to the ream of 480 sheets 24" x 36" heretofore used.

(b) *Restrictions on basis weight, width and length.* Except as provided in paragraph (f) of this schedule, no person shall manufacture waxed paper household rolls for enclosure in cutter boxes:

(1) Out of paper of any basis weight except 18# and/or 21#, after waxing, calculated according to the provisions of paragraph (a) of this schedule;

(2) In any width greater than 12 inches, subject to a tolerance of 5%;

(3) In any length less than 125 feet;

(4) In more than two different lengths.

Each manufacturer shall immediately select the two particular lengths (neither less than 125 feet) in which he proposes to manufacture such rolls, shall furnish such information concerning his selection as may be requested

from time to time, shall keep records and samples of his selection readily available for inspection by representatives of the War Production Board, and hereafter shall not without specific authorization by the Director General for Operations, manufacture such rolls in any other lengths. Specific authorization to change the original selection may be applied for by letter, in triplicate, describing the lengths originally selected, the proposed new length or lengths, and the reason why the change is necessary.

(c) *Elimination of metal edge.* No manufacturer of cutter boxes for wax paper household rolls and no person who puts up household rolls in cutter boxes shall affix any metal cutting edge to or upon any such cutter box.

(d) *Restrictions on weight of cores, size and type of cutter boxes, and number of cutter boxes per shipping case.* (1) Except as provided in paragraph (f) of this schedule, no manufacturer shall wind waxed paper household rolls for enclosure in cutter boxes on cores or tubes which in weight exceed 25 lbs. per 1000 rolls, or package any such rolls in cutter boxes made in violation of the provisions of Table III of Schedule IV to Limitation Order L-239. For convenience, a copy of this table is included, as follows:

TABLE III—WAXED PAPER CUTTER BOXES

(a) No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: 2¼¹/₁₆" x 2¼¹/₁₆" x 12¾".

(2) Quality of paperboard, no higher than bleached manila lined news, basis 70 sheets per 50 lb. bundle.

(2) When packing such rolls for shipment each manufacturer shall pack the same in multiples of a dozen, with a minimum of 36 per shipping case, except that cutter boxes containing rolls of 200 feet or more in length may be packed a minimum of 24 per shipping case.

(e) *Prohibition of new designs and brands.* No manufacturer or distributor of waxed paper household rolls in cutter boxes shall use on or in connection with the cutter boxes for such rolls any trade design or brand the original plates for which were not in existence on or before February 20, 1943.

(f) *Temporary exception for existing inventories.* Until April 21, 1943, but not thereafter, any person may, notwithstanding the provisions of paragraphs (b) and (d) of this schedule, manufacture waxed paper household rolls for enclosure in cutter boxes out of paper of any basis weight or in any width or lengths, or wind the same on any weight cores, or package the same in any boxes or any number per shipping case, necessary to utilize such person's inventories of paper, cores, boxes or shipping cases on hand the 20th day of February, 1943.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2807; Filed, February 20, 1943;
11:40 a. m.]

PART 3065—SILICA GEL

[Revocation of General Preference Order
M-219]

Section 3065.1 *General Preference Order M-219* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-219.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2808; Filed, February 20, 1943;
11:40 a. m.]

PART 3101—CANNED SAUERKRAUT

[Revocation of Conservation Order M-245]

Section 3101.1 *Conservation Order M-245* is hereby revoked effective 12:01 a. m., February 21, 1943. This action shall not be construed to affect in any way liabilities or penalties incurred or accrued under said order.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2809; Filed, February 20, 1943;
11:40 a. m.]

PART 3138—FOUNTAIN PENS, MECHANICAL
PENCILS, WOOD CASED PENCILS, PEN
NIBS, AND PEN HOLDERS

[General Limitation Order L-227, as Amended
Feb. 20, 1943]

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

§ 3138.1 *General Limitation Order L-227—(a) Definitions.* For the purposes of this order:

(1) "Fountain pen" means any writing device (including the pen nib) containing a reservoir of writing fluid in excess of that retained by capillary attraction on the surface of the pen nib thereof.

(2) "Mechanical pencil" means any writing instrument containing a movable core of lead or other marking material encased in a housing of any material whatsoever and including all types of automatic or mechanical pencils.

(3) "Wood cased pencil" means any writing instrument containing a non-movable core of lead or other marking material, encased in a sheath of wood.

(4) "Pen nib" means any removable writing point designed to deposit writing fluid upon a writing surface.

(5) "Pen holder" means any device designed to hold a pen nib in position for writing, except fountain pens.

(6) "Manufacturer" means any individual, partnership, association, busi-

ness trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, who manufactures or assembles any fountain pens, mechanical pencils, wood cased pencils, pen nibs or pen holders, or who manufactures or assembles any part made specifically for incorporation into such products.

(7) "Part" means any part made specifically for incorporation into a fountain pen, mechanical pencil, wood cased pencil, pen nib or pen holder, except repair parts.

(8) "Repair part" means any part made specifically for incorporation into fountain pens, mechanical pencils, wood cased pencils, pen nibs or pen holders, which is not produced for or used in a new fountain pen, mechanical pencil, wood cased pencil, pen nib or pen holder.

(9) "Finishing material" means any material used as a protective coating on wood cased pencils or pen holders containing cellulose derivatives, synthetic resins, or plasticizers.

(b) *Restrictions upon production of fountain pens.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber to be used in the production of fountain pens, nor shall any manufacturer process, fabricate, work on or assemble any stainless steel for pen nibs, or assemble any stainless steel pen nibs in fountain pens, except:

(i) Low carbon steel for functional parts of fountain pens other than pen nibs.

(ii) Crude or reclaimed rubber consisting of fountain pen semiprocessed or finished parts contained in his inventory prior to December 7, 1942.

(iii) Reclaimed rubber as permitted pursuant to Supplementary Order M-15-b, as amended from time to time.

(iv) Copper intended for silver or 14 karat gold pen nibs, and

(v) Stainless steel pen nibs which were contained in his inventory in completely fabricated form prior to December 7, 1942, may be assembled in fountain pens up to and including December 31, 1942.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more parts or repair parts for fountain pens than the following percentages of such parts or repair parts produced by him during 1941:

(i) Parts for fountain pens, 7%.

(ii) Repair parts for fountain pens, 10%.

(3) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more fountain pens than:

(i) 5% of the number of steel pen nib fountain pens produced by him during 1941, plus

(ii) 7% of the number of gold pen nib fountain pens produced by him during 1941.

(4) During the period of three months beginning January 1, 1943, and during each three months period thereafter, no

manufacturer shall produce more parts or repair parts for fountain pens than the following percentages of such parts or repair parts produced by him during 1941:

(i) Parts for fountain pens, 12½%.

(ii) Repair parts for fountain pens, 30%.

(5) During the period of three months, beginning January 1, 1943, and during each three months period thereafter no manufacturer shall produce more fountain pens than:

(i) 8¾% of the number of steel pen nib fountain pens produced by him during 1941, plus

(ii) 12½% of the number of gold pen nib fountain pens produced by him during 1941.

(c) *Restrictions upon production of mechanical pencils.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of mechanical pencils, except low carbon steel for functional parts, provided that no more than 8 pounds of such low carbon steel shall be contained in each group of 1,000 mechanical pencils produced by him on and after February 1, 1943.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce more parts or repair parts for mechanical pencils, or more mechanical pencils than the following percentages of such parts or repair parts for mechanical pencils, or mechanical pencils produced by him during 1941:

(i) Parts for mechanical pencils, 6%.

(ii) Repair parts for mechanical pencils, 10%.

(iii) Mechanical pencils, 6%.

(3) During the period of three months beginning January 1, 1943, and during each three months period thereafter, no manufacturer shall produce more parts or repair parts for mechanical pencils, or more mechanical pencils, than the following percentages of such parts or repair parts for mechanical pencils, or mechanical pencils, produced by him during 1941:

(i) Parts for mechanical pencils, 11¾%.

(ii) Repair parts for mechanical pencils, 30%.

(iii) Mechanical pencils, 11¾%.

(d) *Restrictions on production of wood cased pencils.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of wood cased pencils, nor shall any manufacturer process, fabricate, work on or assemble any wood cased pencils containing any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber.

(2) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of wood cased pencils shall produce more of such wood cased pencils than 11% of the number of such wood cased pencils produced by him during 1941.

(3) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of wood cased pencils shall produce more of such wood cased pencils than 22% of the number of such wood cased pencils produced by him during 1941.

(4) On and after December 7, 1942, no manufacturer shall use in connection with the manufacture of wood cased pencils more finishing material in the aggregate than an amount equal to the ratio of 1 gallon of finishing material per hundred gross of wood cased pencils produced by him.

(e) *Restrictions on production of pen holders and pen nibs.* (1) On and after December 7, 1942, no manufacturer shall process, fabricate, work on or assemble any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber for the production of pen holders, nor shall any manufacturer process, fabricate, work on or assemble any pen holders containing any iron and steel, copper, copper base alloys, crude rubber or reclaimed rubber.

(2) On and after December 7, 1942, no manufacturer shall use in connection with the manufacture of pen holders more finishing material in the aggregate than an amount equal to the ratio of 3 gallons of finishing material per hundred gross of pen holders produced by him.

(3) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of pen holders shall produce more of such pen holders than 10% of the number of such pen holders produced by him during 1941.

(4) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of pen holders shall produce more of such pen holders than 31¼% of the number of such pen holders produced by him during 1941.

(5) During the period beginning December 7, 1942, and ending December 31, 1942, inclusive, no manufacturer of pen nibs shall produce more of such pen nibs than 23% of the number of such pen nibs produced by him during 1941.

(6) During the period of three months, beginning January 1, 1943, and during each three months period thereafter, no manufacturer of pen nibs shall produce more of such pen nibs than 46¼% of the number of such pen nibs produced by him during 1941.

(f) [Revoked February 20, 1943]

(g) *Restrictions on plating.* On and after December 31, 1942, no manufacturer shall use in the production of fountain pens, mechanical pencils, wood cased pencils, and pen holders any plating, coating or other metal finish containing any zinc, tin, cadmium, copper or nickel.

(h) *Inconsistent orders.* This order supersedes, as of December 7, 1942, Limitation Order L-113 and all amendments thereto and appeals granted thereunder.

(i) *Reports.* (1) Every manufacturer affected by this order shall execute and file with the War Production Board such

reports and questionnaires as said Board shall from time to time request.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref.: L-227, on or before the 20th day following the close of each calendar month, Form PD-655.

(3) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref.: L-227, on or before December 15, 1942, Form PD-721.

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

(k) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(l) *Avoidance of excessive inventories.* No manufacturer of fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders shall accumulate for use in the manufacture of such fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order.

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

(n) *Appeals.* Any appeal from the provisions of this order should be made on Form PD-500, addressed to the War Production Board, Consumers' Durable Goods Division, Ref.: L-227.

(o) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, limits the use of any material in the production of fountain pens, mechanical pencils, wood cased pencils, pen nibs, and pen holders to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

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

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to

the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L-227.

Issued this 20th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2814; Filed, February 20, 1943; 11:41 a. m.]

PART 3195—ANHYDROUS ALUMINUM CHLORIDE

[General Preference Order M-287]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anhydrous aluminum chloride 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:

§ 3195.1 *General Preference Order M-287—(a) Definitions.* (1) "Anhydrous aluminum chloride" means the chemical of that name, in any form.

(2) "Supplier" means any producer or distributor of anhydrous aluminum chloride.

(3) "Producer" means any person who produces anhydrous aluminum chloride.

(4) "Distributor" means any person who purchases anhydrous aluminum chloride for resale.

(b) *Restrictions on deliveries and use.*

(1) On and after March 15, 1943, no supplier shall deliver or use anhydrous aluminum chloride, and no person shall accept delivery of anhydrous aluminum chloride from a supplier, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month beginning with April, 1943 (and with respect to use by supplier) will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. He may also at any time issue directions with respect to the use or uses which may or may not be made by any person of anhydrous aluminum chloride to be delivered or then on hand, or with respect to the kinds of anhydrous aluminum chloride which a producer may manufacture.

(3) Each person specifically authorized to accept delivery of anhydrous aluminum chloride shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations.

(4) Anhydrous aluminum chloride allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Anhydrous aluminum chloride allocated to fill a specified order or class of orders shall, where and to the extent that such order

or class of orders is for any reason not filled, revert to inventory.

(5) Each person who receives specific authorization to accept delivery of anhydrous aluminum chloride in any calendar month and who shall not prior to the first day of the next succeeding month have received delivery in full of the quantity so authorized, shall report such fact to the War Production Board not later than the 5th day of such succeeding month.

(6) Deliveries specifically authorized or directed to be made in any calendar month where the authorization or direction does not specify dates or order of shipment may be made without regard to preference ratings applicable to particular orders.

(c) *Exception to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization or direction of the Director General for Operations shall not be required for:

(i) The acceptance of delivery by any person, or use by any supplier, of not more than 50 lbs. of anhydrous aluminum chloride in the aggregate in any calendar month: *Provided*, That such person (or supplier) has not been specifically authorized to use or accept delivery of any quantity of anhydrous aluminum chloride during such month.

(ii) The delivery of anhydrous aluminum chloride by any supplier to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the anhydrous aluminum chloride hereby ordered for delivery in _____, 194..., does not, taken with all other anhydrous aluminum chloride delivered or to be delivered from all sources in such month, exceed 50 lbs., the amount which he is entitled to receive under paragraph (c) (1) of General Preference Order M-287.

Name of purchaser

Date By _____
Authorized official Title

Provided, however, That no certificate shall be required respecting deliveries by any supplier to any person in any calendar month of not more than 10 lbs. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of anhydrous aluminum chloride by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(2) No producer shall in any calendar month pursuant to paragraph (c) (1) deliver an aggregate amount of anhydrous aluminum chloride in excess of one per cent of the amount of anhydrous aluminum chloride which he is specifically authorized to deliver during such month.

(3) No supplier shall make deliveries during any calendar month pursuant to paragraph (c) (1) if such deliveries will

prevent completion of any deliveries which have been specifically authorized for such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each supplier seeking authorization to use) anhydrous aluminum chloride in any calendar month beginning with April, 1943, whether for own consumption or resale, shall file application on or before the 15th day of the preceding month. Where delivery or use is to be in March, 1943, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use. In each case, application shall be made on Form PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to the supplier and three to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-287, the fifth to be retained for your files.

(iii) In the heading, under name of chemical, specify anhydrous aluminum chloride; under WPB Order No., specify M-287; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization for acceptance of delivery or use is sought.

(iv) In Columns 1, 11 and 19 specify grade in terms of the following: technical grade, chemically pure.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:
 Aviation gasoline
 Refining aluminum metal
 Synthetic rubber
 Synthetic detergents
 Toluene
 Vat dyes
 Nylon
 Pharmaceuticals
 Terpene resins
 Lubricating oil additive
 Lubricating oil refining
 Catalyst for aviation gasoline, its components and raw materials
 Other chemicals (specify)
 Others (specify)
 Resale (as anhydrous aluminum chloride)
 Inventory (as anhydrous aluminum chloride)

(vi) In Column 4, specify ultimate use of product (where, for example, your primary product called for in Column 3 is "vat dyes", the ultimate use of product might be "overcoats"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. Where the Form PD-600 is an application for anhydrous aluminum chloride for resale or inventory (in each case as anhydrous aluminum chloride), leave Column 4 blank.

(2) Each supplier seeking authorization to make delivery of anhydrous aluminum chloride during any calendar month beginning with April, 1943, shall file application on or before the 20th day of the preceding month. The application shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(1) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-287.

(iii) Suppliers who have filed application on Form PD-600 specifying themselves as their suppliers, shall list their own names as customers on Form PD-601 and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "anhydrous aluminum chloride"; under WPB Order No., specify "M-287"; under name of company, state name and mailing address; under unit of measure specify "pounds"; and state the month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD-600.

(vi) The supplier may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next calendar month pursuant to paragraph (c) (1) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

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

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

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-287.

Issued this 20th day of February 1943.

CURTIS E. CALDER,
 Director General for Operations.

[F. R. Doc. 43-2810; Filed, February 20, 1943; 11:40 a. m.]

PART 1055—WOOL

[General Conservation Order M-73, as Amended Feb. 19, 1943]

Section 1055.1 *Conservation Order M-73* is hereby amended to read as follows:

§ 1055.1 *Conservation Order M-73—*(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Curtailment of use of wool for non-defense orders for period February 1, 1943, through July 31, 1943.* During the period February 1, 1943 through July 31, 1943, no person shall put into process any wool except to fill defense orders or as otherwise permitted by this order.

(c) *Quota for worsted system.* Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 15% of such basic quarterly poundage, or 2,000 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 20% of such basic quarterly poundage, or 3,000 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 30% of such basic quarterly poundage, or 2,000 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 40% of such basic quarterly poundage, or 3,000 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(d) *Quota for woolen and other systems.* Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other system shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage, or 800 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage, or 4,200 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 5% of such basic quarterly poundage, or 800 pounds, whichever is higher, for the manufacture of fabrics and yarns of any wool content, and an additional amount of wool owned by him not in excess of 25% of such basic quarterly

poundage, or 4,200 pounds, whichever is higher, for the manufacture of fabrics and yarns containing not more than 65% wool.

(e) *Bonus for use of certain types of wool.* Any person shall, for each pound of wool of grades 44s and lower (including carpet wool) or pieces or locks of alpaca, llama, or huarizo, owned or hereafter acquired by such person and put into process within the limits of paragraphs (c) and (d), be entitled to put into process:

(1) On the worsted system, an additional two pounds of such material owned or hereafter acquired by him.

(2) On the woolen, cotton, or felt system, an additional five pounds of such material owned or hereafter acquired by him.

(f) *Quota for manufacture of floor covering.* Any person having a basic quarterly poundage calculated from wool put into process for the manufacture of floor covering shall be entitled to put into process:

(1) During the period from February 1, 1943, through May 2, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage.

(2) During the period from May 3, 1943, through July 31, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage.

(g) *Carry-over of unused portions of quotas.* Any amounts of wool which a person was entitled to put into process for non-defense orders during the period from August 3, 1942, through January 31, 1943, pursuant to this order as heretofore issued (excluding the additional allotment for use in knitted wear), and any amounts of wool which a person is entitled to put into process for non-defense orders during the period from February 1, 1943, through May 2, 1943, pursuant to paragraphs (c), (d), (e) and (f) of this order as presently effective, and which have not been put into process at the end of the applicable period may be carried over to the following period or periods covered by this order and operate to increase the corresponding quota of such following period or periods to that extent.

(h) *Special provisions for manufacture of yarn for use in manipulated fabrics.* (1) For the purposes of paragraphs (c) and (d) the putting into process of wool for the manufacture of yarns for sale to knitters or weavers to be manufactured by them into fabrics or garments containing not more than 65% wool shall be considered as the putting into process of wool for the manufacture of such fabrics.

(i) *Restrictions on use of certain types of wool and of wool content of certain products—*(1) *Restriction on wool content of blankets and lounging wear for nondefense use.* No person shall manufacture for nondefense order any blanket, or any "feminine lounging wear" as defined in Limitation Order L-118, or any "masculine lounging wear" as defined in Limitation Order L-130, containing more than 65 per cent of wool.

(2) *Restrictions on use of certain wools in drapery and upholstery fabrics for*

nondefense use. No person shall put into process for nondefense order for the manufacture of any drapery or upholstery fabrics any wool other than coarse carpet wool.

(3) *Restrictions on use of certain wools in floor coverings.* No person shall put into process any wool other than carpet wool for the manufacture of floor covering.

(4) *Restrictions on use of alpaca, huarizo and llama.* No person shall put into process any alpaca, llama or huarizo, other than pieces and locks, and no person shall use or process any alpaca tops, except for the manufacture of fabrics or yarn to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(j) *Defense orders filled out of inventory.* The filling of a defense order out of stocks on hand, which stocks were not manufactured on defense order, shall operate to increase the amount of wool which a person may put into process on nondefense order in the period in which such defense order is filled, to the extent of the amount of wool contained in the goods used to fill such defense order.

(k) *General exceptions.* The prohibitions and restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning and weaving of the fabrics.

(l) *Assignment of preference rating for certain uniform fabrics.* Deliveries of fabric to be used in the manufacture of the following types of uniforms:

- (1) U. S. Bureau of Customs personnel,
- (2) U. S. Forest Service personnel,
- (3) U. S. Immigration and Naturalization Service personnel,
- (4) U. S. Post Office Department personnel,
- (5) Federal, State, County, Municipal or local government policemen, guards or militia,
- (6) Flying personnel with commercial airlines,
- (7) Organized civilian personnel assigned to the Armed Forces of the United States,
- (8) Plant and airport guards,
- (9) Nurses,

are hereby assigned a preference rating of A-10. Said rating shall be applied and extended in the manner provided by Priorities Regulation 3.

(m) *Prohibition against sales or deliveries.* No person shall hereafter sell or deliver any material to any person if he knows, or has reason to believe, such material is to be used in violation of this order.

(n) *Fair distribution of products.* In making sales or deliveries of wool yarn, fabrics, styles or patterns, no person shall make discriminatory reductions in amounts or quantities in acceptance of orders or deliveries between regular customers who meet such person's regularly

established prices and terms, or between regular customers and his own consumption of these products.

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

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but (except for the purposes of paragraph (n)) shall not include mohair, noils, waste, reprocessed or reused wool, or yarn or cloth.

(2) "Manufacture" means any and all processing on any system beyond the scouring operation, excepting only the carding and combing operations on the worsted system.

(3) "Put into process" means:

(i) On the worsted system, the first process of drawing after combing.

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding as the case may be.

(iii) On the woolen, felt, or any other system not using tops, the first step after scouring, carbonizing, dusting or similar cleaning or preparatory process.

and shall include the causing to be put into process by another for one's account.

(4) "Basic quarterly poundage" for any single system of manufacture shall mean one half of the number of pounds of wool and mohair, either kid or adult, put into process on that system by a person during the period from December 29, 1940 to June 28, 1941, both inclusive or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such person during such period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 per cent moisture regain, 3¼ per cent of oil and natural fats.

(ii) On the woolen system, scoured wool and mohair, either kid or adult, at 12 per cent moisture.

(iii) On the felt or any other system, the weight of wool and mohair, either kid or adult in the stage immediately preceding putting into process.

(p) *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.

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

(r) *Reports and records.* (1) Each person who puts wool into process shall file with the War Production Board a report on Form PD-274 setting forth the information required therein. Any person having stocks of wool shall file reports on WPB-295 and/or WPB-370, setting forth the information required therein. Any person making wool and part wool, woven and knitted fabrics and yarn, shall file with the War Production Board a report on form WPB-1420, setting forth the information required therein.

(2) All persons who put wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of consumption hereunder.

(s) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-73.

Issued this 19th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2787; Filed, February 19, 1943;
5:22 p. m.]

Subchapter A—General Provisions

PART 906—MACHINE TOOL TRANSFERS

[Directive 13]

§ 906.1 *Directive 13—(a) Utilization of machine tools.* (1) As a result of changes in program schedules, increasingly efficient operation, and development of new production techniques, many machine tools heretofore delivered have been rendered idle, or are in use on purposes less essential to the war effort than others for which they are urgently needed.

(2) To release all possible materials for other purposes and to bring about the production of articles of war in accordance with strategic military determinations, maximum utilization of existing machine tools must be secured.

(3) Machine tools recently purchased have been largely Government financed; when in conflict with the attainment of maximum utilization, the right to present or future ownership and the right to possession or use of any particular machine tool by any person, including any governmental agency, department or corporation, are deemed subordinate.

(4) The War Production Board is the agency responsible for developing information regarding existing machine tools not required in their present location, and is responsible for exercising overall supervision of the distribution of machine tools.

No. 37—4

(b) *Policies.* Accordingly, the following policies have been established by the War Production Board in consultation with the War and Navy Departments, and the Defense Plant Corporation:

(1) The War Production Board may direct the transfer of any machine tool not in use or from use on any contract, purchase order, program, or other work regardless of ownership or contractual rights relating to the possession or use of such machine tool, to use on any other contract, purchase order, program, or other work in the same plant or any other plant. The direction of the War Production Board will be addressed to the departments or agencies primarily affected and a copy shall be furnished to the holder of such machine tool.

(2) The Tools Division of the War Production Board shall issue such a direction only after consultation with the War Department, the Navy Department, or any other Government agency or department the performance of whose contracts may be affected by such action. Consideration shall be given to the effect which such transfer will have on respective production programs, under the general policies directed by the Production Executive Committee.

(3) The guiding principle shall be that upon the issuance of such a direction the transfer of the machine tool in question shall be made promptly. Accordingly, every effort must be exerted by the Governmental agency concerned to obtain the consent of the holder of the machine tool to its immediate transfer. Adjustments between Governmental agencies necessitated by the transfer and likewise negotiations between such agencies and the machine tool holder with respect to the modification of any contract under which the machine tool is used or of any contract for the production of material with such machine tool shall, insofar as possible, be conducted after the transfer.

(4) If the consent of any private interest deemed necessary to the transfer of the machine tool cannot be obtained, or if the transfer is not accomplished with reasonable dispatch, the War Production Board will issue such orders as may be necessary to effectuate the transfer. When necessary, the machine tool shall be requisitioned pursuant to the Act of October 16, 1941, as amended.

(5) Reserves of machine tools retained by contractors against the possibility of future need for tools shall not be permitted if such tools are needed for other contractors. The execution of the policies herein established should obtain sufficient fluidity and flexibility in the distribution of machine tools to make such reserves wholly unnecessary.

(c) *Review of orders for machine tools.* The War Production Board, Tools Division, will request all Departments and Agencies participating in this directive to review all lists of machine tools on order so that those not urgently needed

may be cancelled. The Tools Division will keep itself posted as to all urgent and special demands for machine tools so that immediate action may be taken in filling such orders.

(d) *Reports on available machine tools.* All departments and agencies of the Government participating in this directive shall determine the location of machine tools within their cognizance which are available for transfer to fill other more urgent needs, and shall promptly advise the War Production Board of such tools.

(e) *Effectuation of directive.* The War Production Board, the Army and Navy Departments, and the Defense Plant Corporation, shall take such other immediate steps as are necessary to effectuate this directive.

Issued this 6th day of February 1943.

DONALD M. NELSON,
Chairman.

WAR AND NAVY DEPARTMENTS

Approved:

JAMES V. FORRESTAL
ROBERT P. PATTERSON

DEFENSE PLANT CORPORATION

Approved:

HANS A. KLAGSBRUNN

[F. R. Doc. 43-2788; Filed, February 19, 1943;
5:22 p. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RPS 88,¹ Amendment 69]

PETROLEUM AND PETROLEUM PRODUCTS

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

In § 1340.157, paragraph (b) is amended and new paragraphs (y), (z), and (aa) are added; the text of the first undesignated paragraph of § 1340.159 is amended, and a new paragraph (e) is added, as set forth below:

§ 1340.157 *Definitions.* * * *

(b) "Petroleum products" means:

All grades of gasoline, including natural gasoline and blending naphthas; also special hydrocarbon fractions utilized in the manufacture of gasoline or the components thereof

Liquefied petroleum gases
Tractor distillates and similar distillate type motor fuels other than gasoline
Kerosene, including range oil or stove oil
Distillate burning, heating or fuel oils
Diesel fuel oils

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

¹ 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5887, 5868, 5988, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799.

Residual burning, heating or fuel oils

Lubricating oils, including motor, aviation and stock oils (neutrals, bright stocks, steam refined stocks and other stock oils) and all greases and industrial lubricating oils except core oils and core washing oils

Naphthas, solvents, mineral spirits and other petroleum fractions when sold as anti-freeze preparations.

Paving and cut-back asphalts, asphalt emulsions, road oils, roofing asphalt and roofing flux.

For the time being industrial naphthas and solvents, and specialty products (such as household oils and spot removers) are excluded from the list of petroleum products subject to Revised Price Schedule No. 88.

Asphalts and asphalt products not listed above are not for the time being included in the term "petroleum products" as defined above.

(y) "Highest price charged during March, 1942" means:

(1) The highest price which the seller charged at the same shipping or delivery point to a purchaser of the same class for delivery of the particular petroleum product during March 1942.

(2) If the seller made no such delivery during March 1942, such seller's highest offering price to a purchaser of the same class for delivery during that month.

(3) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during March, 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(4) In no event, however, shall a price charged pursuant to a contract entered into prior to March 1942 be regarded as a price charged in March 1942 unless such contract was adjustable to reflect current market conditions at or about the dates of deliveries under such contract.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it without substantially changing its composition, either to an industrial or commercial user or to any person other than an ultimate consumer.

(aa) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

§ 1340.159 Appendix A: *Maximum prices for petroleum and petroleum products.* The maximum prices established by Revised Price Schedule No. 88 (§§ 1340.151 to 1340.159, inclusive) shall include the prices on all domestic, export and import transactions, sales, transfers, exchanges or purchases of crude petroleum and on all domestic, export and import transactions, sales, transfers or exchanges of petroleum products, involving contract, bid or spot sales of crude

petroleum at the well, the gathering point, tank or terminal, and of petroleum products for cargo or barge shipment, harbor delivery, f. o. b. refinery and terminal, and tank car and tank wagon delivery. With the exception of industrial lubricating oils and greases, prices for petroleum products when sold at retail at service stations, garages and stores are not governed by Revised Price Schedule No. 88.

(e) *Industrial lubricating oils and greases.* Notwithstanding the provisions of paragraph (b) above, maximum prices of industrial lubricating oils and greases shall be determined as set forth below:

(1) *Producer's maximum prices for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease which was delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the producer's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery by the producer during March 1942 but was delivered or offered for delivery prior thereto, the producer's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(2) *Producer's maximum prices for industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale by a producer of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 or prior thereto shall be the price determined by the first one of the four methods set forth in subdivisions (i), (ii), (iii) and (iv) of this subparagraph (2) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942 or prior thereto, only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the in-

dustrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: New industrial lubricating oils or greases which result from the compounding of two or more ingredients, each of which has a maximum price.* The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (2) and which is produced by mixing two or more ingredients for each of which the producer has a maximum price under applicable regulations of the Office of Price Administration, shall be the weighted average by volume or by weight depending on whether the blended product is sold by volume or by weight of the maximum prices of the ingredients. In determining the weighted average mentioned above the seller shall multiply the per unit maximum price of each product being blended by the percentage (by volume or weight as above prescribed) of each ingredient and add the results of such multiplication.

(iii) *Third pricing method: Changes necessitated by shortages of ingredients.* (a) The maximum price of any industrial lubricating oil or grease which cannot be priced under subdivisions (i) or (ii) of this subparagraph (2) and which differs from an industrial lubricating oil or grease delivered or offered for delivery by the producer during March 1942, or prior thereto, only because of changes necessitated by shortages of ingredients, shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that month adjusted by adding or subtracting the increase or decrease in direct ingredient cost resulting from the changes. Once the seller has determined his maximum price for a particular industrial lubricating oil or grease under this subdivision (iii) that price is his maximum price thereafter.

In calculating the direct costs of the ingredients of the industrial lubricating oil or grease delivered or offered for delivery during March 1942 and the changed industrial lubricating oil or grease, such cost shall be regarded as the maximum price which the producer's suppliers of such ingredient or ingredients may charge under applicable maximum price regulations.

(b) *Report of maximum prices.* Within five days after a purchaser first agrees to buy an industrial lubricating oil or grease for which a maximum price must be determined under this subdivision (iii), or at any time prior thereto, the producer shall report to the Office of Price Administration, Washington, D. C., the maximum price computed by him. The report shall set forth the following in the manner and form prescribed below:

OPA Form No. 652-171

Budget Bureau No. 08-R331

OFFICE OF PRICE ADMINISTRATION

REPORT OF TENTATIVE MAXIMUM PRICE

DUE TO CHANGE IN INGREDIENTS RESULTING FROM SHORTAGES
INDUSTRIAL LUBRICATING OILS AND GREASES*

Name of Product Class of Purchaser

PART A—MAXIMUM PRICE

Unit of sale Original product New product
1. Pounds 2. Gallons (As determined under this schedule) 3. (Tentative)
(Specify by "X")

Composition of products

PART B—ORIGINAL PRODUCT				PART C—NEW PRODUCT			
Line	Ingredient 1	% used	Cost per unit 1	Line	Ingredient 1	% used	Cost per unit 1
	1	2	3		1	2	3
1	.....	.....	.....	1	.....	.....	.....
2	.....	.....	.....	2	.....	.....	.....
3	.....	.....	.....	3	.....	.....	.....
Total.....	100.0	XXXX	.....	Total.....	100.0	XXXX	.....

State the Reason for Each Shortage of Ingredients Indicated in Part B—Column 1:
Instructions and footnotes.—Footnote No. 1 In parts B and C the ingredients listed in columns 1 should correspond line by line. Where new ingredients are used these should be listed in column 1 of Part B following the list of original ingredients. Indicate ingredients changed as a result of a shortage and each substitute ingredient by an asterisk (*).
Footnote No. 2 Before computing these costs see §1340.159 (e) (iii) (a).
The unit of sale should be the same for Part A1 and Parts B and C.
*Upon written request by the producer, information contained in the report shall be treated as confidential.

The maximum price so reported shall be the seller's maximum price unless it is disapproved in writing by the Office of Price Administration within thirty days after the date it is reported as above provided or a substitute price is set by the Office of Price Administration. If a substitute price is set, then such price shall be the maximum price. Subsequent to this thirty-day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon written order of the Office of Price Administration.

After the expiration of this thirty-day period the producer shall notify in writing each person purchasing the new industrial lubricating oil or grease for resale at wholesale that his maximum price for the new product shall be his maximum price for the product being replaced, adjusted by the amount of the difference in the cost to him of the new product.

(iv) *Fourth pricing method: Tentative maximum prices.* The maximum price for any industrial lubricating oil or grease which cannot be priced under subdivisions (i), (ii) or (iii) of this subparagraph (2) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(3) *Maximum prices at wholesale or retail for industrial lubricating oils and greases delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is the same as an industrial lubricating oil or grease delivered or offered for delivery in March 1942 by the seller, shall be the highest price charged

by the seller during March 1942 (as defined in paragraph (y) of § 1340.157) for the industrial lubricating oil or grease: *Provided, however,* That if no price was charged during March 1942 within the meaning of said paragraph (y) of § 1340.157, the seller's maximum price shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If the industrial lubricating oil or grease was not delivered or offered for delivery during March 1942 but was delivered or offered for delivery prior thereto, the seller's maximum price thereof shall be determined under § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

If a producer's maximum price to a particular reseller for a particular industrial lubricating oil or grease as established under the General Maximum Price Regulation is increased or decreased by reason of the operation of subparagraph (1) of this paragraph (e) such reseller's maximum price for the same industrial lubricating oil or grease shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(4) *Maximum prices on wholesale and retail sales of industrial lubricating oils and greases not delivered or offered for delivery during March 1942 or prior thereto.* The maximum price for a sale at wholesale or retail of any industrial lubricating oil or grease which is not the same as an industrial lubricating oil or grease which was delivered or offered for delivery during March 1942 shall be determined by the first of the two methods set forth in subdivisions (i), (ii) or (iii)

of this subparagraph (4) which applies to the industrial lubricating oil or grease.

(i) *First pricing method: Minor changes.* The maximum price of any industrial lubricating oil or grease differing from an industrial lubricating oil or grease delivered or offered for delivery by a seller at wholesale or retail during March 1942 or prior thereto only by reason of minor changes in composition which do not substantially reduce or increase the cost of ingredients or prevent its offering substantially equivalent serviceability shall be the maximum price of the industrial lubricating oil or grease delivered or offered for delivery during that period.

(ii) *Second pricing method: Wholesale prices—changes necessitated by shortages of ingredients.* The maximum price for any sale at wholesale of any industrial lubricating oil or grease which cannot be priced under subdivision (i) of this subparagraph (4) and which has been priced by the producer thereof under subdivision (iii) of subparagraph (2) of this paragraph (e) shall be the seller's maximum price for the product being replaced, adjusted by the amount of the difference in the cost of the new product to the seller.

(iii) *Third pricing method: Tentative maximum prices.* The maximum price for any sale at wholesale or retail, of any industrial lubricating oil or grease which cannot be priced under subdivision (i) or (ii) of this subparagraph (4) shall be determined in accordance with § 1340.159 (b) (7) of this Revised Price Schedule No. 88.

(5) *Price differentials.* Every seller shall continue all his allowances, discounts or other price differentials in effect during March 1942. In the case of industrial lubricating oils or greases priced under subparagraphs (2) or (4) of this paragraph (e) every seller shall in the case of sales to different classes of purchasers adjust the maximum prices determined for one class of purchaser to reflect all allowances, discounts and other price differentials which he was accustomed to make on that type of industrial lubricating oil or grease.

(6) *Transportation costs.* No seller of industrial lubricating oils or greases shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any industrial lubricating oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the same industrial lubricating oil or grease during March 1942. In the case of industrial lubricating oils or greases priced under subparagraph (2) or (4) of this paragraph (e) no seller shall require any purchaser and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of such industrial oil or grease, than the seller required purchasers of the same class to pay during March 1942 on deliveries of the industrial lubricating

oil or grease used as a basis for determining the maximum price of the new industrial lubricating oil or grease.

§ 1340.158a *Effective dates of amendments.* * * *

(rrr) Amendment No. 69 (§§ 1340.157 (b), (y), (z), (aa); 1340.159 (e)) to Revised Price Schedule No. 88 shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2757; Filed, February 19, 1943;
12:04 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 290,¹ Amendment 1]

SITKA SPRUCE LUMBER

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

Section 1381.451 is amended by adding paragraph (c) and § 1381.452 (b) is amended as set forth below:

§ 1381.451 *Sales of Sitka spruce lumber at higher than maximum prices prohibited.* * * *

(c) The maximum f. o. b. mill prices for shipments originating in Alaska and delivered to points outside the Continental United States shall be the maximum f. o. b. mill prices set forth in Appendix A to which may be added an amount equal to the Maritime Commission's published freight rate from Seattle, Washington to the mill's shipping point, including surcharges, war risk insurance and the published Seattle wharfage and handling rate for comparable lumber. The maximum delivered prices for shipments originating in Alaska shall be the above maximum price plus transportation charges permitted in § 1381.454.

§ 1381.452 *To what transactions, products, and persons this regulation applies.* * * *

(b) *What products are covered.* This regulation covers all Sitka spruce (*Picea sitchensis*) lumber, except aircraft grades as defined in Revised Maximum Price Regulation No. 109, Aircraft Lumber,² whether the grades, sizes, and specifications are specifically named in the price tables in Appendix A or not. Sitka spruce lumber produced in all parts of the United States, in Canada, and in Alaska, is covered. All grade terms have the meaning given in the Standard Grading and Dressing Rules, Number 11, issued by the West Coast Lumbermen's Association, effective April 1, 1942.

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

¹ 8 F.R. 19.

² 7 F.R. 2238, 2543, 5667, 8585, 8948, 10100; 8 F.R. 270.

This amendment shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2758; Filed, February 19, 1943;
12:08 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,¹ Amendment 69]

MACHINES AND PARTS AND MACHINERY SERVICES

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.*

In § 1390.32 one item is amended in paragraph (a) and two items are amended in paragraph (g); in § 1390.33 one item is amended in paragraph (c), all as set forth below:

§ 1390.32 *Appendix A: Machines and parts to which the October 1, 1941, date is applicable—(a) Prime movers, etc.:* * * *

Gasoline and kerosene engines for marine, tractor, railway, and stationary use (not including portable outboard motors).

(g) *Auxiliary equipment:* * * *

Open tanks and vessels (metal) (except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, nonreturnable shipping containers, refuse receptacles, drip receivers, and waste receivers).

Pressure tanks (metal) (except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch; range boilers or expansion tanks not over 192 gal. capacity, made of metal not over 12 BWG gauge).

§ 1390.33 *Appendix B: Machines and parts to which the March 31, 1942 date is applicable.* * * *

(c) *Miscellaneous.* * * *

Dies, molds, and patterns (except when the die, mold or pattern is sold or a separate charge is made therefore in connection with the sale of a casting and the maximum price established for the casting includes the price or charge for such die, mold or pattern).

This amendment shall become effective February 25, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2759; Filed, February 19, 1943;
12:06 p. m.]

¹ 7 F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382.

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended,¹ Supp. Service Reg. 8]

POWER LAUNDRIES IN PITTSFIELD AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 8 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, Supplementary Service Regulation No. 8 is hereby issued.

§ 1499.658 *Power laundries in the Pittsfield area—(a) Dollars-and-cents maximum prices established for services sold by power laundries located in the Pittsfield area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for the family laundry services specified in Appendix A are modified as hereinafter provided. The maximum prices for family laundry services when sold by power laundries located in the Pittsfield area shall be the prices set forth in Appendix A.

The maximum price of a family laundry service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which customarily have been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *The maximum prices established by Maximum Price Regulation No. 165, as amended, for commercial flatwork sold by power laundries in the Pittsfield area.* The maximum prices in the Pittsfield area for commercial flatwork washed and finished, ready for use shall be 6¢ per pound. All other commercial laundry services shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(3) *Definitions.* As used in this supplementary service regulation the term:

"Family laundry services" means all laundry service except those supplied on a commercial or institutional basis.

"Pittsfield area" means the town of Pittsfield, Massachusetts, and is limited to it.

"Power laundries" means all establishments in the Pittsfield area offering laundry services for sale, with the excep-

¹ 7 F.R. 6248, 6966, 8239, 8431, 8798, 8943, 9117, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 1979.

tion of such hand laundries as do not use power machinery to wash laundry.

(4) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Pittsfield area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(8) *Appendix A: Maximum prices for family laundry services.*

(5) *Other laundry services rendered by power laundries in the Pittsfield area.* The maximum prices for other laundry services rendered by power laundries in the Pittsfield area shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(6) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this supplementary service regulation which most closely resembles it in specifications and price.

(7) *Less than maximum prices.* Lower prices for any of the services covered by this supplementary service regulation may be charged, offered, demanded, or paid.

Services	Maximum prices
Damp wash, in which all laundry is washed and returned damp.	20 lbs. for \$1.00 plus 5¢ for each additional lb. If requested, shirts finished for 15¢ extra.
Soft dry or family flat, in which the wearing apparel, if any, is washed and returned dry and the flatwork is washed and returned finished, ready for use.	8 lbs. for \$1.00 plus 10¢ for each additional lb. If requested, shirts finished for 12½¢ extra.
Press finish, in which the wearing apparel is washed and returned pressed, and the flatwork is washed and returned finished, ready for use.	Wearing apparel 20¢ per lb.; flatwork 11¢ per lb.; minimum charge \$1.25. If requested, shirts finished for 7¢ extra.
Family finish, in which both wearing apparel and flatwork are washed and returned finished, ready for use	Wearing apparel 30¢ per lb.; flatwork 11¢ per lb.; minimum charge \$1.50. No extra charge for shirts.

List price, in which wearing apparel, flatwork, and specialties are washed and returned finished, ready for use.

Ladies'	
Blouses, plain	\$0.15
Blouses, silk	.25
Blouses, fancy	.25
Brassiere, cotton	.10
Brassiere, silk	.20
Ladies silk collar	.15
Combination	.20
Cuffs, each	.05
Dresses, plain	.40
Dresses, silk, or sharkskin	.75
Girdles	.15
Nightgowns, cotton	.15
Nightgowns, silk	.25
Panties, plain	.10
Panties, silk	.25
Slip, cotton	.15
Slip, silk	.25
Skirt, plain	.25
Smock, plain	.18
Smock, silk	.50
Play shorts	.20
Uniforms, nurses, silk or sharkskin	.60
Uniforms, starch	.35
Slack suit	.75
Women's overalls	.40
Aprons, plain	.10
Aprons, Hoover	.20
Aprons, fancy or extra large	.35
Men's	
Undershirt—cotton	.10
Undershirt—silk	.12
Underdrawers, cotton	.10
Underdrawers, silk	.12
Work pants	.40
Coat, service, short	.20
Coat, service, long	.35

Men's—Continued	
Shorts	\$0.10
Support	.10
Ties, plain	.10
Ties, white bow	.15
White dress vest	.35
Unionalls	.50
Unionalls, white	.50
Union suit	.20
Union suit, wool	.20
Slacks	.40
Butcher apron	.10
B. V. D.	.15
Collars	.05
Collars, soft	.05
Collars, silk	.10
Duck coat	.40
Duck pant	.30
Handkerchiefs	.04
Hose	.06
Hose, wool	.15
Linen coats	.60
Linen pants	.40
Overalls, combination	.40
Overalls, coat	.25
Overalls, pant	.25
Overalls, white	.50
Pajama suit, cotton	.18
Pajama suit, silk	.25
Shirts	.18
Shirts, dress	.30
Shirts, dress collar att	.30
Shirts, silk	.30
Summer suit	1.00

Flatwork	
Napkins, plain	.04
Napkins, large	.05
Pillow slips	.06
Sheets	.18
Towels, face	.02
Towels, hand	.03

Flatwork—Continued

Towels, bath	\$0.04
Towels, roller	.05
Wash cloth	.03
Rag rugs	.13
Dish cloth	.02

Specialties

Comfortable, cotton	.75
Comfortable, silk	1.00
Pads	.20
Counterpanes, plain, fringed, wrinkled	.25
Counterpanes, tufted, chenille, candlewick	.50
Counterpanes, crocheted	1.50
Blankets:	
Cotton, single	.35
Cotton, double	.50
Wool, single	.60
Wool, double	1.00
Curtains, lace, plain, scrim	.60
Curtains, silk, rayon	.75
Curtains, cottage set	.75
Curtains, ruffled	1.00
Curtains, organdy	1.25
Curtains, double ruffle	1.50

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers, and a minimum charge of \$1.00 for delivery customers.

All power laundries must offer at least a 15% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices listed in this supplementary service Regulation.

This Supplementary Service Regulation No. 8 (§ 1499.658) shall become effective February 25 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2760; Filed, February 19, 1943; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 165, as Amended; Supp. Service Reg. 9]
POWER LAUNDRIES IN FALL RIVER AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 9 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 9 is hereby issued.

§ 1499.659 *Power laundries in the Fall River area—(a) Dollars-and-cents maximum prices established for services sold by power laundries located in the Fall River area.* (1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for family laundry services are modified as hereinafter provided in Appendix A.

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

17 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010. 8 F.R. 1060, 1979.

The maximum prices for family laundry services when sold by power laundries in the Fall River area shall be the prices set forth in Appendix A.

The maximum price of a family laundry service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *Definitions.* As used in this supplementary service regulation the term: "Fall River area" means the town of Fall River, Massachusetts, and is limited to it.

"Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

"Power laundries" means all establishments in the Fall River area offering laundry services for sale, with the exception of such hand laundries as do not use power machinery to wash laundry.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Fall River area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this supplementary service regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(4) *Other laundry services rendered by power laundries in the Fall River area.* The maximum prices for industrial and commercial laundry services rendered by power laundries in the Fall River area shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same

or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this supplementary service

(7) *Appendix A: Maximum prices for family laundry services.*

Services	Maximum prices
Damp Wash, in which all laundry is washed and returned damp.	17 lbs. for 75¢, plus 4¢ for each additional pound. If requested, each shirt finished for 12½¢ extra.
Thrifty, in which the wearing apparel is washed and returned damp, and the flatwork washed and returned finished, ready for use.	Wearing apparel 5¢ per lb.; flatwork 10¢ per lb.; minimum charge \$1.00. If requested, each shirt finished for 12½¢ extra.
Economy or Family Flat, in which the wearing apparel, if any, is washed and returned dry and the flatwork is washed and returned finished, ready for use.	12 lbs. for \$1.25, plus 8¢ for each additional pound. If requested, each shirt finished for 11¢ extra.
Family Finish, in which both wearing apparel and flatwork are washed and returned finished, ready for use.	Wearing apparel 18¢ per lb.; flatwork 10¢ per lb.; minimum charge \$1.50. Each shirt finished for 6¢ extra.

List Price, a service in which wearing apparel, flatwork and specialties are washed and returned finished, ready for use.

Nurses uniforms.....	\$0.50
Dress shirts.....	.25
Shirts.....	.15
Collars.....	.04
Handkerchiefs.....	.03
Hose (pair).....	.05
Pajamas.....	.16
Undershirts.....	.08
Underdrawers (long).....	.10
Shorts.....	.08
Union suits.....	.15
Overalls.....	.20
Unionalls.....	.35
Sheets.....	.15
Pillow slips.....	.05
Towels.....	.05
Table cloths.....	.15
Napkins.....	.05

NOTE: The maximum prices for all items supplied on a list price basis but unlisted shall be the ceiling prices established by Maximum Price Regulation No. 165 as amended.

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers, and a minimum charge of \$1.00 for delivery customers.

All power laundries must offer at least a 15% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices listed in this supplementary service regulation.

This Supplementary Service Regulation No. 9 (§ 1499.659) shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2761; Filed, February 19, 1943; 12:06 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 165,¹ as Amended; Supp. Service Reg. 10]

POWER LAUNDRIES IN WATERBURY-NAUGATUCK AREA

A statement of the considerations involved in the issuance of Supplementary

¹ 7 F.R. 4734, 5026, 5567, 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 1979.

regulation which most closely resembles it in specifications and price.

(6) *Less than maximum prices.* Lower prices for each of the family laundry services listed in Appendix A may be charged, offered, demanded, or paid.

(7) *Appendix A: Maximum prices for family laundry services.*

Services	Maximum prices
Damp Wash, in which all laundry is washed and returned damp.	17 lbs. for 75¢, plus 4¢ for each additional pound. If requested, each shirt finished for 12½¢ extra.
Thrifty, in which the wearing apparel is washed and returned damp, and the flatwork washed and returned finished, ready for use.	Wearing apparel 5¢ per lb.; flatwork 10¢ per lb.; minimum charge \$1.00. If requested, each shirt finished for 12½¢ extra.
Economy or Family Flat, in which the wearing apparel, if any, is washed and returned dry and the flatwork is washed and returned finished, ready for use.	12 lbs. for \$1.25, plus 8¢ for each additional pound. If requested, each shirt finished for 11¢ extra.
Family Finish, in which both wearing apparel and flatwork are washed and returned finished, ready for use.	Wearing apparel 18¢ per lb.; flatwork 10¢ per lb.; minimum charge \$1.50. Each shirt finished for 6¢ extra.

Service Regulation No. 10 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 10 is hereby issued.

§ 1499.660 *Power laundries in Waterbury-Naugatuck area—(a) Dollars and-cents maximum prices established for services sold by power laundries located in the Waterbury-Naugatuck area.*

(1) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for the family laundry services specified in Appendix A are modified as hereinafter provided. The maximum prices for family laundry services when sold by power laundries located in the Waterbury-Naugatuck area shall be the prices set forth in Appendix A.

The maximum price of a family service which does not conform exactly to the description of one of the listed family services in Appendix A shall be that of the listed service all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price shall be that of the lower-priced listed service.

Power laundries in this area shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In finished and list price services, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts), unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(2) *Definitions.* As used in this supplementary service regulation the term: "Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

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

"Power laundries" means all establishments in the Waterbury-Naugatuck area offering laundry services for sale, with the exception of such hand laundries as do not use power machinery to wash laundry.

"Waterbury-Naugatuck area" means the towns of Waterbury and Naugatuck, Connecticut, and is limited to them.

(3) *Posting requirements.* Within thirty days after the issuance of this supplementary service regulation, power laundries located in the Waterbury-Naugatuck area and offering family laundry services shall post, each in its own establishment, in a place and manner so that it is plainly visible to the purchasing public, a placard or card containing the maximum prices for the family laundry services set forth in Appendix A to this supplementary service regulation, and for any other family laundry service, if offered. Also within thirty days after the issuance of this supplementary service regulation, power laundries in this area shall furnish to each customer a statement of the maximum prices of the services offered, with a description of each. In this statement the description of the listed services and

their prices shall be exactly as set forth in Appendix A. Thereafter, new customers shall be furnished a similar statement.

(4) *Other laundry services rendered by power laundries in the Waterbury-Naugatuck area.* The maximum prices for other laundry services rendered by power laundries in the Waterbury-Naugatuck area shall be governed by Maximum Price Regulation No. 165 as amended, or other applicable regulation.

(5) *Prohibition against indirect price increases.* A laundry may not refuse to supply any low-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced services; except that a laundry may substitute for any service supplied in March 1942, the service listed in Appendix A of this supplementary service regulation which most closely resembles it in specifications and price.

(6) *Less than maximum prices.* Lower prices for each of the family laundry services listed in Appendix A may be charged, offered, demanded, or paid.

(7) *Appendix A: Maximum prices for family laundry services.*

Services	Maximum prices
Damp wash, in which all laundry is washed and returned damp.	17 lbs. for \$1.00, plus 4¢ for each additional pound. If requested, each shirt finished for 12¢ extra, and each pair of slacks for 25¢ extra.
Thrifty, in which the wearing apparel is washed and returned damp, and the flatwork washed and returned finished, ready for use.	Wearing apparel 5¢ per lb.; flatwork 12¢ per lb.; minimum charge \$1.00. If requested, each shirt finished for 12¢ extra, and each pair of slacks for 25¢ extra.
Fluff dry or family flat, in which the wearing apparel, if any, is washed and returned dry and folded, and the flatwork is washed and returned finished, ready for use.	7 lbs. for \$1.20, plus 10¢ for each additional pound. If requested, each shirt finished for 9¢ extra, and each pair of slacks for 18¢ extra.
Family finish, in which both wearing apparel and flatwork are washed and returned finished, ready for use.	7 lbs. for \$1.40, plus 12¢ for each additional pound. Each shirt 8¢ extra and each pair of slacks 16¢ extra.

List price, in which wearing apparel, flatwork, and specialties are washed and returned finished, ready for use.	
Blankets:	
Cotton single.....	\$0.40
Cotton double.....	.60
Wool single.....	.75
Wool double.....	1.00
B. V. D.'s.....	.15
Collars.....	.05
Collars soft.....	.03
Counterpanes:	
Fringed.....	.35
Plain.....	.25
Tufted.....	.50
Curtains:	
Ruffled.....	.60
Double ruffled.....	.75
Lace.....	.50
Criss-cross.....	.75
Scrim.....	.50
Duck coats.....	.50
Duck pants.....	.25
Handkerchiefs.....	.03
Hose.....	.05
Hose wool.....	.07
Linen coats.....	.60
Linen pants.....	.40
Napkins.....	.04
Overalls.....	.15
White overalls.....	.30
Pajamas.....	.25
Pillow slips.....	.07
Rag rugs (per lb.).....	.12

Sheets.....	\$0.18
Shirts.....	.18
Shirts, dress.....	.35
Shirts, dress with collar att.....	.40
Shirts, silk.....	.35
Summer suits.....	1.00
Table cloths.....	.15
Towels.....	.04
Towels, bath.....	.05
Towels, roller.....	.05
Washcloths.....	.02
Undershirts.....	.06
Underdrawers.....	.08
Shorts.....	.08
Uniforms (nurses) silk.....	.40
Uniforms (nurses) starch.....	.35
Unionalls.....	.30
White unionalls.....	.50
Union suits.....	.15
Union suits, wool.....	.25
Comfortables.....	.50
Slacks.....	.35
Butcher aprons.....	.10

In the list price service there may be imposed a minimum charge of 50¢ (after discount) for cash and carry customers, and a minimum charge of \$1.00 for delivery customers.

All power laundries must offer at least a 10% discount to cash and carry customers for all family laundry services.

No additional charges of any kind whatsoever may be added to the maximum prices

listed in this supplementary service regulation.

This Supplementary Service Regulation No. 10 (§ 1499.660) shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong., E. O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2762; Filed, February 19, 1943; 12:06 p. m.]

PART 1340—FUEL

[Correction to Amendment 40 to MPR 120¹]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.218 (b) (6) (i) and § 1340.219 (b) (1) (i) (b), the phrase "as of October 1, 1942" is deleted, and in § 1340.219 (b) (5) the date "February 9, 1943" is corrected so as to read "February 17, 1943".

This correction to Amendment No. 40 shall be effective as of February 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2777; Filed, February 19, 1943; 4:27 p. m.]

PART 1340—FUEL

[RPS 88,² Amendment 76]

PETROLEUM AND PETROLEUM PRODUCTS

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

Section 1340.160 is amended to read as set forth below:

§ 1340.160 *Exceptions.* (a) The following petroleum products shall be exempt from §§ 1340.151 and 1340.159.

(1) All aviation gasoline of 87 octane rating or higher;

(2) The following to the extent purchased or sold for use in the manufacture of aviation gasoline of 87 octane rating or higher; components of aviation gasoline of 87 octane rating or higher, including alkylate, neohexane, iso-octane, hydrocodimers, isomate and hot acid oc-

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

¹ 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030.

² 7 F.R. 1107, 1371, 1798, 1799, 1866, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1260, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2119, 2152.

taness; iso-pentane, iso-butane, normal butane and butylenes, and mixtures of iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions to the extent manufactured for and used in aviation gasoline of 87 octane rating or higher.

(3) The following special hydrocarbon fractions utilized in the manufacture of gasoline and the components thereof and liquefied petroleum gases to the extent sold or delivered for use in the manufacture of synthetic rubber: Components of synthetic rubber, including but not limited to, butadiene and styrene; all hydrocarbons and petroleum fractions used in the manufacture of butadiene and styrene, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane and iso-butane.

(4) Toluene manufactured from petroleum.

(5) The following to the extent sold or delivered for use in the manufacture of such toluene: base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene.

(b) All crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the eastern termini of such system shall be exempt from this price schedule.

This Amendment No. 76 shall become effective the 19th day of February 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. D. Doc. 43-2776; Filed, February 19, 1943; 4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1, Amendment 13]

MEAT RESTRICTION

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

A new § 1407.919a is added to read as set forth below:

§ 1407.919a *Allocation orders.* (a) The District Manager of the Office of Price Administration or, where there is none, the State Director, having jurisdiction over any meat allocation area, may issue allocation orders requiring any person who is engaged in the business of selling or delivering controlled meat in or from within that area, to deliver any controlled meat, which he has in or brings into the area, to such persons within the area, at such times and in such quantities as the District Manager or the State Director may direct. Such allocation order may be issued only if the District Manager (or State Director) finds it to be in the public interest to do so by reason of the fact that the person to whom the order requires deliveries to be made has

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

¹ 7 F.R. 7829, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 179, 375, 926, 1204, 1279.

been unable to secure a reasonable quantity of controlled meat for delivery or service to consumers and that, as a result, such consumers are unable to acquire a reasonable amount of controlled meat. However, no such order shall require delivery of controlled meat to individual consumers.

(b) Any person to whom an allocation order has been issued under this section shall make deliveries in accordance with the order, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, and shall make such deliveries at a price not in excess of the applicable maximum price established pursuant to any order of the Office of Price Administration.

(c) An allocation order issued pursuant to this section shall set forth the name and address of the person directed to make delivery; the name and address of the person to whom deliveries are to be made; the type and amount of controlled meat to be delivered; and the date on or before which such deliveries are to be made. An allocation order may be modified or revoked by the District Manager or State Director who issued it.

(d) An allocation order may be personally served on the person to whom it is directed or may be sent by registered mail either to his business address within the area or, if he has none there, to his principal business address. An allocation order shall be effective upon service, or, if mailed, twenty-four hours after mailing, or at such later time as may be specified therein.

(e) No person who fails to comply with an allocation order shall make any deliveries of controlled meat.

(f) The territory located within the State of Rhode Island and within each of the following Districts of the Office of Price Administration shall constitute a meat allocation area:

San Francisco, California.
Los Angeles, California.

This amendment shall become effective February 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421 and 729, 77th Cong.; W.P.B. Directive No. 1; Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2781; Filed February 19, 1943; 4:41 p. m.]

[Amendment 53 to Supp. Reg. 1 to GMPR 2]

CRUDE PETROLEUM TRANSPORTED THROUGH WAR EMERGENCY PIPELINES SYSTEM

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

¹ 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 9131, 9616, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 8833, 9082, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8810, 8930, 9622, 9975, 9976, 10022, 10557, 11118; 8 F.R. 130, 265, 927, 1454, 1813.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 5738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

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

In § 1499.26 (b), a new subparagraph (13) is added as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(b) General Maximum Price Regulation shall not apply to the following sales or deliveries:

(13) Of crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the eastern termini of such system.

This Amendment No. 53 shall become effective the 19th day of February 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2778; Filed, February 19, 1943; 4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 118 to Supp. Reg. 14¹ to GMPR 2]

PETROLEUM TRANSPORTED BY BARGE ALONG GULF INTRACOASTAL WATERWAY

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

A new subparagraph (74) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions listed below are modified as hereinafter provided.

(74) *Transportation of petroleum and petroleum products, in bulk, by barge along Gulf Intracoastal Waterway—(1) Maximum prices.* Maximum prices for

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9901, 9910, 10069, 10111, 10022, 10150, 10231, 10294, 10346, 10381, 10131, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 494, 535, 589, 863, 876, 878, 980, 1030, 9900, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5484, 5565, 5775, 5784, 5783, 6058, 6081, 6001, 6007, 6216, 6215, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.

the transportation, by carriers other than common carriers, of petroleum and petroleum products in bulk by barge between points on the Gulf Intracoastal Waterway shall continue to be determined under the provisions of the General Maximum Price Regulation, except that the maximum prices for distances of 150 miles or more shall be as follows:

[Rate in mills per net ton per mile]

Distance in miles	Type of service	Minimum, 16,000 barrels	
		Cargo, 24,000 barrels	
150 to, but not including, 300.	Towing only.....	3.70	3.00
	Tugs and barges..	5.60	4.50
300 and over.....	Towing only.....	3.50	2.80
	Tugs and barges..	5.30	4.25

Rules and Regulations

(a) **Distances.** Distances shall be determined in accordance with the official distance tables of the U. S. Engineers, except that 3 miles shall be added in the case of movements having one terminus east of Canal Street, New Orleans, and the other west of Harvey Canal lock.

(b) **Application of rates to cargoes.** The rates set forth above are based on the specified minimum cargoes. The maximum charge for cargoes of less than 16,000 barrels shall be the charge for a cargo of 16,000 barrels. The maximum charge for a cargo of over 16,000 barrels but less than 24,000 barrels shall not exceed the charge for a cargo of 24,000 barrels computed at the 24,000-barrel rate.

(c) **Wharfage and dockage.** The rates set forth above are exclusive of wharfage and dockage.

(d) **Tolls and port charges.** Canal tollage, lock charges and port charges are included in the rates set forth above for tugs and barges but not in those specified for towing only.

(e) **Insurance.** The rates set forth above are exclusive of cargo insurance. Insurance on barges is included in the rates set forth above for tugs and barges but not those specified for towing only.

(f) **Pumping out by carrier.** When cargo is discharged by use of carrier's pumps, an additional charge of 3/4¢ per barrel may be made for use of carrier's pump. If the carrier performs discharging service, an additional charge may be added not exceeding the actual cost to the carrier of furnishing such service.

(g) **Cleaning of equipment.** In the event the shipper does not clean barges which have become dirtied in his service, the carrier may make an additional charge not to exceed the actual cost of any cleaning which may be necessary to make such barges suitable for the transportation of the commodities for which they were suitable when placed in the shipper's service. The carrier may also charge for all time necessary for such cleaning, whether performed by carrier or shipper, at the rates specified below for demurrage. Where cleaning is required to render barges suitable for transportation of the products of a particular shipper, the cost of cleaning shall be paid by the carrier or shipper, as determined by agreement between the par-

ties: *Provided*, That the amount which may be added to the maximum prices herein specified may not exceed the actual cost of such cleaning.

(h) **Demurrage.** The rates specified above include free time of 3 hours at loading point and 3 hours at unloading point, and contemplate a loading rate of 2500 barrels per running hour and a discharge rate of 1500 barrels per running hour, day or night, Saturdays, Sundays and holidays not excepted. Demurrage for all additional time may be charged at the rate of \$10.00 per running hour or fraction thereof per tug and \$2.50 per running hour or fraction thereof per barge.

(i) **Additional charge for operating in Gulf of Mexico.** When operating conditions on the Gulf Intracoastal Waterway between Panama City and Port St. Joe, Florida, necessitate operation in the Gulf of Mexico, an additional charge may be made of not more than 33¢ per ton when the maximum rate is based on a cargo of 16,000 barrels and 24¢ per ton when the maximum rate is based on a cargo of 24,000 barrels.

(ii) **Definitions.** As used in this subparagraph (74):

(a) The term "barge" includes all non-self-propelled water craft used for the transportation of petroleum or petroleum products in bulk;

(b) The term "points on the Gulf Intracoastal Waterway" includes all points which are served with barge transportation by use of the Gulf Intracoastal Waterway and all points on the Mississippi River south of, and including, North Baton Rouge, Louisiana: *Provided*, That the provisions of this subparagraph (74) shall not apply to any transportation performed wholly or partially on the Mississippi River north of North Baton Rouge, Louisiana.

(b) **Effective dates.** * * * (113) Amendment No. 118 (§ 1499.73 (a)) to Supplementary Regulation No. 14 shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.
PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2779; Filed, February 19, 1943; 4:28 p. m.]

PART 1306—IRON AND STEEL
[RPS 41¹ as Amended February 20, 1943]
STEEL CASTINGS

Sections 1306.100, 1306.102 and 1306.112 are amended and a new paragraph (d) is added to § 1306.110a so that Revised Price Schedule 41 as amended by Amendment 4 shall read as follows:

The production of steel castings plays a critical role in the whole defense program. Steel castings at reasonable prices are essential to the increased flow of machines, tanks, ships, airplanes, guns, and, indeed, every variety of mil-

¹ 7 F.R. 1281.

itary and naval supplies, from the assembly line to the front line of the nation's defense.

Since January 1, 1941, the prices of steel castings have advanced to a point where a further increase would create pressure to raise the prices of ordnance, transportation equipment, and machinery of every description and cause unwarranted risk to our enlarged defense program in terms of delay and useless expense.

After a thorough investigation of costs and other factors relevant to the production and sale of steel castings and after numerous conferences with representatives of all branches of the steel castings industry, it has been decided in the interest of national defense and the public welfare, to establish maximum prices for steel castings of every description whatever.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

- Sec.
- 1306.100 Maximum prices for steel castings and railroad specialties.
 - 1306.101 Less than maximum prices.
 - 1306.102 Adjustable pricing.
 - 1306.103 Evasion.
 - 1306.104 Filing of prices.
 - 1306.105 Records and reports.
 - 1306.107 Enforcement.
 - 1306.108 Petitions for amendment, adjustment or exception.
 - 1306.109 Definitions.
 - 1306.110 Effective date of Price Schedule No. 41.
 - 1306.110a Effective dates of amendments.
 - 1306.111 Geographical application.
 - 1306.112 Appendix A: Maximum prices for steel castings.
 - 1306.113 Appendix B: Maximum prices for railroad specialties.
 - 1306.114 Appendix C: Exceptions.

AUTHORITY: §§ 1306.100 to 1306.114, inclusive, issued under E.O. 8734, 8375, 6 F.R. 1917, 4483; Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871.

§ 1306.100 Maximum prices for steel castings and railroad specialties—(a) Steel castings. Regardless of any contract or other obligation no producer shall sell or deliver, and no person shall buy or receive from a producer in the course of trade or business, any steel castings at prices higher than the maximum prices established in Appendix A (§ 1306.112) of this revised price schedule and no producer or person purchasing from a producer or proposing to purchase from a producer shall agree, offer or attempt to do any of these things: *Provided*, That the provisions of this paragraph shall not be applicable to deliveries of steel castings hereinafter defined as "armor, ordnance, navy and ship and marine castings"² if the orders for such castings were accepted prior to February 26, 1943 and if prior to March 28, 1943 such steel castings have been received by a carrier other than a carrier owned or controlled by the producer for shipment to such purchaser.

² See definition in § 1306.112 (a).

(b) Railroad specialties. Regardless of any contract or other obligation, no producer shall sell or deliver, and no person shall buy or receive from a producer in the course of trade or business, any railroad specialties at prices higher than the maximum prices established in Appendix B (§ 1306.113) of this revised price schedule, and no producer or person purchasing or proposing to purchase from a producer shall agree, offer or attempt to do any of these things.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing excises to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1306.101 Less than maximum prices. Lower prices than those set forth in § 1306.112, Appendix A, and § 1306.113, Appendix B, may be charged, paid, or offered.

§ 1306.102 Adjustable pricing. (a) Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

(b) Where a petition for amendment has been made pursuant to § 1306.108 of this revised price schedule, petitioner, and any person who proposes to purchase or who purchases steel castings or railroad specialties from such producer may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.103 Evasion. The price limitations set forth in § 1306.100 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of steel castings, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1306.104 Filing of prices. On or before December 1, 1941, every producer

shall file with the Office of Price Administration the exact and complete price or prices, extras, terms, and conditions, classified by size and quantity, in accordance with which he sold or would have sold on July 15, 1941, steel castings subject to § 1306.112, Appendix A: *Provided*, That where such price or prices coincide with the "Comprehensive Report" the producer need only signify that such prices do coincide with those listed in said Comprehensive Report: *And, provided further*, That filing as above is not necessary with respect to obsolete steel castings.

§ 1306.105 Records and reports. Every person making purchases or sales of steel castings after November 15, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity of each kind purchased or sold, and (b) the quantity of steel castings (1) on hand, and (2) on order, as of the close of each calendar month.

Persons affected by Price Schedule No. 41 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1306.106 [Revoked.]

§ 1306.107 Enforcement. (a) Persons violating any provision of this Revised Price Schedule No. 41 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 41, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1306.107 as amended by Supplementary Order 3, 7 F.R. 2132]

§ 1306.108 Petitions for amendment, adjustment or exception. (a) The Price Administrator may grant an exception permitting a seller of steel castings or railroad specialties to charge more than the maximum prices set forth in this Revised Price Schedule No. 41 in cases where the seller shows that he must otherwise absorb abnormally high transportation costs by reason of unusual circumstances arising from the emergency demands of the war. In all such cases the petitioner shall submit data indicating why the particular shipment or series of shipments are abnormal and the relation of such shipment or shipments to the war effort. Persons petitioning pursuant to this paragraph may be required to submit such data or reports in regard to any petition or order granting relief hereunder as may be from time to

time required by the Price Administrator. Petitions for such exceptions must be filed in accordance with Procedural Regulation No. 1^{*} issued by the Office of Price Administration.

[Paragraph (a) as amended by Amendment 2, 7 F.R. 4667]

(b) Any person seeking an amendment of any provision of this Revised Price Schedule No. 41 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) as amended by Supplementary Order 26, 7 F.R. 8948]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1306.109 Definitions. When used in Revised Price Schedule No. 41, the term:

(a) "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.

[Paragraph (a) as amended by Supplementary Order 12, 7 F.R. 6385]

(b) "Producer" means a person engaged in the production of steel castings or railroad specialties;

(c) "Steel castings" means any cast steel object, whether rough or machined, that has been initially cast into the desired shape of the finished product, and which contains less than 1.70% carbon and/or alloys totaling not more than 8%, and includes miscellaneous steel castings and steel castings produced for railroads other than the railroad specialties defined in paragraph (d) below:

[Paragraph (c) as amended by Amendment 3, 7 F.R. 7434]

(d) "Railroad specialties" means any or all side frames, bolsters, yokes and couplers of the types and sizes listed in § 1306.113, Appendix B hereto;

(e) "Comprehensive Report" means the "Comprehensive Report of Price Lists of Miscellaneous Castings," published by the Steel Founders' Society of America, for the third quarter of 1941, beginning July 1, 1941.

(f) "Base territory" means the States of New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois,

* Revised, 7 F.R. 8961.

and Michigan (southern peninsula only) and also including Bettendorf, Iowa, and St. Charles and St. Louis, Missouri.

§ 1306.110 *Effective date of Price Schedule No. 41.* This Schedule (§§ 1306.100 to 1306.110, inclusive) shall become effective November 15, 1941. [Issued November 14, 1941]

§ 1306.110a *Effective dates of amendments.*

Amendment Nos. and Issue dates:

	<i>Effective</i>
Amendment 1, 3-12-42-----	3-16-42
Amendment 2, 6-20-42-----	6-25-42
Amendment 3, 9-18-42-----	9-24-42
Amendment 4, 2-20-43-----	2-26-43

§ 1306.111 *Geographical application.* The provisions of Price Schedule No. 41 shall apply only to sales, offers to sell, or deliveries of steel castings and railroad specialties moving within, into, or out of one of the 48 states or the District of Columbia.

§ 1306.112 *Appendix A: Maximum prices for steel castings.* The maximum prices for steel castings are set forth in the following four paragraphs (a), (b),

(c) and (d). These maximum prices are applicable to the actual shipping weights of the castings. The maximum prices established in paragraph (a) shall not supersede any maximum prices which have been submitted to the Office of Price Administration on Form No. 141:4 and approved by the Office of Price Administration prior to February 26, 1943. Otherwise, the maximum prices in paragraph (a) of this Appendix A supersede maximum prices heretofore established for any or all of the classifications listed in Table I (Armor), Table II (Navy), Table III (Ordnance), and Table IV (Ship and Marine) which are set forth at the end of this Appendix A.

(a) *Armor, navy, ordnance and ship and marine castings.* The term "armor, navy, ordnance and ship and marine castings" means and includes all steel castings of the classifications (including "miscellaneous" classifications) listed in Tables I, II, III, and IV of this Appendix A. The maximum prices for such castings shall be computed as follows:

(1) *Weighing one pound or more.* Ascertain the applicable classification for the castings in Tables I, II, III or IV; ascertain from the column immediately to the left of the classification the key reference to the applicable price schedule for such classification; refer to the price schedule bearing such key reference, said price schedules appearing either in the Comprehensive Report on pages 74 to 158, inclusive, or where the

letter "R"⁴ is used in the key reference, in Table V of this Appendix A; the price in such price schedule for the applicable weight and quantity is the maximum price for the rough casting.⁵

(2) *Weighing less than one pound.* The maximum price each for rough castings shall be the applicable per pound price for an identical quantity of castings of the same classification weighing one to five pounds.⁶

(3) *Extras.* No charges for extras may be added in respect to the armor casting classifications listed in Table I, except charges for machining and charges where 100% non-destructive examination is specified. The charges for extras listed on pages 64, 65 and 66 of the Comprehensive Report may be added in respect to the navy, ordnance and ship and marine casting classifications listed in Tables II, III and IV where furnished and applicable. No charges for extras other than as above may be added in respect to said navy, ordnance and ship and marine casting classifications, except charges for machining and charges where non-destructive examination is specified.

(4) *Transportation charges or allowances.* The maximum prices as computed in this paragraph (a) are com-

⁴The letter "R" has been used to designate price schedules in Table V. These price schedules do not appear in the Comprehensive Report. Wherever a key reference contains the letter "R" (for example, "X-11R"), the corresponding price schedule will be found in Table V, not in the Comprehensive Report.

⁵Example: An order is placed for 40 frame castings for diesel engines for the Navy. The shipping weight of these castings is 200 lbs. each. The applicable classification appears at Item No. 5255 in Table II. The key reference to the left of the classification in Table II is "4A-5." Price Schedule "4A-5" is the first price schedule on page 77 of the Comprehensive Report. The applicable price in this price schedule for the weight and quantity is \$0.225 per lb.

If the key reference in the above example had been "4A-5R" instead of "4A-5", the corresponding price schedule would be found in Table V rather than in the Comprehensive Report.

⁶Example: An order is placed for 30 valve part (non-pressure) castings for the Navy. The shipping weight of these castings is less than 1 lb. each. The applicable classification appears at Item No. 5391 in Table II. The key reference to the left of the classification in Table II is "2B-6." Price schedule "2B-6" is the first price schedule on page 88 of the Comprehensive Report. The price for 30 castings weighing 1 to 5 lbs. is \$0.42 per lb. The applicable price for 30 of the same castings weighing less than 1 lb. each is \$0.42 each.

puted on a delivered basis. Where steel castings are sold or invoiced on an f. o. b. foundry basis there shall be deducted, in ascertaining the maximum price on such basis, the lowest applicable railroad rate from producer's foundry to the point of destination: *Provided*, That where the purchaser specifies a means of transportation costing in excess of the lowest applicable railroad charges in effect at the time of shipment, the excess may be added.

(5) *Quantity differentials.* Quantity differentials shall be applicable on the basis of quantities ordered from one pattern at one time. Where patterns are so constructed as to produce two or more dissimilar castings joined together and where the customer orders such combinations of castings shipped in one piece, the number of each separate component casting determines the quantity of each and the prices are based upon the individual weights. Where patterns are so constructed as to produce multiple castings of the same design but cast integrally in one piece the quantity is determined on the basis of the total number of individual castings so joined and the weight of the individual castings is determined by dividing the total weight of the integrated castings by the total number of individual castings so joined.

(6) *Pattern charges.* Prices are exclusive of pattern equipment or alterations thereof, except in the case of alterations only of any patterns which are to remain the property of the producer. In this exceptional circumstance the prices will be interpreted as including the furnishing by the foundry of the alterations.

(7) *N. O. C. B. N. classifications.* In any case where an applicable classification in Tables I, II, III or IV is labeled "N. O. C. B. N." the producer, may, in the alternative to using such classification and the applicable price schedule therefor, ascertain his maximum price in accordance with paragraph (d) of this Appendix A.

(b) *Industrial steel castings made by a producer on or before July 15, 1941.* The term "industrial steel castings" means and includes all steel castings other than armor, navy, ordnance and ship and marine castings. The maximum prices for a producer for industrial steel castings made by such producer on or before July 15, 1941, or for steel castings substantially similar in design and specification thereto, shall be the prices, to-

gether with the extras, terms and conditions which were or customarily would have been charged by such producer on July 15, 1941.

(c) *Industrial steel castings other than those in paragraph (b).* The maximum prices for such castings shall be computed as follows:

(1) *Weighing one pound or more.* Ascertain the applicable classification for the casting in the alphabetical index of steel casting classifications appearing on pages 1 to 62, inclusive, of the Comprehensive Report;¹ ascertain from the column immediately to the left of the classification the key reference to the applicable price schedule for such classification; refer to the price schedule bearing such key reference, said schedules appearing in the Comprehensive Report on pages 74 to 158, inclusive; the price in such price schedule for the applicable weight and quantity is the maximum price for the rough casting. The two classifications in the Comprehensive Report, Items 5101 and 5102 on page 25 under title of "Miscellaneous Castings" and the classification, Item 6101, on page 35 under title of "Pressure Castings" are not "applicable classifications" within the meaning of this paragraph (c).

(2) *Weighing less than one pound.* The maximum prices each for rough castings shall be the applicable per pound price for an identical quantity of castings of the same classification weighing one to five pounds.

(3) *Extras.* The charges for extras listed on pages 64, 65 and 66 of the Comprehensive Report may be added where furnished and applicable. No charges for extras other than as above, except charges for machining or charges where non-destructive examination is specified, may be added.

(4) *Transportation charges or allowances.* The maximum prices as computed in this paragraph (c) are computed on a delivered basis. Where steel castings are sold or invoiced on an f. o. b. foundry basis there shall be deducted, in ascertaining the maximum price on such basis the lowest applicable railroad rate from producer's foundry to the point of destination: *Provided*, That where the

¹The navy classifications Items 5201 to 5393, inclusive, on pages 26-29, the ordnance classifications Items 5501 to 5584, inclusive, on pages 30-31 and the ship and marine classifications Items 8101 to 8162, inclusive, on pages 53-54 are not "applicable classifications" since they are not "industrial steel castings" and since maximum prices for these classifications are established in paragraph (a) of this Appendix A.

purchaser specifies a means of transportation costing in excess of the lowest applicable railroad charges in effect at the time of shipment, the excess may be added.

(5) *Quantity differentials.* Quantity differentials shall be applicable on the basis of quantities ordered from one pattern at one time. Where patterns are so constructed as to produce two or more dissimilar castings joined together and where the customer orders such combinations of castings shipped in one piece, the number of each separate component casting determines the quantity of each and the prices are based upon the individual weights. Where patterns are so constructed as to produce multiple castings of the same design but cast integrally in one piece the quantity is determined on the basis of the total number of individual castings so joined and the weight of the individual castings is determined by dividing the total weight of the integrated castings by the total number of individual castings so joined.

(6) *Pattern charges.* Prices are exclusive of pattern equipment or alterations thereof, except (i) in the case of railway car castings when ordered in quantities of 500 or more pieces from one pattern at one time, provided the patterns are and remain the property of the foundry producing them, and (ii) in the case of alterations only of any patterns which are to remain the property of the producer. In these two exceptional circumstances the prices will be interpreted as including the furnishing by the foundry of patterns or alterations thereof as the case may be.

(7) *N. O. C. B. N. classifications.* In any case where an applicable classification in the Comprehensive Report is labelled "N. O. C. B. N." the producer may, in the alternative to using such classification and the applicable price schedule therefor, ascertain his maximum price in accordance with paragraph (d) of this Appendix A.

(d) *Steel castings other than in paragraphs (a), (b) and (c).* The maximum prices for such castings shall be determined as follows: The producer shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., a cost estimate and proposed maximum selling price for such casting on and pursuant to Form No. 141:4 which proposed maximum selling price shall be approved, or approved subject to such adjustments, conditions, and limitations as the Office of Price Administration may provide, or shall be dis-

approved, within seven days from the time it is received by said Iron and Steel Branch, and in the event the Office of Price Administration does not send out, in writing, its approval or disapproval within seven days as above, the proposed maximum selling price as filed shall be deemed approved for the proposed sale with respect to which it was stated on Form No. 141:4 to be filed: *Provided*, That (i) in computing and filling out the items on Form No. 141:4 the cost factors and profit margins used shall be those in effect and prevailing between October 1 and October 15, 1941 for the producer filing said Form No. 141:4; (ii) where a price for a casting has been approved pursuant to this paragraph for a producer, such producer may submit to the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., for approval a quantity price differential schedule for such casting, and if approved, such prices shall constitute the maximum prices at which such producer may sell such casting, except that a price schedule so established shall be subject to adjustment or revocation at any time by the Office of Price Administration on 30 days notice in writing to such producer.

TABLE I—ORDNANCE (U. S. ARMY) CAST ARMOR CASTINGS
(Subject to ballistic test)

Item No.	Schedule reference	Classification
5501	X-217 R..	Ordnance (U. S. Army) armor castings, N. O. C. B. N. (subject to ballistic tests using control or test plates 18" x 18" or less and not to exceed 1 1/8" in thickness).
5502	X-225 R..	Ordnance (U. S. Army) cast armor castings, N. O. C. B. N. (subject to ballistic tests using control or test plates above 18" x 18" but not to exceed 36" x 36" and thickness of 1" (one inch) but not to exceed 3" (three inches).
5503	X-238 R..	Auxiliary sight device covers.
5504	X-218 R..	Ball joints or ball mounts.
5505	X-242 R..	Bearing caps.
5506	X-247 R..	Body rotor vision devices.
5507	X-247 R..	Body sighting devices—Front.
5508	X-247 R..	Body sighting devices—Rear.
5509	X-239 R..	Cupola bodies.
5510	X-238 R..	Elbow exhausts.
5511	X-252 R..	Final drive case covers—right hand.
5512	X-252 R..	Final drive case covers—left hand.
5513	X-252 R..	Final drive housings—right hand.
5514	X-252 R..	Final drive housings—left hand.
5515	X-282 R..	Foot gear shift levers.
5516	X-282 R..	Foot brake pedals.
5517	X-242 R..	Gas tank covers.
5518	X-250 R..	Gun mount rotors, sponson left hand.
5519	X-243 R..	Gun mount supports.
5520	X-239 R..	Gun rotor covers.
5521	X-239 R..	Gun shields.
5522	X-249 R..	Periscope holders.
5523	X-237 R..	Pistol port doors.
5524	X-243 R..	Plates.
5525	X-240 R..	Rotor auxiliary vision device cages.
5526	X-245 R..	Rotor ends.
5527	X-253 R..	Rotor housings.
5528	X-248 R..	Rotor vision devices.
5529	X-252 R..	Rotors.
5530	X-239 R..	Shields.
5531	X-242 R..	Sighting devices—right end.
5532	X-242 R..	Sighting devices—left end.
5533	X-244 R..	Socket bow gun mounts.
5534	X-246 R..	Sponson gun mount brackets.
5535	X-241 R..	Sponson gun mount periscope covers.

TABLE I—ORDNANCE (U. S. ARMY) CAST ARMOR CASTINGS—Continued

Item No.	Schedule reference	Classification
5536	X-252 R.	Steering differential carriers.
5537	X-262 R.	Supports.
5538	X-250 R.	37-mm gun shields.
5539	X-251 R.	Turret front plates.
5540	X-314 R.	Turrets.
5541	X-246 R.	Vision device segments.
5542	X-243 R.	Vision slot doors.

TABLE II—NAVY CASTINGS—Continued

Item No.	Schedule reference	Classification
5244	A-5.....	Compressor (pneumatic)—cylinder heads.
5245	C-5.....	Compressor (pneumatic)—portable truck frames.
5246	A-5.....	Compressor (pneumatic)—valves, valve seats & valve parts (all weights).
5247	5A-5.....	Compressor (pneumatic)—valves, valve seats & valve parts (all weights) with stem cast integrally.
5248	2A-5.....	Diesel engine—castings, N. O. C. B. N.—Pressure.
5249	B-5.....	Diesel engine—castings, N. O. C. B. N.—non-pressure.
5250	B-2.....	Diesel engine—bearing bases, shells, bodies, caps & housings, N. O. C. B. N.
5251	C-1.....	Diesel engine—bell housings.
5252	B-5.....	Diesel engine—connecting rod & scavenger crank bearings & caps.
5253	5A-5.....	Diesel engine—cylinder heads (M. A. N. type).
5254	B-5.....	Diesel engine—cylinder insert caps.
5255	4A-5.....	Diesel engine—frames.
5256	B-5.....	Diesel engine—governor weights.
5257	B-5.....	Diesel engine—inner heads.
5258	4A-5.....	Diesel engine—pistons—(water cooled), N. O. C. B. N.
5259	5A-5.....	Diesel engine—pistons—(water cooled), M. A. N. type.
5260	B-5.....	Diesel engine—scavenger cranks.
5261	B-5.....	Diesel engine—scavenger crank bearings.
5262	B.....	Fan hubs—ventilating fan.
5263	C-9.....	Hoist & derrick—castings, N. O. C. B. N.
5264	2B-9.....	Hoist & derrick—bed plates.
5265	B-9.....	Hoist & derrick—gear cases and covers.
5266	2A-9.....	Hoist & derrick—wildcats.
5267	2A-9.....	Hoist—drums & wildcats—electric, hydraulic, air, gasoline or steam power (including capstan, gypsy or winch heads or drums).
5268	2B-9.....	Miscellaneous carbon steel castings, N. O. C. B. N.—not subject to pressure.
5269	2A-9.....	Miscellaneous carbon steel castings, N. O. C. B. N.—subject to pressure.
5270	B-5.....	Ordnance—5 inch gun mount—castings, N. O. C. B. N.
5271	3A-9.....	Ordnance—5 inch gun mount—rammer cover castings.
5272	3A-9.....	Ordnance—5 inch gun mount—cross brackets.
5273	3A-9.....	Ordnance—5 inch gun mount—foot tread brackets.
5274	B-9.....	Ordnance—5 inch gun mount—power drive pinion & wormwheel brackets.
5275	2B-9.....	Ordnance—5 inch gun mount—power drive—worm brackets.
5276	2B-9.....	Ordnance—5 inch gun mount—checker's telescope brackets.
5277	2B-9.....	Ordnance—5 inch gun mount—training stop buffer housings.
5278	(*)	Ordnance—3 inch AA—50 caliber gun mount—castings, N. O. C. B. N.
5279	(*)	Ordnance—3 inch AA—50 caliber gun mount—carriages.
5280	(*)	Ordnance—3 inch AA—50 caliber gun mount—slides.
5281	(*)	Ordnance—3 inch AA—50 caliber gun mount—slide yokes.
5282	5A-5.....	Pump (centrifugal) castings, N. O. C. B. N.
5283	2B-5.....	Pump (concrete)—liners.
5284	2B-5.....	Pump (concrete)—valve chambers.
5285	A-5.....	Pump (reciprocating)—castings, N. O. C. B. N.—pressure.
5286	B-5.....	Pump (reciprocating)—castings, N. O. C. B. N.—non-pressure.
5287	4A-9.....	Pump (reciprocating)—crankshafts (solid connecting rod pins)—single or double throw.
5288	4A-9.....	Pump (reciprocating)—crankshafts (solid connecting rod pins)—three or more throws.
5289	4A-9.....	Pump (reciprocating)—crankshafts (solid connecting rod pins)—with straight disc or gear.
5290	X-189.....	Pump (reciprocating)—crankshafts (solid connecting rod pins)—with webbed gear.
5291	2A-5.....	Pump (reciprocating)—cylinders (plain).
5292	4A-5.....	Pump (reciprocating)—cylinders (water jacketed).

*Maximum prices for these classifications shall be determined in accordance with paragraph (d) of §1306.112 (Appendix A). No schedule reference appeared for these items in the Comprehensive Reports for the second and third quarters of 1941.

TABLE II—CASTINGS—Continued

Item No.	Schedule reference	Classification
5293	X-112R..	Pump (rotary)—castings, N. O. C. B. N.
5294	5A-9.....	Pump (rotary)—cylinders.
5295	5A-9.....	Pump (rotary)—housings.
5296	2A-9.....	Pressure castings, N. O. C. B. N.
5297	2A-9.....	Ship & marine—castings, N. O. C. B. N. (pressure).
5298	B-0.....	Ship & marine—castings, N. O. C. B. N. (non-pressure).
5299	D-9.....	Ship & marine—anchors—mushroom (without test)—complete: assembled weight.
5300	2B-9.....	Ship & marine—anchors—old style (without test)—complete: assembled weight.
5301	B-9.....	Ship & marine—anchors—stockless (without test)—complete: assembled weight.
5302	F-5.....	Ship & marine—anchor castings—stockless, N. O. C. B. N.
5303	F-9.....	Ship & marine—bitts, chocks or bollards (mooring).
5304	F-9.....	Ship & marine—bollards, chocks or bitts (mooring).
5305	2B-5.....	Ship & marine—buoy—castings, N. O. C. B. N.
5306	H-5.....	Ship & marine—buoy—bottom castings.
5307	2A-9.....	Ship & marine—capstans.
5308	F-9.....	Ship & marine—chocks (open)—rollers or roller chock housings.
5309	F-9.....	Ship & marine—cleats.
5310	C-5.....	Ship & marine—corner castings.
5311	B-5.....	Ship & marine—davit—castings, N. O. C. B. N.
5312	B-5.....	Ship & marine—davit—arms (box type).
5313	3A-9.....	Ship & marine—deck pipes.
5314	B-9.....	Ship & marine—docking skegs.
5315	2A-5.....	Ship & marine—drums & wildcats (including capstan, gypsy or winch heads or drums).
5316	2A-5.....	Ship & marine—drums (cable or brake including capstan, gypsy or winch heads or drums) (with gears cast integrally).
5317	B-9.....	Ship & marine—gear cases & covers.
5318	X-88R..	Ship & marine—gears, racks & segments (cast tooth or blank).
5319	X-88R..	Ship & marine—gear spiders or centers.
5320	C-9.....	Ship & marine—hatch covers.
5321	B-9.....	Ship & marine—hatch rings or coamings.
5322	4A-9.....	Ship & marine—hawse pipes.
5323	E-5.....	Ship & marine—hooks for cranes, cable & chains.
5324	F-9.....	Ship & marine—kevels.
5325	X-159R..	Ship & marine—outboard shaft bearings or skeg castings.
5326	F-7.....	Ship & marine—pile driver castings, N. O. C. B. N.
5327	D-5.....	Ship & marine—pile driver followers & drop hammers.
5328	X-88R..	Ship & marine—pinions (cast tooth or blank), N. O. C. B. N.
5329	2A-9.....	Ship & marine—pressure castings, N. O. C. B. N.
5330	2B-9.....	Ship & marine—Propeller—blades.
5331	F-9.....	Ship & marine—Propeller—hubs.
5332	X-117R..	Ship & marine—Propeller—wheels.
5333	2B-5.....	Ship & marine—Pulley—castings, N. O. C. B. N.
5334	C-5.....	Ship & marine—Pulley—hubs & plates.
5335	2B-9.....	Ship & marine—Quadrants.
5336	A-5.....	Ship & marine—Rocker beams (walking beams).
5337	D-4.....	Ship & marine—Rope sockets (for wire rope).
5338	2B-9.....	Ship & marine—Rudders or rudder frames.
5339	3A-9.....	Ship & marine—Rudder posts or contra-propeller posts.
5340	2B-5.....	Ship & marine—Sheaves, N. O. C. B. N.
5341	2B-5.....	Ship & marine—Sheave housings (for wire rope).
5342	3A-9.....	Ship & marine—Spectacle frames.
5343	B-9.....	Ship & marine—Sprockets or chain wheels, N. O. C. B. N.
5344	A-5.....	Ship & marine—Stanchions.
5345	3A-9.....	Ship & marine—Stern frames & stems.
5346	3A-9.....	Ship & marine—Stern tubes.
5347	X-159R..	Ship & marine—struts.
5348	2B-9.....	Ship & marine—tillers.
5349	2B-9.....	Ship & marine—tiller arms.
5350	2A-9.....	Ship & marine—wildcats for hoists or derricks.
5351	5A-9.....	Steam turbine—castings, N. O. C. B. N. (pressure).
5352	A-9.....	Steam turbine—castings, N. O. C. B. N. (non-pressure).

X-117 R

Weight per piece, lbs.	1 and over
250 to 500	.178
500 to 1,000	.162
1,000 to 2,500	.149
2,500 to 5,000	.139
5,000 to 10,000	.133
10,000 to 25,000	.129
25,000 to 50,000	.133
50,000 to 100,000	.139
Over 100,000	.149

X-158 R

Weight per piece, lbs.	1 and over
500 to 1,000	.270
1,000 to 2,500	.225
Over 2,500	.180

X-159 R

Weight per piece, lbs.	1 and over
500 to 1,000	.385
1,000 to 2,500	.330
Over 2,500	.275

X-190 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
1 to 5	.408	.399	.378	.337	.296	.266
5 to 10	.323	.315	.298	.267	.234	.210
10 to 25	.256	.250	.237	.212	.186	.166
25 to 50	.238	.232	.220	.197	.173	.166
50 to 100	.196	.191	.182	.162	.152	.147
100 to 250	.168	.164	.155	.143	.134	.130
Over 250	.150	.147	.139	.132	.128	.124

X-191 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50 and over
1 to 5	.557	.543	.514	.459	.404
5 to 10	.440	.429	.406	.363	.318
10 to 25	.348	.340	.322	.288	.253
25 to 50	.282	.275	.261	.233	.205
50 to 100	.255	.248	.236	.210	.191
100 to 250	.218	.213	.202	.186	.175
250 to 500	.196	.191	.181	.171	.167
500 to 1,000	.178	.174	.169	.165	.161
1,000 to 2,500	.164	.160	.156	.151	.147
Over 2,500	.153	.149	.146	.142	.137

X-217 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
1 to 5	.360	.323	.308	.293
5 to 10	.323	.293	.278	.263
10 to 25	.308	.278	.263	.248
25 to 50	.293	.263	.248	.233
50 to 100	.278	.248	.233	.218
100 to 250	.263	.233	.218	.203
Over 250	.248	.218	.203	.188

X-218 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
5 to 10	.488	.458	.443	.428
Over 10	.473	.450	.435	.420

X-225 R

Weight per piece, lbs.	1-49	50-99	100 to 249	250 and over
1 to 5	.435	.398	.383	.368
5 to 10	.398	.368	.353	.338
10 to 25	.383	.353	.338	.323
25 to 50	.368	.338	.323	.308
50 to 100	.353	.323	.308	.293
100 to 250	.338	.308	.293	.278
Over 250	.323	.293	.278	.263

X-231 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
1 to 5	.557	.543	.514	.459	.404	.361
5 to 10	.440	.429	.406	.363	.318	.285
10 to 25	.348	.340	.322	.288	.253	.226
25 to 50	.282	.275	.261	.233	.205	.188
50 to 100	.255	.248	.236	.210	.191	.191
100 to 250	.218	.213	.202	.186	.175	.169
250 to 500	.196	.191	.181	.171	.167	.161
500 to 1,000	.178	.174	.169	.165	.161	.157
1,000 to 2,500	.164	.160	.156	.151	.147	.144
2,500 to 5,000	.153	.149	.146	.142	.137	.134
5,000 to 10,000	.146	.142	.138	.135	.131	----
10,000 to 25,000	.141	.137	.134	.130	.127	----
25,000 to 50,000	.146	.142	.138	.135	.131	----
50,000 to 100,000	.153	.149	.146	.142	.137	----
Over 100,000	.164	----	----	----	----	----

X-233 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
25 to 100	.473	.451	.427	.382	.335	.300

X-234 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
10 to 50	.737	.720	.661	.609	.534	.480

X-235 R

Weight per piece, lbs.	1-3	4-9	10-24	25-49	50-99	100 & over
50 to 100	.374	.365	.346	.309	.272	.262

Per lb.

X-237 R	\$.278
X-238 R	.293
X-239 R	.300
X-240 R	.308
X-241 R	.315
X-242 R	.323
X-243 R	.338
X-244 R	.345
X-245 R	.368
X-246 R	.375
X-247 R	.383
X-248 R	.398
X-249 R	.413
X-250 R	.450
X-251 R	1.300
X-252 R	1.338
X-253 R	1.413
X-282 R	.563

X-312 R

Weight per piece, lbs.	1 and over
250 to 500	.112
500 to 1,000	.102
1,000 to 2,500	.094
2,500 to 5,000	.087
5,000 to 10,000	.083

Weight per piece, lbs.—Continued.

X-312 R—Continued

Weight per piece, lbs.	1 and over
10,000 to 25,000	.081
25,000 to 50,000	.083
50,000 to 100,000	.087
Over 100,000	.094

X-313 R

Weight per piece, lbs.	1 and over
250 to 500	.103
500 to 1,000	.094
1,000 to 2,500	.086
2,500 to 5,000	.081
5,000 to 10,000	.077
10,000 to 25,000	.074
25,000 to 50,000	.077
50,000 to 100,000	.081
Over 100,000	.086

X-314 R

Weight per piece, lbs.	1 and over
Under 3,000	.40
3,000 to 5,000	.35
Over 5,000	.30

§ 1306.113 Appendix B: Maximum prices for railroad specialties. (a) The maximum prices, including extras except as hereinafter provided, for railroad specialties shall be as set forth in Tables I, II, III and IV of this Appendix: *Provided*, That (1) An additional charge may be made by any producer for any extras furnished by such producer in cases where such extras were customarily charged by railroad specialty producers between October 1 and October 15, 1941, and the maximum amount of any additional charge for any such extra shall be the amount which was customarily charged by railroad specialty producers for the same extra between October 1 and October 15, 1941.

(2) An additional charge may be made by any producer for pattern costs for side-frames and bolsters where such pattern costs were customarily charged by such producer between October 1 and October 15, 1941, and the maximum amount of any additional charge for such pattern costs shall be the amount which customarily was or would have been charged by such producer for the same or similar pattern costs between October 1 and October 15, 1941.

(3) The maximum prices for coupler repair parts furnished by any producer shall be the prices which railroad specialty producers customarily charged therefor between October 1 and October 15, 1941.

(4) Where deliveries are made outside of base territory, there may be added charges for freight prevailing at time of delivery with the customary differential allowed to the purchaser, computed by methods used by the producer on October 1, 1941.

TABLE I—Side frames
(1) Furnished in Grade "B" Steel
ANDREWS FRAMES

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4 1/4" x 8"	375#	\$34.95 ea.	\$33.00 ea.	\$32.05 ea.	\$31.10 ea.	\$30.15 ea.	\$27.10 ea.
5" x 9"	435	37.50 ea.	35.45 ea.	34.45 ea.	33.20 ea.	32.20 ea.	29.00 ea.
5 1/2" x 10"	500	41.35 ea.	38.95 ea.	37.85 ea.	36.55 ea.	35.10 ea.	31.00 ea.
6" x 11"	630	51.80 ea.	48.90 ea.	47.30 ea.	45.55 ea.	43.95 ea.	39.45 ea.
6 1/2" x 12"	700	58.05 ea.	54.85 ea.	52.90 ea.	51.00 ea.	49.20 ea.	44.25 ea.

TABLE I—Side frames—Continued
PEDESTAL FRAMES

Size of journal	410#	470	540	600	670	740	810
4 1/4" x 8"	\$36.55 ea.	\$34.65 ea.	\$33.65 ea.	\$32.70 ea.	\$31.75 ea.	\$30.80 ea.	\$29.85 ea.
5" x 9"	39.00 ea.	37.50 ea.	36.55 ea.	35.60 ea.	34.65 ea.	33.70 ea.	32.75 ea.
5 1/2" x 10"	43.75 ea.	41.35 ea.	40.35 ea.	38.95 ea.	37.55 ea.	36.15 ea.	34.75 ea.
6" x 11"	54.65 ea.	51.80 ea.	50.35 ea.	48.25 ea.	46.50 ea.	44.80 ea.	43.30 ea.
6 1/2" x 12"	64.15 ea.	60.90 ea.	59.00 ea.	56.75 ea.	54.50 ea.	52.25 ea.	49.70 ea.

INTEGRAL BOX FRAMES

[Arranged to take A. A. R. Flat Spring Malleable Iron Lids or Pressed Steel Lids, but not including the furnishing or application of such lids]

Size of journal	475#	530	610	750	800
4 1/4" x 8"	\$45.05 ea.	\$42.65 ea.	\$41.50 ea.	\$40.40 ea.	\$39.30 ea.
5" x 9"	48.75 ea.	46.15 ea.	44.90 ea.	43.60 ea.	42.35 ea.
5 1/2" x 10"	53.70 ea.	50.80 ea.	49.20 ea.	47.55 ea.	45.85 ea.
6" x 11"	65.25 ea.	61.40 ea.	59.50 ea.	57.55 ea.	55.80 ea.
6 1/2" x 12"	79.05 ea.	74.40 ea.	72.15 ea.	70.05 ea.	67.95 ea.

TENDERS

Size of journal	Andrews frames	Pedestal frames	Integral box frames
4 1/4" x 8" and 5" x 9" journals	\$42.65 ea.	\$47.45 ea.	\$64.15 ea.
5 1/2" x 10" journals	57.05 ea.	61.90 ea.	86.55 ea.
6" x 11" journals	61.90 ea.	66.35 ea.	93.00 ea.
6 1/2" x 12" journals	70.55 ea.	76.95 ea.	109.00 ea.

ELSEY INTEGRAL BOX FRAMES

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5 1/2" x 10"	\$89.20 ea.	\$84.10 ea.	\$81.35 ea.	\$79.00 ea.	\$76.65 ea.	\$69.00 ea.
6" x 11"	95.40 ea.	90.00 ea.	87.30 ea.	84.60 ea.	82.10 ea.	74.00 ea.

FULL CUSHION PEDESTAL TYPE FRAMES

[Prices include the furnishing and application of pedestal and spring bar wear plates]

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
5" x 9"	\$97.15 ea.	\$91.60 ea.	\$88.80 ea.	\$86.05 ea.	\$83.30 ea.	\$75.15 ea.
5 1/2" x 10"	101.70 ea.	96.00 ea.	93.15 ea.	90.30 ea.	87.65 ea.	79.10 ea.
5 1/2" x 10"	\$76.70	\$72.65 ea.	\$70.40 ea.	\$67.70 ea.	\$65.70 ea.	\$59.40 ea.

(2) Furnished in "High Tensile" Steel

INTEGRAL BOX FRAMES

[Arranged to take A. A. R. flat spring malleable iron lids or pressed steel lids, but not including the furnishing or application of such lids]

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 to 399 pieces	400 or more pieces
4 1/4" x 8"	410#	\$50.60 ea.	\$47.90 ea.	\$46.60 ea.	\$45.35 ea.	\$43.90 ea.	\$39.95 ea.
5" x 9"	450	54.70 ea.	51.85 ea.	50.40 ea.	48.95 ea.	47.35 ea.	43.00 ea.
5 1/2" x 10"	510	60.30 ea.	57.05 ea.	55.25 ea.	53.65 ea.	52.00 ea.	47.00 ea.
6" x 11"	600	73.25 ea.	68.95 ea.	66.80 ea.	64.60 ea.	62.65 ea.	56.15 ea.

TABLE II—Bolsters
(1) Furnished in Grade "B" Steel
ELSEY TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5 1/2" x 10"	\$78.80 ea.	\$73.95 ea.	\$71.35 ea.	\$66.50 ea.	\$50.00 ea.
6" x 11"	109.95 ea.	102.95 ea.	99.15 ea.	92.35 ea.	81.50 ea.

BARRETT WHITEHEAD TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5 1/2" x 10"	\$90.15 ea.	\$84.60 ea.	\$81.00 ea.	\$76.05 ea.	\$67.50 ea.
6" x 11"	105.95 ea.	99.30 ea.	95.65 ea.	89.20 ea.	78.90 ea.
6 1/2" x 12"	125.05 ea.	117.20 ea.	112.95 ea.	105.35 ea.	93.20 ea.

FULL CUSHION TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5" x 9"	\$70.30 ea.	\$65.95 ea.	\$63.60 ea.	\$59.25 ea.	\$52.55 ea.
5 1/2" x 10"	79.00 ea.	73.75 ea.	70.80 ea.	65.55 ea.	58.55 ea.

STABILIZED TRUCK BOLSTERS

Size of journal	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
5 1/2" x 10"	\$77.60 ea.	\$72.80 ea.	\$70.20 ea.	\$65.40 ea.	\$58.00 ea.

TRUCK BOLSTERS

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
4 1/4" x 8"	650#	\$58.55 ea.	\$55.10 ea.	\$53.45 ea.	\$50.00 ea.	\$44.60 ea.
5" x 9"	735	65.05 ea.	60.90 ea.	59.10 ea.	55.10 ea.	48.95 ea.
5 1/2" x 10"	815	70.30 ea.	63.85 ea.	63.60 ea.	59.25 ea.	52.55 ea.
6" x 11"	1,000	84.90 ea.	78.95 ea.	76.70 ea.	69.90 ea.	63.25 ea.
6 1/2" x 12"	1,200	101.85 ea.	94.50 ea.	90.80 ea.	83.90 ea.	76.10 ea.

BODY BOLSTERS

Class	Weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
A	Up to 550 lbs.	\$52.90 ea.	\$50.20 ea.	\$48.95 ea.	\$45.85 ea.	\$41.30 ea.
B	551 to 650 lbs.	58.00 ea.	54.75 ea.	53.10 ea.	50.00 ea.	45.15 ea.
C	651 to 750 lbs.	67.60 ea.	63.80 ea.	62.00 ea.	58.35 ea.	52.95 ea.
D	751 to 850 lbs.	77.40 ea.	73.05 ea.	70.85 ea.	66.70 ea.	60.15 ea.
E	851 to 950 lbs.	87.00 ea.	82.30 ea.	79.75 ea.	74.85 ea.	67.60 ea.
F	951 to 1050 lbs.	96.80 ea.	91.35 ea.	88.65 ea.	83.35 ea.	75.20 ea.
G	1051 to 1150 lbs.	106.40 ea.	100.40 ea.	97.50 ea.	91.70 ea.	82.85 ea.

TENDERS—TRUCK BOLSTERS

All capacities..... \$8.70 per 100 lbs.
The above prices cover cast steel body and truck bolsters with center plates and side bearings cast integral, or arranged for but not including the application of separable center plates or side bearings.

(2) Furnished in High Tensile Steel
TRUCK BOLSTERS

The prices shown below cover cast steel truck bolsters with center plates and side bearings cast integral, or arranged for application of separable center plates or side bearings]

Size of journal	Normal weight	1 to 10 pieces	11 to 49 pieces	50 to 99 pieces	100 to 199 pieces	200 or more pieces
4 1/4" x 8"	545#	\$65.60 ea.	\$61.75 ea.	\$59.90 ea.	\$56.05 ea.	\$49.95 ea.
5" x 9"	575	72.00 ea.	68.25 ea.	66.20 ea.	61.75 ea.	54.85 ea.
5 1/2" x 10"	620	78.90 ea.	73.95 ea.	71.30 ea.	66.40 ea.	58.90 ea.
6" x 11"	790	93.15 ea.	88.35 ea.	84.85 ea.	78.35 ea.	70.90 ea.
6 1/2" x 12"	960	114.15 ea.	106.25 ea.	101.75 ea.	94.05 ea.	85.30 ea.

TABLE III—Couplers—Continued

FRACTIONAL SIZE COUPLERS

- 3/4 Size top operating freight or tender couplers without uncoupling chains, price..... \$19.50 each.
- 3/4 Size bottom or side operating freight or tender couplers, without uncoupling chains, price..... \$21.00 each.
- 3/4 Size top, side, or bottom operating passenger couplers, without uncoupling chains, price..... \$23.00 each.
- 1/2 Size top operating freight or tender couplers, without uncoupling chains, price..... \$13.00 each.
- 1/2 Size coupler pockets, price..... \$0.205 per lb.

(2) Furnished in High Tensile Steel

- A. A. R. STANDARD AND ALTERNATE STANDARD COUPLERS AND ATTACHMENTS
- A. A. R. Type "E" top or rotary operating couplers, 12" heads with shanks not more than 2 1/4" long, fitted with 1 1/2" knuckles:
 - 6 1/2" x 8" shanks with 1 1/2" butt ends..... \$67.25 per pr.
 - 6 1/2" x 8" swiveling shanks, without butts, pins, and cotters..... \$67.25 per pr.
- A. A. R. Alternate Standard Swivel Butts, complete with pins, pin retainers and cotters, when furnished for assembly with couplers having swiveling shanks:
 - In lots of 1 to 99 pcs. incl..... \$19.65 per pr.
 - In lots of 100 to 199 pcs. incl..... \$18.40 per pr.
 - In lots of 200 pieces or more..... \$17.15 per pr.
- A. A. R. Alternate Standard Swivel Yokes, complete with pins and cotters, when furnished for assembly with couplers having swiveling shanks:
 - In lots of 1 to 99 pcs. incl..... \$42.15 per pr.
 - In lots of 100 to 199 pcs. incl..... \$40.25 per pr.
 - In lots of 200 pieces or more..... \$38.40 per pr.
- A. A. R. Standard Light Lock Coupler Complete T-80..... \$112.50 each.
- A. A. R. Standard Light Lock Coupler Yoke, Y-50, complete with Radial connection, Radial seat and pins:
 - C. S. C-1..... \$62.30 each.
 - C. S. C-2..... \$62.80 each.
 - C. S. C-3..... \$94.60 each.
 - C. S. C-4..... \$71.05 each.
 - C. S. C-5..... \$78.65 each.

TABLE III—Couplers

(1) Furnished in Grade "B" Steel

- A. A. R. STANDARD AND ALTERNATE STANDARD COUPLERS AND ATTACHMENTS
- A. A. R. Type "E" top or rotary operating couplers, 12" heads, with shanks not more than 2 1/4" long, fitted with 1 1/2" knuckles:
 - 5 in. x 7 in. shanks, with 6 1/2 in. butt ends..... \$57.75 per pair.
 - 5 in. x 7 in. shanks, with 6 1/2 in. butt ends..... \$57.05 per pair.
 - 6 1/2 in. x 8 in. shanks, with 6 1/2 in. butt ends..... \$60.50 per pair.
 - 6 1/2 in. x 8 in. shanks, with 6 1/2 in. butt ends..... \$60.50 per pair.
 - 6 1/2 in. x 8 in. shanks, with 6 1/2 in. butt ends, pins and cotters..... \$64.25 each.
 - Locomotive or Swiveling Tender designs with shanks not over 2 1/4 in. long..... \$108.45 per lb.
 - Other special tender designs with unusual style shanks not over 2 1/4 in. long..... \$108.45 per lb.
- Passenger Coupler designs:
 - A. A. R. Alternate Standard Swivel Butts, complete with pins, pin retainers and cotters, when furnished for assembly with couplers having swiveling shanks:
 - In lots of 1 to 99 pcs. incl..... \$17.50 per pair.
 - In lots of 100 to 199 pcs. incl..... \$15.50 per pair.
 - In lots of 200 pieces or more..... \$15.50 per pair.
 - A. A. R. Alternate Standard Swivel Yokes, complete with pins and cotters, when furnished for assembly with couplers having swiveling shanks:
 - In lots of 1 to 99 pcs. incl..... \$37.90 per pair.
 - In lots of 100 to 199 pcs. incl..... \$36.40 per pair.
 - In lots of 200 or more pieces..... \$34.90 per pair.

- M. C. B. top operating freight, locomotive, or special tender couplers, 9 1/2 in. head, with shanks not over 2 1/4 in. long fitted with 9 in. or 11 in. knuckles..... \$25.50 each.
- M. C. B. top, side, or bottom operating passenger couplers, not over 48 in. long from pulling face of knuckle to butt end, fitted with 9 in. knuckles, but not including the furnishing or application of wrought iron or steel straps, or separate wearing plates..... \$30.00 each.
- Coupler Pockets complete, for use with locomotive coupler designs..... \$105 per lb.

FORMER M. C. B. COUPLERS

- M. C. B. top operating freight, locomotive, or special tender couplers, 9 1/2 in. head, with shanks not over 2 1/4 in. long fitted with 9 in. or 11 in. knuckles:
 - 5 x 5" shanks, 6 1/2" butt ends..... \$25.50
 - 5 x 7" shanks, 6 1/2" butt ends..... \$25.50
- Engine, Short Shanks..... \$25.50
- Special M. C. B. No. 2 Top Operating Couplers, with shanks not over 2 1/4 in. long and fitted with 9" knuckles:
 - 5 x 5" shanks, 6 1/2" butt ends..... \$24.00
 - 5 x 7" shanks, 6 1/2" butt ends..... \$24.00
- Engine, Short Shanks..... \$24.00

SPECIAL M. C. B. COUPLERS NOS. 1 AND 2 COMPLETE COUPLERS

- Special M. C. B. No. 1 Top Operating Couplers with shanks not over 2 1/4 in. long and fitted with 9" knuckles:
 - 5 x 5" shanks, 6 1/2" butt ends..... \$25.50
 - 5 x 7" shanks, 6 1/2" butt ends..... \$25.50
- Engine, Short Shanks..... \$25.50
- Special M. C. B. No. 2 Top Operating Couplers, with shanks not over 2 1/4 in. long and fitted with 9" knuckles:
 - 5 x 5" shanks, 6 1/2" butt ends..... \$24.00
 - 5 x 7" shanks, 6 1/2" butt ends..... \$24.00
- Engine, Short Shanks..... \$24.00

SPECIAL DESIGNS

Special M. C. B. No. 1 Top Operating Unit	Price each
Radial Coupler.....	\$28.30
Radial Coupler.....	\$29.30
Special M. C. B. No. 2 Top Operating Unit	\$28.30
Radial Coupler.....	\$29.30
Special M. C. B. No. 1 Top Operating Unit	\$28.30
Radial Coupler.....	\$29.30

Special M. C. B. No. 2 Coupler	Price each
Type "J".....	\$26.50
Type "H".....	\$26.50
Type "M".....	\$26.50
Type "T".....	\$26.50
Type "S".....	\$26.50

Special M. C. B. No. 2 Top Operating Unit	Price each
Radial Coupler.....	\$28.30
Radial Coupler.....	\$29.30
Special M. C. B. No. 1 Top Operating Unit	\$28.30
Radial Coupler.....	\$29.30

INCOMPLETE TYPE "E" AND M. C. B. COUPLER AND COUPLER BODY PRICES—TYPE "E"

A. A. R. Standard Type "E" Coupler Bodies Only; Without fittings:	Per pair
5 x 7 x 6 1/2".....	\$42.45
5 x 7 x 6 1/2".....	43.75
6 1/2 x 8 x 6 1/2" Rigid Shank.....	47.20
6 1/2 x 8 x 6 1/2" Swivel Shank.....	47.20
Locomotive, Short Shank.....	27.60

TABLE III as amended by Amendment 1, 7 F. R. 20011

TABLE IV—Yokes

(1) Furnished in grade "B" Steel

CAST STEEL DRAFT YOKES FOR FREIGHT CARS, LOCOMOTIVE TENDERS, AND PASSENGER EQUIPMENT

Schedule A—Covering Standard and Conventional Yokes of A. A. R. Grade "B" Steel, Horizontal key type for Freight cars and Locomotive tenders, providing:	1-99 pieces	100-199 pieces	200 pieces or more
Friction Draft Gear Pocket, 9 1/2" x 24 1/2" for use with 6" x 1 1/2" key, and standard 6" x 8" "D" and 6 1/2" x 8" "E" Couplers, and meeting A. A. R. test requirements.....	(Per pr.) \$32.20	(Per pr.) \$29.70	(Per pr.) \$26.00
Friction Draft Gear Pocket, 9 1/2" x 24 1/2" for use with 5" x 1 1/2" key, and 5" x 7" couplers (or 5" x 5").....	29.80	27.60	24.10
Tandem Spring Draft Gear Pockets, with 8 1/2" or 8 1/4" between straps x 11", for use with 6" x 1 1/2" key or 5" x 1 1/2" key.....	32.90	30.30	26.20
Friction Draft Gear Pocket, 9 1/2" x 18 1/2" for use with 6" x 1 1/2" key, and standard 6" x 8" "D" and 6 1/2" x 8" "E" Couplers and meeting A. A. R. test requirements.....	29.80	27.60	24.10
Friction Draft Gear Pocket, 9 1/2" x 18 1/2" for use with 5" x 1 1/2" key and 5" x 7" couplers (or 5" x 5").....	26.60	24.60	21.40

Schedule B—Covering Non-Standard Vertical Key Type Freight Car Yokes of A. A. R. Grade "B" Steel including Vertical Keys and Retainers complete or keyless Type including locking castings, binders or other retainers, providing:

- Friction Draft Gear Pocket, 9 1/2" x 24 1/2", having 5" x 1" straps and designed with or without ties for any size coupler nut.....
- Friction Draft Gear Pocket, 9 1/2" x 18 1/2", having 5" x 1" straps and designed with or without ties for any size coupler nut.....
- Tandem Spring Draft Gear Pockets, 10 1/2" to 11 1/2" long separated by 3" to 3 1/4" filler blocks, having 3" x 1" straps and designed with or without ties for any size coupler nut.....

Schedule C—Covering all other Freight Car Yokes of A. A. R. Grade "B" Steel, Horizontal Key Type, Vertical Key Type, with retainers but without Keys; or Keyless Type of Yoke without locking Castings, binders, or other retainers.....	1-99 pieces	100-199 pieces	200 pieces or more
NOTE: For Vertical Keys, not exceeding 25 lbs. each for use with vertical key yokes, or for locking castings, binders, or other retainers for use with Keyless type of Yokes, add to prices on Schedule C—\$4.00 per pair.	(Per lb.) 9.10¢	(Per lb.) 8.40¢	(Per lb.) 7.35¢
Schedule "D"—Covering all other Tender Yokes of A. A. R. Grade "B" Steel.....	10.30¢	9.50¢	8.40¢
Schedule "E"—Covering Yokes of A. A. R. Grade "B" Steel for Passenger Equipment.....	10.30¢	9.50¢	8.40¢

For determining prices of various other combinations of incomplete Type "E" Couplers, the following amounts for missing parts should be deducted.

Type "E" freight couplers	Type locomotive couplers
Less Knuckles.....	Each \$4.36
Less Lifters.....	do. .92
Less Knuckle Throwers.....	do. .49
Less Locks.....	do. 2.14
Less Knuckle Pins.....	do. .54

M. C. B. Coupler Bodies Only; without fittings: Each

- 5 x 5 x 6 1/2"..... \$20.60
- 5 x 7 x 6 1/2"..... 20.60

For determining prices of various other combinations of incomplete M. C. B. Couplers, the following amounts for missing parts should be deducted.

M. C. B. Couplers (each)	deduct.....
Less Knuckles.....	\$3.05
Less Lifters.....	do. .90
Less Locks.....	do. .68
Less Knuckle Pins.....	do. .27

(B) For method of shipment and uses indicated in (2) above:
15 cents.-----All Size Groups
(C) For use indicated in (3) above:
15 cents.-----All Size Groups

ounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:
(1) *Maximum prices in cents per net ton for shipment to all destinations for*

§ 1340.221 Appendix J: *Maximum prices for bituminous coal produced in District No. 10.* * * *
(b) The following maximum prices are established in cents per ton of 2,000

Prices and size group numbers—Continued

No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
1-2	335	330	330	300	300	270	260	275	255	245	255	255	215	205	155	105	260	265	270	305	295	295	245	235	215	230	230	295	290
3	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
4	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
5	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
6	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
7	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
8	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
9	295	295	295	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
10, 10-17-18-19-20-21-22	215	240	240	210	195	195	190	190	220	220	245	245	220	210	175	125	265	260	260	225	225	225	215	215	205	180	230	230	195
11	315	275	270	255	245	240	225	230	230	230	245	245	220	210	175	125	265	260	260	225	225	225	215	215	205	180	230	230	195
12-13-23	245	210	210	210	205	205	200	200	215	215	225	225	175	165	110	95	270	265	265	225	225	225	215	215	205	180	230	230	195
14-15	300	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
16-17	245	215	215	215	215	210	210	210	215	215	220	220	180	170	115	95	265	260	260	225	225	225	215	215	205	180	230	230	195
18-25-26	235	210	210	210	210	210	210	210	215	215	220	220	180	170	115	95	265	260	260	225	225	225	215	215	205	180	230	230	195
26	280	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
27	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
28	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
29	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
30	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
31	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
32	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
33	285	300	300	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290
34	280	280	280	270	270	265	260	255	255	240	250	250	215	205	155	105	260	265	270	295	290	295	245	235	215	230	230	295	290

For shipment from all mines in price groups shown below

report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within thirty days after the effective date of this amendment.

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

computed by adding to such adjusted price the following sum:

§ 1351.955 *Maximum prices for listed miscellaneous food commodities.*

Sections 1351.954 (a) (1) and 1351.955 (a) (1) are amended; § 1351.959a is added; subparagraph (16) is added to § 1351.965 (a); and three commodities are added to the list in § 1351.969, all to read as set forth below:

(A) For the methods of shipment and uses indicated in (1) above; No increase in Size Groups 1 to 8, inclusive; Fifteen (15) cents in Size Groups 9 to 29, inclusive.

(1) He shall include in such cost every ingredient or packaging material subject to maximum prices prescribed by the Office of Price Administration at the maximum price established for the commodity for the class of purchasers to which he belongs. If the maximum price is not a delivered price, the producer may add to this maximum price the actual transportation costs which he incurs from the customary shipping point to his customary receiving point by the customary mode of transportation.

(B) For the methods of shipment and uses indicated in (2) above; Ten (10) cents in all size groups.

(B) For the methods of shipment and uses indicated in (2) above; Ten (10) cents in all size groups.

(a) * * * * *

(C) For use indicated in (3) above; Ten (10) cents.

(C) For use indicated in (3) above; Ten (10) cents.

If any producer has heretofore calculated and reported his maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within thirty days after the effective date of this amendment.

If any producer has heretofore calculated and reported a maximum price under this Maximum Price Regulation No. 262 without including such transportation charges, he may recalculate his maximum price in this respect only and report his recalculated maximum price in accordance with the method of reporting in § 1351.959 within thirty days after the effective date of this amendment.

This amendment shall be effective as of February 20, 1943.

PRENTISS M. BROWN, Administrator.

PRENTISS M. BROWN, Administrator.

PRENTISS M. BROWN, Administrator.

PART 1351—FOOD AND FOOD PRODUCTS

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[MPR 262, Amendment 5]

[MPR 262, Amendment 5]

[MPR 262, Amendment 5]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment.

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

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7 F.R. 9244, 10844. 8 F.R. 262, 273, 437, 973.

7 F.R. 9244, 10844. 8 F.R. 262, 273, 437, 973.

7 F.R. 9244, 10844. 8 F.R. 262, 273, 437, 973.

If the producer does recalculate and report a new maximum price, he shall also give new notices under § 1351.957, except that the 90-day period referred to therein shall be from and after the effective date of this amendment.

§ 1351.959a *Time limits where commodities are included by amendment.* (a) Whenever a commodity is included in this regulation by amendment on or after February 26, 1943, the producer of the commodity shall, within thirty days after the effective date of the amendment adding such commodity, calculate and report his maximum prices determined under the regulation to the Office of Price Administration at Washington, D. C., in accordance with the method of reporting set forth in § 1351.959. Unless this is done the producer cannot sell the commodity at all after said thirty-day period until he does calculate and report his prices as required. After a producer has calculated and reported his maximum prices under the regulation as amended after December 31, 1942, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by him of the commodity added by amendment; and thirty days after the effective date of such amendment, the provisions of the General Maximum Price Regulation shall not apply to sales or deliveries by producers of such commodity.

(b) Wherever in the preceding sections the words "effective date of this regulation" appear they shall read "effective date of this amendment" as applied to any commodity included in the regulation by amendment.

(c) The time within which maximum prices shall be calculated and reported for any commodity heretofore added to this regulation by amendment subsequent to December 31, 1942, shall be thirty days after the effective date of this present amendment, and this time limit shall have like effect and significance as to any such commodity as December 31, 1942, had in §§ 1351.951, 1351.952, 1351.953 and 1351.959 in reference to the initial commodities subject to this regulation prior to any amendment.

§ 1351.965 *Definitions.* (a) When used in this Maximum Price Regulation No. 262 the term: * * *

(16) "Canned homestyle chicken" means either whole chicken or any combination of the various parts of chicken with skin and broth purified by heat and packed in hermetically sealed containers.

§ 1351.969 *Appendix B: Miscellaneous food commodities covered by this regulation.* The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

Canned chicken a la king
Canned chicken and noodle dinner
Canned homestyle chicken

§ 1351.967a *Effective dates of amendments.* * * *

(e) This Amendment No. 5 to Maximum Price Regulation No. 262 (§§ 1351.954 (a) (1), 1351.955 (a) (1), 1351.959a, 1351.965 (a) (16) and 1351.969) shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2832; Filed, February 20, 1943; 12:12 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 133, Amendment 4]

RETAIL PRICES FOR FARM EQUIPMENT

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.*

Paragraph (a) of § 1361.3a is amended, and a new paragraph (e) is added to § 1361.3a, as set forth below:

§ 1361.3a *Maximum prices; used equipment*—(a) *Base price.* (1) In determining the maximum price for any of the following items of used farm equipment, a "base price" must first be calculated:

Farm tractors (except crawler tractors)
Combines
Corn pickers
Corn binders
Hay balers (motor or tractor operated)

A combination of any of the above listed items with other items of farm equipment specifically designed for mounting thereon, provided the combination is sold as a unit.

(2) The "base price" is the first of the following which is available:

(i) The manufacturer's suggested retail price for the same item of equipment f. o. b. factory which is currently in effect or if there is no such price currently in effect, the manufacturer's suggested retail price last issued; or

(ii) If the item of equipment has no manufacturer's current suggested retail price and never had any, the maximum price for which the same or nearest equivalent item might be sold new by any dealer in the locality, minus carload freight from the plant of the manufacturer thereof.

(3) In the case of a combination sale referred to in subparagraph (1), the maximum price for the unit shall be equal to the sum of the maximum prices of each of the items of farm equipment sold as part of the unit.

(e) *Prohibition against joint sales of used farm equipment and other items.* Except as provided in paragraph (a) (1) of this section, each item of used farm equipment listed in paragraph (a) (1) shall be sold separately and

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

17 F. R. 3185, 6936, 7599, 8948; 8 F. R. 184.

(1) No retail dealer, service dealer, or any other person shall sell or negotiate the sale of any item of used farm equipment listed in paragraph (a) (1) of this section jointly with another item of farm equipment, whether or not listed in paragraph (a) (1), or with any other commodity for a lump sum; and

(2) No retail dealer, service dealer, or any other person shall sell or negotiate the sale of any item of used farm equipment not listed in paragraph (a) (1) or any other commodity with the understanding that such purchase carries an option to purchase an item of used farm equipment listed in paragraph (a) (1).

This amendment shall become effective February 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2833; Filed, February 20, 1943; 12:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 292 Under § 1499.3 (b) of GMPR]

LUDLOW MANUFACTURING AND SALES COMPANY

Ludlow Manufacturing and Sales Company, 211 Congress Street, Boston, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of a maximum price for its hemp webbing. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is ordered:*

§ 1499.1728 *Approval of maximum price for sales of hemp webbing by Ludlow Manufacturing and Sales Company.* (a) On and after February 22, 1943, the maximum price at which Ludlow Manufacturing and Sales Company of 211 Congress Street, Boston, Massachusetts, may sell, deliver and offer for sale its 3½ inch hemp webbing shall be \$3.78 per 71 yard cut.

(b) The maximum price enumerated herein for hemp webbing shall be subject to discounts and allowances no less favorable to the purchaser than those offered during March 1942 by Ludlow Manufacturing and Sales Company on sales of its 3½ inch jute webbing.

(c) The maximum prices authorized by this order shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 292 may be amended or revoked by the Office of Price Administration at any time.

This Order No. 292 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943,

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2834; Filed, February 20, 1943; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 293 Under § 1499.3 (b) of GMPR]

NATIONAL TILE CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1729 *Maximum prices for parts of a new fireplace grate manufactured by the National Tile Company, Inc.* (a) This Order No. 293 sets temporary maximum prices for sales of parts of the new fireplace grates manufactured from substitute materials by the National Tile Company, Inc., Anderson, Indiana. It applies only to the parts which have been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

Listed below are the maximum prices for sales by the manufacturer, wholesalers and retailers.

Name of part	Factory to jobber price	Factory to retailer price	Wholesale price	Retail price
Ends.....	\$1.24	\$1.38	\$1.65	\$2.48
Center.....	1.33	1.46	1.77	2.67
Front grilles.....	.38	.42	.51	.77
Rear grilles.....	.35	.39	.47	.70
Bottom grilles.....	.46	.51	.51	.92
Front rails.....	.27	.30	.37	.55
Rear rails.....	.23	.26	.30	.46
Clips.....	.05	.06	.07	.10

(1) The price listed under "Factory to jobber" in the above table is the maximum price for sales by the manufacturer to wholesalers or jobbers. The price is f. o. b. factory.

(2) The price listed under "Factory to retailer" in the above table is the maximum price for sales by the manufacturer to retailers. The price is f. o. b. factory.

(3) The price listed under "Wholesale price" in the above table is the maximum price for sales at wholesale by a person other than the manufacturer. The price is f. o. b. the seller's city.

(4) The price listed under "Retail price" in the above table is the maximum price for sales at retail.

(b) Before delivery of any part to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the part. For example, a statement in the following form on a front grille would be sufficient: "Retail ceiling price 77 cents." The tag or label shall not be detached until after the part has been delivered to the consumer.

(c) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum prices set by this order No. 293 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) This Order No. 293 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(f) This Order No. 293 (§ 1499.1729) shall become effective on the 22d day of February, 1943 and shall terminate on the first day of April, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943,

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2835; Filed, February 20, 1943; 12:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 203 Under § 1499.18 (b) of GMPR]

THE LEGIONNAIRE COMPANY

Order No. 203 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-843.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1803 *Adjustment of maximum prices for Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion.* (a) The Legionnaire Company of Boston, Massachusetts may sell and deliver, and the American Legion may buy and receive from the Legionnaire Company the following commodities at prices not higher than those set forth below:

(1) \$31.42 per dozen for white Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions, as those for which the Legionnaire Company established \$25.42 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(2) \$32.92 per dozen for blue Flightex-cloth shirts manufactured by the Legionnaire Company for the American Legion, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions, as those for which the Legionnaire Company established \$26.92 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to the Legionnaire Company in paragraph (a) is subject to the following conditions:

(1) This adjustment shall apply only to sales by the Legionnaire Company to the American Legion.

(2) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(3) The Legionnaire Company shall mail to the American Legion a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our Flightex-cloth shirts from \$25.42 to \$31.42 per dozen for the white shirts, and from \$26.92 to \$32.92 per dozen for the blue shirts. These amounts represent only that part of cost increases which we were unable to absorb, and the new maximum prices conform to the prices agreed on in the contract between this company and the American Legion, dated February 20, 1942. The Office of Price Administration has established \$2.88 each for the white shirts and \$3.00 each for the blue shirts as the maximum prices at which you may sell these shirts.

(c) American Legion may not charge for the shirts (without emblems or insignia) specified in paragraph (a) of this section a price in excess of \$2.88 each for the white shirts and \$3.00 each for the blue shirts.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 203 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 203 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(g) This Order No. 203 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943,

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2827; Filed, February 20, 1943; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 9 Under § 1499.18 (c) of GMPR]

LYNN FOOD PRODUCTS CO.

Order No. 9 under § 1499.18 (c) as Amended, of the General Maximum Price Regulation—Docket No. GF3-2922.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

§ 1499.1509 *Denial of application of Lynn Food Products Co.* On November 21, 1942, Lynn Food Products Co., 5960 Broadway, Chicago, Illinois, filed an application for adjustment of its maximum selling prices for "Mary Lynn" brand dehydrated Cream of Celery and Cream of Spinach soups packed in 3¼ oz. containers pursuant to § 1499.18 (c), as amended, of the General Maximum Price Regulation. The said application for adjustment hereby is denied.

This order shall become effective February 20, 1943.

(Pub. Laws 429 and 721, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2828; Filed, February 20, 1943;
12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 7 Under MPR 165 as Amended]

DIXIE VENEER CO.

Order No. 7 under § 1499.114 (a) of Maximum Price Regulation 165, as amended—Services.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.707 Adjustment of maximum charges for custom cutting of African and Honduras mahogany veneer to standards of thickness for aircraft specifications by the Dixie Veneer Company, Norfolk, Virginia. (a) The Dixie Veneer Company, Norfolk, Virginia, may make the following charges per thousand square feet for cutting African and Honduras mahogany veneer of the standards of thickness shown:

African mahogany, thickness	Charges per M square feet
1/10"-----	\$13.50
1/12"-----	11.00
1/16"-----	8.00
1/20"-----	6.00
1/24"-----	5.25
1/28"-----	4.00
1/32"-----	4.75
1/48"-----	4.50

Honduras Mahogany, thickness	Charges per M square feet
1/10"-----	\$14.00
1/12"-----	12.00
1/16"-----	8.75
1/20"-----	6.50
1/24"-----	5.75
1/28"-----	4.75
1/32"-----	5.50
1/48"-----	5.00

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2825; Filed, February 20, 1943;
12:21 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Correction to Amendment 21 to Ration Order 5C¹]

MILEAGE RATIONING: GASOLINE REGULATIONS

The designation paragraph (e) in § 1394.8207 is corrected to read paragraph (f) in § 1394.8207.

¹ 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2839; Filed, February 20, 1943;
3:59 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 13, Amendment 1]

PROCESSED FOODS

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

Ration Order 13 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) The following foods called "processed foods", are covered by this order:

(1) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(2) All frozen fruits and vegetables;

(3) All dried and dehydrated fruits and soups;

(4) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this order are: candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50% or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruits or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

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

(1) A person produces processed foods:

(i) If he bottles, cans, or packs fruits, fruit juices, vegetables, vegetable juices, soups, or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) If he sorts, washes, and dries or dehydrates fruits; or

(iv) If he packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(v) If he packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(vi) If he sorts, washes, and cleans dry beans, lentils, or peas; or

(vii) If he packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or

(viii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

[NOTE: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one (1) gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one (1) gallon, or who cans or bottles olives, does not thereby produce a processed food.]

3. Section 21.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means:

(i) All fruits, fruit juices, vegetables, vegetable juices, soups, and baby foods, packed in hermetically sealed containers of any type and sterilized by the use of heat;

(ii) All frozen fruits and vegetables;

(iii) All dried and dehydrated fruits and soups;

(iv) All dry beans, lentils, and peas.

The only foods in the above group which are not covered by this Order are: candied fruits; brandied fruits; cereals; chili con carne; fruit cakes; fruit puddings; mince meat; bouillon cubes; milk; olives; maraschino cherries; potato salad; popcorn; nuts and nut meats; frozen fruits and vegetables in containers over ten (10) pounds; fruit and vegetable juices in containers over one (1) gallon; jams, jellies, marmalades, fruit butters, and other similar preserves; meat stews containing some vegetables; fruit drinks containing 50% or less by weight of natural fruit juices; prepared spaghetti, macaroni, noodles or similar paste products packed in hermetically sealed containers even if mixed or combined with added vegetable sauces; pickles and relishes, including pickled watermelon, cocktail onions, cocktail mushrooms, cocktail oranges, and other similar pickled specialties; and by-products of fruit or vegetables, such as soya bean oil, soya bean milk, fruit and vegetable dyes, and similar products. The foods not covered by this order are not "processed foods" as that term is used.

4. Section 21.1 (a) (12) is amended to read as follows:

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer".

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

¹ 8 F.R., 1840.

A person is considered to "produce" if he:

(i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups, or baby foods in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) Packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) Sorts, washes, and processes dried or dehydrated fruits; or

(iv) Packs frozen fruits or vegetables into containers over ten (10) pounds into containers of ten (10) pounds or less; or

(v) Packs fruit or vegetable juices from containers over one (1) gallon into containers of one (1) gallon or less; or

(vi) Sorts, washes, and cleans, dry beans, lentils, or peas; or

(vii) Packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products, for use as a dried soup or soup base; or

(viii) Uses processed foods to make other processed foods. The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

This amendment shall become effective 12:01 a. m. February 21, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562, and Food Directive 5)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2840; Filed, February 20, 1943;
3:59 p. m.]

PART 1429—POULTRY AND EGGS

[Rev. MPR 269, Amendment 5]

POULTRY

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

Section 1429.27 is revoked and a new § 1429.27 is substituted therefor to read as set forth below:

§ 1429.27 *Period during which prices set forth in § 1429.26 are effective.* The

* 7 F.R. 10708, 10864, 11118, 8 F.R. 567, 856, 898.

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

prices set forth in § 1429.26 shall continue in effect until superseded by an amendment to this regulation.

This amendment shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-2841; Filed, February 20, 1943;
3:59 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 130 Under § 1499.3 (b) of GMPR]

A. HUBBARD & SON, INC.

Section 1499.993 is amended to read as set forth below.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.993 *Approval of maximum prices for sales of Old Mother Hubbard New Dry Vitaminized Cat Food.* (a) A. Hubbard & Son, Inc., of Gloucester, Massachusetts, as producer, may sell and deliver, and any person may buy and receive from A. Hubbard & Son, Inc., Old Mother Hubbard New Dry Vitaminized Cat Food packed in 8-oz. bags at prices not exceeding 51 cents per dozen bags, delivered. This maximum price is only authorized for Old Mother Hubbard New Dry Vitaminized Cat Food when made according to the formula used by A. Hubbard & Son, Inc. in connection with its application for this order.

(b) No increase in the maximum price authorized by the previous paragraph may be made by any seller of Old Mother Hubbard New Dry Vitaminized Cat Food except by Old Mother Hubbard Dog Food Company, Inc. and by a seller at wholesale or retail.

(c) The maximum delivered price which Old Mother Hubbard Dog Food Company Inc. shall charge for Old Mother Hubbard New Dry Vitaminized Cat Food in a sale to any person delivered at a warehouse shall be 78 cents per dozen 8-oz. bags and in a sale to any other person shall be 83 cents per dozen 8-oz. bags.

(d) The maximum delivered price which a seller at wholesale (other than Old Mother Hubbard Dog Food Company, Inc.) shall charge in a sale to any person shall be 83 cents per dozen 8-oz. bags.

(e) The maximum delivered price which a seller at retail shall charge shall be 10 cents per 8-oz. bag.

(f) The maximum prices authorized by this order shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 with respect to Old Mother Hubbard Canned Cat Food (or such earlier date upon which Old Mother Hubbard Canned Cat Food was last sold) and shall include duties, brokerage, adver-

tising, storage, insurance, carrying and handling charges and charges for the extension of credit.

(g) *Records.* Every person making a purchase or sale of Old Mother Hubbard New Dry Vitaminized Cat Food in the course of trade or business, except a seller at retail, shall keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase and sale including (1) the date thereof, (2) the name and address of the purchaser, (3) the price charged and (4) the amount sold. Sellers at retail are not required to keep records of sales at retail but shall keep all invoices and notices received with the purchase of each shipping unit.

(h) On and after February 20, 1943, and on or before the time of first delivery of Old Mother Hubbard New Dry Vitaminized Cat Food to any person for purposes of resale the seller shall supply the buyer with a written statement, and also include or attach to each shipping unit of Old Mother Hubbard New Dry Vitaminized Cat Food a copy of such statement, which shall read as follows:

The Office of Price Administration has authorized a ceiling price for Old Mother Hubbard New Dry Vitaminized Cat Food. You are authorized to establish your ceiling price as follows:

(1) In a sale at wholesale you may charge 83 cents for each shipping case of twelve—8-oz. bags, delivered.

(2) In a sale at retail you may charge \$1.20 for each shipping case of twelve 8 oz. bags, or 10 cents per 8-oz. bag, delivered.

If the first sale made by a wholesaler or retailer is a split case sale the wholesaler is required to supply the retailer with a copy of this notice. The Office of Price Administration requires that you keep this notice and all invoices for examination.

(i) All provisions of this order shall apply with like force and effect to the type of cat food previously produced (but not to any hereafter produced) by Old Mother Hubbard Dog Food Company Inc. which is like Old Mother Hubbard New Dry Vitaminized Cat Food.

(j) This Revised Order No. 130 may be revoked or amended by the Price Administrator at any time.

(k) This Revised Order No. 130 (§ 1499.993) shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2842; Filed, February 20, 1943;
4:00 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Administrative Order 8]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary

for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1515.3. *Petroleum Administrative Order 8—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(b) *Restrictions on drilling of wells in Barnhart Field of Reagan County, Texas.* Notwithstanding the provisions of Conservation Order M-68, as amended (§ 1047.11 of Chapter IX), no person may use material to drill, complete, or provide additions to any well in the Barnhart Field of Reagan County, Texas, except:

(1) Where material is to be used to drill, complete, or provide additions to any well located within 150 feet of the center of the southeast quarter of a quarter section upon which quarter section no other drilling or producible well is located: *Provided*, That all separate property interests in the quarter section upon which such well is drilled are first consolidated with each other; or

(2) In accordance with any authorization of the Petroleum Administrator for War issued subsequent to the effective date of this order.

(c) *Applications.* Application for authorization to drill, complete or provide additions to any well in accordance with paragraph (b) (2) of this order shall be made by filing a letter in quadruplicate or a telegram with the Director of Production, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: PAO 8.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate and shall be addressed to the Director of Production, Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: PAO 8.

(e) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of February 1943.

R. K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-2790; Filed, February 20, 1943;
10:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Permit ODT 3, Revised—7]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART B—COMMON CARRIERS OF PROPERTY

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 3, Revised, as amended,¹ § 501.8, it is hereby authorized, that:

§ 521.506 *Expedited transportation service for armed forces and certain government agencies.* Any common carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.6 of General Order ODT 3, Revised, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 3, Revised, as amended 7 F.R. 5445, 6689, 7694)

¹ 7 F.R. 5445, 6689, 7694.

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2791; Filed, February 20, 1943;
10:28 a. m.]

[General Permit ODT 6-10]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART E—LOCAL DELIVERY CARRIERS

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 6, as amended,¹ § 501.36 (e), it is hereby authorized, that:

§ 521.2010 *Expedited transportation service for armed forces and certain government agencies.* Any local carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.32 of General Order ODT 6, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 6, as amended, 7 F.R. 3008, 3532, 4184)

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2792; Filed, February 20, 1943;
10:28 a. m.]

¹ 7 F.R. 3008, 3532, 4184.

[General Permit ODT 17-20]

PART 521—CONSERVATION OF MOTOR EQUIPMENT, EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART K—MOTOR CARRIERS OF PROPERTY EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

In accordance with the provisions of General Order ODT 17, as amended,¹ § 501.71, it is hereby authorized, that:

§ 521.2896 *Expedited transportation service for armed forces and certain government agencies.* Any motor carrier operating a motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby relieved, in respect of such motor vehicle, from compliance with the provisions of § 501.69 of General Order ODT 17, as amended, during the period such motor vehicle is being so operated: *Provided*, That there is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 17, as amended, 7 F.R. 5678, 7694, 9623)

This general permit shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2793; Filed, February 20, 1943; 10:28 a. m.]

[Exemption Order ODT 23-2]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS, AND EXEMPTIONS

SUBPART O—LIMITATION ON SPEED OF MOTOR VEHICLES

EXPEDITED TRANSPORTATION SERVICE FOR ARMED FORCES AND CERTAIN GOVERNMENT AGENCIES

Pursuant to Executive Orders 8989 and 9156, *It is hereby ordered*, That:

§ 521.3601 *Exemption of motor vehicle furnishing expedited transporta-*

¹ 7 F.R. 5678, 7694, 9623.

tion service for armed forces and certain government agencies. Any motor vehicle, not otherwise exempt, engaged in transporting any shipment, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration, is hereby exempted from the provisions of General Order ODT 23 (7 F.R. 7694) during the period such vehicle is being so operated: *Provided*, (a) There is carried on such vehicle, during the period it is being so operated, a written certificate in the form prescribed by the Office of Defense Transportation and executed by the owner or operator of such vehicle prior to such operation, showing the need for the expedited delivery, and, in respect of the shipment so transported, the name of the consignor; date of shipment; point of origin and destination; and weight, volume or measurement; and the truck or tractor number of such vehicle; and within forty-eight (48) hours of such operation the owner or operator of such vehicle shall forward said certificate, by United States mail, postage prepaid, to the district office of the Office of Defense Transportation for the area in which the home office or principal place of business of such owner or operator is located, and (b) there is prominently displayed on such motor vehicle during such operation, in accordance with directions of such military or naval forces, United States Maritime Commission, or War Shipping Administration, distinctive marking showing that such motor vehicle is being operated in expedited service pursuant to this exemption order (§ 521.3601).

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; Gen. Order O.D.T. 23, 7 F.R. 7694)

This exemption order (§ 521.3601) shall become effective on March 1, 1943.

Issued at Washington, D. C., this 20th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2794; Filed, February 20, 1943; 10:28 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-364]

RIO GRANDE COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, code member.

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and rules and regulations of

the Bituminous Coal Division (the "Division").

B. The Division on September 29, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder have been committed by E. K. Olson, W. F. Olson, Francis Bradley and Mrs. George M. Hansen, individually and as partners, doing business under the name and style of Rio Grande Coal Company, the code member above named, whose code membership became effective as of June 22, 1937, operator of the Rio Grande Mine, Mine Index No. 18, located in Carbon County, Utah, Subdistrict No. 1 of District No. 20 in connection with the following:

1. *Section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code.* Sales and delivery by truck of coal produced at the aforesaid mine below the effective minimum price established therefor in the schedule of effective minimum prices for District No. 20 for all shipments plus an amount at least equal as nearly as practicable to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the place from which all such charges were assumed and directly paid by the purchasers as required by Price Instruction and Exception No. 12 as amended and contained in Supplement No. 1 to the aforesaid schedule, including sales to the War Department, United States Government, during the period January 20, 1941 to March 31, 1941, both dates inclusive, for delivery to various C. C. C. Camps, of approximately 1446.97 net tons of 3' lump coal (Size Group No. 3) at delivered prices ranging from \$4.25 to \$9.00 per net ton, which were less than the effective minimum f. o. b. mine price of \$3.24 per net ton, as set forth in the aforesaid schedule, plus the amount required to be added by said Price Instruction and Exception No. 12.

2. *Section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code.* Sales and delivery of coal purchased from Carl Nyman, a code member, which was produced at his National Mine, Mine Index No. 179, below the effective minimum price established therefor in said schedule of effective minimum prices, plus an amount at least equal as nearly as practicable to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the place from which all such charges were assumed and directly paid by the purchasers, as required by said Price Instruction and Exception No. 12, including sales to the War Department, United States Government, during the period January 20, 1941, to March 31, 1941, both dates inclusive, for delivery to various C. C. C. Camps, of approximately 550.16 net tons of 3' lump coal (Size Group No. 3) at delivered prices ranging from \$4.75 to \$6.00 per net ton which were less than the effective minimum f. o. b. mine price for said coal of \$3.34 per net ton as set forth in the aforesaid schedule, plus the amount required to be added by said Price Instruction and Exception No. 12 of said schedule.

3. *Order No. 14 and Rule 17 of section VI of the marketing rules and regula-*

tions. Failure to file with the Statistical Bureau for District No. 20 a copy of the contract for the sale of the coal referred to in paragraphs 1 and 2 hereinabove as required by Order No. 14 of the National Bituminous Coal Commission dated July 15, 1937 and adopted by order of the Bituminous Coal Division dated July 1, 1939 and Rule 7 of section VI of the marketing rules and regulations.

4. Rules 1 and 2 of section VIII of the marketing rules and regulations. Sales of the coal referred to in paragraphs 1 and 2 hereinabove on the basis of an analysis without a report of such analysis having been filed with the Statistical Bureau for District No. 20 and the District Board for District No. 20 as required by said rules.

C. By letter dated December 21, 1942 the Division notified said Board that unless it took action in this matter within fifteen days from the date of said notification, the Division would take such action in lieu of the Board as it deemed to be appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act, provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board, as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act for the purpose of determining:

1. Whether the code member has willfully violated section 4 II (e) and (g) of the Act; Part II (e) and (g) of the Code; Order of the Division No. 14 dated July 15, 1937; Rule 7 of section VI and Rules 1 and 2 of section VIII of the marketing rules and regulations; and

2. Whether in the event the code member is found to have violated the Act and the Code and rules and regulations thereunder an order should be entered revoking the code membership of the code member or directing the code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act be held on April 2, 1943, at 10 a. m., at a hearing room of the Division at the County Court Room, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that

purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and procedure before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2800; Filed, February 20, 1943;
11:16 a. m.]

[Docket No. B-365]

R. GLENN DAVIS

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on September 21, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder, and particularly section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the marketing rules and regulations, have been committed by R. Glenn Davis, the code member above-named, whose code membership became effective as of August 1, 1941, operator of the Castle Valley Fuel Mine, Mine Index No. 29, formerly operated by the Castle Valley Fuel Company as the Burn Bright Mine, located in Emery County, Utah, Subdistrict No. 1 of District No. 20 in connection with sales of coal produced at the aforesaid mine and allowing unauthorized discounts from the effective minimum prices therefor as set forth in the schedule of effective minimum prices for District No. 20 on all shipments, including the following:

1. Sales on or about August 21, 1941 and September 4, 1941, to the Castle Valley Fuel Company, Salt Lake City, Utah (an unregistered distributor) for resale and which was resold to the Cooperative Fuel and Lumber Association, Wilder, Idaho, of approximately 99.29 net tons of 3" lump coal (Size Group No. 3) at the effective minimum price of \$3.65 per net ton f. o. b. said mine and allowing unauthorized discounts of 25 cents per net ton from said sales price;

2. Sales during the period October 10, 1941 to January 26, 1942, both dates inclusive, to said Castle Valley Fuel Company for resale and which was resold to said Cooperative Fuel and Lumber Association, of approximately 296.24 net tons of 1½" lump coal (Size Group No. 4) at the effective minimum price of \$3.45 per net ton f. o. b. said mine and allowing unauthorized discounts of 25 cents per net ton from said sales price; and

3. Sales on or about January 23, 1942, to said Castle Valley Fuel Company for resale and which was resold to said Cooperative Fuel and Lumber Association, of approximately 30.15 net tons of 1½" x 1" pea coal (Size Group No. 8) at the effective minimum price of \$2.25 per net ton f. o. b. said mine and allowing unauthorized discounts of 12 cents per net ton from said sales price.

C. By letter dated December 21, 1942 the Division notified said Board that unless it took action in this matter within fifteen days from the date of said notification, the Division would take such action in lieu of the district board as it deemed to be appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the

board as in this notice of and order for hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining

1. Whether the code member has willfully violated section 4 II (e) of the Act, Part II (e) of the Code and Rule 1 of section III of the marketing rules and regulations; and

2. Whether, in the event the code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the code membership of R. Glenn Davis, code member, or directing said code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act be held on April 1, 1943, at 10 a. m., at a hearing room of the Division at the Courtroom, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and procedure before the division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2801; Filed, February 20, 1943;
11:16 a. m.]

[Docket No. B-366]

CARL NYMAN

NOTICE OF AND ORDER FOR HEARING

A. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), district boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

B. The Division, on October 2, 1942, referred to District Board No. 20 information in its possession bearing on whether violations of the Act, the Code and orders, rules and regulations thereunder, and particularly section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code, have been committed by Carl Nyman, the code member above named, whose code membership became effective as of November 5, 1940, operator of the National Mine, Mine Index No. 179, located in Carbon County, Utah, Subdistrict No. 1 of District No. 20 in connection with sales of coal produced at the aforesaid mine and delivery of same by truck and by rail combined, below the applicable effective minimum prices therefor as set forth in Appendix III to the schedule of effective minimum prices for District No. 20 for all shipments plus an amount at least equal to the transportation, handling and incidental charges from the transportation facilities at the mine to the points from which such charges were assumed and directly paid by the purchasers as required by Price Instruction and Exception No. 12 as amended and contained in Supplement No. 1 to said schedule, including sales during the period December 26, 1941 to February 13, 1942, both dates inclusive, of approximately 340.90 net tons of 3' x 1 1/2" nut coal (Size Group No. 7) to the United States Army and delivery of same to various C. C. C. camps located in Idaho, Nevada, Oregon and California at delivered prices ranging from \$7.74 to \$11.30 per net ton, which were less than the effective minimum f. o. b. mine price for said coal of \$2.64 per net ton, plus the amount required to be added by said Price Instruction and Exception No. 12.

C. By letter dated December 21, 1942 the Division notified said board that unless it took action in this matter within fifteen days from the date of said notification the Division would take such action in lieu of the District Board as it deemed appropriate.

D. District Board No. 20 has not taken any action in this matter.

E. Section 6 (a) of the Act provides in part that in the event a district board shall fail for any reason to take action authorized or required by this section, then the Division may take such action in lieu of the district board.

F. District Board No. 20 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act to take action thereon in lieu of the board as in this Notice of and Order for Hearing provided, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining

1. Whether the code member has willfully violated section 4 II (e) and (g) of the Act and Part II (c) and (g) of the Code; and

2. Whether, in the event the code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the code membership of Carl Nyman, code member, or directing said code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

Now, therefore, it is hereby ordered, That a hearing, pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act to be held on April 5, 1943, at 10 a. m., at a hearing room of the Division at the County Court Room, Price, Utah, to determine whether the aforementioned code member has committed the violations in the respects heretofore described and whether the code membership of said code member should be revoked or an order entered directing the code member to cease and desist from violating the Act, the Code and rules and regulations of the Division thereunder.

It is further ordered, That D. C. McCurtain, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the rules and regulations governing practice and pro-

cedure before the Division in proceedings instituted pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the Statistical Bureaus of the Division within twenty (20) days after the service of a copy hereof on the code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application, pursuant to § 301.132 of said rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the code member of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2802; Filed, February 20, 1943;
11:16 a. m.]

[Docket No. A-1856]

DISTRICT BOARD 11

ORDER DENYING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 11 for establishment of minimum prices for raw and for washed stoker coals for shipment to MStP&SSM Railway for locomotive use.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by District Board No. 11, requesting that temporary and permanent relief be granted by the establishment of price classifications and minimum prices for raw and washed stoker coals for shipment to the MStP&SSM Railway for locomotive fuel use; and

It appearing that a reasonable showing of necessity has not been made for the granting of temporary relief in this matter prior to the hearing herein; and

The following action being deemed necessary to effectuate the purposes of the Act;

Now, therefore, it is ordered, That the request for temporary relief be, and the

same hereby is, denied without prejudice to the renewal of such request for temporary relief upon a further showing or upon the basis of the record to be made at the hearing to be held herein;

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 23, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, at Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 17, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition filed by District Board No. 11 requesting price classifications and minimum prices not heretofore established for raw or washed stoker coals, Size Groups 9-12, inclusive, and Size Groups 17-20, inclusive, in District No. 11, for shipment to the MStP&SSM Railway for locomotive fuel use.

Dated: February 19, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2803; Filed, February 20, 1943;
11:17 a. m.]

General Land Office.

[Public Land Order 89]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered,* As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for military purposes:

MOUNT DIABLO MERIDIAN

T. 16 S., R. 56 E., sec. 9, lots 1 and 2. The areas described aggregate 66.60 acres.

The order of the Secretary of the Interior of November 3, 1936, establishing Nevada Grazing District No. 5, and Executive Order No. 7373 of May 20, 1936, establishing the Desert Game Range, are hereby modified to the extent necessary to permit the use of the lands as herein provided. The modification of Executive Order No. 7373 is made with the understanding that patrol activities for the proper protection and maintenance of the Desert Game Range will be permitted in the areas involved one day each week, and such day will be determined jointly by the Commanding Officer of the area and the local representatives of the Fish and Wildlife Service, Department of the Interior.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are hereby reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2771; Filed, February 19, 1943;
4:01 p. m.]

[Public Land Order 90]

MONTANA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U. S. C., title 43, sec. 315), *It is ordered,* As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

PRINCIPAL MERIDIAN

T. 26 N., R. 35 E.,
secs. 2, 3, 10, 11, 14, 15, 22, 23, 26, 27, 34,
and 35.

T. 25 N., R. 38 E.,
sec. 1, S $\frac{1}{2}$;
sec. 2, S $\frac{1}{2}$;
secs. 11 and 12;
sec. 13, N $\frac{1}{2}$;
sec. 14, N $\frac{1}{2}$.

The areas described aggregate 10,248.74 acres.

The order of June 11, 1935, of the Secretary of the Interior, establishing Montana Grazing District No. 1 is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2772; Filed, February 19, 1943;
4:02 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Agency.

[ACP-1942-Southern Great Plains, Supp. 5]

SOUTHERN GREAT PLAINS AREA

1942 SPECIAL AGRICULTURAL CONSERVATION PROGRAM

The 1942 Special Agricultural Conservation Program for the Southern Great Plains Area, as amended, is further amended as follows:

Section 1, (f), (1), the first paragraph thereof, is amended to read:

(1) The net payment for any farm shall be subject to a deduction of 2 percent of the maximum amount computed in connection with cropland (section 2, (c), item (1)) for each 1 percent of the cropland on the farm by which the acreage of cropland on the farm devoted exclusively to one or more of the following uses throughout the 1942 crop year is less than 20 percent of the cropland on the farm: *Provided, however,* That when all or a part of the cropland in the farm has been acquired for the purpose of the National War effort or was flooded in 1942 and it would be impracticable or inequitable to require compliance with the soil-conserving requirement on the basis of the total cropland in the farm, the county committee with the approval of the State Committee, in accordance with instructions issued by the Agricultural Adjustment Agency may waive all or any part of such requirement.

(Sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat., etc.)

Done at Washington, D. C. this 19th day of February 1943. Witness my hand

¹6 F.R. 6661; 7 F.R. 768, 2112, 2877, 10823.

and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPELBY,
Under Secretary of Agriculture.

[F. R. Doc. 43-2804; Filed, February 20, 1943;
11:12 a. m.]

Food Distribution Administration.

WASHINGTON, D. C., MARKETING AREA

NOTICE OF REPORT, ETC., ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and to a proposed marketing order, as amended, regulating the handling of milk in the Washington, D. C., marketing area, prepared by the Director of Food Distribution.

Pursuant to § 900.12 (a) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, notice is hereby given of the filing with the hearing clerk, Office of the Solicitor, United States Department of Agriculture, of this report of the Director of Food Distribution, with respect to a proposed marketing agreement, as amended, and to a proposed marketing order, as amended, regulating the handling of milk in the Washington, D. C., marketing area. Interested parties may file exceptions to the report with the said hearing clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business of the 5th day after publication of this notice in the FEDERAL REGISTER. Exceptions must be filed in quadruplicate.

The proceedings were initiated by the Food Distribution Administration upon receipt of a petition from the Maryland and Virginia Milk Producers Association, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were also proposed by handlers. Following this request, and after consideration of the proposals, notice of the hearing was issued on January 12, 1943, and the hearing was convened on January 18, 1943, at Washington, D. C. The time for filing briefs expired at 12:00 p. m., e. w. t., January 25, 1943.

The hearing included, in addition to the industry proposals, consideration of a proposal for amendment made by the Dairy and Poultry Branch, Food Distribution Administration.

The major issues developed at the hearing were concerned with (1) the definition of producer, (2) the classification of milk, (3) the allocation of milk received from producers to each class, (4) the level of prices for Class I milk, (5) the pricing of nonproducer milk, (6) the type of pooling plan to be used in making payments to producers, and (7) the allocation of plant loss up to a maximum of 2 per cent of receipts to be classified in Class II instead of Class I.

With respect to these issues it is concluded from the record:

(1) The term "producer" should be defined so as to include any person who produces milk on a farm from which milk is delivered direct to a plant located in the marketing area, or to a plant located outside the marketing area from which milk was shipped to a plant located in the marketing area during May 1942.

(2) The classification of milk should be revised so as to include all butterfat in one class and the skim milk in two separate classes.

(3) The skim milk in milk, skim milk, and cream received from producers by each handler should be allocated to the higher skim milk class up to the full amount of skim milk in such class.

(4) The price of 96 pounds of skim milk in the higher class and 4 pounds of butterfat should be approximately 40 cents higher than the price of Class I milk in Order No. 45, as amended.

(5) Any difference between the necessary cost of nonproducer milk, hereafter called emergency milk, needed in the market and the value of such milk at the proposed class prices, should be shared by all handlers in proportion to the respective amounts of skim milk disposed of by them in the higher class.

(6) The individual handler pooling plan now being used in paying producers should not be changed.

(7) Any plant loss of skim milk should be allocated to the higher class. All butterfat, including any lost in the plant, should be in one class.

Other changes of a minor nature have also been made in accordance with the evidence in the record.

The following proposed marketing order prepared by the Director of Food Distribution, pursuant to § 900.12 (a) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed marketing order.

PROPOSED MARKETING ORDER NO. 45, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE WASHINGTON, D. C., MARKETING AREA.

It is found upon the evidence introduced at the public hearing held in Washington, D. C., January 18 and 19, 1943:

Findings. 1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act (50 Stat. 246; 7 U. S. C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and whole-

some milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

3. That the issuance of this order, as amended, and all of the terms and conditions of the order, as amended, tend to effectuate the declared policy of the act.

Provisions

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(c) "Washington marketing area," hereinafter referred to as the "marketing area," means the territory included within the boundary lines of the District of Columbia and that territory in the State of Maryland included between the District of Columbia Line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia Line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnaby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia Line, thence northeasterly and thence northwesterly along said District Line to Kenilworth Avenue, thence north on Kenilworth Avenue to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, thence returning on Edmonston Road to Branchville Road, thence west on Branchville Road to the Baltimore - Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzert Road, thence west on Metzert Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Gros-

venor Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bells-mill Road, thence west on Bells-mill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia Line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk on a farm from which milk is delivered direct to (1) a plant located in the marketing area which is approved or licensed for sale of milk for fluid consumption in the marketing area or (2) a plant located outside the marketing area from which milk was shipped during May 1942 to a plant included in (1) of this paragraph.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in the handling of milk, skim milk, or cream for fluid consumption in the marketing area: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members, and (2) to have and exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer's milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for fluid sale or disposition in fluid form in the marketing area.

(k) "Farmer's milk plant" means any milk plant other than a "producer's milk plant" currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of persons who are not producers as defined in (e) of this section.

(l) "Emergency milk" means all milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant; and "emergency skim milk" means all of the skim milk in emergency milk.

§ 945.4 *Market administrator—(a) Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be

subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5, or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk, skim milk, and cream received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers—(a) Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period the receipts of milk, skim milk, and cream at each producer's milk plant from producers, the weighted average test thereof, and the utilization of such receipts from producers, computed pursuant to § 945.6.

(2) On or before the 11th day after the end of each delivery period (i) the receipts of milk, skim milk, and cream at each producer's milk plant for the account of a handler or of a cooperative association, from each producer's milk plant and each farmer's milk plant, and the average butterfat content of each product from each source, (ii) the receipts at each producer's milk plant, if any, produced by him, and the average test thereof, (iii) the receipts at each producer's milk plant from new producers and the average test thereof, (iv) the name and address of each new producer, (v) the names of handlers from whom or to whom milk, skim milk, or cream was received or delivered, and (vi) the address of each farmer's milk plant

from which milk, skim milk, or cream was received at a producer's milk plant.

(3) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, (i) the name and address of such producer, (ii) the total pounds of milk, skim milk, and cream delivered and the average butterfat test thereof, (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area, and (iv) the number of days upon which deliveries were made.

(4) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll, which shall show for each producer, (i) the total delivery of milk, skim milk, and cream with the average butterfat test thereof, (ii) the premium rate paid, (iii) the net amount of payment made pursuant to § 945.10, and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section:

(2) The verification of the payments required by §§ 945.7 and 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, and cream received by such handler; and

(4) Determining the utilization of milk, skim milk, and cream by the handler.

§ 945.6 *Classification of milk*—(a) *Milk to be classified.* All milk, skim milk, and cream received by each handler in his producer's milk plant shall be classified in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization of milk shall be as follows:

(1) Class I-A shall be all skim milk in milk, skim milk and cream received at a producer's milk plant that is not classified as Class II-A.

(2) Class I-B shall be all butterfat in milk, skim milk, and cream received at a producer's milk plant.

(3) Class II-A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is used in the manufacture of cottage cheese, skim milk powder, ice cream, and ice cream mix.

(c) *Transfers of milk and cream.* (1) The skim milk in milk, skim milk, and cream received at a producer's milk plant from another producer's milk plant shall be allocated to Class I-A: *Provided*, That it shall be allocated to Class II-A if the market administrator is requested in writing by the receiving handler and the selling handler to make such an alloca-

tion: *Provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction of any skim milk pursuant to (2) of this paragraph.

(2) The skim milk in milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant shall be allocated to Class II-A, except that any of this skim milk in excess of the amount of Class II-A disposed of at the producer's milk plant shall be allocated to Class I-A.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk, skim milk, and cream received at a producer's milk plant, the burden rests upon the handler who received the milk, skim milk, or cream from producers or from a farmer's milk plant, to prove that it should not be classified as Class I-A and Class I-B.

§ 945.7 *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices subject to (a), (b), (c), (d), (e), and (f) of § 945.10, for milk, skim milk, and cream purchased or received from producers and associations of producers:

(1) *Class I-A:* Subtract 4 times the price of Class I-B, determined pursuant to (2) of this paragraph, from \$3.97 and divide by 96: *Provided*, That for Class I-A disposed of by a handler from a plant not having a health department permit to sell fluid milk or fluid cream in the District of Columbia, the price shall be 0.48 of a cent less: *Provided further*, That with respect to Class I-A disposed of from any producer's milk plant under a program approved by the Secretary for the sale or disposition of milk to low-income groups including persons who are on relief, the price shall be an additional 0.48 of a cent less.

(2) *Class I-B:* Add all market quotations (using midpoint or any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, reported by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the preceding month, divided by the number of quotations, divide by 33.48, and subtract 8.32 cents.

(3) *Class II-A:* Subtract 4.5 cents from the average of all price quotations f.o.b. New York City for roller process dry skim powder for human consumption published during the delivery period by the United States Department of Agriculture, multiply by 7.5, and divide by 96.

(b) *Class I-A cost adjustment.* When the total pounds of Class I-A disposed of by all handlers from producer's milk plants exceed 97 percent of the total pounds of skim milk in milk, skim milk, and cream received from all producers during any delivery period, the cost per pound to handlers of Class I-A, computed pursuant to (a) of this section, shall be adjusted through the handler-settlement fund, as provided by § 945.10 (g), by an amount computed by sub-

tracting the total value for all handlers of the emergency skim milk needed by the market, as determined pursuant to (c) and (e) of this section, from the total cost of such emergency skim milk determined pursuant to (d) of this section, and dividing the resulting amount by the total pounds of Class I-A disposed of from producer's milk plants by all handlers.

(c) *Emergency skim milk needed by the market.* The quantity of emergency skim milk needed by the market shall be considered as not exceeding for any handler the difference between 103 percent of his Class I-A disposed of within 30 miles of the milestone in Washington, D. C., and the pounds of skim milk in milk, skim milk, and cream received from producers by such handler.

(d) *Cost of emergency skim milk.* The cost per pound of emergency skim milk purchased or received by a handler that was needed by such handler, which in no event shall exceed the price per pound for Class I-A plus 0.5 of a cent, shall be determined by the market administrator as follows:

(1) Where a handler purchases or receives emergency skim milk for a farmer's milk plant not owned by such handler, the cost shall be determined by subtracting the Class I-B value from the cost of the emergency milk f. o. b. Washington, D. C., as shown by the sales and transportation records: *Provided*, That if the total pounds of emergency skim milk purchased or received by a handler exceeds the amount needed, as determined pursuant to (c) of this section, the emergency skim milk needed shall be considered to be that skim milk costing the least amount per pound during the delivery period; and

(2) Where a handler received emergency skim milk from a farmer's milk plant owned by such handler, the cost shall be equal to the average cost per pound of emergency skim milk purchased or received by all handlers in the marketing area, determined pursuant to (1) of this paragraph: *Provided*, That if there is no basis of determining, pursuant to (1) of this paragraph, the average cost of emergency skim milk paid by handlers, the cost per pound of emergency skim milk received by a handler from his own farmer's milk plant shall be determined by the market administrator on the basis of the prevailing price being paid for milk of similar quality to farmers in the same area, less the Class I-B value of such milk, plus the prevailing charge for hauling milk from the area in which the farmer's milk plant is located to the producer's milk plant, as determined by the market administrator, plus a country station allowance of 0.16 of a cent per pound.

(e) *Class value of emergency skim milk needed.* The class value of the emergency skim milk needed by each handler shall be computed as follows:

(1) Multiply the pounds of such emergency skim milk allocated to Class I-A by the Class I-A price specified in (a) of this section;

(2) Multiply the pounds of such emergency skim milk allocated to Class II-A, which is not in excess of 3 percent

of the total pounds of Class I-A disposed of by such handler, by the Class II-A price specified in (a) of this section;

(3) Multiply the total pounds of emergency skim milk needed by such handler by the weighted average premium payable to producers by him for the delivery period; and

(4) Add together the resulting amounts.

§ 945.8 *Application of provisions—(a) Handlers who are also producers.* No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Virginia handlers.* Any handler whose plant is located in the State of Virginia and who is subject to such regulation of the Virginia Milk Commission as provides for the payment to producers of prices identical with, or in excess of, the prices set forth in § 945.7 hereof, who complies with §§ 945.5 (a) (1), (2), (3), and (b), 945.7 (b), (c), (d), and (e), 945.9 (b), and 945.10 (g), (h), (i), and (j) of this order, and who reports the total payments made for milk received from producers as directed by the market administrator, shall not be subject to other provisions of this order.

§ 945.9 *Determination and announcement of uniform prices.—(a) Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 7th day after the end of each delivery period the market administrator shall announce the Class I-B price and the uniform price per pound of skim milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of skim milk as follows: (1) multiply the pounds of skim milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; and (3) divide the result obtained by the total pounds of skim milk in milk, skim milk, and cream received from producers.

(b) *Net pool obligations of handlers for emergency skim milk received at a producer's milk plant.* The net pool obligation of each handler for emergency skim milk needed by the market received at producer's milk plants during each delivery period shall be a sum of money computed by multiplying the pounds of Class I-A disposed of by the handler, including Class I-A disposed of for the account of an association of producers, by the Class I-A cost adjustment determined pursuant to § 945.7 (b).

(c) *Announcement of other market information.* As soon after the 11th day after the end of each delivery period as such information becomes available, the following data shall be compiled and listed separately by the market administrator for handlers not disposing of any milk, skim milk, or cream for fluid consumption in the District of Columbia and for handlers disposing of milk, skim

milk, or cream for fluid consumption in the District of Columbia:

(1) The total pounds of butterfat and skim milk in milk, skim milk, and cream received from producers and the total pounds of such skim milk allocated to each class.

(2) The total pounds of butterfat and skim milk in emergency milk received at each producer's milk plant, the total pounds of emergency skim milk needed at each producer's milk plant, and the total pounds of such skim milk allocated to each class.

(3) The cost of emergency skim milk received at a producer's milk plant from each farmer's milk plant that was needed by the market as determined by the market administrator pursuant to § 945.7 (d).

(4) The name and address of all farmer's milk plants shipping milk, skim milk, or cream to a producer's milk plant during the delivery period.

(5) The Class I-A adjustment determined pursuant to § 945.7 (b).

§ 945.10 *Payment for milk—(a) Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payments, subject to (b), (c), (d), (e), and (f) of this section, for all milk, skim milk, and cream received from producers at the prices announced pursuant to § 945.9 (a) as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the prices announced pursuant to § 945.9 (a); and

(2) To a cooperative association for (i) milk, skim milk, and cream which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payment, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph minus an amount equal to the pounds of skim milk and butterfat in milk, skim milk, and cream disposed of for the account of the association, times the composite price of skim milk and the Class I-B price, respectively, announced pursuant to § 945.9 (a), plus the weighted average premium payable to producers by such handler, times the pounds of skim milk and butterfat in such products, and (ii) other milk, skim milk, and cream in each use classification, determined pursuant to § 945.6 (c), received by such handler for the account of an association of producers at not less than the class prices specified in § 945.7 (a), plus the weighted average premium payable to producers by such handler.

(b) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(c) *Butterfat content of milk, skim milk, and cream received from producers and of emergency milk.* The butterfat content of milk, skim milk, and cream received from producers shall be determined by taking the average of not less than 5 separate butterfat tests made

from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(d) *Location adjustments to producers.* In making payments pursuant to (a) of this section the handlers may deduct 18 cents per hundredweight with respect to milk received from producers who have been delivering their entire supply of milk for the preceding 4 full delivery periods at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from the District of Columbia: *Provided*, That handlers may make such a deduction on all milk received at such plant from new producers whose milk is not received on truck routes transferred to such a plant.

(e) *Premiums to be paid by handlers.* (1) In making payments pursuant to (a) of this section, handlers shall pay premium differentials on all milk, skim milk, and cream received from producers at producer's milk plants determined by applying the premium rates set forth in this paragraph for each producer on the same percentage of each producer's total deliveries as that percentage which the pounds of skim milk in milk, skim milk, and cream received from producers classified in Class I-A is to the total pounds of skim milk in milk, skim milk, and cream received from producers less the pounds of skim milk in milk, skim milk, and cream returned for the account of an association of producers. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over but under 98	With cattle score 98 or over
	Per hundred-weight	Per hundred-weight	Per hundred-weight
Under 80.....	\$0.00	\$0.00	\$0.00
80.0-84.9.....	.00	.03	.09
85.0-89.9.....	.02	.08	.14
90.0-94.9.....	.08	.14	.20
95.0-97.9.....	.20	.26	.32
Over 97.9.....	.31	.37	.43

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of supplying premiums under the above schedule.

(f) Handlers may distribute the payments they are required to make to pro-

ducers for milk, skim milk, and cream received by them on any uniform basis, other than that specified above in this section, that is approved by the market administrator.

(g) *Handler-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "handler-settlement fund" into which he shall deposit all payments made by handlers pursuant to (h) and (j) of this section and out of which he shall make all payments to handlers pursuant to (i) and (j) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the Class I-A cost adjustment for each delivery period the market administrator shall compute the amount by which each handler's net pool obligation is in excess of or less than the amount obtained by subtracting the cost of emergency skim milk needed by the handler, determined pursuant to § 945.7 (d) from the value of such emergency skim milk, determined pursuant to § 945.7 (e) and shall enter such amount on each handler's account as such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(h) *Payments to the handler-settlement fund.* On or before the 15th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to (g) of this section, for the preceding delivery period.

(i) *Payments out of the handler-settlement fund.* On or before the 18th day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to (g) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler. If at such time the balance in the handler-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(j) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the handler-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall, within 5 days make such payment to such handler, provided the balance in the handler-settlement fund is sufficient to make such payments.

§ 945.11 *Expense of administration and marketing services—(a) Payments by handlers.* As his prorate share of the expense of the administration hereof,

each handler, except those handlers exempted pursuant to § 945.8, shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk, skim milk, and cream received by him from a farmer's milk plant, producers, associations of producers, or produced by him during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator: *Provided*, That each handler which is a cooperative association shall pay such prorate share of the expense of administration only on such milk, skim milk, and cream actually received at a producer's milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers as permitted by § 945.10 (c), each handler shall pay to the market administrator an amount equal to the cost of such tests of emergency milk and one-half the cost of such tests of producers' milk, skim milk, and cream, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers, as permitted under § 945.10 (c), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such moneys shall be used by the market administrator to pay the independent laboratory for the verification of weight, sampling, and testing of milk, skim milk, and cream received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

§ 945.12 *Effective time, suspension, or termination—(a) Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination of order.* The Secretary may suspend or terminate this order or any provision hereof whenever he finds that this order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires fur-

ther acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary, (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct, and (iii) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof of the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.13 *Emergency milk committee.* The milk industry may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the Secretary and such person or persons as the Secretary may designate shall be permitted to attend and take part in such meetings.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., the 19th day of February 1943.

[SEAL] C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-2770; Filed, February 19, 1943;
3:22 p. m.]

PHILADELPHIA MARKETING AREA

NOTICE OF REPORT, ETC., ON HANDLING OF MILK

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the marketing agreement and to Marketing Order No. 61, regulating the handling of milk in the Philadelphia Marketing Area, prepared by the Director of the Food Distribution Administration.

Pursuant to § 900.12 (a) of the General Regulations of the Food Distribution Administration formerly the Agricultural Marketing Administration, United States Department of Agriculture, governing proceedings to formulate marketing orders and marketing agreements, notice is hereby given of the filing with the hearing clerk of the report of the Director of the Food Distribution Administration, with respect to a proposed amendment to the marketing agreement and marketing order regulating the handling of milk in the Philadelphia marketing area.

Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 5th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceedings were initiated by the Food Distribution Administration upon receipt of a petition from the Inter-State Milk Producers Cooperative Association, Inc., for a public hearing to receive evidence on several amendments they proposed. Other amendments were also proposed by handlers. Following this request, and after consideration of the proposals, notice of the hearing was issued on January 13, 1943, and the hearing was convened on January 21, 1943, at Philadelphia, Pennsylvania. The time for filing briefs was set at the close of the hearing, to expire at the close of business January 30, 1943.

The hearing included, in addition to the industry proposals, consideration of several proposals for amendment made by the Dairy and Poultry Branch, Food Distribution Administration.

The major issues developed at the hearing were concerned with (1) revision of the Class I price, (2) definition of handler and definition of producer to conform to the needs of the market in relation to supplies, (3) the method of pricing Class I sales outside the marketing area, (4) differentials for place of receipt of milk and location differentials to be applied to prices paid producers, (5) premiums for Grade A milk, (6) the pricing of Class II milk and milk in excess of both Class I and Class II, "distress milk," (7) the expense of administration, (8) flat price payments, (9) butterfat differentials, and (10) a 3-cent additional deduction allowed handlers in making payments to producers.

It is concluded from the record that several amendments to the order are necessary to effectuate the act. Furthermore, an upward revision of the Class I price at the earliest possible date is imperative while other issues require more study.

It is further recommended that as soon as possible the order be further amended to provide for changes in the Class I price when a combination of butter and skim milk powder prices move beyond certain limits and that other amendments be made, particularly with respect to items (3), (4), (5), and (7) in the foregoing enumeration of issues.

PROPOSED AMENDMENT TO THE ORDER REGULATING THE HANDLING OF MILK IN THE PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

It is found upon the evidence introduced at the public hearing held at Philadelphia, Pennsylvania, January 21, 22, and 23, 1942:

Findings. 1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8c (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c) are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum price set forth in this amendment is such a price as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such price does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended, will regulate the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

(3) That the issuance of this amendment and all of the terms and conditions of the order tend to effectuate the declared policy of the act.

Provisions. 1. Delete § 961.4 (a) (1) and substitute therefor the following:

(1) Class I milk—\$3.93 per hundred-weight.

This report filed at Washington, D. C., the 19th day of February 1943.

[SEAL]

C. W. KITCHEN,
Acting Director.

[F. R. Doc. 43-2769; filed, February 19, 1943; 3:22 p. m.]

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 wages lower than the minimum wage rate applicable under section 6 of the Act are issued

under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective February 22, 1943. 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.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Penn Neckwear Company, 1812 Parade Street, Erie, Pennsylvania; Men's and boys' neckwear; 5 learners (T); February 22, 1944.

Stratbury Manufacturing Company, E. Church Street, Galion, Ohio; Overcoats and topcoats; 5 percent (T); February 22, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Cotton City Wash Frocks, Inc., 52 12th Street, Fall River, Massachusetts; Ladies' and children's dresses; 10 percent (T); February 22, 1944.

Dickson-Jenkins Manufacturing Co., 202 St. Louis Avenue, Fort Worth, Texas; Sportswear, trousers and work clothing; 10 percent (T); February 22, 1944.

Fruitland Shirt Company, Fruitland, Maryland; Men's shirts; 6 learners (T); February 22, 1944.

Gerty Garment Company, 557 West Jackson Boulevard, Chicago, Illinois; Rayon and cotton dresses; 5 learners (T); February 22, 1944.

Greenwood Manufacturing Company, Chipley Building, Greenwood, South Carolina; Cotton dresses and housecoats; 10 percent (T); February 22, 1944. (This certificate replaces the one issued on August 10, 1942, for ten learners.)

Jaco Pants Company, Incorporated, Railroad Street, Statham, Georgia; Men's and boys' dress and semi-dress trousers; 10 percent (T); February 22, 1944.

Outdoor Frocks, Incorporated, Philment, New York; Cotton dresses; 10 percent (T); February 22, 1944.

Glove Industry

The Frank Russell Glove Company, Berlin, Wisconsin; Leather dress and knit fabric gloves; 5 learners (T); February 22, 1944.

Hosiery Industry

Bloomsburg Hosiery Mills, Incorporated, Nescopeck, Pennsylvania; Seamless hosiery; 5 learners (T); February 22, 1944.

Bloomsburg Hosiery Mills, Incorporated, 164 W. 9th Street, Bloomsburg, Pennsylvania; Seamless hosiery; 5 percent (T); February 22, 1944.

Chancellor Hosiery Mills, Incorporated, 1110 Moss Street, Reading, Pennsylvania; Seamless hosiery; 5 learners (T); February 22, 1944.

Crest Hosiery Company, 134 Pine Street, Hamburg, Pennsylvania; Full-fashioned hosiery; 3 learners (T); February 22, 1944.

Forest City Knitting Company, Catharine & Magnolia Streets, Rockford, Illinois; Seamless hosiery; 5 percent (T); February 22, 1944.

Tennessee Hosiery Company, Englewood, Tennessee; Seamless hosiery; 5 learners (T); February 22, 1944.

Knitted Wear Industry

New Knit Manufacturing Company, 95 Bridge Street, Lowell, Massachusetts; Knitted outerwear; 5 learners (T); February 22, 1944.

Telephone Industry

Central Iowa Telephone Company, Toledo, Iowa; To employ learners as commercial switchboard operators at its Forest City, Iowa exchange, located at K Street, Forest City, Iowa until February 22, 1944.

Textile Industry

The Springs Cotton Mills—Eureka Plant, Saluda Rd., Chester, South Carolina; Woven cotton fabrics; 15 learners (T); February 22, 1944.

The Springs Cotton Mills—Springstein Plant, Springs Street, Chester, South Carolina; Woven cotton fabrics; 10 learners (T); February 22, 1944.

The Springs Cotton Mills—Gayle Plant, Elliott Street, Chester, South Carolina; Woven cotton fabrics; 17 learners (T); February 22, 1944.

Cigar Industry

General Cigar Company, Incorporated, 5th & Hickory Streets, Mt. Car-

mel, Pennsylvania; Cigars; 31 learners (E); Hand cigar makers for a learning period of 960 hours at 75% of the applicable minimum wage until August 21, 1943.

Signed at New York, N. Y., this 20th day of February 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-2848; Filed, February 22, 1943; 10:25 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6481, 6483]

WESTERN UNION TELEGRAPH CO. AND POSTAL TELEGRAPH-CABLE CO.

ORDER DISMISSING PROCEEDINGS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of February, 1943;

In the matter of the Western Union Telegraph Company. Increased charges for telegraph communications from the United States to New Hebrides.

In the matter of Postal Telegraph-Cable Company (New York). Charges for telegraph communications between the United States and New Hebrides.

It appearing that tariff schedules have been filed by The Western Union Telegraph Company, effective February 4, 1943, and by the Postal Telegraph-Cable Company (New York), effective February 5, 1943, pursuant to the special tariff permissions granted by the Commission by its order herein of January 26, 1943;

It is ordered, That the proceedings herein be, and the same are, hereby dismissed.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2795; Filed February 20, 1943; 10:50 a. m.]

[Docket No. 6484]

WESTERN UNION TELEGRAPH CO. AND POSTAL TELEGRAPH-CABLE CO.

ORDER DISMISSING PROCEEDINGS

At a meeting of the Commission held at its offices in Washington, D. C., on the 16th day of February, 1943;

In the matter of The Western Union Telegraph Company and Postal Telegraph-Cable Company (New York). Proposed "Longram" classification of telegraph communications.

It appearing, that on December 30, 1942, The Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York) filed with the Commission tariff schedules, to become effective February 1, 1943, proposing to establish a new classification of telegraph communications, designated as "Longram" communications; that by order of January 12, 1943, the Commis-

sion suspended the operation of said tariff schedules insofar as they provided for the "Longram" classification of communications, and deferred the use of such classification, and of the charges, regulations, practices, and services for and in connection with such classification, until and unless otherwise ordered by the Commission; and that the Commission ordered a hearing concerning the lawfulness of the "Longram" classification of telegraph communications, and of the charges, regulations, practices, and services for and in connection with such classification;

It further appearing, that on January 22, 1943, the Western Union Telegraph Company and the Postal Telegraph-Cable Company (New York), filed with the Commission applications for permission to file tariff schedules to become effective February 1, 1943, which would combine the "Day Letter" and "Longram" classifications of telegraph communications into one classification, designated as the "Day Letter/Longram" classification, and which would make certain other revisions in the tariff schedules suspended herein; and requested dismissal of the proceeding herein; that the special tariff permission so requested was granted on January 26, 1943; and that pursuant to such permission, the two carriers have filed revised tariffs with the Commission effective February 1, 1943;

It is ordered, That the proceeding herein be, and the same is, hereby dismissed.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2796; Filed February 20, 1943; 10:50 a. m.]

[Docket No. 6489]

W. A. WANSLEY (WOAF)

NOTICE OF HEARING

In re application of W. A. Wansley (WOAF); dated December 14, 1942; for renewal of license; class of service, public ship station, third class; class of station, public ship station, third class; location, Houston, Texas (Gulf Area); present operating assignment: frequency, 2,738 kcs.; power, 125 w.; emission, A3.

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

1. Whether or not the facilities and operation of Station WOAF are in compliance with §§ 8.27, 8.35 (a), and 8.109 of the Commission's Rules and Regulations.

2. Whether, in the light of the evidence adduced upon the foregoing issue, public interest, convenience or necessity would be served by a grant of the application herein designated for hearing.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of

a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows: W. A. Wansley, 8125 Hockley Street, Houston, Texas.

Dated at Washington, D. C., February 18, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2797; Filed, February 20, 1943; 10:50 a. m.]

[Docket No. 6490]

TIDEWATER WIRELESS TELEGRAPH CO.
(WNW)

NOTICE OF HEARING

In re application of Tidewater Wireless Telegraph Company (WNW); dated December 3, 1942; for renewal of license; class of service, Public coastal; class of station, Coastal telegraph; location, Pier 98, South Wharves, Philadelphia, Pennsylvania.

You are hereby notified that the Commission, having examined the above-described application, and being unable to determine upon examination of such application that public interest, convenience or necessity would be served by the granting thereof, has designated the matter for hearing for the following reasons:

1. To determine if applicant has heretofore closed its aforesaid coastal telegraph radio station and withdrawn same from active commercial operation.
2. To determine if applicant, immediately prior to, and on February 1, 1943, was engaged in rendering public coastal telegraph service through its aforesaid station.
3. To determine if the applicant will institute regular and continuous immediate operation of its aforesaid station in the public coastal telegraph service.
4. To determine whether, in the light of the evidence adduced on the foregoing issues, public interest, convenience or necessity would be served by a grant of the application herein designated for hearing.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant upon 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 and Regulations. 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 and Regulations.

The applicant's address is as follows: Tidewater Wireless Telegraph Company, Pier 98, South Wharves, Philadelphia, Pennsylvania.

Dated at Washington, D. C., February 18, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2798; Filed, February 20, 1943; 10:50 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4882]

C. H. STEMMONS MANUFACTURING COMPANY,
ET AL.

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 19th day of February, A. D. 1943.

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 USCA, section 41),

It is ordered, That Lewis C. Russell, 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 Monday, March 15, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 664, U. S. Court House, Kansas City, Missouri.

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. 43-2799; Filed February 20, 1943; 11:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 4 Under RPS 67]

ONSRUD MACHINE WORKS, INC.

ORDER GRANTING IN PART AND DENYING IN PART

Order No. 4 under Revised Price Schedule No. 67—New Machine Tools—Docket Nos. 3067-34, 3136-170.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250

and Procedural Regulation No. 6; It is hereby ordered:

(a) Woodworking machinery under Maximum Price Regulation No. 136, as amended—Machines and parts, and Machinery Services. Any person is authorized and permitted to sell and deliver the following machines manufactured by Onsrud Machine Works, Inc., of Chicago, Illinois, to any purchaser, at the prices set forth below: *Provided*, That each purchaser shall be allowed all discounts or other allowances in effect on October 1, 1941, to a purchaser of the same class:

Model No.	Maximum price
W-122	\$2,475.00
W-122B	572.00
W-200	572.00
W-240	869.00
W-242	2,118.00
W-248	1,062.00
W-255	1,364.00
W-265	523.00
W-450	4,950.00
WA-50	3,080.00
S-76	545.00

(b) Machine tools under Revised Price Schedule No. 67—New Machine Tools. Any person is authorized and permitted to sell and deliver the following machine tools manufactured by Onsrud Machine Workers, Inc., of Chicago, Illinois, at the prices set forth below:

Model No.	Arms	Maximum price
A 1 C	Alum.	\$3,250.00
A 1 R	C. I.	1,635.00
A 1 R	Alum.	1,795.00
A 1 R	Fab.	1,665.00
A 1 D	C. I.	1,710.00
A 1 D	Fab.	1,740.00
A 1 D	Alum.	1,870.00
A 1 DD	C. I.	2,845.00
A 1 DD	Fab.	2,910.00
A 1 DD	Alum.	3,165.00
A 4 C	Alum.	4,300.00
A 4 R	Fab.	2,050.00
A 4 R	C. I.	1,925.00
A 4 R	Alum.	2,160.00
A 4 D	C. I.	2,000.00
A 4 D	Fab.	2,125.00
A 4 D	Alum.	2,235.00
A 4 RR	Alum.	4,316.00
A 4 DD	C. I.	3,676.00
A 4 DD	Fab.	3,950.00
A 4 DD	Alum.	4,190.00
W 255 Router		1,365.00
W 113 E Router		1,430.00
A 80 Spar Miller		22,640.00

(c) Within fifteen days after the effective date of this order, Onsrud Machine Works, Inc. shall (1) certify to the Office of Price Administration, Washington, D. C., that no sum for any machine in paragraph (a), delivered on or after September 7, 1942, has been paid in excess of the price set forth in paragraph (a) for such machine, and that no sum for any machine in paragraph (b), delivered on or after September 8, 1942, has been paid in excess of the price set forth in paragraph (b) for such machine; or (2) shall refund the excess over such price to each purchaser who has paid such excess for any such machine, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C. that such refunds have been made.

(d) To the extent that the adjustments requested by Onsrud Machine Works, Inc. are not granted herein, the

respective applications for adjustment of maximum prices filed by Onsrud Machine Works, Inc. are denied.

(e) The issuance of this order shall not in any way affect or relieve the liability of Onsrud Machine Works, Inc. for any violation of any regulation or order issued by the Office of Price Administration.

(f) This Order No. 4 may be revoked or amended by the Office of Price Administration at any time.

(g) This Order No. 4 shall become effective February 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2746; Filed, February 19, 1943;
12:06 p. m.]

[Order 15 Under MPR 157]

ROHRER KNITTING MILL

ORDER GRANTING ADJUSTMENT

Order No. 15 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-43.

On December 30, 1942, Rohrer Knitting Mill, Orwigsburg, Pennsylvania, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for sleeveless cotton undershirts. Due consideration has been given to said application and an opinion in support of this Order No. 15 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Rohrer Knitting Mill may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

20½¢ per unit for undershirts conforming to the specifications of Contract W 669-qm-22913, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after December 30, 1942, Rohrer Knitting Mill may receive payment under Maximum Price Regulation No. 157 at a price not exceeding 20½¢ per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 15 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2751; Filed, February 19, 1943;
12:06 p. m.]

[Order 16 Under MPR 157]

THE E. RICHARD MEINIG COMPANY

ORDER DENYING ADJUSTMENT

Order No. 16 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-29.

On August 21, 1942, The E. Richard Meinig Company, Reading, Pennsylvania, filed an application under Maximum Price Regulation No. 157. On August 31, 1942, the New York Regional Office of the Office of Price Administration issued an order of denial. Subsequently, the applicant duly filed a request for review by the Administrator of the order of denial. Due consideration has been given to the application, and an opinion in support of this Order No. 16 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered, That:*

(a) The application for adjustment is hereby denied.

(b) The E. Richard Meinig Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) The E. Richard Meinig Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 16 was mailed to it, The E. Richard Meinig Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this order.

(e) This Order No. 16 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2752; Filed, February 19, 1943;
12:07 p. m.]

[Order 17 Under MPR 157]

ALFRED DECKER & COHN, INC.

ORDER ADJUSTING MAXIMUM PRICE

Order No. 17 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-8.

On July 16, 1942, Alfred Decker & Cohn, Inc., 416 South Franklin Street, Chicago, Illinois, filed an application under Maximum Price Regulation No. 157 for adjustment of its maximum price for certain overcoats. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The applicant may sell and deliver the following commodities under Maximum Price Regulation No. 157 at a price not exceeding the following price:

\$3.76 each for overcoats conforming to specifications of Contract W669 qm-16847 (O. I. No. 8464), Philadelphia Quartermaster Depot, Quartermaster Corps, United States Army.

(b) Any contract subject to Maximum Price Regulation No. 157 entered into at a price exceeding \$3.76 shall be revised accordingly; any payments made to the applicant exceeding \$3.76 shall be refunded to the purchaser; and, within 30 days after the date on which this Order No. 17 was mailed to it, the applicant shall file a statement with this Office to the effect that such contracts, if entered into, were so revised and that such refunds, if required, were made.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 shall become effective February 20, 1943.

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2753; Filed, February 19, 1943;
12:07 p. m.]

[Order 4 Under MPR 177]

WEARBEST COAT COMPANY

ORDER GRANTING MAXIMUM PRICES

Order No. 4 under §1389.106 of Maximum Price Regulation No. 177—Men's and Boys' Tailored Clothing.

An opinion in support of this order has been issued simultaneously with this order. For the reasons set forth in the opinion, *It is hereby ordered, That:*

(a) Dora Weisberg, William Weisberg, Louis Weisberg and Abe Weisberg, doing business under the name of Wearbest Coat Company, 149 Fifth Avenue, New York, New York, may sell and deliver,

and any person may buy and receive from Wearbest Coat Company trousers in the 9000 and 9100 Ranges at prices not in excess of those set forth in paragraphs (b) and (c).

(b) The following shall be the maximum prices for the garments listed below and any similar garments, when they are sold or delivered by Wearbest Coat Company, otherwise than at retail:

(1) \$4.83 for men's trousers in the 9000 Range, made of gabardine described as American Woolen Company Range EE 2434, with grade I tailoring.

(2) \$6.11 for men's trousers in the 9100 Range, made of gabardine described as Gera Mills Range 43, with grade I tailoring.

(c) Wearbest Coat Company may determine the maximum price of any other men's pants by adding to the "current cost", as determined under § 1389.119 (a) (4) a percentage margin of 21 percent on the selling price. But no maximum price for men's pants shall exceed \$6.11.

(d) The permission granted in this order is subject to the following conditions:

All discounts and trade practices, including practices relating to shipping and shipping charges which were observed by Wearbest Coat Company during July to November 1941, shall apply to sales for which maximum prices are determined under this order.

(e) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 apply to the terms used in this order.

This Order No. 4 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2749; Filed, February 19, 1943; 12:07 p. m.]

[Order 5 Under MPR 177]

WIENER AND KATZ

ORDER GRANTING MAXIMUM PRICES

Order No. 5 under § 1389.106 of Maximum Price Regulation No. 177—Men's and Boys' Tailored Clothing.

An opinion in support of this order has been issued simultaneously with this order. For the reasons set forth in the opinion, *It is hereby ordered*, That:

(a) Ben Wiener and Edward Katz, partners doing business under the name of Wiener and Katz, may sell and deliver, and any person may buy and receive from Wiener and Katz, juvenile or junior suits at prices not in excess of those set forth in paragraphs (b) and (c).

(b) The following shall be the maximum prices for the garments listed below and for any similar garments when

they are sold or delivered by Wiener and Katz otherwise than at retail:

Lot No.	Mill origin and range of materials used	Maximum prices		
		Rugby	Eton	Junior longy
5115 to 5615...	La Porte 693.....	\$5.75	-----	\$6.50
5715 to 5915...	Peerless 16.....	5.75	-----	6.50
6015 to 6415...	Stevens 945.....	5.75	-----	6.50
5118 and 5218...	Amos Abbott Co. 111.....	6.06	-----	7.08
5318 to 6118...	Commodore 202...	6.06	-----	7.08
5126 to 5326 and 5526.	Stevens 870.....	6.37	\$6.13	7.47
5426.....	Stevens 850.....	6.37	6.13	7.47

(c) Wiener and Katz may determine the maximum price for any other juvenile suit with short pants or with long pants by adding to the "current cost", as defined in § 1389.119 (a) (4) of Maximum Price Regulation 177, a margin of 15¼ percent on the selling price. But no maximum price shall exceed \$6.37 for a junior suit with short pants, or \$7.47 for a junior suit with long pants.

(d) The permission granted in this order is subject to the following conditions:

All discounts and trade practices, including practices relating to shipping and shipping charges which were observed by Wiener and Katz during July to November 1941, shall apply to sales for which maximum prices are determined under this order.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth or incorporated in Maximum Price Regulation 177 apply to the terms in this order.

This Order No. 5 shall become effective February 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2750; Filed, February 19, 1943; 12:07 p. m.]

[Order 166 Under MPR 188]

PETER PAN BAKERIES, INC.

ORDER APPROVING MAXIMUM PRICES

Order No. 166 under § 1499.158 of Maximum Price Regulation No. 188¹—Manufacturers' Maximum Prices for specified Building Material and Consumers' Goods Other Than Apparel. Maximum prices for a new bread slicer manufactured by Peter Pan Bakeries, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered*:

(a) This Order No. 166 sets maximum prices for sales of a new bread slicer

¹ 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

manufactured by Peter Pan Bakeries, Inc., Detroit, Michigan.

(1) For sales to retailers by Peter Pan Bakeries, Inc., the maximum price is \$6.65 per unit, f. o. b. Detroit, Michigan.

(2) For sales at retail, the maximum price is \$7.9.

(b) Before delivery of the bread slicer to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states that the retail ceiling price of the slicer is \$7.9. The tag or label shall not be detached until the slicer has been delivered to the consumer.

(c) At or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser of the maximum price set by this order for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 166 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 166 shall become effective February 19, 1943.

Issued this 19th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2754; Filed, February 19, 1943; 12:04 p. m.]

[Suspension Order 224]

EMERY R. HOFF

ORDER RESTRICTING TRANSACTIONS

Emery R. Hoff, 239 Pearl Street, Adrian, Michigan, hereinafter called respondent, was duly served with a notice of specific charges of violations of Revised Tire Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held in Lansing, Michigan, on December 17, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined:

(a) Respondent is a dealer in tires at 239 Pearl Street, Adrian, Michigan.

(b) Respondent has violated revised tire rationing regulations (§ 1315.606) in that respondent, as a duly authorized tire inspector, certified that he had inspected 4 tires mounted on an automobile belonging to one Howard Christian Berndt when, in fact, respondent had not inspected the said tires; and further, in that respondent certified that the said 4 tires were worn smooth and should be retreaded and that a spare tire was not suitable for retreading when in fact the said 4 tires did not require retreading and the spare tire was suitable for retreading.

Because of the great scarcity and critical importance of rubber in the United States respondent's violations of revised tire rationing regulations have hampered the administration and enforcement of the tire rationing regulations and impeded the war effort. It appears that further violations by respondents are

likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 224 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any new, used, recapped or retreaded tires or any tubes for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in new, used, recapped or retreaded tires or any tubes.

(3) No person shall in any manner directly or indirectly transfer or deliver any new, used, recapped or retreaded tires or any tubes to respondent for resale.

(d) Any terms used in this Suspension Order No. 224 that are defined in revised tire rationing regulations shall have the meaning therein given them.

(e) This Suspension Order No. 224 shall become effective 12:01 a. m. March 1, 1943, and unless sooner terminated, shall expire 12:01 a. m. April 30, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong. as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1B (7 F.R. 925, 3387); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued this 19th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industrial Council.

[F. R. Doc. 43-2755; Filed, February 19, 1943;
12:04 p. m.]

[Suspension Order 225]

C. W. COERPER

ORDER RESTRICTING TRANSACTIONS

C. W. Coerper, doing business as Mountain Service Station, 16 Bloomfield Avenue, Verona, New Jersey, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Newark, New Jersey, on December 18, 1942. There appeared a representative of the Office of Price Administration and respondent failed to appear not withstanding personal service of notice of said hearing upon respondent. The evidence pertaining to the charges was presented before an authorized presiding officer.

The matter having been duly considered by the Chairman of the Industry Council, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 16 Bloomfield Avenue, Verona, New Jersey.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulation (§ 1394.1502), in that on November 18, 1942, respondent transferred gasoline to consumers and into the fuel

tanks of their motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of gasoline ration coupons.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 16, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 23 Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New Jersey respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 225 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 225 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 225 shall become effective 12:01 a. m. March 1, 1943, and unless sooner terminated, shall expire 12:01 a. m. April 30, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 19th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2756; Filed, February 19, 1943;
12:04 p. m.]

[Order 18 Under MPR 157]

THE WILLIAM CARTER COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 18 under Maximum Price Regulation No. 157—Sales and Fabrica-

tion of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-43.

On August 20, 1942, The William Carter Company, Needham Heights, Massachusetts, filed an application under Maximum Price Regulation No. 157, for adjustment of its maximum prices for undershirts, cotton, summer, sleeveless. Due consideration has been given to said application and an opinion in support of this Order No. 18 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The William Carter Company may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

20½¢ per unit for undershirts conforming to the specifications of Contract W669-qm-17327, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after August 20, 1942, The William Carter Company may receive payment under Maximum Price Regulation No. 157 at a price not exceeding 20½¢ per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 18 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2822; Filed, February 20, 1943;
12:21 p. m.]

[Order 19 Under MPR 157]

FRANKLIN-FERGUSON COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 19 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-21.

On October 20, 1942, Franklin-Ferguson Company, Inc., of New York City, New York, filed an application, under Maximum Price Regulation No. 157, for adjustment of its maximum prices for cotton drawers. Due consideration has

been given to said application and an opinion in support of this Order No. 19 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Franklin-Ferguson Company, Inc. may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

\$.356 per unit for cotton drawers conforming to the specifications of Contract W 669-qm-17389, Philadelphia Quartermaster Depot, United States Army.

(b) With respect to deliveries of the commodity described in paragraph (a), on and after October 20, 1942, Franklin-Ferguson Company, Inc. may receive payments under Maximum Price Regulation No. 157 at a price not exceeding \$.356 per unit.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 19 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2823; Filed, February 20, 1943; 12:13 p. m.]

[Order 20 Under MPR 157]

KEMPER KNITTING MILLS

ORDER DENYING ADJUSTMENT

Order No. 20 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-27.

Kemper Knitting Mills, 1530 West Armitage Avenue, Chicago, Illinois, has filed an application for adjustment under Maximum Price Regulation No. 157. Due consideration has been given to the application, and an opinion in support of this Order No. 20 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation

No. 1 and Procedural Regulation No. 6, *It is ordered, That:*

(a) The application for adjustment is hereby denied.

(b) Kemper Knitting Mills shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Kemper Knitting Mills shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 20 was mailed to it, Kemper Knitting Mills shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 20.

(e) This Order No. 20 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2824; Filed, February 20, 1943; 12:13 p. m.]

[Order 167 Under MPR 188]

H. W. COVERT Co.

APPROVAL OF MAXIMUM PRICES

Order No. 167 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel. Maximum prices for sales of a new fireplace grate manufactured by The H. W. Covert Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 167 sets temporary maximum prices for sales of a new fireplace grate manufactured by The H. W. Covert Company, 339 East 48th Street, New York, New York. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April 1943.

The prices stated below may be charged only if the manufacturer attaches to the grate the written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales

by the manufacturer, wholesalers, and retailers shall be computed by deducting 15% from the prices stated below.

(1) For sales by the manufacturer to wholesalers or jobbers, the maximum price is \$5.40 f. o. b. factory.

(2) For sales by the manufacturer to retailers, the maximum price is \$5.95 f. o. b. factory.

(3) For sales at wholesale by persons other than the manufacturer, the maximum price is \$7.20 f. o. b. the seller's city.

(4) For sales at retail, the maximum price is \$10.80.

(b) The maximum prices set forth in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

"The H. W. Covert Company, 339 East 48th Street, New York, N. Y., the manufacturer of this grate, warrants to the retailer and to any person buying from him that it is fit for burning coal or wood in a fireplace." If the manufacturer desires to do so, he may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate by the manufacturer and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following form would be sufficient: "Retail ceiling price: \$10.80". The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) At or before the time of first delivery after the effective date of this order, the manufacturer shall notify in writing every person who buys from him of the maximum price set by this Order No. 167 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 167 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the general maximum price regulation shall apply to terms used herein.

(d) This Order No. 167 shall become effective on the 22d day of February 1943, and shall terminate on the 1st day of April, 1943.

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2826; Filed, February 20, 1943; 12:20 p. m.]

[Order 168 Under MPR 188]

OHIO FOUNDRY & MANUFACTURING Co.

APPROVAL OF MAXIMUM PRICES

Order No. 168 under § 1499.158 of Maximum Price Regulation No. 188—

Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel. Maximum prices for sales of a new fireplace grate distributed by The Ohio Foundry & Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This Order No. 168 sets temporary maximum prices for sales of a new fireplace grate manufactured for The Ohio Foundry & Manufacturing Co., Steubenville, Ohio, by The Ohio Valley Clay Company, Steubenville, Ohio. It applies only to the grate which has been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

The prices stated below may be charged only if The Ohio Foundry & Manufacturing Co. attaches to the grate a written warranty described in paragraph (b). If the company does not make the warranty, the maximum prices for sales by that company and by wholesalers and retailers should be computed by deducting 15% from the prices stated below.

(1) For sales by The Ohio Valley Clay Company to The Ohio Foundry & Manufacturing Co., the maximum price is \$5.70.

(2) For sales by The Ohio Foundry & Manufacturing Co. to wholesalers and jobbers, the maximum price is \$7.50 f. o. b., Steubenville, Ohio.

(3) For sales by The Ohio Foundry & Manufacturing Co. to retailers, the maximum price is \$8.25, f. o. b. Steubenville, Ohio.

(4) For sales at wholesale by persons other than The Ohio Foundry & Manufacturing Co., the maximum price is \$10.00, f. o. b. the seller's city.

(5) For sales at retail, the maximum price is \$15.00.

(b) The maximum prices set forth in subparagraphs (2), (3), (4), and (5) of paragraph (a) can be charged only if The Ohio Foundry & Manufacturing Co. sells the grate with a written warranty in the following form:

"The Ohio Foundry & Manufacturing Co., Steubenville, Ohio, warrants to the retailer and to any person buying from him that this grate is fit for burning coal or wood in a fireplace". If the company desires to do so, it may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate before shipment by The Ohio Foundry & Manufacturing Co., and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate to any purchaser for resale, The Ohio Foundry & Manufacturing Co. shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, a statement in the following

form would be sufficient: "Retail ceiling price: \$15.00." The tag or label should not be detached until the grate has been delivered to the consumer.

(d) At or before the time of the first delivery after the effective date of this order, The Ohio Foundry & Manufacturing Co. shall notify in writing every person who buys from it of the maximum price set by this Order No. 168 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 168 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the general maximum price regulation shall apply to terms used herein.

(g) This Order No. 168 shall become effective on the 22d day of February 1943, and shall terminate on the 1st day of April, 1943.

Issued this 20th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2829; Filed, February 20, 1943; 12:20 p. m.]

[Order 5 Under RPS 67]

L. J. KAUFMAN MANUFACTURING COMPANY
ORDER GRANTING PETITION IN PART AND
DENYING IT IN PART

Order No. 5 under Revised Price Schedule No. 67—New Machine Tools—Docket No. 3067-45.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) Any person is hereby authorized and permitted to sell and deliver, for the gross price of \$1,000.00 each, any number of:

Special No. 8 Single Spindle Tapping Unit, 3/4" capacity arranged for flat belt drive, complete with 1 1/2 H. P. 440 volt, 3-phase, 60 cycle motor and control.

manufactured by L. J. Kaufman Manufacturing Company, of Manitowoc, Wisconsin.

(b) L. J. Kaufman Manufacturing Company shall within fifteen days after this Order is issued (1) certify to the Office of Price Administration, Washington, D. C., that no sum in excess of \$1,000.00 was paid by any purchaser for any such machine delivered on or after December 1, 1942, or (2) shall refund the excess over \$1,000.00 to each purchaser who has paid such excess for any such machine delivered on or after December 1, 1942, and shall within fifteen days after making such refunds submit proof to the Office of Price Administration, Washington, D. C., that such refunds have been made.

(c) This Order No. 5 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 5 shall become effective February 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2821; Filed, February 20, 1943; 12:21 p. m.]

[Suspension Order 219]

ABRAHAM SCHIPS

ORDER RESTRICTING TRANSACTIONS

Abraham Schips, 2 Malden Street, Nassau, New York, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Albany, New York, on December 14, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 2 Malden Street, Nassau, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1503) in that on or about October 8, 1942, respondent transferred five gallons of gasoline to a consumer and into the fuel tank of a motor vehicle in exchange for a loose Class S gasoline ration coupon that was not issued for such vehicle.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, (§ 1394.1502) in that on various occasions between July 22, 1942, and October 26, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within the classes of transfers permitted by Ration Order No. 5A, gasoline rationing regulations, to be made without the exchange of coupons.

Because of the great scarcity and critical importance of gasoline in New York respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 219 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 219 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This suspension Order No. 219 shall become effective 12:01 a. m. March 2, 1943, and shall remain in effect until 12:01 a. m. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2816; Filed, February 20, 1943;
12:20 p. m.]

[Suspension Order 222]

FRYE'S GULF SERVICE STATION
ORDER RESTRICTING TRANSACTIONS

Carl W. Frye, doing business as Frye's Gulf Service Station, 360 Virginia Avenue, Hagerstown, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Baltimore, Maryland on December 4, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station at 360 Virginia Avenue, Hagerstown, Maryland.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 7, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles in exchange for gasoline ration coupons Class S from coupon books that were not issued for and did not bear the identification of the vehicles into which the transfers were made.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in that on various occasions between July 22 and November 7, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 4 Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 222 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 222 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 222 shall become effective 12:01 a. m. March 2, 1943, and unless sooner terminated, shall expire 12:01 a. m. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2817; Filed, February 20, 1943;
12:19 p. m.]

[Suspension Order 223]

RED WING GAS AND OIL COMPANY
ORDER RESTRICTING TRANSACTIONS

Red Wing Gas and Oil Company, 90 State Street, Albany, New York, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Albany, New York on December 15, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined:

(a) Respondent is a licensed distributor of gasoline and operates a gasoline filling station located at 90 State Street, Albany, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503) in

that on various occasions between July 22 and November 2, 1942, respondent, by its agents, servants or employees, transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange for such transfers 79 Class A, No. 3 gasoline ration coupons, 7 Class A, No. 4 gasoline ration coupons and 1 class A, No. 5 gasoline ration coupon.

(c) Respondent maintains a gasoline ration bank account in the State Bank of Albany, New York. On or about November 2, 1942, respondent deposited in said ration bank account, 450 Class A gasoline ration coupons which deposit included 79 Class A, No. 3 gasoline ration coupons, 7 Class A, No. 4 gasoline ration coupons and 1 Class A, No. 5 gasoline ration coupon. The State Bank of Albany has cancelled the credit of said deposit of 450 Class A gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in New York, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(d) During the period in which this Suspension Order No. 223 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(4) Respondent shall not make any withdrawals from or draw any checks upon its gasoline ration bank account.

(e) Respondent's gasoline ration bank account shall be credited to the extent of 1,452 gallons, the gallonage value of the valid coupons deposited by respondent on or about November 2, 1942.

(f) Any terms used in this Suspension Order No. 223 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(g) This Suspension Order No. 223 shall become effective 12:01 A. M. March 2, 1943, and unless sooner terminated, shall expire 12:01 A. M. March 17, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2818; Filed, February 20, 1943;
12:19 p. m.]

[Suspension Order 226]

TERMINAL REST STOPS, INC.

ORDER RESTRICTING TRANSACTIONS

Terminal Rest Stops, Inc., Route 17, Southfields, New York, a corporation, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in New York City, New York, on December 10, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges were presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined:

(a) Respondent is a dealer in gasoline and operates a gasoline filling station located on Route 17, Southfields, New York.

(b) Respondent has violated Ration Order No. 5A, gasoline rationing regulations (§§ 1394.1502 and 1394.1503), in that between July 22 and September 19, 1942, respondent transferred gasoline to consumers and into the fuel tanks of their motor vehicles and accepted in exchange therefor 98 Class A, No. 2 coupons; 8 Class A, No. 3 coupons; 9 Class A, No. 4 coupons; 1 Class A, No. 5 coupons; 11 Class A, No. 6 coupons.

Because of the great scarcity and critical importance of gasoline in New York, respondent's violations of Ration Order No. 5A, gasoline rationing regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 226 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 226 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

This Suspension Order No. 226 shall become effective 12:01 a. m. March 2, 1943, and unless sooner terminated shall expire 12:01 a. m. March 12, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216);

Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2819; Filed, February 20, 1943; 12:19 p. m.]

[Suspension Order 228]

MAURO ALFIERI

ORDER RESTRICTING TRANSACTIONS

Mauro Alfieri, 900 South Heald Street, Wilmington, Delaware, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Wilmington, Delaware on October 26, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 900 South Heald Street, Wilmington, Delaware.

(b) Respondent has violated Ration Order 5A, gasoline rationing regulations, (§ 1394.1102) in that on October 4, 1942, respondent had in his possession the following coupon books and coupons which had not been issued to or acquired by him in accordance with the provisions of Ration Order 5A: Two Class S gasoline ration books containing 630 coupons; two Class C gasoline ration books containing 102 coupons; and 344 Class C gasoline ration coupons in loose sheets.

Because of the great scarcity and critical importance of gasoline in Delaware, respondent's violations of Ration Order 5A, have interfered with the effective administration and enforcement of the gasoline rationing regulations. It appears that further violations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(c) During the period in which this Suspension Order No. 228 shall be in effect,

(1) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(2) Respondent shall not transfer or deliver or otherwise trade or deal in gasoline.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondent for resale.

(d) Any terms used in this Suspension Order No. 228 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(e) This Suspension Order No. 228 shall become effective 12:01 a. m. March 2, 1943, and shall remain in effect until further order of the Office of Price Ad-

ministration, but not later than December 31, 1944.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 20th day of February, 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2820; Filed, February 20, 1943; 12:19 p. m.]

[Administrative Exception Order 1 Under Ration Order 17]

WILLMARK SERVICE SYSTEM, INC.

ORDER GRANTING EXCEPTION

The Willmark Service System, Inc. is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's sales clerks. The method used involves the making of a complete purchase of an article and observing the actions of the sales clerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client in a way to prevent revealing to the client's employees the identity of the individual making the test. The corporation, through its employees, normally makes approximately 15,000 test purchases of shoes each year. The Willmark Service System, Inc. requests authority to secure ration currency to enable it to continue to make test purchases of shoes in the course of its business:

The granting of the request in this and all similar cases would not defeat or impair the effectiveness of the policy of the ration order because it would not increase the quantity of shoes used.

It is hereby ordered, That Willmark Service System, Inc., 250 West 57th Street, New York, New York, is authorized to receive from any client special shoe stamps (or, until such stamps are available, loose War Ration Stamps No. 17 and simulated receipts for refunds) which its employees may use to make purchases of shoes in the manner otherwise permitted by Ration Order No. 17. Each client of the Willmark Service System, Inc. is likewise authorized to furnish it with such ration currency. As soon as practicable after making a purchase of shoes with such ration currency it shall return the shoes (unused) to the establishment from which the ration currency was received. The Willmark Service System, Inc. and each of its clients shall keep records of the issuance of ration currency hereunder and the return of the shoes and shall make such reports as the Office of Price Administration may require.

It is hereby further ordered, That any other persons similarly situated may be authorized on similar conditions, to re-

ceive or issue ration currency to be used to make test purchases of shoes. Such authority may be granted in writing by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C., or, if such services are performed only within the area of a Regional Office, by the Regional Administrator of the area.

This order shall become effective February 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 43-2859; Filed, February 22, 1943;
10:46 a. m.]

[Administrative Exception Order 1 Under
Ration Order 11]

**PREMISES USED FOR REGISTRATION FOR WAR
RATION BOOK TWO**

ORDER GRANTING EXCEPTION

For the purpose of receiving consumer's applications for War Ration Book Two (Form OPA R-121) the Office of Price Administration will require the use of designated school and other premises which will need to be heated during the registration period.

The allowable ration for heat in non-residential premises in the area hereinafter described was reduced by Amendment No. 23 to Ration Order No. 11. The fuel oil inventory and available coupons may become inadequate for the maintenance of the minimum heating requirements of these premises during the balance of the heating year by reason of the consumption of fuel oil for heating them during the registration period. The Deputy Administrator in Charge of Rationing finds that in such cases the issuance of additional coupons for the amount of fuel oil used for this purpose would not defeat or impair the effectiveness or the policy of Ration Order No. 11, as amended, and that the granting of such relief would not constitute an exception to, or waiver or variance of, any provision setting forth standards of eligibility or need for a fuel oil ration.

It is therefore ordered, That the person to whom a ration was issued for heating premises, in the area hereinafter mentioned, which are used by the Office of Price Administration for the registration of consumers for War Ration Book Two, may at any time during the remainder of the heating year, if his fuel oil on hand and currently valid coupons are then insufficient to meet the minimum heating requirements of such premises during the remainder of the heating year, apply to his war price and rationing board for currently valid coupons equal in gallonage value to the amount of fuel oil consumed in heating the space used for registration purposes. The applicant shall present to the board a signed state-

ment setting forth the space in the premises used by the Office of Price Administration for such registration and the number of gallons of fuel oil required to heat such space during the registration period. The board shall issue to such applicant Class 1 coupon sheets (Form OPA R-1105) equal in gallonage value to the amount of fuel oil used for this purpose. The area hereinbefore referred to is the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia.

This order shall become effective February 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421 and 429, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562; Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 22d day of February 1943.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

Fuel Oil—Daily Digest
(Ration Order No. 11)

RATIONING SPECIAL SERVICE

Administrative
Exception Order No. 1

Premises Used for Registration for War Ration
Book Two

The Board may at any time during the remainder of the heating year issue currently valid coupons equal in gallonage value to the amount of fuel oil consumed in heating space used by the Office of Price Administration for the registration of consumers for War Ration Book Two in the seventeen Eastern States and the District of Columbia, where the amount of fuel oil on hand and currently valid coupons are insufficient to meet the minimum heating requirements of the premises during the remainder of the heating year.

[F. R. Doc. 43-2877; Filed, February 22, 1943;
10:42 a. m.]

[Order 4 Under Rev. Max. Export Price Reg.]

SOCONY-VACUUM OIL CO., INC.

ORDER DENYING PETITION FOR EXCEPTION

Order No. 4 under § 1375.9 (c) of the revised maximum export price regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The petition of the Socony-Vacuum Oil Company, Inc., New York, New York, filed January 2, 1943, to invoice directly to customers of its distributors in South America at its distributors' prices, is denied.

(b) This Order No. 4 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2861; Filed, February 22, 1943;
10:45 a. m.]

[Order 3 Under MPR 118]

AVONDALE MILLS

ORDER AUTHORIZING MAXIMUM PRICE

Order No. 3 under § 1400.101 (b) (5) of Maximum Price Regulation No. 118—Cotton Products. Order authorizing maximum price for a cotton product.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

(a) The maximum price for the following cotton product shall be:

Producer	Style No.	Description	Cents per yard
Avondale Mills, Sylacauga, Ala.	1700-N	36" 70 x 45 2.90 sanforized suiting.	22.52

(b) The maximum price set forth in paragraph (a) shall apply f. o. b. point of shipment and shall be subject to terms of 2 percent 10 days, 60 days extra, with anticipation at the rate of 6 percent per annum where payment is made after nine days.

(c) The maximum price set forth in paragraph (a) is for a fabric made in accordance with the construction details on file with the Office of Price Administration for the particular style number.

(d) The maximum price set forth in paragraph (a) may be used by the producer as a base price from which to determine "in line" maximum prices for related types, styles and constructions of cotton products which cannot otherwise be priced under §§ 1400.101 or 1400.118 (e) of Maximum Price Regulation No. 118. If any such determinations are made, the producer shall submit an appropriate report as required by the regulation.

(e) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 3 shall become effective February 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2880; Filed, February 22, 1943;
10:44 a. m.]

[Order 27 Under MPR 152]

NEW ERA CANNING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 27 under Maximum Price Regulation No. 152—Canned Vegetables.

The New Era Canning Company, New Era, Michigan, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of stringless green bean siftings and stringless wax bean siftings packed in No. 2 size cans.

For the reasons set forth in the Opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) The New Era Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive stringless green bean siftings and stringless wax bean siftings packed in No. 2 size cans at a maximum price of \$1.00 per dozen f. o. b. factory.

(b) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

(c) The Applicant, New Era Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on the 23d of February 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2860; Filed, February 22, 1943;
10:45 a. m.]

[Order 28 Under MPR 152]

WALLA WALLA CANNING COMPANY
APPROVAL OF MAXIMUM PRICES

Order No. 28 under Maximum Price Regulation No. 152—Canned Vegetables.

The Walla Walla Canning Company, Walla, Walla, Washington, has filed an application for specific authorization to charge particular maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing of certain items of fresh lima beans in certain container sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

The Walla Walla Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated:

Container No. or size	Commodity	Authorized maximum price per dozen f. o. b. factory
10½ ounce---	Tiny green fresh lima beans.....	\$1.29
10½ ounce---	Tiny and small green fresh lima beans.....	1.22
10½ ounce---	White tiny and small fresh lima beans.....	.99
No. 303 cans.	Tiny green fresh lima beans.....	1.52
No. 303 cans.	Tiny and small green fresh lima beans.....	1.37
No. 303 cans.	Small green fresh lima beans.....	1.37
No. 303 cans.	Small and medium green fresh lima beans.....	1.27
No. 303 cans.	Medium green fresh lima beans.....	1.27
No. 303 cans.	Green and white tiny extra standard fresh lima beans.....	1.22
No. 303 cans.	Green and white small extra standard fresh lima beans.....	1.22
No. 303 cans.	Green and white medium extra standard fresh lima beans.....	1.22
No. 303 cans.	White medium fresh lima beans.....	.97

(b) This Order No. 28 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Walla Walla Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on the 23d day of February 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2879; Filed, February 22, 1943;
10:40 a. m.]

[Order 18 Under Rev. MPR 161]

LLOYD J. ALLEN, ET AL.
OVERTIME ADDITIONS

Order No. 18 Under § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs, (§ 1381.160 (e) of the regulation prior to its revision) each of the following persons has filed with the Office of Price Administration, Washington, D. C., a certified statement that the following hours per week are maintained in its logging operations. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Section 1381.156 of Revised Maximum Price Regulation No. 161, *It is hereby ordered.*

(a) The following persons being on a 48-hour week may add to the maximum prices of all logs produced by them \$1.00

per 1,000 feet log scale, effective on the dates indicated:

Name	Effective date
Lloyd J. Allen, Scappoose, Ore.	Dec. 9, 1942
Beltz Logging Company, Tillamook, Ore.	Sept. 9, 1942
Coast Range Timber Company, Tillamook, Ore.	Nov. 1, 1942
Evans & Baker, Tenino, Wash.	Dec. 14, 1942
Fox & Burrows Logging Company, Port Angeles, Wash.	Oct. 1, 1942
Green Fir Logging Company, Glenwood, Ore.	Sept. 9, 1942
Hanlin & McDonald Log Company, Grayland, Wash.	Dec. 12, 1942
Leonard Johnston Logging Company, Sequim, Wash.	Sept. 9, 1942
Lervick Logging Company, Hartford, Wash.	Nov. 1, 1942
R. A. Menefee Company, Portland, Ore.	Dec. 1, 1942
Mill City Manufacturing Co., Inc., Mill City, Ore.	Oct. 1, 1942
Herbert L. Miller, Shelton, Wash.	Dec. 17, 1942
Neuskah Tbr. Co., Inc., Aberdeen, Wash.	Oct. 1, 1942
Ole Nygaard, Astoria, Ore.	Dec. 15, 1942
Philomath Lumber Company, Philomath, Ore.	Sept. 9, 1942
Port Blakely Mill Company, Seattle, Wash.	Sept. 10, 1942
Provo Logging Company, Aberdeen, Wash.	Jan. 1, 1943
S. F. Rinehart, Raymond, Wash.	Oct. 26, 1942
Roseburg Lumber Company, Roseburg, Ore.	Dec. 16, 1942
Santiam Logging Company, Sweethome, Ore.	Jan. 1, 1943
Swanson Logging Company, Lebanon, Ore.	Sept. 9, 1942
Rayonier, Incorporated, Seattle, Wash.	Sept. 9, 1942
O. A. Schultz, Tillamook, Ore.	Sept. 9, 1942
Tri-County Logging Co., Inc., Marshfield, Ore.	Sept. 9, 1942
Trio Logging Company, Aberdeen, Wash.	Oct. 1, 1942
St. Helens Pulp and Paper Company, St. Helens, Ore.	Nov. 16, 1942
Lee Tittle, Tillamook, Ore.	Sept. 9, 1942
Valentin Logging Company, Rose Lodge, Ore.	Dec. 5, 1942

(b) The following persons which were formerly certified as being on a 54-hour week and permitted to add \$1.50 per 1,000 feet log scale to all logs produced by them have reduced their operations to a 48-hour week effective on the date following each name. The maximum permissible overtime addition for each of these companies, effective from the date the change in number of hours was made is \$1.00 per 1,000 feet log scale:

Name	Effective date
Woodland Logging Company, Inc., Ariel, Wash.	Nov. 1, 1942
Weatherly Timber Company, Newberg, Ore.	Nov. 15, 1942
Ostrander Railway & Timber Co., Portland, Ore.	Nov. 23, 1942
E. T. Cone Logging Company, McMinnville, Ore.	Dec. 1, 1942
Henry Kling, Cannon Beach, Ore.	Dec. 2, 1942
Cascade Timber Company, Tacoma, Wash.	Dec. 1, 1942
Chas. K. Spaulding Logging Company, Portland, Ore.	Dec. 1, 1942

(c) The following company which was formerly certified as being on a 60-hour week and permitted to add \$2.00 per 1,000 feet log scale to all logs produced by it,

has reduced its operation to a 54-hour week effective on the date following its name. The maximum permissible overtime addition for this company, effective from the date the change in number of hours was made, is \$1.50 per 1,000 feet log scale:

M. & D. Timber Company,
Aberdeen, Wash.----- Dec. 1, 1942

(d) Baldrige Logging Company of Sedro-Woolley, Washington, was heretofore granted authority to add \$1.00 per 1,000 feet log scale to all logs produced by it and was certified as being on a 48-hour week. Effective November 1, 1942, this Company was succeeded by Skagit Linn Logging Company, which is continuing to operate on a 48-hour week basis. Accordingly, the authority previously issued to Baldrige Logging Company is withdrawn, effective November 1, 1942, and Skagit Linn Logging Company is authorized to add \$1.00 per 1,000 feet log scale for all logs produced by it.

(e) The complete list of logging operators operating on a 48-hour week and authorized to make an addition of \$1.00 per thousand feet log scale, to logs produced and sold by them is as follows:

Aloha Lumber Company, Aloha, Wash.
Harry Aubol Logging Company, Cosmopolis, Wash.
Archibald Bros. Logging Company, Marblemount, Wash.
Anderson Bros. Company, Grand Ronde, Oreg.
Jerry Aarts Logging Company, Sumner, Wash.
A. & L. Logging Company, Inc., Aberdeen, Wash.
Lloyd J. Allen, Scappoose, Oreg.
Buck Mountain Logging Company, Enright, Oreg.
A. H. Brandis, Nehalem, Oreg.
Byerly Logging Company, Portland, Oreg.
W. E. Bushnell, Shelton, Wash.
Bloedel-Donovan Lumber Mills, Bellingham, Wash.
Buckley Logging Company, Buckley, Wash.
Belding Logging Company, Portland, Oreg.
Blue Mountain Logging Company, Acme, Wash.
Jalmer Berg, Glacier, Wash.
Booth-Kelly Lumber Company, Eugene, Oreg.
Bradley Lumber Company, Bradwood, Oreg.
Beltz Logging Company, Tillamook, Oreg.
Consolidated Timber Company, Glenwood, Oreg.
Clark & Wilson Lumber Company, Portland, Oreg.
Crescent Logging Company, Port Angeles, Wash.
C. & H. Logging Company, Elsie, Oreg.
Cub Creek Timber Company, Lake Stevens, Wash.
Charman Logging Company, Hoquiam, Wash.
Crown-Zellerbach Corporation, San Francisco, Calif. (Neah Bay Division).
Crown-Zellerbach Corporation, San Francisco, Calif. (Clatsop County Division).
Crown-Zellerbach Corporation, San Francisco, Calif. (Siltcoos Division).
Crown-Zellerbach Corporation, San Francisco, Calif. (Cathlamet Division).
Cascade Timber Company, Tacoma, Wash.
Canyon Creek Logging Company, Everett, Wash.
Caffall Bros., Portland, Oreg.
Colton Log & Lumber Company, Portland, Oreg.
Canyon Lumber Company, Everett, Wash.
Clipper Loggers, Clipper, Wash.
A. F. Coates Lumber Company, Tillamook, Oreg.

E. T. Cone Logging Company, McMinnville, Oreg.
C. & H. Logging Company, Mehama, Oreg.
Chittick & Atkinson, Marblemount, Wash.
Coast Range Timber Company, Portland, Oreg.
Deep River Timber Company, Portland, Oreg.
Davis & White, Inc., Marysville, Wash.
Dye Logging Company, Tillamook, Oreg.
L. J. Esses Logging Company, Montesano, Wash.
English Lumber Company, Seattle, Wash.
Emmert Bros. Logging Company, Sweet-home, Oreg.
Eagle Logging Company, Seattle, Wash.
Evans & Baker, Tenino, Wash.
Fagerness & Kehoe Logging Company, Centralia, Wash.
Fox & Burrows Logging Company, Port Angeles, Wash.
Gray Logging Company, Seaside, Oreg.
Gerber-Bunker Timber Company, Grand Ronde, Oreg.
Galbraith Timber Company, Deming, Wash.
James R. Gleason, Satsop, Wash.
Great Bear Logging Company, Granite Falls, Wash.
Green Fir Logging Company, Glenwood, Oreg.
Hammond Lumber Company, Portland, Oreg.
Hutchins & Hutchins, Foster, Oreg.
Carl Helberg Company, Raymond, Wash.
Hollenbeck Logging Company, Seaside, Oreg.
F. R. Henry Logging Company, Forks, Wash.
Halverson & Deeter Log Company, Everson, Wash.
C. E. Harris, Shelton, Wash.
Conrad Hougen, Everson, Wash.
Hanlin & McDonald Log Company, Grayland, Wash.
L. E. Jensen, Raymond, Wash.
Johnson Bros. Logging Company, Naselle, Wash.
C. D. Johnson Lumber Corporation, Toledo, Oreg.
Leonard Johnston Logging Company, Sequim, Wash.
Henry Kling, Cannon Beach, Oreg.
Kay Logging Company, Seattle, Wash.
Keiskl & Silvola Logging Company, Naselle, Wash.
Walter A. Kelly, Brinnon, Wash.
Long-Bell Lumber Company, Longview, Wash.
Scott A. Layman, Baldi, Wash.
Lyman Timber Company, Everett, Wash.
Lindberg & Hobi, Tacoma, Wash.
Lake Shannon Shingle Company, Concrete, Wash.
Lloyd Logging Company, Longview, Wash.
O. P. Lewellen, Woodland, Wash.
Larson-Labiske Logging Company, Astoria, Oreg.
F. E. Langer, Port Orchard, Wash.
Lervick Logging Company, Hartford, Wash.
Wm. A. Moore Logging Company, Bellingham, Wash.
Merrill & Ring Lumber Company, Seattle, Wash.
Monroe Logging Company, Everett, Wash.
M. B. Logging Company, Markham, Wash.
McDowell Creek Logging Company, Portland, Oreg.
Mist Logging Company, Portland, Oreg.
Mayr Bros., Aberdeen, Wash.
Mullinix Bros., Montesano, Wash.
Mullinix Bros., Pe Ell, Wash.
Mallory Logging Company, Raymond, Wash.
Don H. McKay, Shelton, Wash.
J. L. McCulley, Portland, Oreg.
Mt. Jefferson Lumber Company, Lyons, Oreg.
Manthe Logging Company, Longview, Wash.
Owen J. McDonough, Tillamook, Oreg.
M and M Wood Working Company, Portland, Oreg.
R. A. Menefee Company, Portland, Oreg.

Mill City Manufacturing Company, Mill City, Oreg.
Herbert I. Miller, Shelton, Wash.
Nelson-Deierlein, Sedro Woolley, Wash.
Northern Timber Company, Inc., Olympia, Wash.
Neuskah Timber Company, Inc., Aberdeen, Wash.
Ozette Timber Company, Beaver, Wash.
Ostrander Railway & Timber Company, Portland, Oreg.
Ozette Railway Company, Hoquiam, Wash.
Oscarson & Wickstrom, Taft, Oreg.
Polson Logging Company, Hoquiam, Wash.
Peterman Manufacturing Company, Tacoma, Wash.
Pacific Logging Company, Taft, Oreg.
Puget Sound Pulp & Timber Company, Bellingham, Wash.
Frank Pearce, Potlatch, Wash.
Picco Logging Company, Montesano, Wash.
C. E. Powell, Milwaukie, Oreg.
Pope & Talbot, Inc., Port Gamble, Wash.
Pope & Talbot, Inc., Portland, Oreg.
Prouty Logging Company, Warrenton, Oreg.
Philomath Lumber Company, Philomath, Oreg.
Port Blakely Mill Company, Seattle, Wash.
Provo Logging Company, Aberdeen, Wash.
Quinault Logging Company, Aberdeen, Wash.
Ritner Logging Company, Gates, Oreg.
Wm. S. Robinson Logging Company, Bellingham, Wash.
Ross Logging Company, Grand Ronde, Oreg.
Row River Lumber Company, Portland, Oreg.
S. F. Rinehart, Raymond, Wash.
Roseburg Lumber Company, Roseburg, Oreg.
Rayonier, Incorporated, Seattle, Wash.
Simpson Logging Company, Shelton, Wash.
The Sound Timber Company, Seattle, Wash.
Saginaw Logging Company, Aberdeen, Wash.
Standard Logging Company, Longview, Wash.
Snow Peak Logging Company, Dallas, Oreg.
Selective Logging Company, Rockport, Wash.
St. Paul & Tacoma Lumber Company, Tacoma, Wash.
Chas. K. Spaulding Logging Company, Portland, Oreg.
H. R. Stafford & Sons, Springfield, Oreg.
Scott Logging Company, Shelton, Wash.
South Fork Logging Company, Aberdeen, Wash.
Sun Timber Company, Portland, Oreg.
Sauk River Lumber Company, Everett, Wash.
Ira Smith Logging Company, Anacortes, Wash.
Siuslaw Forest Products Company, Inc., Mapleton, Oreg.
E. J. Shields Logging Company, Seaside, Oreg.
Siler Logging Company, Seattle, Wash.
Ed Simon & Company, Sultan, Wash.
Southard & Tobin, Olympia, Wash.
Skagit Linn Logging Company, Sedro Woolley, Wash.
Santiam Logging Company, Sweethome, Oreg.
Swanson Logging Company, Lebanon, Oreg.
O. A. Shultz, Tillamook, Oreg.
St. Helens Pulp and Paper Company, St. Helens, Oreg.
Taylor Bros., Castle Rock, Wash.
Tri-County Logging Co., Inc., Marshfield, Oreg.
Trio Logging Company, Aberdeen, Wash.
Lee Tittle, Tillamook, Oreg.
U. & W. Logging Company, Molalla, Oreg.
C. R. Van Vleet, Cannon Beach, Oreg.
Vancouver Plywood & Veneer Company, Vancouver, Wash.
Valentin Logging Company, Rose Lodge, Oreg.

Warnick Lumber Company, Bellingham, Wash.
 Weyerhaeuser Timber Company, Vail, Wash.
 Woodland Logging Company, Ariel, Wash.
 Western Logging Company, Portland, Oreg.
 Werner Timber Company, Taft, Oreg.
 Walton Bros. Timber Company, Everett, Wash.
 D. T. Waterhouse Logging Company, Gearhart, Oreg.
 West End Logging Company, Beaver, Wash.
 Whited Lumber Company, Yelm, Wash.
 Wirkkala Bros. Logging Company, Naselle, Wash.
 Ole Nygaard, Astoria, Oreg.
 White River Lumber Company, Enumclaw, Wash.
 West Fork Logging Company, Tacoma, Wash.
 Weatherly Timber Company, Newberg, Oreg.
 Weyerhaeuser Timber Company, Longview, Wash.
 Weyerhaeuser Timber Company, Montesano, Wash.
 M. C. Willie, Olympia, Wash.
 Yunker & Wiecks, Elsie, Oreg.
 Wirkkala-Johnson Logging Company, Naselle, Wash.
 Frank Zavitski, Centralia, Wash.

(f) The complete list of logging operators operating on a 54-hour week and authorized to make an addition of \$1.50 per thousand feet log scale to logs produced and sold by them is as follows:

H. L. Crippen Logging Company, Hoquiam, Wash.
 H. A. Larson, Bellingham, Wash.
 Morgan Logging Company, Forks, Wash.
 Murphy Timber Company, Portland, Oreg.
 M. & D. Timber Company, Aberdeen, Wash.
 North Bend Timber Company, North Bend, Wash.
 Noon & Crippen Logging Company, Randle, Wash.
 Roaring River Logging Company, Portland, Oreg.
 Stone Logging and Contracting Co., Inc., Tillamook, Oreg.
 Sharp Logging Company, Molalla, Oreg.
 A. K. Wilson, Portland, Oreg.
 Yelton & McLaughlin, Bellingham, Wash.
 C. P. Yates Logging Company, Seaside, Oreg.

(g) The complete list of logging operators operating on a 60-hour week and authorized to make an addition of \$2.00 per thousand feet log scale to logs produced and sold by them is as follows:

Schetky Logging Company, Portland, Oreg.

(h) Orders No. 1 to 12, 14, 15, and 16 heretofore issued under § 1381.160 (e) of Maximum Price Regulation No. 161 (prior to revision) are hereby revoked as of the effective date of this Order.

This Order No. 18 shall become effective February 23, 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-2878; Filed, February 22, 1943; 10:42 a. m.]

[Order 169 Under MPR 188]

CELOTEX CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

Order No. 169 under § 1499.161 (a) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Adjustment of Maximum Prices for Gypsum Base Plaster Manufactured by the Celotex Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) The Celotex Corporation, Chicago, Illinois, is hereby authorized to sell, deliver and offer for sale and all persons are authorized to buy or accept from it in the course of trade gypsum base coat plaster at point listed below at the price per ton specified in the following list:

Gypsum Base Coat Plaster Per Ton at Destination

Destination:

(1) *New Jersey:*

- (i) Camden County; also that portion of Burlington County north and west of a line extending from the southwestern corner of Monmouth County to and including the town of Browns Mills, thence to the northeastern corner of Camden County----- \$10.50
- (ii) Salem and Gloucester Counties----- 10.85
- (iii) Atlantic, Cumberland and Cape May Counties; also that portion of Burlington County south and east of a line extending from the southwest corner of Monmouth County to and not including the town of Browns Mills, to the northeast corner of Camden County----- 11.00

(2) *Pennsylvania:*

- (i) Philadelphia and Delaware Counties; also that portion of Bucks County south and east of a line drawn between and including the towns of Lumberville and Lexington; also that portion of Montgomery County south and east of a line drawn between and including the towns of Mont Clare and South Hatfield---- 10.50
- (ii) Chester County; also that portion of Bucks County north and west of a line drawn between but not including the towns of Lexington and Lumberville; also that portion of Montgomery County north and west of a line drawn between but not including the towns of Mont Clare and South Hatfield---- 10.85
- (iii) Lehigh, Northampton, Berks and Lancaster Counties; also the town of Milford only in Pike County----- 11.25
- (iv) The towns of Stroudsburg and E. Stroudsburg only in Monroe County----- 11.25

(3) *Delaware:*

- (i) That portion of New Castle County north of a line extending through the towns of New Castle, Tasker, State Road and Audenried----- 10.85
- (ii) Balance of New Castle County----- 11.00

(4) For any point not specifically named above, the maximum price for gypsum base coat plaster under this order shall be \$9.00 per ton, f. o. b. Philadelphia, Pennsylvania, subject to all discounts and freight allowances customarily allowed by the Celotex Corporation or by the industry generally in March 1942.

(b) The prices listed as maximum prices under this order shall be reduced by 2% when payment is made within 10 days from the date of invoice, and these prices may not be increased in any amount for extension of credit.

(c) All prayers in the petition not specifically granted by this order are hereby denied.

(d) This Order No. 169 may be revoked or amended by the Price Administrator at any time.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 22d day of February 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-2876; Filed, February 22, 1943; 10:44 a. m.]

[Order 170 Under MPR 188]

AMERICAN GRATE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 170 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel.

Maximum prices for sales of new fire-place grates and parts distributed by American Grate Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, § 1499.158 of Maximum Price Regulation No. 188, and § 1499.3 (b) of General Maximum Price Regulation: *It is ordered:*

(a) This Order No. 170 sets temporary maximum prices for sales of new fire-place grates and parts manufactured for American Grate Co., 476 Broad Street, Newark, New Jersey, by Federal Seaboard Terra Cotta Corporation, Perth Amboy, New Jersey. It applied only to the grates and parts which have been described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after the first day of April, 1943.

The prices listed below as the maximum prices for the grates may be charged only if American Grate Co. attaches to each grate a written warranty described in paragraph (b). If the company does not make the warranty, the maximum prices for sales by that company and by wholesalers and retailers shall be computed by deducting 15% from the prices stated below.

(1) For sales by the Federal Seaboard Terra Cotta Corporation to American Grate Co., the maximum prices are as follows:

5-piece grate-----	\$3.00
6-piece grate-----	3.56
Inside piece-----	.56
Outside piece-----	.66

These prices are for the grates and parts at the seller's shipping floor, not packed.

(2) For sales by American Grate Co. to wholesalers or jobbers, the maximum prices, f. o. b. Perth Amboy, New Jersey, are as follows:

5-piece grate.....	\$5.00
6-piece grate.....	5.93
Inside piece.....	.93
Outside piece.....	1.10

(3) For sales by American Grate Co. to retailers, the maximum prices, f. o. b. Perth Amboy, New Jersey, are as follows:

5-piece grate.....	\$5.50
6-piece grate.....	6.52
Inside piece.....	1.02
Outside piece.....	1.21

(4) For sales at wholesale by persons other than American Grate Co., the maximum prices, f. o. b. the seller's city, are as follows:

5-piece grate.....	\$6.67
6-piece grate.....	7.90
Inside piece.....	1.23
Outside piece.....	1.47

(5) For sales at retail, the maximum prices are as follows:

5-piece grate.....	\$10.00
6-piece grate.....	11.85
Inside piece.....	1.85
Outside piece.....	2.20

(b) The maximum prices for the grates set forth in subparagraphs (2), (3), (4), and (5), of paragraph (a) can be charged only if American Grate Co. sells the grate with a written warranty in the following form:

"American Grate Co., 476 Broad Street, Newark, New Jersey, warrants to the retailer and to any person buying from him that this grate is fit for burning coal or wood in a fireplace." If the company desires to do so, it may add: "This warranty, however, does not protect against rough handling by the consumer."

The warranty shall be attached to the grate before shipment by the American Grate Co., and shall not be detached until after the grate has been delivered to the consumer.

(c) Before delivery of a fireplace grate or part to any purchaser for resale, the American Grate Co. shall attach a tag or label which plainly states the retail ceiling price of the grate or part. For example, a statement in the following form on a tag attached to a 5-piece grate would be sufficient: "Retail Ceiling Price \$10.00." The tag or label should not be detached until the grate or part has been delivered to the consumer.

(d) At or before the time of the first delivery after the effective date of this order, the American Grate Co. shall notify in writing every person who buys from it of the maximum price set by this Order No. 170 for resales by the purchaser. This written notice may be given in any convenient manner; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(e) This Order No. 170 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(g) This Order No. 170 shall become effective on the 23d day of February 1943, and shall terminate on the 1st day of April, 1943.

Issued this 22d day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2862; Filed, February 22, 1943;
10:44 a. m.]

[Suspension Order 220]

DICK HOUGH

ORDER RESTRICTING TRANSACTIONS

Earl R. Hough, doing business as Dick Hough, 3008 Liberty Heights Avenue, Baltimore, Maryland, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held in Baltimore, Maryland, on December 7, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Chairman of the Industry Council, it is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station and an automobile repair shop at 3008 Liberty Heights Avenue, Baltimore, Maryland.

(b) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§ 1394.1502), in that on several occasions between July 22, 1942, and November 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles without receiving in exchange therefor any gasoline ration coupons. Such transfers were not within any of the classes of transfers permitted by the Ration Order No. 5A, Gasoline Rationing Regulations, to be made without the exchange of coupons.

(c) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations (§§ 1394.1502 and 1394.1503), in that on several occasions between July 22, 1942, and November 15, 1942, respondent transferred gasoline to consumers and into the fuel tanks of motor vehicles and accepted in exchange therefor thirty-one Class A, No. 3 gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Maryland respondent's violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of Gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondent are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 220 shall be in effect,

(1) Respondent shall not in any manner directly or indirectly sell, transfer or deliver gasoline to any person.

(2) Respondent shall not in any manner directly or indirectly accept any deliveries or transfers of gasoline for resale.

(3) No person shall in any manner directly or indirectly transfer or deliver any gasoline to respondent for resale.

(e) Any terms used in this Suspension Order No. 220 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 220 shall become effective 12:01 a. m. March 4, 1943, and shall remain in effect until 12:01 a. m. March 19, 1943.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R., 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 22d day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2858; Filed, February 22, 1943;
10:40 a. m.]

Regional Office, Region I.

[Amendment 1 to Emergency Order 4 Under
Ration Order 11]

FUEL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, a new paragraph (c) (14) is added as set forth below:

(c) (14) No consumer shall, for the purpose of obtaining a delivery of distillate oil, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of distillate oil which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumer's supply on hand or needs shall forthwith report to the nearest State or District office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

Effective date of Amendment 1. Amendment 1 to Emergency Order No. 4 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 16th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator

[F. R. Doc. 43-2747; Filed, February 19, 1943;
12:05 p. m.]

[Amendment 1 to Emergency Order 5 Under Ration Order 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, a new paragraph (c) (14) is added as set forth below:

(c) (14) No consumer shall, for the purpose of obtaining a delivery of Bunker "C" oil, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of Bunker "C" oil which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumer's supply on hand or needs shall forthwith report to the nearest State or district office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

Effective date of Amendment 1. Amendment 1 to Emergency Order No. 5 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 16th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-2748; Filed, February 19, 1943; 12:05 p. m.]

[Emergency Order 1, Amendment 2 Under Ration Order 11]

KEROSENE SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (b) (2), (d) and (f) of Emergency Order No. 1 are amended to read as follows:

(b) *Order.* * * *

(2) *Limitations on transfers and deliveries.* (i) During the effective period of this order, no person shall transfer or deliver kerosene within the kerosene shortage area to any consumer for use in space heaters in residential premises, or for domestic cooking or lighting, and no consumer shall accept a transfer or delivery for use in space heaters in residential premises, or for domestic cooking or lighting, in an amount in excess of twenty-five gallons in any one delivery. No such consumer shall be entitled to receive a delivery of kerosene which when added to his stock on hand will exceed twenty-five gallons.

(ii) No consumer shall, for the purpose of obtaining a delivery of kerosene, knowingly or in bad faith misstate or otherwise misrepresent the amount or supply of kerosene which he has on hand or the amount of his estimated needs. A dealer to whom a consumer has made misstatements or misrepresentations with respect to such consumers'

supply on hand or needs shall forthwith report to the nearest State or District office of the Office of Price Administration the name and address of such consumer and the facts as to the misstatement or misrepresentation by such consumer.

(d) *Definitions.* "Kerosene shortage area" shall mean the States of Connecticut, Massachusetts and Rhode Island and the Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Sullivan and Stafford in the State of New Hampshire. All other terms used in this order shall have the meaning assigned to them in Ration Order No. 11.

(f) *Effective period.* Emergency order No. 1 shall terminate at 12:00 p. m. February 7, 1943 unless extended by further order.

Effective date of Amendment 2. Amendment 2 to Emergency Order No. 1 shall become effective February 17, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480).

Issued this 17th day of February 1943.

KENNETH B. BLACKMAN,
Regional Administrator.

[F. R. Doc. 43-2782; Filed February 19, 1943; 4:27 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSN.,
ET AL.

ORDER DENYING MOTION, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of February, A. D., 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as trustees of Gas and Electric Associates, Francis G. Goodale, as trustee of Utility Investing Trust, Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, Stanley Clarke, as trustee of Associated Gas and Electric Company; File No. 59-34.

In the matter of New England Gas and Electric Association; File No. 59-56.

Order denying motion and reconvening hearing for further proceedings; order consolidating such proceedings, and order for consolidated hearing.

The Commission, by order dated September 30, 1941, having instituted proceedings under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, with respect to New England Gas and Electric Association, a registered holding company; and hearings having been held, briefs having been filed, and the Commission having heard oral argument and taken said matter under advisement; and, by order dated September 26, 1942, having instituted pro-

ceedings under section 11(b) (1) of the said Act, with respect to New England Gas and Electric Association, and said order having designated November 30, 1942, as the date for public hearing in the matter embraced by said order, and such hearing date, at the request of New England Gas and Electric Association, having been postponed by subsequent order to February 24, 1943;

New England Gas and Electric Association having filed a motion to stay the issuance of any pending decision of the Commission in the said proceedings under section 11(b) (2) of the said Act, and to reopen said proceedings, alleging that certain new issues are pertinent to the section 11(b) (2) proceedings, and that they should be before the Commission for such action or consideration as the Commission may deem proper under the circumstances; said new issues having arisen as follows:

1. On October 16, 1942, there was instituted in the Middlesex Superior Court in the Commonwealth of Massachusetts, a suit by Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, a subsidiary of the Trustees of Associated Gas and Electric Corporation, a registered holding company, against Francis G. Goodale, as Trustee of Utilities Investing Trust, and Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, wherein the said Trustees of Gas and Electric Associates seek the following orders:

(a) That the Court order and decree that the issuance of 100,000 Second Preferred Shares by New England Gas and Electric Association to Utilities Investing Trust in substitution and exchange for 100,000 First Preferred Shares was fraudulent as to Gas and Electric Associates, that New England Gas and Electric Association issue or reissue 100,000 First Preferred Shares to Utilities Investing Trust, and that in return therefor, Utilities Investing Trust transfer and surrender the aforesaid 100,000 Second Preferred Shares to New England Gas and Electric Association;

(b) That the Court order and decree that the cancellation and release by Utilities Investing Trust of \$14,583,290.12 of indebtedness of New England Gas and Electric Association to Utilities Investing Trust was fraudulent as to Gas and Electric Associates, that said indebtedness in said amount from New England Gas and Electric Associates to Utilities Investing Trust be reestablished, and that in return therefor, Utilities Investing Trust transfer and surrender to New England Gas and Electric Association, (1) 50,000 Common Shares of New England Gas and Electric Association, and (2) the 100,000 First Preferred Shares issued or reissued by New England Gas and Electric Association to Utilities Investing Trust.

2. On October 16, 1942, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, instituted proceedings in the District

Court of the United States for the District of Massachusetts against Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, wherein the said Trustees of Associated Gas and Electric Corporation and Associated Gas and Electric Company seek the following orders:

(a) That the defendants be ordered to account to the plaintiffs for profits received by New England Gas and Electric Association in, and resulting from, the transfer of the stock and indebtedness of Electric Associates, Inc., from Associated Gas and Electric Corporation to New England Gas and Electric Association;

(b) That an order be entered establishing a lien in favor of the plaintiffs upon the securities and investments received by New England Gas and Electric Association from Electric Associates, Inc., and any other property held by New England Gas and Electric Association which is found to be the proceeds of the stock and indebtedness of Electric Associates, Inc., transferred to New England Gas and Electric Association, or of the assets of Electric Associates, Inc., to secure the payment of the amount found to be due plaintiffs upon such accounting;

(c) That defendants be enjoined and restrained, during the pendency of this complaint, from transferring, assigning, or otherwise alienating or disposing of their right, title, and interest in and to the securities and investments received by New England Gas and Electric Association from Electric Associates, Inc., or any of them.

As a further ground for staying the issuance of any pending decision of the Commission and to reopen the said proceedings, under section 11 (b) (2) of the Act, New England Gas and Electric Association urges that the advantages available to it under the Internal Revenue Act, recently passed by Congress, with respect to the retirement of debt, will be of advantage to the security holders, and will make unnecessary the type of readjustment of its capital structure now under consideration by the Commission.

The Commission having considered the motion, and it appearing that the matters set forth therein are not relevant to the proper disposition of the issues briefed and argued before the Commission under section 11(b)(2) of the Act, and that the said motion should be denied; and

It further appearing to the Commission that the matters set forth in the said motion with respect to the pending suits against the Trustees of New England Gas and Electric Association are relevant to the determination of a proper allocation of securities under any plan of recapitalization of New England Gas and Electric Association, and that the hearing under section 11(b)(2) should be reconvened to consider the subject matter of such suits and for further proceedings under sections 11(a), 11(b)(2), 12(f), 12(g), 15(f) and 20(a) of said Act, and that Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of

Gas and Electric Associates, Francis G. Goodale, as Trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, be made parties in the proceeding, and that at said hearing there be considered, among other things, the various matters hereinafter set forth;

It further appearing to the Commission that all of the foregoing matters are related and that evidence offered in respect of each of the matters herein may have a bearing on the others, and that substantial savings in time, effort and expense, and substantial progress toward the speedy and effective carrying out of the purposes of the Act, and of the applicable provisions thereof, will result if the hearings in said matters are consolidated so that they may be heard as one matter, and that evidence adduced in each matter may stand as evidence in the others for all purposes; and that the hearing scheduled for February 24, 1943, with respect to the proceedings pursuant to section 11(b)(1) of said Act be postponed to the date of the consolidated hearing;

It is hereby ordered, That the said motion of New England Gas and Electric Association be, and hereby is, denied.

It is further ordered, That the said proceedings pursuant to sections 11 (a), 11 (b) (1), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of said Act, be and hereby are consolidated for hearing, and that said consolidated hearing be held on March 4, 1943, at 10 a. m. E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in room 318 will advise where such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing 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 Rules of Practice.

It is further ordered, That the following additional persons be, and hereby are, made parties to this proceeding: Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, Francis G. Goodale, as Trustee of Utilities Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company;

It is further ordered, That, without limiting the scope of issues presented by the said consolidated proceedings, and the matters and questions set forth in the Commission's order dated September 26, 1942, particular attention will be directed at the outset of said hearing to the following additional matters and questions:

1. The determination, for the purpose of arriving at a fair and equitable plan of reorganization of New England Gas

and Electric Association, or other action to comply with section 11 (b) of the Act:

(a) Whether and to what extent Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, and Francis G. Goodale, as Trustee of Utilities Investing Trust, have a valid claim against New England Gas and Electric Association;

(b) Whether and to what extent Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as Trustee of Associated Gas and Electric Company, have a valid claim against New England Gas and Electric Association.

(c) In the event such claims are deemed to be valid, the relative rank of such claims in relation to the claims of publicly held securities of New England Gas and Electric Association;

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to Floyd D. Campbell, H. Coleman Moore, Jr., Edward P. Furber, and Lothrop Withington, as Trustees of New England Gas and Electric Association, to Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to Stanley Clarke, as Trustee of Associated Gas and Electric Company, to Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, and to Francis G. Goodale, as Trustee of Utilities Investing Trust; and that notice of the entry of this order and of the said hearing is hereby given to all subsidiaries of New England Gas and Electric Association, to all security holders of New England Gas and Electric Association and of its subsidiaries, to all consumers of said companies, to all States, municipalities and political subdivisions of States within which are located any of the utility assets of the holding company system of New England Gas and Electric Association, or under the laws of which any of the companies in said holding company system are incorporated, to all State commissions, State securities commissions, and to all agencies, authorities, administrative or judicial bodies, or instrumentalities of the United States of America and of one or more States, municipalities or other political subdivisions having jurisdiction over New England Gas and Electric Association, or any subsidiaries thereof, or over any of the other named parties, or over any of the businesses, affairs or operations of any of them, and to all other persons, such notice to be given by a general release of the Commission distributed through the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER; and

It is further ordered, That any other person proposing to be heard in these proceedings shall file with the Secretary of the Commission on or before the 26th day of February, 1943, his application therefor, as provided by Rule XVII of the Rules of Practice.

It is further ordered, That jurisdiction be and hereby is reserved, if, at any time,

it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on the other matters.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2773; Filed February 19, 1943;
4:01 p. m.]

[File No. 70-674]

THE NORTH AMERICAN COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of February, 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than March 6, 1943, at 4:00 p. m., e. w. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The North American Company proposes to pay a dividend on April 1, 1943 on its common stock in the common capital stock of The Detroit Edison Company, having a par value of \$20 per share, owned by The North American Company, at the rate of one share of such stock of The Detroit Edison Company on each fifty shares of the outstanding common stock of The North American Company. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 38 cents for each $\frac{1}{50}$ of a share of such stock of The Detroit Edison Company, this rate being based on the approximate market price of \$19.00 per share as of February 11, 1943, the date the proposed dividend was declared.

The North American Company estimates that the dividend will result in the distribution of substantially all of the 155,602 shares of such stock of The Detroit Edison Company owned by it and of approximately \$350,000 in cash, and that the payment of the proposed dividend will result in a charge to earned surplus of approximately \$4,100,000.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2775; Filed February 19, 1943;
4:01 p. m.]

[File No. 70-540]

TRI-CITY UTILITIES CO. AND KENTUCKY UTILITIES CO.

ORDER MODIFYING CONDITIONS AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of February, A. D., 1943.

In the matter of Tri-City Utilities Company, Successor in interest herein to Kentucky-Tennessee Light and Power Company, and Kentucky Utilities Company.

Applications and declarations, and amendments thereto, having been filed with this Commission by Tri-City Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, and Kentucky Utilities Company, a registered holding company and a subsidiary of The Middle West Corporation, a registered holding company, pursuant to sections 10 and 12 (d), and Rule U-44 thereunder, of the Public Utility Holding Company Act of 1935, regarding the sale and exchange of certain electric public utility properties; and

The Commission having by order dated August 17, 1942, granted the applications and permitted the declarations to become effective, subject to the terms and conditions prescribed in Rule U-24; and having by further orders entered herein on October 9, 1942, and December 17, 1942, modified the said conditions to the extent necessary to extend the time within which such transactions may be consummated to February 17, 1943; and

Tri-City Utilities Company and Kentucky Utilities Company having requested that the said conditions be further modified to the extent necessary to extend the time within which the transactions as set forth in the applications and declarations may be made to April 17, 1943; and the Commission deeming it appropriate that such request be granted;

It is ordered, That the conditions contained in the order of August 17, 1942, be and hereby are modified to the extent necessary to extend the time within which such transactions may be made to April 17, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2774; Filed February 19, 1943;
4:01 p. m.]

[File No. 31-494]

MANUFACTURERS TRUST COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of February, 1943.

Notice is hereby given that on February 17, 1943, Manufacturers Trust Company filed an application in the above styled and numbered matter for an order extending its exemption as a holding company;

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application, and that said application shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on such application under the applicable provisions of the Public Utility Holding Company Act of 1935 be held on February 24, 1943 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Edward C. Johnson 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.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before February 23, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Manufacturers Trust Company by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

The hearing herein ordered will be in regard to the request of the Manufacturers Trust Company that its exemption as a holding company, which expires on February 26, 1943, be extended to July 1, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2837; Filed February 20, 1943;
2:57 p. m.]

[File Nos. 59-47 and 54-63]

REPUBLIC SERVICE CORPORATION AND ITS
SUBSIDIARIESORDER REQUIRING INVESTMENT OF CERTAIN
INTERESTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of February 1943.

The Commission having instituted proceedings pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 by its Notices of and Orders for Hearing, dated May 9 and June 17, 1942, to determine, among other matters; what action is necessary to limit the operations of the holding company system of Republic Service Corporation to a single integrated public utility system, and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system; whether the corporate structure of Republic unduly or unnecessarily complicates the structure of the holding company system; and whether, for the purpose of fairly and equitably distributing voting power among security holders of Republic pursuant to section 11 (b) (2) of the Act, it is necessary or appropriate that Republic revise and simplify its corporate structure, and take other steps to distribute the voting power fairly and equitably among its security holders.

Hearings having been held from time to time after appropriate notice; the respondents having filed, pursuant to section 11 (e) of the Act, a plan or reorganization designed to effect compliance with sections 11 (b) (1) and 11 (b) (2) of the Act, the proceedings as to which were duly consolidated with the pending proceedings under sections 11 (b) (1) and 11 (b) (2) of the Act; the Commission, on January 9, 1943 having issued a Notice and Order directing that consideration be given at the hearings reconvened on January 18, 1943 to certain issues specified in such Notice and Order;

A hearing having been held after appropriate notice and opportunity for hearing on the matters pertaining to the issues raised by said Notice and Order;

The parties having waived the filing of briefs, the submission of requests for specific findings and oral argument; the Commission having duly considered the record and having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, that respondent Republic Service Corporation shall take such action as may be appropriate, not in contravention of the applicable provisions of the Act or the rules and regulations promulgated thereunder; to divest itself of all interests in, and all ownership and control of Page Power Company, Madison Power Company, Massanutten Power Corporation, Massanutten Water Corporation, and Holston River Power Company;

It is further ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, that Republic Service Corporation shall take such steps as may be necessary to change its capitalization in an appropriate manner, not in contravention of the applicable provisions of the Act or the rules and regulations promulgated thereunder, so as to ensure that the corporate structure of Republic Service Corporation does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of the Republic Service Corporation holding company system, and that, upon such recapitalization, the common stock of Republic Service Corporation shall be accorded no participation.

It is further ordered, That Republic Service Corporation, in accordance with section 11 (c) of the Public Utility Holding Company Act of 1935, shall comply with this order within one year from the date of its entry; without prejudice to its right to apply for additional time for compliance with such order as provided in such section;

It is further ordered, That jurisdiction is reserved to enter such orders in these proceedings as may be necessary or appropriate for the purpose of carrying out the provisions of this order;

It is further ordered, That jurisdiction is reserved with respect to all the issues remaining in the consolidated proceedings herein.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2845; Filed, February 22, 1943;
10:25 a. m.]

[File Nos. 70-651, 70-660]

SOUTHWESTERN PUBLIC SERVICE COMPANY
AND JAMES C. TUCKERORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of February, A. D. 1943.

Southwestern Public Service Company, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935, and Rule U-44 of the Rules and Regulations of the Commission promulgated thereunder, proposing to sell to James C. Tucker, an individual, all of the outstanding capital stock (being all of the securities) of two of its subsidiaries, the Arizona Electric Power Company and the Flagstaff Electric Light Company, for a basic purchase price of \$775,000 cash, subject to certain adjustments to reflect changes in the current financial position of such subsidiary companies to the date of the closing of the transaction;

Said James C. Tucker having filed an application pursuant to sections 9 (a) (2) and 10 of said Act, proposing to purchase said securities;

A consolidated public hearing having been held upon said declaration and application, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to the applicable sections of the Act and to grant said application;

It is ordered, That said declaration be, and it hereby is, permitted to become effective forthwith, and said application be, and it hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2846; Filed, February 22, 1943;
10:25 a. m.]

[File No. 70-671]

BADGER AUTO SERVICE COMPANY AND THE
MILWAUKEE ELECTRIC RAILWAY &
TRANSPORT COMPANYORDER APPROVING APPLICATION AND PER-
MITTING DECLARATION TO BECOME EFFEC-
TIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of February 1943.

Badger Auto Service Company, a wholly owned subsidiary of The Milwaukee Electric Railway & Transport Company, and The Milwaukee Electric Railway & Transport Company, an indirect subsidiary of The North American Company, a registered holding company, having filed a joint application and declaration pursuant to applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to (1) the proposal of Badger Auto Service Company (a) to purchase 200 shares of its capital stock having a par value of \$50 per share for cash at par from The Milwaukee Electric Railway & Transport Company, and (b) to retire and cancel the shares to be so purchased; and (2) the proposal of The Milwaukee Electric Railway & Transport Company to sell to the Badger Auto Service Company said 200 shares of the capital stock of the latter company for cash at the par value thereof; and

Said joint application and declaration having been filed on the 28th day of January, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and con-

sumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said application be and the same is hereby approved and that said joint declaration be and the same is hereby permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-2847; Filed, February 22, 1943;
10:25 a. m.]

WAR PRODUCTION BOARD.

PROJECT AT DE BEQUE, COLO.

AMENDMENT OF CONSTRUCTION ORDER

Preference Rating Order P-19-e, Serial No. 642-e. Builder: Colorado State Highway Department; Address: Denver, Colorado. Project: Construction of new roads or improvement of substandard roads and grade separation structures

identified as: SN-FAGH 210-D (1), De Beque, Colorado.

The revocation of preference rating issued on January 8, 1943, with respect to the above named project is hereby amended by striking paragraph (3) thereof and by substituting the following:

(3) *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated and construction necessary to permit the completion of the underpass structure only.

Issued February 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2785; Filed, February 19, 1943;
5:00 p. m.]

PROJECT AT HINTON, W. VA.

AMENDMENT OF CONSTRUCTION ORDER

Builder: U. S. War Department, Corps of Engineers; Washington, D. C. Proj-

ect: Flood Control Project—Bluestone Reservoir, Hinton, West Virginia.

The revocation of preference rating issued on January 6, 1943, with respect to the above named project is hereby amended by striking paragraph (4) thereof and by substituting the following:

(4) Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary to complete the permanent work inside the first cofferdam in order to prevent its possible loss, and fifteen conduit lining castings which may, when completed, be shipped by the supplier to the Bluestone Reservoir Project at Hinton, West Virginia. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

Issued February 19, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2786; Filed, February 19, 1943;
5:00 p. m.]