FEDERAL REGISTER

VOLUME 7 NUMBER 141

Washington, Saturday, July 18, 1942

The President

EXECUTIVE ORDER 9200

AMENDING SUBDIVISION II OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404), paragraph 3, Subdivision II of Schedule A of the Civil Service Rules is hereby amended to read as follows:

3. Chief and Assistant Chief of the Foreign Service Buildings Office and Chief of the Office of Foreign Service Furnishings.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 16, 1942.

[F. R. Doc. 42-6803; Filed, July 17, 1942; 11:16 a. m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 75—ADMISSION TO THE UNITED STATES MILITARY ACADEMY [1]

Section 75.4,[2] 75.5,[3] and 75.7 (a) and (b)[4] are hereby amended to read as follows:

§ 75.4 *Strength of corps of cadets.* Under the act of Congress approved June 3, 1942, the Corps of Cadets shall hereafter consist of 2,496 cadets, appointed in number and from sources as follows:

8 from each State at large	384
4 from each congressional district	1,740
4 from each Territory (Hawaii and Alaska)	8
6 from the District of Columbia	6
4 from natives of Puerto Rico	4
2 from Panama Canal Zone	2
172 from the United States at large [5]	172
180 from among the enlisted men of the Regular Army and of the National Guard, in number as nearly equal as practicable	180
Total	2,496

[5] Of whom 3 are appointed upon the recommendation of the Vice President, 40 are selected from among the honor graduates of those educational institutions designated as "honor military schools," and 40 are chosen from among the sons of veterans who were killed in action or died prior to July 2, 1921, of wounds received or disease contracted in line of duty during the World War.

Section 2 of the act of Congress approved June 3, 1942, provides:

When on the date of admission of a new class the total number of cadets is below the number authorized, the Secretary of War may bring the Corps of Cadets to full strength by appointing qualified alternates and candidates recommended by the academic board, two-thirds thereof from qualified alternates and one-third thereof from qualified candidates: *Provided,* That any appointment made under this section shall be an additional and shall not constitute an appointment otherwise authorized by law. [Par. 5]

§ 75.5 *Filipino cadets.* In addition to the 2,496 mentioned above, the Secretary of War is authorized to permit not exceeding four Filipinos, to be designated one for each class by the President of the Commonwealth of the Philippine Islands, to receive instruction at the United States Military Academy, under the provision of the act of Congress approved May 28, 1908, as amended.

These students execute an agreement to comply with all regulations for the police and discipline of the Academy, to be studious, and to give their utmost efforts to accomplish the course in various departments of instruction.

(b) The act of Congress approved June 30, 1941, making appropriations for the

[1] The regulations contained in §§ 75.4, 75.5 and 75.7 (a) and (b) are also contained in Information Relative to the Appointment and Admission of Cadets to the United States Military Academy, West Point, N. Y., November 28 1941 as amended.
[2] 6 F.R. 6131.
[3] 6 F.R. 613; 7 F.R. 270.
[4] 6 F.R. 613; 7 F.R. 271.

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FEDERAL REGISTER

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NOTICES

Military Establishment for the fiscal year ending June 30, 1942, contains a proviso which reads as follows:

* * * That no part of this or any other appropriation contained in this Act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status on July 1, 1937, under appropriations for the War Department * * *

[Par. 6]

§ 75.7 *Selection of candidates*—(a) *From States at large, congressional districts, and territories.* (1) The selection of candidates, by competitive examination or otherwise, for appointment from any State at large or congressional district, is entirely in the hands of the Senator or Representative in Congress who has the vacancy at his disposal, and all applications for appointment from those sources should be addressed to the proper Senator or Representative.

(2) For each vacancy from a State at large or congressional or Territorial district, four candidates should be nominated, one to be named as principal, one as first alternate, one as second alternate, and one as third alternate. The first alternate, if qualified, will be admitted in the event of the failure of the principal; the second alternate, if qualified, will be admitted in the event of the failure of both the principal and the first alternate; and the third alternate, if qualified, will be admitted in the event of the failure of principal, first, and second alternate.

(3) These candidates must, at date of admission, be between the ages of 17 and 22 years.

(b) *From "honor military schools."* Honor graduates of "honor military schools" are selected for appointment as cadets of the United States Military Academy in the following manner:

(1) There is maintained in the office of the Adjutant General a roster of "honor military schools" as determined by annual War Department inspections of educational institutions. At an early date in each year The Adjutant General will anticipate the vacancies in the Corps of Cadets which are open to honor graduates and will make an equitable distribution of those vacancies amongst the "honor military schools" and notify them accordingly. Each designated institution will at a specified time notify The Adjutant General of the names of the selected honor graduates, designating them as principal, first, second, and third alternate candidates. In considering graduates for this designation the institution is not limited to those graduating during the current year.

(2) An honor graduate, designated as principal, of a selected institution will be appointed a cadet of the United States Military Academy upon the certificate of the head of the institution that the appointee is an honor graduate of that institution of a year for which the institution was designated an honor military school. No student will be rated as honor graduate unless he has in his school work shown proficiency in subjects amounting to not less than the 15 units prescribed by the regulations for admission to the United States Military Academy. A certificate will be forwarded to the Adjutant, United States Military Academy, West Point, N. Y., when the appointment is made. In the event that the honor graduate designated as principal does not accept the appointment or fails to qualify for admission, the first alternate will, if qualified, be appointed; in the event that neither the principal nor the first alternate qualifies, the second alternate will, if qualified, be appointed; and in the event that the principal, first, and second alternate candidates fail to qualify, the third alternate will, if qualified, be appointed.

(3) These candidates must at date of admission be between the ages of 17 and 22 years.

(4) All honor graduates are appointed subject to the same tests for mental and physical qualifications as are required of other candidates. (See §§ 75.13 and 75.14 (a)) [Par. 8 and 9]

(R.S. 161; 5 U.S.C. 22)

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

[F. R. Doc. 42-6785; Filed, July 17, 1942; 10:19 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 2536]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LUSTBERG, NAST & COMPANY, INC

§ 3.6 (c) *Advertising falsely or misleadingly—Composition:* § 3.66 (a 7) *Misbranding or mislabeling—Composition:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of coats, shirts, mackinaws, jackets, or other garments, (1) using the term "Buck Skein", either alone or in conjunction with the outline of a deer's head, or any other colorable simulation of the word "buckskin", in advertising, or otherwise, to describe, designate, or refer to any product which is not made from the skin of a deer or elk; and (2) representing directly or by implication in any advertisement, or on labels, or otherwise, that any product made of wool or cotton or any other woven fabric is made of buckskin or other type of leather; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Lustberg, Nast & Company, Inc., Docket 2536, July 10, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of July A. D., 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission; the respondent's answer thereto; testimony and other evidence in support of and in opposition to the amended complaint introduced by attorneys for the Commission and for the respondent before duly appointed trial examiners of the Commission designated by it to serve in this proceeding and, by stipulation between attorneys for the Commission and the respondent, the testimony introduced in support of the original complaint; reports of the trial examiners and exceptions thereto; briefs in support of and in opposition to the amended complaint, and oral argument. And the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Lustberg, Nast & Company, Inc., a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of coats, shirts, mackinaws, jackets, or other garments, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the term "Buck Skein," either alone or in conjunction with the outline of a deer's head, or any other colorable simulation of the word "buckskin," in advertising, or otherwise, to describe, designate, or refer to any product which is not made from the skin of a deer or elk;

(2) Representing directly or by implication in any advertisement, or on labels, or otherwise, that any product made of wool or cotton or any other woven fabric is made of buckskin or other type of leather.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6794; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4550]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INLAND EMPIRE BAKERS' ASSOCIATION, INC., ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of bread and other bakery products, and on the part of respondent Bakers' Association, various individuals as officers thereof, and certain members thereof individually and in their representative capacity, and all other members, and on the part of the officers, etc. of said Association and the respective members thereof, (1) entering into, continuing or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform prices for bakery products; and (2) by cooperative or concerted action, or agreement or understanding between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, (a) fixing, establishing or maintaining uniform prices for bakery products; (b) entering into discussions for the purpose or with the effect of agreeing upon, arriving at, adopting, fixing or maintaining uniform prices for bakery products; and (c) coercing or attempting to coerce any person, partnership or corporation engaged in selling bakery products into establishing or maintaining uniform prices fixed by respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Inland Empire Bakers' Association, Inc., et al., Docket 4550, July 10, 1942]

In the Matter of Inland Empire Bakers' Association, Inc., a Corporation, Its Officers, Directors and Members; L. L. Francis, Individually and as President of Inland Empire Bakers' Association, Inc.; Mel Jacobsen, Individually and as Vice President of Inland Empire Bakers' Association, Inc.; V. B. Pringle, Individually and as Secretary and Executive Manager of Inland Empire Bakers' Association, Inc.; Silver Loaf Baking Company, a Corporation; E. A. Boge, Doing Business Under the Name and Style of Boge Brothers Bakery; and Olaf Jacobsen, Doing Business Under the Name and Style of Jacobsen's Bakery

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before a trial examiner of the Commission theretofore duly designated by it, the report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Inland Empire Bakers' Association, Inc., a corporation; L. L. Francis, individually and as president of said Association; Mel Jacobsen, individually and as vice president of said Association; V. B. Pringle, individually and as secretary and executive manager of said Association; Silver Loaf Baking Company, a corporation, a member of said Association; E. A. Boge, trading as Boge Brothers Bakery, individually and as a member of said Association; Olaf Jacobsen, trading as Jacobsen's Bakery, individually and as a member of said Association; all other members of said Association, as representatives for whom the said members named above were made respondents herein; and the officers, representatives, agents and employees of said Association and of the respective members thereof, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of bread and other bakery products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, continuing or carrying out, or aiding or assisting in the continuing or carrying out, of any agreement, understanding, combination or conspiracy between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, for the purpose or with the effect of establishing or maintaining uniform prices for bakery products.

2. Doing by cooperative or concerted action, or agreement or understanding between or among any two or more of said respondents, or between or among any one or more of said respondents and any other person, partnership or corporation, any of the following acts or things:

(a) Fixing, establishing or maintaining uniform prices for bakery products.

(b) Entering into discussions for the purpose or with the effect of agreeing upon, arriving at, adopting, fixing or maintaining uniform prices for bakery products.

(c) Coercing or attempting to coerce any person, partnership or corporation engaged in selling bakery products into establishing or maintaining uniform prices fixed by respondents.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6795; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4463]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GRAND RAPIDS FURNITURE CO., INC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place:* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with offer, etc., in commerce, of respondent's furniture, (1) using the words "Grand Rapids", or any simulation thereof, as a part of respondent's corporate name; (2) using the words "Grand Rapids", or any simulation thereof, to designate, describe, or refer to furniture which is not in fact manufactured in Grand Rapids, Michigan; and (3) misrepresenting in any manner the place of origin or manufacture of respondent's furniture; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Grand Rapids Furniture Co., Inc., Docket 4463, July 13, 1942]

In the Matter of Grand Rapids Furniture Co., Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint (no testimony or other evidence being offered by respondent), the report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Grand Rapids Furniture Co., Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's furniture in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Grand Rapids", or any simulation thereof, as a part of respondents corporate name.

2. Using the words "Grand Rapids", or any simulation thereof, to designate, describe, or refer to furniture which is not in fact manufactured in Grand Rapids, Michigan.

3. Misrepresenting in any manner the place of origin or manufacture of respondent's furniture.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-6792; Filed, July 17, 1942; 10:47 a. m.]

[Docket No. 4715]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

INCOME AUDIT SERVICE CORPORATION, ET AL.

§ 3.48 (b) *Disparaging competitors and their products—Goods—Law compliance:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Government standards or specifications:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Law or legal requirements:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Unique nature or advantages.* In connection with offer, etc., of respondents' "Income Audit Service," bookkeeping system or service, or any bookkeeping, accounting or business record system, and among other things, as in order set forth, representing directly or by implication, (1) that respondents' agents, salesmen or canvassers are officers, agents, or representatives of, or that they are in any manner connected with, the United States Government or any department or agency thereof; and (2) that respondents' bookkeeping, accounting and business record system or "Income Audit Service" is necessary or required under the laws of the United States or under the rules, regulations or orders of any department or agency thereof; or that other income tax record systems or services must be replaced by respondents' said system or service; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Income Audit Service Corporation, et al., Docket 4715, July 13, 1942]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Government source or origin:* § 3.69 (b) *Misrepresenting oneself and goods—Law or legal requirements:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Source or origin—Government:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Unique nature or advantages.* In connection with offer, etc., of respondents' "Income Audit Service", bookkeeping system or service, or any bookkeeping, accounting or business record system, representing directly or by implication, (1) that respondents' bookkeeping, accounting and business record system or "Income Audit Service" is produced by or sold and distributed under the direction of the United States Government or any department or agency thereof; and (2) that prospective purchasers who fail to purchase and use respondents' said "Income Audit Service" or record keeping system will be subject to arrest or imprisonment because of their failure to purchase and use said services; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Income Audit Service Corporation, et al., Docket 4715, July 13, 1942]

In the Matter of Income Audit Service Corporation, a Corporation, and Frank H. Hibberd, Individually and as an Officer of Said Income Audit Service Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondents upon the record; and the Commission having made its findings as to the facts and its conclusion that said respondents have vio-

lated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Income Audit Service Corporation, its officers, representatives, agents and employees, and Frank H. Hibberd, individually and as an officer of said Income Audit Service Corporation, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a bookkeeping system or service sold and distributed under the name, "Income Audit Service", or any bookkeeping, accounting or business record system whether sold under the name, "Income Audit Service" or any other name in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That respondents' agents, salesmen or canvassers are officers, agents, or representatives of, or that they are in any manner connected with, the United States Government or any department or agency thereof.

(2) That respondents' bookkeeping, accounting and business record system or "Income Audit Service" is necessary or required under the laws of the United States or under the rules, regulations or orders of any department or agency thereof; or that other income tax record systems or services must be replaced by respondents' said system or service.

(3) That respondents' bookkeeping, accounting and business record system or "Income Audit Service" is produced by or sold and distributed under the direction of the United States Government or any department or agency thereof.

(4) That prospective purchasers who fail to purchase and use respondents' said "Income Audit Service" or record keeping system will be subject to arrest or imprisonment because of their failure to purchase and use said services.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-6793; Filed, July 17, 1942; 10:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5164]

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

SUBPART H—TRANSPORTATION OF DISTILLED SPIRITS, ALCOHOL, AND DENATURED ALCOHOL BY TANK TRUCKS

By virtue of sections 3108 (a), 3124 (a) (6), and 3176, Internal Revenue Code, and the Acts of January 24, 1942, and March 27, 1942 (Public Laws 412 and 508—77th Congress), Treasury Decision 5121 (26 CFR, Part 171, Subpart H) is amended to read as follows:

§ 171.40 *General.* Notwithstanding the provisions of Regulations 3, 4, 5, and 10 (26 CFR, Parts 182, 183, 184, and 185), and subject to the conditions prescribed hereinafter, distilled spirits, unfinished spirits, alcohol, specially denatured alcohol, and completely denatured alcohol described below may be transported in tank trucks controlled and operated by the consignor or the consignee, or by a motor carrier. The term "motor carrier" shall mean a motor carrier licensed under the Motor Carrier Act of 1935, or an applicable state law.

(a) Distilled spirits of 160 degrees or more of proof withdrawn under the provisions of Treasury Decision 5111 (26 CFR, Part 171, Subpart G):

(1) From a registered distillery, fruit distillery, or an internal revenue bonded warehouse, pursuant to withdrawal permits on Form 1444 issued to the United States or any governmental agency thereof; or

(2) For transfer in bond from a registered distillery, fruit distillery, or an internal revenue bonded warehouse to a denaturing plant.

(b) Unfinished spirits, as defined by Treasury Decision 5132 (26 CFR, Part 171, Subpart I), which are, either before or after redistillation, transferred between registered distilleries, fruit distilleries, internal revenue bonded warehouses, industrial alcohol plants, industrial alcohol bonded warehouses, and denaturing plants, or withdrawn pursuant to permits on Form 1444 issued to the United States or any governmental agency thereof.

(c) Alcohol produced under the provisions of Part II, Subchapter C, Chapter 26, Internal Revenue Code:

(1) Withdrawn from an industrial alcohol plant, or an alcohol bonded warehouse, pursuant to withdrawal permits on Form 1444 issued to the United States or any governmental agency thereof; or

(2) Transferred between industrial alcohol plants, alcohol bonded warehouses, and denaturing plants pursuant to withdrawal permits, Form 1436, 1438, 1463, 1464, or 1465.

(d) Specially denatured alcohol withdrawn from denaturing plants or bonded dealers in specially denatured alcohol, as the case may be, pursuant to withdrawal permits, Forms 1464, 1477, 1485, or 1486: *Provided,* That the consignee has installed tanks for the storage of specially denatured alcohol in accordance with the provisions of § 182.99 of Regulations 3 (26 CFR, Part 182).

(e) Completely denatured alcohol shipped from denaturing plants:

(1) To other denaturing plants as authorized by § 182.743 of Regulations 3 (26 CFR, Part 182); or

(2) In conformity with § 182.728 of Regulations 3 (26 CFR, Part 182) to the following persons:

(i) A person or concern acting as agent of the shipping denaturer, where title to the completely denatured alcohol does not pass from the denaturer, for transfer to packages for sale to others, and such packages are furnished by the denaturer;

(ii) The denaturer himself at other premises;

(iii) Other producers of completely denatured alcohol at points not on the denaturing plant premises of such other producers, for transfer to packages; or

(iv) Manufacturers for their exclusive use and not for resale. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.41 *Permits and bonds*—(a) *New carriers.* Motor carriers, in order to transport specially denatured alcohol, tax-free alcohol, or tax-free distilled spirits by tank trucks, must procure permits so to do, in accordance with section 3114, Internal Revenue Code, and Regulations 3 (26 CFR, Part 182), and file bond, Form 49. The terms of the bond shall be modified to cover distilled spirits of 160 degrees or more of proof withdrawn for tax-free purposes, in addition to tax-free alcohol and specially denatured alcohol, and shall be in the penal sum of $50,000 for each tank truck used, and not more than $200,000 for the total of all tank trucks used. Where such permit is obtained and bond is filed, the permit will also authorize transportation of such products in barrels or drums without additional bond requirement.

(b) *Transportation by consignors or consignees.* A consignor or consignee, in order to transport in tank trucks distilled spirits, alcohol, and specially denatured alcohol described in § 171.40, must file application on Form 144 and procure permit, Form 145, authorizing such transportation, and file consent of surety, Form 1533, on his bond, Form 30, 30½, 1571, 1432–A, 1435, 1475, or 1480, as the case may be, extending the terms thereof to be liable for such distilled spirits, alcohol, or specially denatured alcohol transported by him as follows:

(1) In the case of tax-free alcohol and distilled spirits, the bond, Form 30, 30½, 1571, 1432–A, or 1435, shall be extended to be liable for an amount equal to the tax, together with interest, if such alcohol or distilled spirits are transported, used, or sold contrary to law or regulations now or hereafter in force.

(2) In the case of specially denatured alcohol, bond, Form 1432–A, 1435, 1475, or 1480 shall be extended to be liable for the tax, together with penalties and interest, on all specially denatured alcohol withdrawn, transported, used, or sold in violation of laws or regulations now or hereafter in force.

If the maximum of the present bond is not sufficient when computed as set forth in paragraph (a), the consent of surety (or a new bond in lieu thereof) must assume the additional liability.

These requirements shall not apply where specially denatured alcohol, tax-free alcohol, or tax-free distilled spirits are withdrawn by the United States or any governmental agency thereof and are transported in tank trucks operated by employees of the United States.

(c) *Present permits and bonds.* Basic permits and bonds now held by motor carriers, and by consignors and consignees, which authorize the transportation of tax-free alcohol and specially denatured alcohol, may, on application and the filing of consents of surety, be modified to authorize tank truck shipments of specially denatured alcohol, tax-free alcohol, and tax-free distilled spirits, and to contain an undertaking to be liable for the tax, or an amount equal to the tax, as provided in paragraph (b) (1) or (2) of this section, as the case may be. The consent of surety (or, if preferred, a new bond) must be modified so that the principal and surety will be responsible to the extent of $50,000 on each tank truck used, and not more than $200,000 for the total of all tank trucks used.

(d) *Consents of surety; unfinished spirits.* Proprietors of registered distilleries and fruit distilleries, in order to have transferred to them unfinished spirits for redistillation from other registered distilleries or fruit distilleries, or from internal revenue bonded warehouses, shall file consent of surety, Form 1533, on their distillery bond, Form 30 or 30½, as the case may be, extending the terms thereof to assume liability for payment of the tax on the unfinished spirits from the time they leave the premises of the distillery or warehouse from which they are removed. Where the distillery bond, Form 30 or 30½, is filed without surety, supported by consent of surety on the distiller's warehouse bond, Form 1571, the required consent shall extend the terms of both bonds to assume such liability. Where the distillery bond, Form 30 or 30½, as the case may be, is in less than the maximum penal sum and is insufficient to cover the tax on the unfinished spirits to be received for redistillation, plus the quantity of spirits that will be produced at the distillery during a period of 15 days, the consent of surety or a new or additional bond will be required in a sufficient penal sum, not in excess of the maximum penal sum.

Proprietors of alcohol plants and alcohol bonded warehouses, in order to have transferred to them unfinished spirits for redistillation from registered distilleries, fruit distilleries, or internal revenue bonded warehouses, shall file consent of surety, Form 1533, on their bonds, Form 1432–A or 1435, extending the terms thereof to assume liability for payment of the tax on the unfinished spirits from the time they leave the premises of the distillery or warehouse from which they are removed.

The consent of surety shall be in substantially the following form:

To extend the terms of said bond to assume liability for the payment of any tax that may become due on unfinished spirits removed for redistillation from registered distilleries, fruit distilleries, and internal revenue bonded warehouses, pursuant to Section 2883, Internal Revenue Code, as amended by the Act of March 27, 1942, and regulations, for transfer to the principal from the time the spirits leave the premises of the distillery or warehouse from which removed, including the transportation, withdrawal without redistillation, redistillation, storage, and disposition of the spirits as provided by law and regulations.

Proprietors of internal revenue bonded warehouses, in order to have unfinished spirits transferred to them by tank trucks from registered distilleries, fruit distilleries, or other internal revenue bonded warehouses, shall file consents of surety, Form 1533, on their bonds, Form 1571, undertaking to be liable for the tax on the spirits so transferred from the time they leave the premises of the distillery or warehouse from which they are removed. If the outstanding bond is not in the maximum penal sum, the consent of surety (or a new bond, if preferred) shall include an undertaking to be responsible for such tax, subject to the maximum bond limitation of $200,000. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.42 *Procedure*—(a) *Distilled spirits, alcohol, and specially denatured alcohol.* Distilled spirits, alcohol, and specially denatured alcohol transferred by tank trucks will be shipped pursuant to the applicable provisions of Regulations 3, 4, 5, and 10 (26 CFR, Parts 182, 183, 184, and 185), concerning transfers in bond by tank cars, including the provisions relating to gauging, filling, and labeling.

(b) *Unfinished spirits.* Unfinished spirits transported by tank trucks will be shipped pursuant to the applicable provisions of Treasury Decision 5132. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.43 *Shipment*—(a) *From plants where storekeeper-gaugers are assigned.* Tank trucks used for transporting the distilled spirits, unfinished spirits, alcohol, and specially denatured alcohol, after filling, when shipped from premises where a storekeeper-gauger is stationed, shall be sealed by the storekeeper-gauger at the consignor's premises in such manner as will secure all openings affording access to the tank. Serially-numbered cap seals furnished by the Government will be used for this purpose. The numbers of the cap seals, the name of the carrier (licensed carrier, consignor or consignee), the state license tag number of the tank truck, the driver's full name, the driver's permit number, and the state issuing such permit will be recorded by the storekeeper-gauger on Form 1520, 1439, 1453, 1453–A, or 1473, as the case may be. One copy of the form will be forwarded by the storekeeper-gauger to the district supervisor of the district in which the consignor's premises are located. The storekeeper-gauger will place one copy of the form in a sealed envelope addressed to the consignee, and give the same to the driver of the tank truck for delivery to the consignee. On receipt at the consignee's premises, the storekeeper-gauger or the consignee will receipt for the shipment, verify the information shown on the form, and note thereon any discrepancies relative to the shipment. The Form 1520, 1439, 1453, 1453–A, or 1473 will be forwarded by the storekeeper-gauger or the consignee immediately to the district supervisor of the district in which the consignor is located.

(b) *From premises of bonded dealers.* Tank trucks used for transportation of specially denatured alcohol by bonded dealers, after filling, shall be sealed by appropriate seals, serially numbered, furnished by the shipper. The seals should be dissimilar from the cap seals used by the Bureau of Internal Revenue. The serial numbers of seals used, and the data with respect to the carrier set forth in paragraph (a) of this section, will be recorded by the dealer on Form 1453–A or 1473. One copy of the form will be forwarded by the dealer to the district supervisor of the district in which the dealer is located. One copy of the form will be forwarded to, and verified by, the consignee, and forwarded by him to the district supervisor in the same manner as stated in paragraph (a).

(c) *Completely denatured alcohol.* Tank trucks used for the transportation of completely denatured alcohol shall, after filling, be sealed by the shipper in such manner as will secure all openings affording access to the tank. Appropriate serially numbered seals, as provided in paragraph (b) of this section, furnished by the shipper will be used for this purpose. The name of the carrier (licensed carrier, consignor or consignee), the state license tag number of the tank truck, the driver's name, the driver's permit, and the serial numbers of the seals used will be recorded by the proprietor of the denaturing plant on his commercial records. Similar data will be recorded in the same manner by the consignee. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.44 *Action by district supervisor.* The district supervisor will check daily on receipt the Form 1520, 1439, 1453, 1453–A, and 1473, and make any inquiry which he deems necessary with respect to any discrepancy. In the event of failure to receive a form from the storekeeper-gauger at the consignee's premises or from the consignee, as the case may be, within the time normally required for the truck to make the shipment and the form to be sent by mail, the district supervisor will make an appropriate investigation. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.45 *Accounting.* The distilled spirits, unfinished spirits, alcohol, and denatured alcohol shipped, transported, and received under these regulations will be accounted for in accordance with the applicable provisions of Regulations 3, 4, 5, and 10, and Treasury Decisions 5111 and 5132 relating to shipments by tank cars. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

§ 171.46 *Termination of regulations.* The regulations in this subpart shall cease to be effective upon the termination of the unlimited national emergency proclaimed by the President on

May 27, 1941. (Secs. 3108 (a), 3124 (a) (6), 3176, I.R.C., Acts of January 24 and March 27, 1942)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: July 15, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 42-6778; Filed, July 16, 1942; 2:56 p. m.]

TITLE 31—MONEY AND FINANCE

Chapter II—Fiscal Service

[1942 Dept. Circ. 657, 3d Amendment]

PART 317—REGULATIONS GOVERNING AGENCIES FOR THE ISSUE OF WAR SAVINGS BONDS, SERIES E

JULY 17, 1942.

Department Circular No. 657, dated April 15, 1941,[1] as amended and supplemented, is hereby further amended by adding the following new paragraph (f) to section 3 of the circular (31 CFR 317.3):

§ 317.3 *Qualification of Issuing Agent.* * * *

(f) Consignment of bond stock without pledge of collateral. Nothwithstanding the provisions of the foregoing subsections, any issuing agent designated hereunder may be qualified as such an agent without being required to pledge collateral security for War Savings Bond stock, Series E, upon filing an Application-Agreement, Form No. 1785, with the Federal Reserve Bank of the district: *Provided, however,* That the Secretary of the Treasury in specific cases may restrict, in whole or in part, the amount of such bond stock requested by any such agent without the pledge of collateral security. Upon approval of the Application-Agreement, Form No. 1785, the Federal Reserve Bank will issue a certificate of qualification to the issuing agent on Form No. 385-B. If the qualification applied for is not certified, appropriate notice thereof will be transmitted to the issuing agent making application.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 42-6786; Filed, July 17, 1942; 10:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 94]

LOST, DAMAGED, WORN-OUT, TRANSFERRED PROPERTY

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Addition of a new form designated as DSS Form 268, entitled "Report of Worn-out Property,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

2. Addition of a new form designated as DSS Form 269, entitled "Report of Loss or Damage of Property,"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

3. Addition of a new form designated as DSS Form 271, entitled "Report of Transfer of Property"[1] effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing additions shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

JUNE 26, 1942.

[F. R. Doc. 42-6777; Filed, July 16, 1942; 2:03 p. m.]

[Order No. 44]

WESTERN STATE HOSPITAL PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Western State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 44. Said project, located at Staunton, Augusta County, Virginia, will be the base of operations for work at the Western State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Western State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Director of State Hospitals of the State of Virginia, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Virginia State Hospitals. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JULY 15, 1942.

[F. R. Doc. 42-6804; Filed, July 17, 1942; 11:43 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 802—GENERAL LICENSES

Section 802.9, *General intransit license,*[1] is hereby amended by substituting a comma for the period at the end of subparagraph (1) of paragraph (c) and adding thereafter the following: "with exception of shipments from the Canadian Government to the British Forces in Iraq." (Sec. 6, 54 Stat. 714, Public Law 75; 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,
Chief, Export Control Branch,
Office of Exports.

JULY 15, 1942.

[F. R. Doc. 42-6776; Filed, July 16, 1942; 1:20 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1104—BICYCLES

[Amendment 1 to Limitation Order L-52]

Section 1104.1 *General Limitation Order L-52*[2] is hereby amended in the following particulars:

Paragraph (b) (4) is hereby amended by striking therefrom the following words: "During the three months' period ending June 30, 1942" and inserting therefor the following words: "On and after April 1, 1942".

Paragraph (b) (5) is hereby amended by inserting the words "and for each three months' period thereafter", after the words "ending June 30, 1942".

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(7) From July 1, 1942 to August 31, 1942, inclusive, no bicycle manufacturer shall manufacture more bicycles than two times 32% of the average monthly number of bicycles produced by him in the calendar year 1941.

(8) On and after September 1, 1942, no bicycle manufacturer shall process, fabricate, work on or assemble any materials for use in the production of any bicycles, nor shall any bicycle manufacturer manufacture or assemble any bicycles after that date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

[1] 6 F. R. 1985, 5040, 6142; 7 F.R. 4430.

[1] Filed as part of the original document.

[1] 7 F.R. 5004.

[2] 7 F.R. 1980.

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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6789; Filed, July 17, 1942; 10:43 a. m.]

PART 1176—IRON AND STEEL CONSERVATION

[Conservation Order M-126 as amended July 13, 1942]

In § 1176.1 (f) (2) appearing on page 5353 of the issue for Tuesday, July 14, 1942, Form PD-500 appears incorrectly as "Form PB-500". In Supplementary List A, page 5357, the item "Pads, inking and stamps" should read "Pads, inking and stamping".

PART 1178—FISHING TACKLE

[Interpretation 1 to General Limitation Order L-92]

The following interpretation is hereby issued by the Director General for Operations with respect to § 1178.1, General Limitation Order L-92, dated April 23, 1942: [1]

Except as provided in paragraph (b) (6) (added by Amendment No. 1, issued June 1, 1942) Limitation Order L-92 provides, in paragraph (b) (2), that "no manufacturer shall process, fabricate, work on or assemble any iron and steel for use in the production of any fishing tackle product other than fish hooks". These provisions do not prohibit a manufacturer from converting fish hooks containing iron and steel into lures, baits or flies, provided that no critical material, and no iron and steel (other than that contained in the fish hooks) is used by him in the process.

Paragraph (b) (3) of Order L-92 provides that no manufacturer shall "produce more fish hooks than 12½% of the number of fish hooks produced by him in the year 1941." This limitation applies only to the manufacturer who actually fabricates fish hooks and does not apply to a manufacturer who merely converts fish hooks into some other fishing tackle product by adding non-critical materials.

(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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6791; Filed, July 17, 1942; 10:43 a. m.]

[1] 7 F.R. 3035, 4171.

PART 1247—CHURCH GOODS

[Amendment 1 to General Limitation Order L-136]

Paragraph (a) (2) of § 1247.1 (*General Limitation Order L-136* [1]) is hereby amended by inserting immediately after the word "silk" the following: "(except silk which was woven or knit into cloth or other finished products on or before June 13, 1942)".

(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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6790; Filed, July 17, 1942; 10:43 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[General Limitation Order L-171]

The fulfillment of requirements for the war effort of the United States has created a shortage in the supply for the war effort, for private account and for export of the materials entering into the production and marketing of toiletries and cosmetics; and the following order and the schedules issued pursuant thereto are deemed necessary and appropriate in the public interest and to promote the war effort.

§ 3019.1 *General Limitation Order L-171*—(a) *Issuance of Schedules.* [2] The Director General for Operations may from time to time issue schedules limiting production of toiletry and cosmetic products and establishing simplified practices with respect to the types, sizes, forms, packaging, or other qualifications for toiletry and cosmetic products. After the effective date of any such schedule no such materials or products shall be manufactured or processed except such as conform to the issued schedule and except as specifically permitted by such schedule. Any schedule issued pursuant hereto may also contain any other restrictions concerning such materials and products that may be deemed necessary and appropriate, such as restrictions on the sale, purchase, transfer, delivery and/or uses thereof.

(b) *Appeals.* Any person affected by this order or any schedule issued pursuant hereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, (Ref.: L-171) setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(c) *Applicability of Priorities Regulation No. 1.* This order (and any schedule issued pursuant hereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(d) *Records.* All persons affected by this order or any schedule issued pursuant hereto shall keep and preserve for not less than 2 years accurate and complete records concerning inventories, production and sales, and shall also preserve any other records, certificates and the like which may be required by any schedule issued pursuant hereto.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant hereto, shall, unless otherwise directed, be addressed to: War Production Board, Toiletries and Cosmetics Branch, Washington, D. C., Ref: L-171.

(f) *Violations.* Any person who wilfully violates any provision of this order, or any schedule issued pursuant hereto, or who, in connection with this order or any such schedule, 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. (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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6796; Filed, July 17, 1942; 10:43 a. m.]

[1] 7 F.R. 4477.
[2] *Infra.*

PART 3019—TOILETRIES AND COSMETICS

[Schedule I to General Limitation Order L-171]

§ 3019.2 *Schedule I to General Limitation Order L-171* [1]—(a) *Definitions.* For the purposes of this schedule:

(1) "Toiletry or cosmetic product" means any product intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance thereof. The term shall include, but shall not be limited to, any product coming within any of the classifications named

[1] *Supra.*

in Lists 1, 2 and 3, attached to this schedule, but shall not include soaps, other than shampoos and shaving soaps.

(2) "Marketable unit" means any single jar, bottle, tube, holder or other container containing a toiletry or cosmetic product which is suitable for marketing.

(b) *General restrictions.* Pursuant to General Limitation Order L–171:

(1) No person shall, under his name or brand, produce, cause to be produced, or sell during the 365-day period immediately following the date of issuance of this schedule, a larger total quantity by weight (in the case of solids or semi-solids) or volume (in the case of liquids), or a larger total number of marketable units of any toiletry or cosmetic product coming within the classifications named in Lists 1, 2 and 3, attached to this schedule, than is permitted below:

Permitted production or sales (quantity)	Permitted production or sales (marketable units)
List 1—No limitation	No limitation.
List 2—100% of 1941 quantity	90% of 1941 number.
List 3—80% of 1941 quantity	72% of 1941 number.

In any case where a toiletry or cosmetic product comes within a classification named in both List 2 and List 3, neither the total production nor sales of such product shall under any circumstances exceed the amounts permitted by List 2.

(2) Except as specifically authorized by the Director General for Operations, after the date of issuance of this schedule, no person shall, under his name or brand, produce, cause to be produced, or sell any toiletry or cosmetic product which had not been manufactured in a commercial batch and offered for sale or otherwise marketed by him during the 365-day period immediately prior to the date of issuance of this schedule: *Provided, however,* That nothing contained herein shall be construed to prohibit the substitution of a non-critical material for a critical material in any toiletry or cosmetic product.

(c) *Reports.* All persons affected by this schedule shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe. (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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

LIST 1

Baby Powder (containing no zinc or titanium oxide).
Eye Wash (containing no organic materials).
Shaving Cream, soap or liquid (containing no coconut oil, alcohol or added glycerin).
Soap Shampoo (containing no coconut oil, alcohol or added glycerin).
Talcum Powder (containing no zinc or titanium oxide).
Tooth Cleanser, liquid, paste & powder (containing no alcohol, glycerin, coconut oil derivatives, or wetting agents).

LIST 2

Baby Powder (containing zinc or titanium oxide).
Bath Salts
Brilliantine.
Cleansing Cream.
Cleansing Lotion (non-alcoholic).
Cologne.
Compact for wet application.
Cosmetic Stockings.
Cuticle Softener (containing no sulfonated oils).
Deodorant & Anti-perspirant.
Depilatory.
Eyebrow Pencil.
Eyeshadow.
Eye Wash (containing organic materials).
Face & Hand Lotion.
Face Pack.
Face Powder.
Hair Dye & Tint.
Hair Lotion (non-alcoholic).
Hair Oil.
Hair Pomade.
Hair Rinse.
Hair Straightener.
Lip Pomade.
Lipstick.
Lubricating Cream.
Mascara.
Nail Polish Paste (containing no tin oxide).
Nail Polish Powder (containing no tin oxide).
Perfume.
Permanent Waving Lotion.
Powder, cream, paste & liquid (including Blemish Concealer).
Protective Cream.
Rouge.
Shampoo (containing coconut oil, alcohol or added glycerin).
Shaving Cream, soap or liquid (containing coconut oil, alcohol or added glycerin).
Suntan Preparation.
Theatrical Makeup.
Toilet Powder (including after-shave, bath, body, dusting & sachet powder, and talcum powder containing zinc or titanium oxide).
Toilet Water.
Tooth Cleanser (containing alcohol, glycerin, coconut oil derivatives, or wetting agents).
Waveset.

LIST 3

After-shave Lotion.
Astringent.
Bath Milk.
Bath Oil.
Bleach Cream & Lotion (including Freckle Remover).
Body Rub.
Bubble Bath.
Cleansing Lotion (alcoholic).
Cuticle Softener (containing sulfonated oils).
Eyelash Curler.
Hair Lacquer.
Hair Lotion (alcoholic).
Lash & Brow Dye.
Liquid Lip Color.
Mouth Wash.
Nail Bleach.
Nail Enamel.
Nail Enamel Remover.
Nail Polish Paste (containing tin oxide).
Nail Polish Powder (containing tin oxide).
Plucking Cream.
Skin Freshener.
Tooth Whitener.
Any other toiletry or cosmetic product not included in Lists 1 and 2 above.

[F. R. Doc. 42–6797; Filed, July 17, 1942; 10:44 a. m.]

PART 3019—TOILETRIES AND COSMETICS

[Schedule II to General Limitation Order L–171]

§ 3019.3 *Schedule II to General Limitation Order L–171*[1]—(a) *Definition.* For the purpose of this schedule:

(1) "Toiletry or cosmetic product" means any product intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing; beautifying, promoting attractiveness, or altering the appearance thereof. The term shall include, but shall not be limited to, any product coming within any of the classifications named in Lists 1, 2 and 3, attached to Schedule I to General Limitation Order L–171, but should not include soaps, other than shampoos and shaving soaps.

(b) *General restrictions.* Pursuant to General Limitation Order L–171, and subject to the restrictions of Schedule 1 thereto, the following limitations are hereby established for the packaging of toiletry or cosmetic products:

(1) No person shall, under his name or brand, pack or cause to be packed any toiletry or cosmetic product (other than perfume) in more than three different consumer sizes of containers.

(2) No person shall, under his name or brand, pack or cause to be packed any odor of perfume in more than four different consumer sizes of containers.

(3) Any person who, during the 365-day period immediately prior to the date of this schedule, under his name or brand, packed or caused to be packed any toiletry or cosmetic product in fewer than the number of containers permitted by subparagraphs (1) and (2) of this paragraph (b), may, under his name or brand, pack or cause to be packed one additional consumer size of container, provided that it is larger in volume than the size or sizes packed during such period.

(4) No person shall, under his name or brand, pack or cause to be packed for the professional or service user, any toiletry or cosmetic product in more than two (or, in the case of permanent waving lotions, three) different sizes of containers containing 1-gal. or less (in the case of liquids) or 5 lbs. or less (in the case of solids or semi-solids), plus any bulk size or sizes of containers containing more

[1] *Supra.*

than the amounts specified above which such person, under his name or brand, packed or caused to be packed, prior to the date of this schedule; provided, however, that in any case where a person, under his name or brand, packed or caused to be packed fewer than the permitted number of sizes during the 365-day period immediately prior to the date of this schedule, he shall be prohibited from adding any other professional or service size. A stand- or dispensing-bottle may be used in addition to the sizes permitted by this subparagraph (4).

(c) *Applicability of restrictions.* The restrictions of paragraph (b) of this schedule shall not be construed to prohibit a person from using containers which were in his stock or which had been manufactured on his order before the date of this schedule. (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.)

Issued this 17th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-6798; Filed, July 17, 1942; 10:44 a. m.]

Chapter XI—Office of Price Administration

PART 1400—TEXTILES FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[Amendment 1 to Maximum Price Regulation 39 [1]]

WOVEN DECORATIVE FABRICS

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 (b) (1) of § 1400.164 is amended and a new § 1400.162a is added as set forth below:

§ 1400.164 *Appendix B: Maximum prices for sales by persons other than manufacturers.* * * *

(b) * * *

(1) 105% of the price quoted for the same pattern of the same construction in the seller's price list in effect on November 10, 1941 to a purchaser of the same general class, or,

* * * * *

§ 1400.162a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1400.164 and 1400.162a) to Maximum Price Regulation No. 39 shall become effective July 16, 1942.

(Pub. Law 421, 77th Cong).

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6781; Filed, July 16, 1942; 4:58 p. m.]

[1] 7 F.R. 5248.

PART 1410—WOOL

[Amendment 6 to Revised Price Schedule 58,[1] as amended]

WOOL AND WOOL TOPS AND YARNS

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.

Paragraph (e) of § 1410.51 and subparagraph (4) to paragraph (b) of § 1410.62 are amended to read as set forth below:

§ 1410.51 *Maximum prices for wool and wool tops and yarns.* * * *

(e) The maximum prices determined in accordance with this Revised Price Schedule No. 58, as amended, shall be the maximum prices for all transactions except:

(1) The maximum prices for grease wool futures contracts traded on the Wool Associates of the New York Cotton Exchange, Inc. shall be 103.5 cents per pound;

(2) The maximum price applicable to deliveries of grease wool on said Exchange shall be the seller's maximum price [2] determined in accordance with paragraph (b) or (c) of this section: *Provided,* That for the purposes of this subparagraph (2) the price of the futures selling contract shall determine the price at which such wool is so delivered;

(3) The maximum price for grease wool sold by a person who received delivery of such wool on said Exchange shall be the higher of (i) the seller's maximum price for such wool determined in accordance with paragraph (c) or (d) of this section, or (ii) the price at which such person purchased the futures contract pursuant to which delivery of such wool was made; and

(4) The maximum price for wool top futures contracts on said Exchange shall be 140 cents per pound; except that such maximum price shall be increased or decreased by one cent per pound for each 1% that the war risk insurance rate on wool imported from Australia prevailing on the date such contract is made is, respectively, above or below 7½%:

Provided, That contracts entered into prior to December 18, 1941, calling for a price higher than the maximum price may be carried out at the contract price.

§ 1410.62 *Appendix B: Maximum prices for wool tops and noils.* * * *

(b) *Wool noils.* * * *

(4) *Invoices.* After June 9, 1942, every person making a sale of noils for which maximum prices are established in this Appendix shall deliver to the purchaser an invoice or similar document which shall show, in addition to the other items specifically required in this Revised Price Schedule No. 58, as amended: (i) the class, kind, type, condition and grade of noils shipped or delivered, indicating the processes to which they were subjected; (ii) the ceiling price per pound; and (iii) if the sale was of a blend, the quantity of each class, kind, type, condition and grade of noil included.

§ 1410.60 *Effective dates of amendments.* * * *

(h) Amendment No. 6 (§§ 1410.51 (e) and 1410.62 (b) (4)) to Revised Price Schedule No. 58, as amended, shall become effective July 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-6783; Filed, July 16, 1942; 4:59 p. m.]

[1] 7 F.R. 2397, 2543, 2580, 3088, 3271, 4117, 4296, 4299, 4428.

[2] Determined by the seller in good faith prior to final grading and appraisal by Exchange inspectors.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.18 (c) of General Maximum Price Regulation—Order No. 1]

M'GOUGH BAKERIES

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 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.351 *Maximum price for sales of bread by McGough Bakeries to Veterans Hospital at Biloxi, Mississippi.* (a) Pending the issuance of a final order herein, the McGough Bakeries Corporation of Hattiesburg, Mississippi, is hereby authorized and permitted to sell and deliver bread to the Veterans Administration for the Veterans Hospital located at Biloxi, Mississippi, for a period of not exceeding three months from July 1, 1942 at a price no higher and upon terms no more favorable to said corporation than that requested by the Veterans Administration, to wit, the price and terms contained in that certain bid submitted by said McGough Bakeries Corporation June 18, 1942, and heretofore accepted for the furnishing of bread to said hospital: *Provided,* That final settlement shall be made in accordance with the final order to be entered herein upon said request and application of said Veterans Administration, and if required by said final order, refunds shall be made by said corporation pursuant thereto.

(b) The McGough Bakeries Corporation shall not later than August 15, 1942, submit to the Office of Price Administration an affidavit sworn to by a responsible officer of said corporation setting forth a detailed cost study, including, among other things, a statement of profit and loss from all operations for the calendar year 1941, and for the first six months of the calendar year 1942, and a statement of the cost of food ingredients, labor, wrapping, delivery, and other costs of bread (including the break down per loaf) at present as compared with prior costs not extending beyond January 1, 1941.

(c) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(d) Unless sooner modified or revoked, this order shall remain in effect until the issuance of a final order herein as heretofore provided.

(e) This Order No. 1 (§ 1499.351) shall become effective July 17, 1942.

(Pub. Law 421—77th Cong.)

Issued this 16th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6782; Filed, July 16, 1942; 5:00 p. m.]

PART 1301—MACHINE TOOLS

[Amendment 12 to Revised Price Schedule 67 [1]]

NEW MACHINE TOOLS

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.[2] In § 1301.57 the text is designated paragraph (a) and a new paragraph (b) is added as set forth below:

§ 1301.57 *Petitions for amendment.*

(a) * * *

(b) Notwithstanding any other provision of this Revised Price Schedule No. 67, on and after June 23, 1942, after a petition for amendment has been filed requesting an increase in any maximum price established by this Schedule and pending disposition thereof, the petitioner may enter into or offer to enter into contracts and may make deliveries at the price requested in the petition. If the petition is denied in whole or in part the contract price shall be revised downward to the maximum price previously in effect or to the maximum price established by the amendment granting in part the price increase requested, and, if any payment has been made at the requested price, the petitioner shall refund the excess to the purchaser.

§ 1301.59a *Effective dates of amendments.* * * *

(1) Amendment No. 12 (§ 1301.57) to Revised Price Schedule No. 67 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6829; Filed, July 17, 1942; 11:50 a. m.]

PART 1302—ALUMINUM

[Amendment 4 to Revised Price Schedule 2 [3]]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

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.

In § 1302.8 new paragraphs (e) and (f) are added and in § 1302.10 a new paragraph (b) is added as set forth below:

§ 1302.8 *Definitions.* * * *

(e) "Point of shipment" means the point at which aluminum scrap or secondary aluminum ingot is first loaded on a conveyance for transportation directly to the buyer. This is usually the seller's plant, warehouse or yard, but if the material is shipped directly to the buyer from some point other than the seller's plant, warehouse or yard, such other point is the point of shipment.

(f) "At the buyer's receiving point" means that aluminum scrap or secondary aluminum ingot has arrived at the buyer's plant and is ready for unloading.

§ 1302.10 *Appendix A: Maximum prices for aluminum scrap.* * * *

(b) *Delivery charges.* (1) If aluminum scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.60
10	15	1.80
15	20	1.95
20	25	2.10
25	30	2.25
30	35	2.40
35	40	2.55
40	50	2.80
50	60	3.00
60	70	3.20
70	80	3.40
80	90	3.60
90	100	3.80
100	110	3.95
110	120	4.10
120	130	4.25
130	140	4.40
140	150	4.55
150	160	4.70
160	170	4.85
170	180	5.00
180	190	5.15
190	200	5.30
200	210	5.45
210	220	5.60
220	230	5.75
230	240	5.90
240	250	6.05
250	260	6.20
260	270	6.35
270	280	6.50
280	290	6.65
290	300	6.80
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the amount of the load picked up at each point, the charge for the delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

§ 1302.9a *Effective dates of amendments.* * * *

(d) Amendment No. 4 to Revised Price Schedule No. 2 (§§ 1302.8 (e), 1302.8 (f), and 1302.10 (b)) shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6830; Filed, July 17, 1942; 11:48 a. m.]

PART 1303—ZINC

[Amendment 2 to Revised Price Schedule 3 [1]]

ZINC SCRAP MATERIALS AND SECONDARY SLAB ZINC

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.

A new § 1303.12 is added as set forth below. Sections 1303.9 (c) and 1303.10 (e) are amended to read, in each instance, as set forth in the immediately following paragraph.

* * * [2] *Terms of sale.* Terms of sale shall be as set forth in § 1303.12.

§ 1303.12 *Appendix C: Terms of sale.* The maximum prices set forth in this Revised Price Schedule No. 3 are f. o. b. point of shipment, except in the case of secondary slab zinc in carload lots, the maximum price for which is delivered, buyer's receiving point. Any other commodity covered by Revised Price Schedule No. 3 may, however, also be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned

[1] 7 F. R. 1337, 1836, 2000, 2105, 2473, 2539, 2680, 2996, 3445, 3820, 4176.

[2] Copies may be obtained from Office of Price Administration.

[3] 7 F.R. 1203, 1600, 1836, 2132, 3746, 4584.

[1] 7 F.R. 1205, 1836, 2132.

[2] Insert respectively §§ 1303.9 (c) and 1303.10 (e).

or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

Distance in miles		Dollars per ton
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Revised Price Schedule No. 3, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(1) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pickup points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1303.12, the term "point of shipment" means the point at which any commodity covered by Revised Price Schedule No. 3 is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

§ 1303.11 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1303.9 (c), 1303.10 (e) and 1303.12) to Revised Price Schedule No. 3 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6831; Filed, July 17, 1942; 11:49 a. m.]

PART 1308—SCRAP AND SECONDARY MATERIAL CONTAINING NICKEL

[Amendment 5 to Revised Price Schedule 8 [1]]

PURE NICKEL SCRAP, MONEL METAL SCRAP, STAINLESS STEEL SCRAP, AND OTHER SCRAP MATERIALS CONTAINING NICKEL; SECONDARY MONEL INGOT, SECONDARY MONEL SHOT, AND SECONDARY COPPER-NICKEL SHOT

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 § 1308.10 a new paragraph (c) is added, and in § 1308.12 a new paragraph (e) is added to read as set forth below:

§ 1308.10 *Appendix A: Maximum prices for pure nickel scrap, monel metal scrap, stainless steel scrap, and other scrap materials containing nickel.* * * *

(c) *Delivery charges.* (1) If pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap are delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap are delivered to the buyer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the buyer, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

[1] 7 F.R. 1224, 1836, 2132, 3123, 3270, 3519, 4493.

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupro-nickel alloy scrap or stainless steel scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the buyer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (c).

(iv) The seller shall furnish to the buyer, on the invoice or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

§ 1308.12 *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§§ 1308.10 (c) and 1308.12 (e)) to Revised Price Schedule No. 8 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6832; Filed, July 17, 1942; 11:50 a. m.]

PART 1309—COPPER

[Amendment 2 to Revised Price Schedule 12[1]]

BRASS MILL SCRAP

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 § 1309.18 new paragraphs (d), (e) and (f) are added and § 1309.19 is amended to read as set forth below:

§ 1309.18 *Definitions.* * * *

(d) "Point of shipment" means the point at which brass mill scrap is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse or yard, but where the scrap is shipped directly to the buyer's receiving point from some point other than the seller's plant, warehouse or yard, such other point is the point of shipment. In the case of scrap shipped by water from outside the limits of the continental United States, the point of shipment means the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer's receiving point. If such scrap is brought into the continental United States by overland shipment from Mexico or Canada, the point of shipment means the freight station in the continental United States at or nearest the point on the boundary between the United States and Mexico or Canada, as the case may be, at which the scrap first entered the United States.

(e) "At the buyer's receiving point" means that brass mill scrap has arrived at the buyer's plant and is ready for unloading.

(f) "Shipment at one time" includes all brass mill scrap which, under a single contract of purchase or other agreement and within any three consecutive calendar days excluding Saturdays, Sundays and legal holidays, is (1) received at one or more points of shipment by the public carrier transporting such scrap to the buyer's receiving point, or (2) loaded on the buyer's conveyance at one or more points of shipment, or (3) received at the buyer's receiving point from one or more points of shipment when delivery is made by other than a public carrier or the buyer's conveyance.

§ 1309.19 *Appendix A: Maximum prices*—(a) *Introductory.* This Revised Price Schedule No. 12 establishes maximum prices for all grades of brass mill scrap except cupro-nickel alloy scrap, maximum prices for which are established by Revised Price Schedule No. 8,[2] covering nickel-bearing scrap materials.

[1] 7 F.R. 1234, 1836, 2132, 3520.

[2] 7 F.R. 1224, 1836, 2132, 3123, 3270, 3519.

[3] The maximum prices are established for material which is clean, dry, and free from foreign materials, and which meets generally accepted maximum standards in the trade. Scrap which fails to meet such standards must be sold at a price below the maximum price.

(b) *Maximum prices f.o.b. point of shipment.*[3] (1) The maximum price for any grade of brass mill scrap for which no specific price is established by paragraph (b) (2) of this section shall be a price properly reflecting the differential which normally prevailed during the period July 22, 1941 to February 11, 1942 between the price for such grade and the price for the most nearly similar grade for which a specific maximum price is established by paragraph (b) (2) of this section.

(2) The following are the specific maximum prices established by this Revised Price Schedule No. 12:

Grade	Maximum prices per pound of material (cents)		
	Heavy scrap	Rod ends	Turnings
Copper	10¼	10¼	9½
Commercial bronze:			
Containing 95% or more copper	9½	9¼	8¾
Containing minimum of 90% up to 95% copper	9⅜	9⅛	8⅝
Red brass:			
Containing minimum of 80% copper	9⅛	8⅞	8⅜
Best quality brass:			
Containing minimum of 71% up to 80% copper	8¾	8½	8
Yellow brass	8⅝	8⅜	7⅞
Muntz metal	8	7¾	7¼
Nickel silver:			
Containing minimum 5% nickel	9¼	9	4½
Containing minimum 10% nickel	10⅛	9⅞	5⅛
Containing minimum 15% nickel	10⅞	10⅝	5⅞

(c) *Quantity premiums.* (1) To the maximum price established for any grade of brass mill scrap by paragraph (b) of this section there may be added the applicable one of the following quantity premiums:

(i) For the shipment at one time of 40,000 pounds or more made up of any grade or grades of brass mill scrap in any form—1¢ per pound.

(ii) For the shipment at one time of 15,000 pounds or more made up of any grade or grades of heavy brass mill scrap or any grade or grades of brass mill rod ends and turnings, but not of heavy brass mill scrap mixed with brass mill rod ends or turnings—⅝¢ per pound.

(2) In computing the weight of material necessary for a quantity premium, all containers, dunnage and other tare must first be deducted and the actual weight of the remaining material, at the buyer's plant, must be used.

(d) *Delivery charges.* (1) If brass mill scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If brass mill scrap is delivered to the buyer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the buyer, the maximum delivery charge which the buyer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of brass mill scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the buyer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (d).

(iv) The seller shall furnish to the buyer, on the invoice or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(e) *Exceptions.* (1) Nothing in this Revised Price Schedule No. 12 or in the General Maximum Price Regulation[4] shall apply to sales or deliveries of brass mill scrap by any person to the Copper Recovery Corporation, the Metals Reserve Company, or their agents, pursuant to Salvage Program IRB–8 with respect to idle and excessive inventories of copper and copper base alloy products, adopted and announced by the War Production Board, Division of Industry Operations,

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4467, 4659, 4659.

by a letter dated May 11, 1942: *Provided,* That the provisions of this Revised Price Schedule No. 12 shall apply to all sales, deliveries or transfers of brass mill scrap by the Copper Recovery Corporation, the Metals Reserve Company or their agents.

(2) Any buyer of brass mill scrap, other than a brass mill, may file a petition for exception from the provisions of this Revised Price Schedule No. 12 in accordance with Procedural Regulation No. 1.[5] No exception will be granted under this paragraph unless the price which petitioner proposes to pay for such scrap is satisfactory to the Office of Price Administration and the petition establishes that:

(i) The petitioner has been authorized by the War Production Board to purchase brass mill scrap;

(ii) The scrap has been specially prepared to meet the petitioner's special requirements; and

(iii) If the petitioner purchased such scrap prior to July 21, 1941, petitioner paid a premium for such scrap over the brass mill's published buying prices for similar material.

§ 1309.18a *Effective dates of amendments.* * * * (b) Amendment No. 2 (§§ 1309.18 (d), 1309.18 (e), 1309.18 (f), 1309.19 and 1309.18a (b)) to Revised Price Schedule No. 12 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6837; Filed, July 17, 1942; 11:48 a. m.]

PART 1309—COPPER

[Amendment 1 to Revised Price Schedule 20, as amended [1]]

COPPER SCRAP AND COPPER ALLOY SCRAP

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 § 1309.71, paragraph (b), subparagraphs (3), (4), (9), (10), (12), (13), (18), (19), (23), and (32) in paragraph (c), paragraph (d), subparagraph (2) in paragraph (e), paragraph (g), and paragraph (h) are amended to read as set forth below, a new paragraph (i) in § 1309.71 and a new § 1309.70a are added:

§ 1309.71 *Appendix A: Maximum prices.* * * *

(b) *Maximum prices f. o. b. point of shipment.* (1) Minimum specifications are established in paragraph (c) of this section for each of the grades of copper scrap and copper alloy scrap for which a specific maximum price is established in paragraph (b) (2) of this section. The maximum price for any grade of copper scrap or copper alloy scrap which does not meet any of such specifications shall be a price properly reflecting the reduction in prices affected by Price Schedule No. 20 and the amendments thereto, and the differential which normally prevailed in the twelve-month period immediately prior to February 5, 1942, between the price for such grade and the price for the most nearly similar grade for which a specific maximum price is established in paragraph (b) (2) of this section.

(2) The following are maximum prices, f. o. b. freight cars, trucks or other means of transportation at the point of shipment [2] and include all commissions and service charges:

Item No. and grade of scrap	*Maximum price per pound of material (cents)*
1 No. 1 Copper Wire	9.75
1 No. 1 Heavy Copper	9.75
1 No. 2 Copper Wire and Mixed Heavy Copper	[1] [2] 8.75
1 Light Copper	[1] [2] 7.75
1 Lead-covered Copper Wire and Cable	Formula A
1 Insulated Copper Wire and Cable	Formula B

[1] If the copper content of No. 2 Copper Wire or Mixed Heavy Copper is more than 96% or less than 96% but not less than 95%, or if the copper content of Light Copper scrap is more than 92% or less than 92% but not less than 90%, then in any such case the maximum price per pound of material shall be increased or decreased at the rate of 0.11775¢ for each 1% variation in copper content with proportionate adjustments for variations of less than 1%. If the copper content of light copper scrap is less than 90% but not less than 85%, the maximum price per pound of material shall be determined in accord with Formula E: Refinery brass.

[2] If the consumer receives less than 5,000 pounds of any one of these grades in a shipment at one time, he may determine the approximate analysis of the material for purposes of classification and pricing by inspection instead of by assay: *Provided,* That in any such event the maximum prices per pound of material shall be the following:

	Cents
No. 2 copper wire and mixed heavy copper	8.75
Light copper	7.75
High-grade bronze	11.00
High-grade bronze borings	10.75
High lead bronze	10.00
High lead bronze borings	9.75

If the consumer receives 5,000 pounds or more but less than 40,000 pounds of any one of these grades, except high-grade bronze borings or high lead bronze borings, in a shipment at one time, he may determine the approximate analysis of the material for purposes of classification and pricing by inspection instead of by assay: *Provided,* That in any such event the maximum prices per pound of material shall be the following:

	Cents
No. 2 copper wire and mixed heavy copper	8.75
Light copper	7.60
High-grade bronze	10.75
High lead bronze	9.75

If the consumer receives 5,000 pounds or more of high-grade bronze borings or high lead bronze borings or 40,000 pounds or more of any other of these grades in a shipment at one time, he must make a chemical analysis of the material for purposes of classification and pricing.

[2] Any copper scrap or copper alloy scrap sold "where is" shall be sold at a price less than the applicable maximum price by an amount reflecting the cost of loading the material for shipment to the consumer.

Item No. and grade of scrap—Continued

	Maximum price per pound of material (cents)
2 Bell Metal	15.50
2 High-grade Bronze Gears	13.25
2 High-grade Bronze	[2] Formula C
2 High-grade Bronze Borings	[2] [3] Formula C
2 Babbitt-lined Brass Bushings	13.00
2 High Lead Bronze	[2] Formula D
2 High Lead Bronze Borings	[2] [3] Formula D
2 Red Trolley Wheels	10.75
2 No. 1 Tinned Copper Wire	9.75
2 Bronze Paper Mill Wire Cloth	9.50
2 Aluminum Bronze (Ford) Gears	9.00
2 Soft Red Brass (No. 1 Composition)	9.00
2 Soft Red Brass Borings (No. 1 Composition Borings)	[3] 8.75
2 Unlined Standard Red Car Boxes	8.25
2 Lined Standard Red Car Boxes	7.75
2 Cocks and Faucets	8.00
2 Red Brass Breakage (Irony Composition)	[4] 7.50
2 Yellow Brass Castings	6.25
3 Clean Fired Rifle Shells	8.25
3 Brass Pipe	8.00
3 Old Rolled Brass	7.75
3 Admiralty Condenser Tubes	8.00
3 Muntz Metal Condenser Tubes	7.50
3 Plated Rolled Brass Sheet, Pipe and Reflectors	7.50
4 Refinery Brass	Formula E [5]
5 Automobile Radiators	7.00 [6]

[3] If these borings contain a total of more than 2% combined iron, oil, and other moisture, the price per pound of material shall be reduced 1% for each 1% of combined iron, oil, and other moisture in excess of 2%. For the purpose of classification and pricing, the weight of iron, oil, and other moisture shall first be deducted from the weight of the material and the metallic content of the remaining material determined by analysis. If the consumer receives less than 5,000 pounds of any of these borings in a shipment at one time, he may determine the amount of iron, oil, and other moisture by inspection instead of by actual test.

[4] If red brass breakage (irony composition) contains more than 10% iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron in excess of 10%. If the consumer receives less than 5,000 pounds of this material in a shipment at one time, he may determine the amount of iron by inspection instead of by actual test.

[5] If a consumer receives less than 20 tons of refinery brass in a shipment at one time, he may buy and pay for the material by determining its approximate copper content by sorting and inspection instead of by assay: *Provided,* That in such event the maximum price shall not exceed 4.75¢ per pound of material.

[6] If automobile radiators contain any iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron. If the top and bottom tanks have been removed, the maximum price for the remaining unsweated radiator core shall be the price for automobile radiators reduced by 0.25¢ per pound.

Formula A: Lead-Covered Wire and Cable. The maximum price for Lead-covered Copper Wire and Cable shall be a price determined by multiplying the weight of the copper wire or cable, less the weight of the lead covering and any insulation, by the maximum price established by this paragraph (b) (2) for such wire or cable had it been sold or delivered without such lead covering and insulation, and adding to the resulting product the maximum price, established by Re-

[1] 7 F.R. 3404.
[5] 7 F.R. 971, 3663.

vised Price Schedule No. 70,[3] for the lead content of such wire or cable. No payment shall be made for insulation.

Formula B; Insulated Copper Wire or Cable. The maximum price for Insulated Copper Wire or Cable shall be a price determined by multiplying the weight of the copper wire or cable, less the weight of the insulation, by the maximum price established by this paragraph (b) (2) for such wire or cable had it been sold or delivered without such insulation, and deducting from the resulting product 0.15¢ for each pound of the weight of such wire or cable including the weight of insulation. No payment shall be made for insulation.

Formula C: High-grade Bronze. The maximum price for High-grade Bronze shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

(c) *Specifications.* * * *

If lead content is—	The maximum price per per pound of material shall be—
0.00% to 0.50%	Copper content × 10.25¢ + tin content × 42.00¢.
0.51% to 1.00%	Copper content × 10.00¢ + tin content × 40.00¢.
1.01% to 2.00%	Copper content × 9.75¢ + tin content × 38.00¢.
2.01% to 3.00%	Copper content × 9.50¢ + tin content × 37.00¢.

High-grade bronze borings. The maximum price for high-grade bronze borings shall be a price determined in accordance with this Formula C less 0.25¢ per pound of material.

Formula D: High lead bronze. The maximum price for high lead bronze shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

If zinc content is—	The maximum price per per pound of material shall be—
0.00% to 1.25%	Copper content × 9.50¢ + tin content × 37.00¢.
1.26% to 3.00%	Copper content × 9.25¢ + tin content × 36.00¢.
3.01% to 4.00%	Copper content × 9.00¢ + tin content × 36.00¢.

High lead bronze may have an antimony content equal to one-twentieth of the lead content. If High lead bronze contains a higher or lower antimony content, then in any such case the maximum price determined in accordance with this Formula D shall be decreased or increased at the rate of 0.10¢ per pound of material for each 0.10 percent variation in antimony content with proportionate adjustments for variations of less than 0.10 percent.

High lead bronze borings. The maximum price for High Lead Bronze Borings shall be a price determined in accordance with this Formula D less 0.25¢ per pound of material.

[3] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823.

Formula E: Refinery brass. The maximum price for Refinery Brass shall be a price determined in accordance with the following formula and no payment may be made or received for any other elements contained:

If copper content by electrolytic assay is—	The maximum price per pound of material shall be—
60.01% or more	Dry Copper content × 8.00¢.
50.01% to 60.00%	Dry copper content × 7.75¢.

Dry copper content means copper content as determined by electrolytic assay less 1.3 units (26 pounds of copper per ton of material).

(3) No. 2 copper wire and mixed heavy copper shall consist of copper wire or pieces not exceeding 12 inches in width or diameter or 48 inches in length, shall have a copper content of not less than 95%, and shall be free of silicon bronze, copper-nickel alloys, and copper-clad steel.

(4) Light copper shall consist of miscellaneous copper, shall have a copper content of not less than 85%, and shall be free of radiators, bronze or brass screens, readily removable iron, lead-coated copper, and old electrotype shells.

* * * * *

(9) High-grade bronze shall consist of castings such as sleeves, pumps and similar scrap; shall have a copper content of not less than 81%, a tin content of not less than 6%, a lead content of not more than 3%, and total other impurities of not more than 0.75% exclusive of zinc and nickel, and shall be free of bell metal, high-grade bronze gears, trolley wheels, and free iron.

(10) High-grade Bronze Borings shall consist of clean bronze borings and turnings, shall have a copper content of not less than 81%, a tin content of not less than 6%, a lead content of not more than 3%, and total other impurities of not more than 0.75% exclusive of zinc and nickel, and shall be free of grindings and all foreign material.

* * * * *

(12) High lead bronze shall consist of castings such as bearings, bushings, pumps and similar scrap; shall have a copper content of not less than 70%, a tin content of not less than 6%, a zinc content of not more than 4%, an antimony content of not more than 1.75%, and total other impurities of not more than 0.50% exclusive of nickel, and shall be free of Lined or Unlined Standard Red Car Boxes and free iron.

(13) High lead bronze borings shall consist of clean bronze borings and turnings, shall have a copper content of not less than 70%, a tin content of not less than 6%, a zinc content of not more than 4%, an antimony content of not more than 1.75%, and total other impurities of not more than 0.50% exclusive of nickel, and shall be free of grindings and all foreign material.

* * * * *

(18) Soft red brass (No. 1 Composition) shall consist of miscellaneous red brass castings; shall have a copper content of not less than 81%, a tin content of not less than 3½%, and a lead content of not less than 3% nor more than 7%; and shall be free of iron, pot pieces, burnt brass, cocks and faucets, lined or unlined standard red car boxes, manganese bronze castings, silicon bronze castings, and aluminum bronze castings.

(19) Soft red brass borings (No. 1 composition borings) shall consist of clean red brass borings and turnings; shall have a copper content of not less than 81%, a tin content of not less than 3½%, and a lead content of not less than 3% nor more than 7%; shall be free of borings or turnings from aluminum bronze castings, manganese bronze castings or silicon bronze castings, grindings and all foreign material.

* * * * *

(23) Red brass breakage (irony composition) shall consist of red brass castings, including carburetors, and shall be free of die cast, aluminum and iron carburetors and yellow brass.

* * * * *

(32) Automobile radiators shall consist of mixed unsweated automobile radiators.

(d) *Rejections.* (1) The consumer shall examine and sort the scrap contained in each lot in order to determine the rejections contained therein, except when the lot consists exclusively of turnings or borings or when it is sold or delivered as Refinery Brass. The maximum price for each grade of copper scrap and copper alloy scrap contained in such lot shall then be determined as follows:

(i) If the lot contains less than 10% rejections by weight, the maximum price for each grade shall be the maximum price for such grade established by paragraph (b) of this section.

(ii) If the lot contains 10% or more rejections by weight [4], the maximum price for each grade shall be the higher of the following [5]:

(*a*) The maximum price established by paragraph (b) of this section for the lowest-priced grade contained in such lot, or

(*b*) The maximum price for each grade established by paragraph (b) of this section, reduced in each case by 0.25¢ per pound of material.

(2) In determining whether a lot contains 10% or more rejections by weight, the net weight of the lot after deducting the weight of all containers, dunnage and other tare shall be used.

(e) *Quantity premiums.* * * *

(2) In computing the weight of material necessary for a quantity premium:

(i) There must first be deducted from the total weight of the shipment, the weight of (*a*) all containers, dunnage, and other tare, (*b*) all insulation or lead covering on Insulated Copper Wire and Cable or Lead-covered Copper Wire and

[4] The rejections in any such lot may not be included in computing the weight necessary to obtain any quantity premium permitted by paragraph (e) of this section.

[5] If the same maximum price is established by paragraph (b) of this section for each of the grades contained in such lot, the second alternative must be used to determine the maximum price for each such grade.

Cable, (*c*) all rejections which are not either copper scrap or copper alloy scrap, and (*d*) all other rejections in any lot containing 10 percent or more rejections.

(ii) The actual weight, at the consumer's plant, of the remaining material must be used.

* * * * *

(g) *Delivery charges.* (1) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a public (common or contract) carrier, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier.

(2) If copper scrap or copper alloy scrap is delivered to the consumer's receiving point by a vehicle owned or controlled by the seller or by a private carrier not owned or controlled by the consumer, the maximum delivery charge which the consumer may pay in addition to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance in miles		Dollars per ton of gross weight
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65
300		(1)

[1] An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of copper scrap or copper alloy scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the consumer's receiving point.

(i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the above table.

(ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the consumer's receiving point.

(iii) In the event of partial loading of a truck at each of two or more pick-up points, the transportation charge for each portion of the load delivered to the consumer shall be separately computed in accordance with the provisions of this paragraph (g).

(iv) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(3) Anything hereinbefore contained to the contrary notwithstanding, if a quantity premium permitted by paragraph (e) of this section is paid on copper scrap or copper alloy scrap shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which the consumer may pay, in addition to the established maximum price f. o. b. point of shipment, shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad—the carload rate from that one of the several points of shipment which has the lowest carload rate to the consumer's receiving point.

(ii) Entirely by public carrier truck—the established truckload rate for the lowest minimum weight from that one of the several points of shipment which has the lowest truckload rate to the consumer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the consumer—the rate set forth in subparagraph (2) of this paragraph (g) from that one of the several points of shipment which has the lowest rate to the consumer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the consumer, or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (3): *Provided,* That the rate governing any method of shipment not actually employed may be disregarded.

(h) *Credit charges.* An amount not to exceed ½ of 1% per month for the extension of credit beyond thirty days after delivery may be charged over and above the maximum prices established by this Revised Price Schedule No. 20, as amended.

(i) *Exceptions*—(1) *Conversion of railroad scrap.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation [6] shall apply to the sale, delivery or transfer of copper scrap or copper alloy scrap to a foundry by a person owning, operating or maintaining rolling stock: *Provided,* That:

(i) The copper scrap and copper alloy scrap results from such person's use or processing of castings or other articles of the type produced by the foundry;

(ii) The foundry converts such copper scrap and copper alloy scrap into castings or other articles of the type from which the scrap resulted; and

(iii) Such person delivers the scrap to the foundry and the foundry returns an equivalent amount of castings or other articles of the type from which the scrap resulted in accordance with the terms of a written agreement approved by the War Production Board.

(2) *Idle and excessive inventories.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation shall apply to sales or deliveries of copper scrap or copper alloy scrap by any person to the Copper Recovery Corporation, the Metals Reserve Company, or their agents, pursuant to Salvage Program IRB–8 with respect to idle and excessive inventories of copper and copper base alloy products, adopted and announced by the War Production Board, Division of Industry Operations, by a letter dated May 11, 1942: *Provided,* That the provisions of this Revised Price Schedule No. 20, as amended, shall apply to all sales, deliveries or transfers of copper scrap or copper alloy scrap to a consumer by the Copper Recovery Corporation, the Metals Reserve Company or their agents.

(3) *Intra-organization transactions.* Nothing in this Revised Price Schedule No. 20, as amended, or in the General Maximum Price Regulation shall apply to sales or deliveries of copper scrap or copper alloy scrap between a parent corporation and a wholly owned subsidiary corporation, or between two or more subsidiary corporations wholly owned by the same parent corporation. For the purposes of this subparagraph, a subsidiary corporation shall be deemed to be wholly owned by a parent corporation only if the parent corporation owns all of the capital stock of the subsidiary corporation, except that, if required by the law of the state of incorporation of the subsidiary corporation, necessary qualifying shares may be owned by persons other than the parent corporation.

(4) *Briquetted copper scrap sold or delivered to a brass and bronze ingot manufacturer.* Any brass and bronze ingot manufacturer may file a petition for exception pursuant to the provisions of Procedural Regulation No. 1 [7] requesting permission to pay the premiums for briquetted copper scrap provided in § 1309.71 (f) (1) (i). The Office of Price Administration may impose such conditions on the granting of permission under this subparagraph as it deems necessary to prevent evasion of the provisions of Revised Price Schedule No. 20, as amended. No permission will be granted under this subparagraph unless the petitioner establishes that:

(i) In the three calendar months directly preceding the month in which the petition is filed with the Office of Price Administration, the petitioner produced a total of less than 600,000 pounds of brass and bronze ingot. In this connection, petitioner must state:

(*a*) Production in pounds of brass and bronze ingot for each such calendar month.

(*b*) Production in pounds of all other non-ferrous products, in which copper scrap was used, for each such calendar month.

[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659.

[7] 7 F. R. 971, 3663.

(ii) In the calendar month directly preceding the month in which the petition is filed with the Office of Price Administration the petitioner was unable to purchase the amount of No. 1 and No. 2 copper scrap allocated to him by the War Production Board pursuant to Copper Supplementary Order M-9-b,[2] as amended. In this connection, petitioner must state:

(*a*) Amount of No. 1 and No. 2 copper scrap so allocated to him for such calendar month.

(*b*) Amount of No. 1 and No. 2 copper scrap purchased by him in such calendar month.

(iii) Petitioner regularly purchased copper scrap in briquetted form in the six-month period from January 1, 1941 to July 1, 1941. If petitioner did not regularly purchase copper scrap in briquetted form during the period January 1, to July 1, 1941, petitioner must explain in detail why he now desires to purchase copper scrap in briquetted form. In this connection, petitioner must state:

(*a*) Total amount of copper scrap received between January 1 and July 1, 1941.

(*b*) Total amount of copper scrap received in briquetted form between January 1 and July 1, 1941.

(*c*) What changes, if any, have occurred in petitioner's plant or production and how, if at all, they have affected his demands for copper scrap in briquetted form.

§ 1309.70a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1309.71 (b), (c) (3), (c) (4), (c) (9), (c) (10), (c) (12), (c) (13), (c) (18), (c) (19), (c) (23), (c) (32), (d), (e) (2), (g), (h), (i), and 1309.70a) to Revised Price Schedule No. 20, as amended, shall become effective

(1) As to §§ 1309.71 (i) (1), (i) (2) and (i) (3) as of May 11, 1942,

(2) As to §§ 1309.71 (d), (e) (2), (i) (4), (g), and 1309.70a on July 21, 1942, and

(3) As to §§ 1309.71 (b), (c) (3), (c) (4), (c) (9), (c) (10), (c) (12), (c) (13), (c) (18), (c) (19), (c) (23), (c) (32), and (h) on August 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6825; Filed, July 17, 1942; 11:50 a. m.]

PART 1316—COTTON TEXTILES

[Amendment 3 to Revised Price Schedule 11]

FINE COTTON GREY GOODS [1]

The 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.[3]

Section 1316.7 is amended to read as follows:

§ 1316.7 *Reports.* Persons affected by Revised Price Schedule No. 11 shall submit such reports to the Office of Price Administration as it may, from time to time, require.

§ 1316.12a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1316.7) to Revised Price Schedule No. 11 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6833; Filed, July 17, 1942; 11:49 a. m.]

PART 1355—LEAD

[Amendment 4 to Revised Price Schedule 70 [4]]

LEAD SCRAP MATERIALS; SECONDARY LEAD, INCLUDING CALKING LEAD; BATTERY LEAD SCRAP; AND PRIMARY AND SECONDARY ANTIMONIAL LEAD

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 1355.62 (1) is revoked and a new § 1355.70 is added as set forth below. Sections 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), and 1355.68 (b) are amended to read, in each instance, as set forth in the immediately following paragraph:

* * * [5] *Terms of sale.* Terms of sale shall be as set forth in § 1355.70.

§ 1355.70 *Appendix G: Terms of sale.* The maximum prices set forth in this Revised Price Schedule No. 70 are f. o. b. point of shipment. Any commodity covered by Revised Price Schedule No. 70 may, however, be sold, offered for sale, delivered, or transferred at prices delivered buyer's receiving point. In such cases, the maximum delivered price shall not exceed the f. o. b. point of shipment price plus whichever of the following transportation charges is applicable:

(a) When transportation to the buyer's receiving point is by public (common or contract) carrier, the actual transportation charge incurred;

(b) When transportation to the buyer's receiving point is by vehicle owned or controlled by the seller or is by private carrier not owned or controlled by the buyer, an amount not in excess of the following:

Distance in miles		Dollars per ton
Over—	But not over—	
0	10	1.10
10	15	1.25
15	20	1.35
20	25	1.45
25	30	1.55
30	35	1.65
35	40	1.75
40	50	1.90
50	60	2.05
60	70	2.20
70	80	2.35
80	90	2.50
90	100	2.65
100	110	2.75
110	120	2.85
120	130	2.95
130	140	3.05
140	150	3.15
150	160	3.25
160	170	3.35
170	180	3.45
180	190	3.55
190	200	3.65
200	210	3.75
210	220	3.85
220	230	3.95
230	240	4.05
240	250	4.15
250	260	4.25
260	270	4.35
270	280	4.45
280	290	4.55
290	300	4.65

For distances of more than 300 miles, an amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of any commodity covered by Revised Price Schedule No. 70, from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

(1) For distances of 300 miles or less, all bridge, tunnel, and ferry tolls actually incurred may be added to the amount set forth in the table above.

(2) The distance shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from point of shipment to buyer's receiving point. In the event of partial loading of a truck at each of two or more pickup points, the transportation charge for each portion of the load delivered to the buyer shall be separately computed in accordance with the provisions of this paragraph (b).

(c) The seller shall furnish to the consumer on the invoice, or on a separate statement, the point or points of shipment, the amount of the load picked up at each point, the charge for delivery of that portion of the load picked up at each point, the mileage upon which each such portion of the charge is based, and the total delivery charge.

(d) When used in this § 1355.70, the term "point of shipment" means the point at which any commodity covered by Revised Price Schedule No. 70 is loaded on a conveyance for transportation directly to the buyer's receiving point. This is usually the seller's plant, warehouse, or yard, but, where the material is shipped directly to the buyer from some point other than the seller's plant, warehouse, or yard, such other point is the point of shipment.

§ 1355.63a *Effective dates of amendments.* * * *

[1] 7 F.R. 1231, 1836, 2000, 2132, 2737, 3163.
[2] 7 F.R. 3472.

[3] Copies may be obtained from Office of Price Administration.
[4] 7 F.R. 1341, 1836, 2000, 2132, 2188, 2542, 3823.
[5] Insert respectively §§ 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), and 1355.68 (b).

(e) Amendment No. 4 (§§ 1355.62 (1), 1355.64 (b), 1355.65 (b), 1355.66 (c), 1355.67 (c), 1355.68 (b), and 1355.70) to Revised Price Schedule No. 70 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6834; Filed, July 17, 1942; 11:50 a. m.]

PART 1372—SEASONAL COMMODITIES

[Amendment 3 to Maximum Price Regulation 142 [1]]

RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

RELATIONSHIP TO GENERAL MAXIMUM PRICE REGULATION

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 § 1372.3 paragraph (c) is amended to read as set forth below and a new paragraph (d) is added:

§ 1372.3 *Relationship between Maximum Price Regulation 142 and the General Maximum Price Regulation.*[2] * * *

(c) The provisions of §§ 1499.12, 1499.13, and 1499.14 of the General Maximum Price Regulation relating to records and of §§ 1499.4, 1499.18 and 1499.19, relating to supplemental regulations, adjustment and amendment shall apply to all sales, the maximum prices for which are established by this Maximum Price Regulation No. 142, and to all persons making such sales.

(d) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 142 selling at retail any seasonal commodity covered by this Maximum Price Regulation No. 142. When used in this paragraph, the term "selling at retail" has the definition given to it by § 1499.20 (o) of the General Maximum Price Regulation.

§ 1372.8a. *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1372.3 (c) (d)) to Maximum Price Regulation No. 142 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6835; Filed, July 17, 1942; 11:52 a. m.]

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[1] 7 F.R. 3553, 3720.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192.

PART 1382—HARDWOOD LUMBER

[Amendment 3 to Maximum Price Regulation 146 [1]]

APPALACHIAN HARDWOOD 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.[2]

A new paragraph (d) is added to § 1382.12 as set forth below:

§ 1382.12 *Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items.* * * *

(d) Maximum prices for "recurring special" grades or items of Appalachian hardwood lumber produced by particular mills, determined pursuant to paragraph (b) (2) of this section.

The maximum f. o. b. mill prices for 1,000 feet of Appalachian hardwood lumber in a rough air dried condition shipped from mills in the Appalachian area of the following particular producers, and in the following "recurring special" grades or items, shall be as follows:

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[1] 7 F.R. 3776, 4179, 4852.

[2] Copies may be obtained from Office of Price Administration.

(1) W. M. RITTER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	Hat Block	Poplar	2¼	11 to 17	8 to 16	$136.00
1	Hat Block	Poplar	3	11 to 17	8 to 16	148.00
1	Hat Block	Poplar	4	7 to 17	8 to 16	163.00
1	Hat Block	Poplar	5	Av. 12 or more	65% or more 14, 15 and 16	168.00
2	No. 1 Common	Poplar	2	7 and 8	8 to 16	68.00
2	No. 2 Common	Poplar	2	7 and 8	60% 14, 15 and 16	53.00
3	FAS, 1 Face	Poplar	5/4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	57.00
3	FAS, 1 Face	Poplar	6/4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	65.00
3	FAS, 1 Face	Poplar	1	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	76.00
3	FAS, 1 Face	Poplar	1¼	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	78.00
3	FAS, 1 Face	Poplar	1½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	80.00
3	FAS, 1 Face	Poplar	2	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	85.00
3	FAS, 1 Face	Poplar	2½	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	98.00
3	FAS, 1 Face	Poplar	3	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	108.00
3	FAS, 1 Face	Poplar	4	6 and up. Av. 9 or more	8 to 16. 60% or more 14, 15 and 16	128.00
4	No. 1 Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	87.00
4	No. 1 Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	91.00
4	No. 1 Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	107.00
4	No. 1 Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	121.00
5	B and Better Finish Strips	Poplar	1	3	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	4	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	5	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	6	8 to 16. 60% or more 14 to 16	73.00
5	B and Better Finish Strips	Poplar	1	7	8 to 16. 60% or more 14 to 16	78.00
5	B and Better Finish Strips	Poplar	1	8	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	10	8 to 16. 60% or more 14 to 16	79.00
5	B and Better Finish Strips	Poplar	1	12	8 to 16. 60% or more 14 to 16	79.00
6	C Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 to 16	57.00
6	C Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	57.00
6	C Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	61.00

(1) W. M. RITTER LUMBER COMPANY—Continued

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
6	C Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	$64.00
6	C Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	74.00
7	No. 2 Common Finish Strips	Poplar	1	3	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	4	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	5	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	6	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	7	8 to 16. 50% or more 14 and 16	46.00
7	No. 2 Common Finish Strips	Poplar	1	8	8 to 16. 50% or more 14 and 16	49.00
7	No. 2 Common Finish Strips	Poplar	1	10	8 to 16. 50% or more 14 and 16	56.00
7	No. 2 Common Finish Strips	Poplar	1	12	8 to 16. 50% or more 14 and 16	61.00
8	FAS Squares	Poplar	5	5	8 to 16. 75% to 85% 14, 15 and 16	153.00
8	FAS Squares	Poplar	6	6	8 to 16. 75% to 85% 14, 15 and 16	163.00
8	FAS Squares	Poplar	7	7	8 to 16. 75% to 85% 14, 15 and 16	173.00
8	FAS Squares	Poplar	8	8	8 to 16. 75% to 85% 14, 15 and 16	183.00
9	No. 1 Common Squares	Poplar	5	5	6 to 16. 60% to 70% 14, and 16	103.00
9	No. 1 Common Squares	Poplar	6	6	6 to 16. 60% to 70% 14, and 16	113.00
9	No. 1 Common Squares	Poplar	7	7	6 to 16. 60% to 70% 14, and 16	123.00
9	No. 1 Common Squares	Poplar	8	8	6 to 16. 60% to 70% 14, and 16	133.00
10	Panel and Wide No. 1	Poplar	5/8	18 to 23	8 and longer. 60% or more 14 and 16	86.00
10	Panel and Wide No. 1	Poplar	1	18 to 23	8 and longer. 60% or more 14 and 16	118.00
10	Panel and Wide No. 1	Poplar	1	24 and up	8 and longer. 60% or more 14 and 16	130.00
10	Panel and Wide No. 1	Poplar	1¼	18 to 23	8 and longer. 60% or more 14 and 16	128.00
10	Panel and Wide No. 1	Poplar	1⅜	18 to 23	8 and longer. 60% or more 14 and 16	145.00
10	Panel and Wide No. 1	Poplar	2	18 to 23	8 and longer. 60% or more 14 and 16	165.00
11	Wall Panel and Core Stock	Poplar	1	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	50.00
11	Wall Panel and Core Stock	Poplar	1¼	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	51.00
11	Wall Panel and Core Stock	Poplar	1½	6 to 12 inclusive	6 to 16. 50% or more 14 and 16	53.00
12	Clear Strips	Basswood	1	4 to 5½	8 to 16. 60% or more 14 and 16	70.00
13	Clear Face Strips	Basswood	1	2½ to 5½	8 to 16. 60% or more 14 and 16	61.00
14	No. 1 Common Strips	Basswood	1	2½ to 5½	6 to 16. 50% or more 14 and 16	49.00
15	FAS (Special)	Plain White Oak	2½	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	155.00
15	FAS (Special)	Plain White Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
15	FAS (Special)	Plain White Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	195.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	10 to 16	125.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	17 to 19	150.00
16	Industrial FAS-A and Better	Plain White Oak	1 to 1¼	3½ and wider	20 to 22	175.00
16	Industrial FAS-A and Better	Plain White Oak	1½ to 1¾	3½ and wider	10 to 16	135.00
16	Industrial FAS-A and Better	Plain White Oak	1½ to 1¾	3½ and wider	17 to 19	160.00
16	Industrial FAS-A and Better	Plain White Oak	1½ to 1¾	3½ and wider	20 to 22	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	10 to 16	160.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	17 to 19	185.00
16	Industrial FAS-A and Better	Plain White Oak	2 to 2½	3½ and wider	20 to 22	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	10 to 16	185.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	17 to 19	210.00
16	Industrial FAS-A and Better	Plain White Oak	2¾ and thicker	3½ and wider	20 to 22	235.00
17	Industrial FAS-A	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	79.00
17	Industrial FAS-A	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	85.00
17	Industrial FAS-A	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	87.00
17	Industrial FAS-A	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	92.00
18	Industrial FAS-B	Plain White Oak	1	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	66.00
18	Industrial FAS-B	Plain White Oak	1¼	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	69.00
18	Industrial FAS-B	Plain White Oak	1½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	71.00
18	Industrial FAS-B	Plain White Oak	2	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	80.00
18	Industrial FAS-B	Plain White Oak	2½	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	100.00
18	Industrial FAS-B	Plain White Oak	3	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	110.00
18	Industrial FAS-B	Plain White Oak	4	6 and wider. Av. 9 or more	8 to 16. 50% or more 14 and 16	130.00
19	Body Builders	Plain White Oak	5/8	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	38.00
19	Body Builders	Plain White Oak	¾	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	42.00
19	Body Builders	Plain White Oak	1	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	49.00
19	Body Builders	Plain White Oak	1¼	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	51.00
19	Body Builders	Plain White Oak	1½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	52.00
19	Body Builders	Plain White Oak	2	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	57.00
19	Body Builders	Plain White Oak	2½	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	66.00
19	Body Builders	Plain White Oak	3	6 and wider. Av. 8 to 9	8 to 16. 50% or more 14 and 16	69.00
20	Sound Sill	Plain White Oak	2	6-7-8-10-12-13	6 to 16. 50% or more 14 and 16	62.00
21	Sound Square Edge	Plain White Oak	1	3 and wider. Av. 7	6 to 16. 50% or more 14 and 16	30.00
22	Fencing	Plain White Oak	1	6	16	47.00
23	Clear Face Strips	Plain White Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	69.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1	6 and wider. Av. 10 or more	18 to 24. Av. 20	147.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1¼	6 and wider. Av. 10 or more	18 to 24. Av. 20	157.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	1½	6 and wider. Av. 10 or more	18 to 24. Av. 20	162.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2	6 and wider. Av. 10 or more	18 to 24. Av. 20	172.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	2½	6 and wider. Av. 10 or more	18 to 24. Av. 20	182.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	3	6 and wider. Av. 10 or more	18 to 24. Av. 20	197.00
24	Industrial FAS-B and Better Boat Builders.	Plain White Oak	4	6 and wider. Av. 10 or more	18 to 24. Av. 20	247.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	10 to 16, inc	150.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	17 to 20, inc	175.00
25	Bending Oak	White Oak	1¼ to 1½	3 to 8	21 to 24, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	10 to 16, inc	175.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	17 to 20, inc	200.00
25	Bending Oak	White Oak	2 to 2½	3 to 8	21 to 24, inc	225.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	10 to 16, inc	200.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	17 to 20, inc	225.00
25	Bending Oak	White Oak	2¾ to 5	3 to 8	21 to 24, inc	250.00
26	Quartered Clear Face Strips	Quartered White Oak	1	3 to 5½	8 to 16. 50% or more 14 and 16	95.00
27	Comb Grain FAS	White Oak	1	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	125.00
27	Comb Grain FAS	White Oak	1¼	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	135.00
27	Comb Grain FAS	White Oak	1½	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	145.00
27	Comb Grain FAS	White Oak	2	5 and wider. Av. 7	8 to 16. 60% or more 14 and 16	160.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	75.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1¼	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	82.00
28	Comb Grain No. 1 Common and Selects.	White Oak	1½	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	90.00

(1) W. M. RITTER LUMBER COMPANY—Continued

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet	Price
28	Comb Grain No. 1 Common and Selects.	White Oak	2	3 and wider. Av. 6 or more	6 to 16. 60% or more 14 and 16	$100.00
29	Plain FAS	Red Oak	2½	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	130.00
29	Plain FAS	Red Oak	3	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	145.00
29	Plain FAS	Red Oak	4	6 and wider. Av. 11 or more	8 to 16. 60% to 70% 14 and 16	170.00
30	Plain FAS Step Plank	Red Oak	1¼	10 to 14	8 to 16	112.00
30	Plain FAS Step Plank	Red Oak	1½	10 to 14	8 to 16	117.00
31	Plain Clear Face Strips	Red Oak	1	4 to 5½	8 to 16. 50% or more 14 and 16	54.00
32	Plain No. 1 Common Strips	Red Oak	1	3 to 5½	6 to 16. 50% or more 14 and 16	45.00
33	FAS Star (Export)	Plain White Oak	1	6 to 17	8 to 16	79.00
33	FAS Star (Export)	Plain White Oak	1¼	6 to 17	8 to 16	85.00
33	FAS Star (Export)	Plain White Oak	1½	6 to 17	8 to 16	87.00
33	FAS Star (Export)	Plain White Oak	2	6 to 17	8 to 16	92.00
34	(g) (Export)	Plain White Oak	⅜	4 and up	6 to 16	36.00
34	(g) (Export)	Plain White Oak	½	4 and up	6 to 16	43.00
34	(g) (Export)	Plain White Oak	⅝	4 and up	6 to 16	46.00
34	(g) (Export)	Plain White Oak	¾	4 and up	6 to 16	51.00
34	(g) (Export)	Plain White Oak	1	4 and up	6 to 16	60.00
34	(g) (Export)	Plain White Oak	1¼	4 and up	6 to 16	65.00
34	(g) (Export)	Plain White Oak	1½	4 and up	6 to 16	67.00
34	(g) (Export)	Plain White Oak	1¾	4 and up	6 to 16	72.00
34	(g) (Export)	Plain White Oak	2	4 and up	6 to 16	72.00
34	(g) (Export)	Plain White Oak	2½	4 and up	6 to 16	97.00
34	(g) (Export)	Plain White Oak	3	4 and up	6 to 16	107.00
34	(g) (Export)	Plain White Oak	4	4 and up	6 to 16	127.00
35	Banco (Export)	Plain White Oak	¾	6 and up	6 to 16	37.00
35	Banco (Export)	Plain White Oak	1	6 and up	6 to 16	40.00
35	Banco (Export)	Plain White Oak	1¼	6 and up	6 to 16	47.00
35	Banco (Export)	Plain White Oak	1½	6 and up	6 to 16	50.00
35	Banco (Export)	Plain White Oak	2	6 and up	6 to 16	58.00
35	Banco (Export)	Plain White Oak	2½	6 and up	6 to 16	81.00
36	(h) (Export)	Plain White Oak	⅝	4 and up	6 to 16	35.00
36	(h) (Export)	Plain White Oak	¾	4 and up	6 to 16	39.00
36	(h) (Export)	Plain White Oak	1	4 and up	6 to 16	44.00
36	(h) (Export)	Plain White Oak	1¼	4 and up	6 to 16	46.00
36	(h) (Export)	Plain White Oak	1½	4 and up	6 to 16	47.00
36	(h) (Export)	Plain White Oak	2	4 and up	6 to 16	54.00
36	(h) (Export)	Plain White Oak	2½	4 and up	6 to 16	57.00
36	(h) (Export)	Plain White Oak	3	4 and up	6 to 16	62.00

(2) CHERRY RIVER BOOM AND LUMBER COMPANY

1	Panel and No. 1 Wide	Poplar	1	Regular	Regular	$105.00
2	Filtch-sawed Mill Run	Beech	1			36.00
3	Box Grade	Chestnut	1	Regular	Regular	28.00
4	FAS—Red Face	Birch	1	Regular	Regular	112.00
4	FAS—Red Face	Birch	1¼	Regular	Regular	115.00
5	No. 1 Common—Red Face	Birch	1	Regular	Regular	68.00
5	No. 1 Common—Red Face	Birch	1¼	Regular	Regular	75.00
6	Dunnage	Mixed Hardwoods	1			12.00

(3) MOORE, KEPPEL & COMPANY

1	Sound Square Edge or Structural	White Oak	1			$26.00
1	Sound Square Edge or Structural	White Oak	1¼ and 1½			40.00
1	Sound Square Edge or Structural	White Oak	2			42.00
1	Sound Square Edge or Structural	White Oak	3			42.00
2	Export and Better	White Oak	4			100.00
3	No. 2 Common and Better Sound Wormy.	Beech	1¼			30.00
4	Dunnage or Burning Boards	Mixed Hardwoods	1			12.00
5	No. 3 Common	Mixed Beech, Birch, Maple, Oak and Hickory.	1	Regular	Regular	20.00

(4) ELK RIVER COAL & LUMBER COMPANY

1	Sound Square Edge or Structural	White Oak	2	10		$44.00
2	Scoots or Burning Boards	Mixed Hardwoods	1			18.00
3	Bung No. 1 Common	Poplar	1	Regular	Regular	59.00
4	Bung No. 2-A Common	Poplar	1	Regular	Regular	49.00
5	Bung No. 2-B Common	Poplar	1	Regular	Regular	38.00
6	Core Grade	Poplar	1			35.00
7	Clear Strips	Poplar	1	Regular	Regular	65.00
8	No. 1 Common Strips	Poplar	1	Regular	Regular	45.00
9	No. 1 Common and Selects	Poplar	1	6 and up	Regular	61.00

(5) BEMIS HARDWOOD LUMBER COMPANY

1	Core Grade	Poplar	1			$31.00

(6) MORRISON, GROSS & COMPANY

1	Sound Square Edge	White Oak and Red Oak.	1			$34.00
1	Sound Square Edge	White Oak and Red Oak.	2			42.00

(7) CONASAUGA RIVER LUMBER COMPANY

Grade or item No.	Grade designation	Species	Thickness (inches)	Widths (inches)	Lengths (feet)	Price
1	No. 1 Common Bung	Poplar	1	Regular	Regular	$57.00
2	FAS Squares	Poplar	4	4		115.00
2	FAS Squares	Poplar	8	8		165.00
2	FAS Squares	Poplar	10	10		172.00
3	No. 1 Common and Sound Squares	Poplar	4	4		70.00
3	No. 1 Common and Sound Squares	Poplar	5	5		73.00

(8) PARDEE & CURTIN LUMBER COMPANY

1	No. 1 Common and Selects	Red Oak	1	4½ and wider	6 and longer. 50% 7, 8, 14 and 16	$56.00
2	FAS	Red Oak	1¼	11 to 14	Regular	105.00

(9) TENNESSEE EASTMAN CORPORATION

1	Sound Square Edge	White Oak	2	8		$40.00
1	Sound Square Edge	White Oak	2	8½		44.00
1	Sound Square Edge	White Oak	2	10		41.00
1	Sound Square Edge	White Oak	2	12		42.00
2	Sound Square Edge	White Oak	3			43.00
3	Sound Square Edge	White Oak	3½			43.00
4	FAS Comb Grain	White Oak	1			125.00

§ 1382.10a *Effective dates of amendments.*

* * * * * * * *

(c) Amendment No. 3 (§ 1382.12 (d)) to Maximum Price Regulation No. 146 shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 17th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6836; Filed, July 17, 1942; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 35]

WARD REFRIGERATOR AND MFG. CO

For 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 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.72 *Approval of maximum price for sale of model V-5 ice-box by Ward Refrigerator and Manufacturing Company.* (a) The maximum price for the sale by the Ward Refrigerator and Manufacturing Company, 6501 South Alameda Street, Los Angeles, California of Model No. V-5, of wood household ice-boxes manufactured by that company shall be $37.70, uncrated, and $40.70, crated, per unit, f. o. b., Los Angeles, California.

(b) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 35 (§ 1499.72) shall become effective July 18, 1942.

(Pub. Law, 421, 77th Cong.)

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6827; Filed, July 17, 1942; 11:51 a. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5028.

Chapter XV—Board of War Communications

[Order 12]

PART 1711—REMOVAL AND IMPOUNDING OF RADIO EQUIPMENT IN PUERTO RICO AND THE VIRGIN ISLANDS

Whereas, The Board of War Communications has determined that the national security and defense and the successful prosecution of the war demand the removal and impounding of all radio communication equipment in Puerto Rico and the Virgin Islands which is either owned by or in the possession of licensed amateurs or which is not presently being operated pursuant to a license from the Federal Communications Commission;

Now, therefore, by virtue of the authority vested in the Board by the Communications Act of 1934, as amended, and Executive Order No. 8964 of December 10, 1941;

It is hereby ordered as follows:

§ 1711.1 *Puerto Rico and Virgin Islands, removal and impounding of amateur equipment.* (a) The Federal Communications Commission is authorized to remove the apparatus and equipment of every amateur radio station in Puerto Rico and the Virgin Islands.

(b) The Commission is further authorized to remove the apparatus and equipment of every radio station in Puerto Rico and the Virgin Islands, the operation of which is not authorized under Commission license or construction permit.

(c) All apparatus and equipment removed pursuant to the terms of this order shall be impounded by the Commission at such places and under such conditions as the Commission shall prescribe.

(d) Whenever necessary, the Commission shall collaborate with the War and Navy Departments to carry out the terms of this order.

(e) Nothing in this order shall apply to apparatus or equipment which is owned by or in the possession of the United States Government, or in the process of manufacture under contract for or on behalf of the United States Government.

Subject to such further order as the Board may deem appropriate. (48 Stat. 1064; 47 U.S.C. 151-609; E.O. 8964, 9183; 6 F.R. 6367, 7 F.R. 4509)

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: July 9, 1942,

E. M. WEBSTER,
Acting Secretary.

[F. R. Doc. 42-6787; Filed, July 17, 1942; 10:19 a. m.]

[Order 13]

PART 1712—TRANSMITTING TUBE QUESTIONNAIRE

Whereas, The Board of War Communications has determined that complete information should be obtained with respect to the transmitting tubes of each standard broadcast station;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8546 of September 24, 1940;

It is hereby ordered, That:

§ 1712.1 *Filing of questionnaire regarding transmitting tubes.*—Each licensee of a standard broadcast station shall furnish the information concerning transmitting tubes specified in the attached questionnaire by filing one copy of such questionnaire, properly completed, with the Board on or before August 1, 1942.

Subject to such further order as the Board may deem appropriate. (E.O. 8546, 9183; 5 F.R. 3817, 7 F.R. 4509.)

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: June 10, 1942.

E. M. WEBSTER,
Acting Secretary.

[F. R. Doc. 42-6788; Filed, July 17, 1942; 10:19 a. m.]

[Order No. 14]

PART 1713—AUTHORIZATION OF DEPARTMENT OF WAR TO USE, CONTROL, SUPERVISE, INSPECT OR CLOSE STATIONS AND FACILITIES FOR WIRE OR RADIO COMMUNICATION IN THE TERRITORY OF ALASKA

Whereas, the Board of War Communications has determined that the national security and defense and the successful conduct of the war demand that all non-military stations and facilities for radio or wire communication in the Territory of Alaska shall be subject to use, control, supervision, inspection or closure by the Department of War;

Now, therefore, by virtue of the authority vested in the Board of War Communications by Executive Orders Nos. 8546, 8964, and 9089 [1] of September 24, 1940, December 10, 1941, and March 6, 1942, respectively;

It is hereby ordered, That:

§ 1713.1 *Radio or wire communication facilities in Alaska.* All non-military stations and facilities for radio or wire communication in the Territory of Alaska shall be subject to such use, control, supervision, inspection or closure by the Department of War in accordance with the terms of the said Executive Orders as the Secretary of War may deem necessary for the national security and defense and the successful conduct of the war: *Provided, however,* That nothing herein shall apply to facilities controlled by the Department of Navy under Order No. 2 [2] of the Board.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: July 15, 1942.

E. M. WEBSTER,
Acting Secretary,
Captain, U. S. Coast Guard.

[F. R. Doc. 42-6805; Filed, July 17, 1942; 11:35 a. m.]

[1] 5 F.R. 3817, 6 F.R. 6367, 7 F.R. 1777, respectively.
[2] 7 F.R. 2006.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-34]

HIGH POINT COAL COMPANY, CODE MEMBER

ORDER GRANTING APPLICATION, ETC.

Order granting application filed pursuant to § 301.132 of the Rules of Practice and Procedure, terminating code membership, cancelling hearing and providing for payment of tax for restoration of code membership and to cease and desist upon restoration.

A complaint, dated September 15, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on September 16, 1941 with the Bituminous Coal Division (the "Division"), by the Bituminous Coal Producers Board for District No. 8, complainant (the "Complainant"), alleging, as amended by Order granting motion to amend dated February 28, 1942, that High Point Coal Company, a corporation organized and existing under the Laws of the State of Tennessee, Code Member, whose address is Knoxville, Tennessee, operator of the Mine No. 1 (Mine Index No. 241), Caryville, Tennessee, in District No. 8, wilfully violated the Act, the Bituminous Coal Code (the "Code") promulgated thereunder and orders and rules and regulations of the Division, by selling, delivering and offering for sale for shipment by rail, to numerous purchasers in various market areas, substantial quantities of coal produced by it at its aforesaid mine, at prices below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck, (the "Schedule") as more fully set forth in the complaint as amended herein; and

The complaint herein and the complaint as amended and the Notice of and Order for Hearing, dated December 8, 1941, with amendment thereto, having been duly served upon the Code Member and the hearing herein having been postponed by order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate order; and

The Code Member having duly filed with the Division, on January 19, 1942, an application based upon admissions for disposition of compliance proceedings without formal hearing, dated January 16, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division; on February 9, 1942, a supplemental application, dated February 6, 1942; on February 18, 1942, a second supplemental application, dated February 16, 1942; and on April 13, 1942, a motion for reconsideration of application based upon admissions for disposition of compliance proceedings without formal hearing, dated April 11, 1942; and

Notice, dated May 7, 1942, of the filing of said application, as supplemented, having been published in the FEDERAL REGISTER on May 8, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure, and copies thereof having been duly mailed to interested parties including the Complainant; and

Said Notice of filing having provided that interested parties desiring to do so might within fifteen (15) days from the date of said notice file recommendations or requests for informal conferences in respect to said application, as supplemented, and it appearing that the Complainant within said fifteen (15) day period filed a recommendation dated May 12, 1942, that said application, as supplemented, be accepted; and

It further appearing that in said application, as supplemented, Code Member producer admitted that during the period from March 18, 1941 to March 31, 1941, both dates inclusive, it committed the violations alleged in the complaint herein by describing, billing and selling 423.55 net tons of 2½" x 6" egg coal as 2½" x 5" egg coal in violation of the effective minimum prices; and

It further appearing in said application, as supplemented, that the Code Member represents that it has not, to the best of its knowledge and belief, committed any violations of the Act, the Code or regulations thereunder other than those described in said application, as supplemented; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of an order revoking its membership in the Code and imposing a tax in the amount of Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, as a condition precedent to the restoration of its membership in the Code and agree to pay such tax as a condition to such restoration; and

It further appearing in said application, as supplemented, that the Code Member consents to the entry of a cease and desist order directing it to cease and desist from further violations of the Act, the Code, and rules and regulations thereunder;

Now, therefore, pursuant to the authority vested in the Division by section 4 II (j) of the Act authorizing it to adjust complaints of violation and to compose the differences of the parties thereto and upon the application, as supplemented, of the Code Member, for disposition without formal hearing of the charges contained in the complaint herein, as amended, pursuant to § 301.132 of the Rules of Practice and Procedure, and upon the recommendation of the Complainant and upon evidence in the possession of the Division:

It is hereby found as follows:

A. High Point Coal Company is a corporation organized and existing under and by virtue of the Laws of the State of Tennessee, with its principal place of business at Knoxville, Tennessee, and is primarily engaged in the business of mining and producing bituminous coal.

B. High Point Coal Company filed with the Division on June 21, 1937, its acceptance, dated June 15, 1937, of the Code. Said code acceptance was made effective by the Division as of June 21, 1937, and High Point Coal Company is now a Code Member in District 8, operating the Mine No. 1 and Mine No. 2, Mine Index Nos. 241 and 242, respectively, located at or near Caryville, Tennessee, in Sub-District No. 6 of District No. 8.

C. High Point Coal Company, during the period from March 18, 1941 to March 31, 1941, both dates inclusive, wilfully violated the effective minimum prices, the Act, the Code promulgated thereunder and rules and regulations of the Division by selling to numerous purchasers in various market areas for shipment by rail 423.55 net tons of 2½'' x 6'' egg coal produced by it at its No. 1 Mine at prices of $2.75 to $2.86 f. o. b. said mine, whereas, the effective minimum prices established for said coal for shipment by rail into various market areas was $2.80 to $2.91, respectively, as set forth in the Schedule.

It is hereby further found, Pursuant to the provisions of section 5 (b) of the Act that the membership of the High Point Coal Company in the Code should be revoked with respect to the violations described in paragraph C. above.

It is hereby further found, That the amount of tax, imposed by section 5 (b) and (c) of the Act with respect to the coal described in paragraph C. above amounting to 423.55 net tons, and required to be paid as a condition precedent to restoration of membership of the High Point Coal Company in the Code, is Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, which amount is 39% of the aggregate of the effective minimum prices of such coal at the mine of One Thousand One Hundred Ninety-four and Sixty-two One-Hundredths ($1,194.62) Dollars.

It is hereby further found, That the High Point Coal Company upon any restoration of its code membership should be directed to cease and desist from violations of the Act, the Code and rules and regulations thereunder.

Now, therefore, On the basis of the above findings and said admissions and the consent filed by the High Point Coal Company pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That the aforesaid application, as supplemented, of the High Point Coal Company be and the same hereby is accepted and granted; and

It is further ordered, That pursuant to section 5 (b) of the Act, the membership of High Point Coal Company in the Code be and the same hereby is revoked and canceled; and

It is further ordered, That such cancellation and revocation of the code membership of the said High Point Coal Company shall become effective fifteen (15) days from the date of service of this Order on said High Point Coal Company; and

It is further ordered, That the hearing herein heretofore postponed by Order dated April 23, 1942, to a date and place to be thereafter designated by an appropriate Order be and the same hereby is canceled; and

It is further ordered, That prior to restoration to membership of the High Point Coal Company in the Code, there shall be paid to the United States Government, a tax in the amount of Four Hundred Sixty-five and Ninety One-Hundredths ($465.90) Dollars, as provided in section 5 (c) of the Act; and

It is further ordered, That any order of restoration of the membership of the High Point Coal Company in the Code shall require that the High Point Coal Company, its representatives, officers, servants, agents, employees, attorneys, receiver, and successors or assigns and all persons acting or claiming to act in its behalf and interest, cease and desist and they be permanently enjoined and restrained from violating the Act, the Code, the rules and regulations thereunder and Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck.

Dated: July 15, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6800; Filed, July 17, 1942; 11:13 a. m.]

[Docket No. B-268]

GOULD ROAD COAL CO.

ORDER POSTPONING HEARING

In the matter of Andrew Pipo doing business under the name and style of Gould Road Coal Company, Code Member.

The above-entitled matter having been heretofore scheduled for hearing on August 1, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Common Pleas Court Room, Steubenville, Ohio; and

The Acting Director deeming it advisable that said hearing be postponed;

Now, therefore, it is ordered, That the above-entitled matter be and the same is hereby postponed from 10 a. m. on August 1, 1942, to 10 a. m. on August 7, 1942, at the place and before the officer or officers previously designated.

It is further ordered, That the Notice of and Order for Hearing dated June 20, 1942, shall in all other respects remain in full force and effect, except as amended by Order of July 2, 1942.

Dated: July 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6801; Filed, July 17, 1942; 11:13 a. m.]

APPLICATION FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	*Date application filed*
Carbo Coke Sales Co., 318 Wabasha St., St. Paul, Minn	July 7, 1942
Milman Coal Co., 40 Park Pl., Newark, N. J	May 21, 1942
L. F. Kaine Coal Co., 1 Broadway, New York, N. Y	June 27, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before August 17, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: July 16, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6802; Filed, July 17, 1942; 11:13 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LOGGING OPERATIONS IN CERTAIN IDAHO COUNTIES

OPPORTUNITY FOR REVIEW OF DETERMINATION

Notice of opportunity to petition for review of determination denying the application for the partial exemptions of logging operations in the counties of Benewah, Bonner, Boundary, Shoshone, Kootenai and Latah in the State of Idaho and adjacent areas, from the maximum hours provisions of the Fair Labor Standards Act of 1938, as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas, applications have been made by sundry parties engaged in logging operations in the counties of Benewah, Bonner, Boundary, Shoshone, Kootenai and Latah in the State of Idaho, for the partial exemption of such logging operations from the maximum hours provisions of the Fair Labor Standards Act pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas, the Administrator of the Wage and Hour Division gave notice of a public hearing to be held at Coeur D'Alene, Idaho, on May 23, 1941, before Mr. Harold Stein, who was authorized to take testimony, hear argument, and determine:

Whether logging operations in Benewah, Bonner, Boundary, Shoshone, Kootenai, and Latah Counties in the State of Idaho and in adjacent areas constitute a branch of the lumber industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 as amended of the regulations issued thereunder, and if so, the appropriate limits of such industry; and

Whereas, following such hearing the said Harold Stein duly made his findings of fact and determined as follows:

1. Logging operations in the State of Idaho and adjacent areas include the building of roads, and camps, the felling, sawing, trimming, and bucking of white pine, cedar, fir, and other species of timber, and the skidding and hauling of the logs to the railroad, mill, or river by truck, rail, flume, or other means, as well as the manufacture of cedar poles.

2. "Truck logging" operations in northern Idaho and adjacent areas differ from other types of logging in these areas only in that the logs are hauled by motor truck instead of by other means.

3. Truck logging operations in northern Idaho and adjacent areas do not constitute a separable branch of the lumber industry within the meaning of section 7 (b) (3) of the Fair Labor Standards

Act and Part 526 of the regulations issued thereunder, but must be considered as part of the same industry as other logging operations in this area, regardless of whether the logs are hauled by truck, rail, or other methods, or whether operations are confined to the production of white pine or include other species of timber.

4. Although the operations of many small truck logging enterprises in these areas are restricted to periods of six months or less each year, partly as a result of climatic or other natural conditions and partly because of economic considerations, other small scale truck logging operations in this area are carried on for periods greatly in excess of six months each year. The large lumber companies in this area carry on truck logging operations for annual periods ranging from eight to eleven months. Railroad logging operations are carried on for periods of eight to twelve months per year. Truck logging, railroad logging, or a combination of the two methods are carried on in this area during the entire year.

5. Logging operations in northern Idaho and adjacent areas take place during a period too long in relation to the period of exemption afforded by section 7 (b) (3) of the Act to warrant a finding that such logging is of a seasonal nature.

The application is denied; and

Whereas, said Findings and Determination were duly filed with the Administrator on July 6, 1942, and are now on file in Room 1619, National Offices of the Wage and Hour Division, Department of Labor, 165 West 46th Street, New York, New York, and available for examination by all interested parties;

Now, therefore, pursuant to the provisions of § 526.7 of the aforesaid regulations, notice is hereby given that any person aggrieved by the said determination may, within fifteen days after the date this notice appears in the FEDERAL REGISTER, file a petition with the Administrator at the offices of the Wage and Hour Division, 165 West 46th Street, New York, New York, requesting that he review the action of the said representative upon the record of hearing. Such petition shall set forth the grounds upon which the petition for review is based.

Signed at New York, New York, this 16th day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-6799; Filed, July 17, 1942; 10:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6284]

PULITZER PUBLISHING CO. (KSD)

NOTICE OF HEARING

In re application of The Pulitzer Publishing Company, (KSD) dated May 28, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, St. Louis, Missouri; operating assignment specified: Frequency, 940 kc.; power, 50 kw. (DA—night); hours of operation, unlimited.

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

1. To determine the character of the proposed program service.

2. To determine what new areas and populations would receive primary service as a result of the proposed change in facilities and what broadcast service is already available to such areas and populations.

3. To determine what areas and populations would lose primary service from Station KSD as a result of the proposed change in facilities and what other broadcast service is available to such areas and populations.

4. To determine whether the granting of the application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of Station KSD operating as proposed.

5. To determine the extent of any interference which would result from the simultaneous operation of Station KSD as proposed and Station KTKC.

6. To determine the areas and populations which would be deprived of primary service, particularly from Station KTKC, as a result of the operation of Station KSD as proposed, and what other broadcast service is available to these areas and populations.

7. To determine the extent of any interference which would result from the simultaneous operation of Station KSD as proposed and Station CBM, Montreal, Quebec, as presently operated or as permitted under the terms of the NARBA (Appendix I, Table III).

8. To determine whether the proposed directional antenna can be adjusted so as to obtain and maintain the expected radiation pattern.

9. To determine what methods would be used to maintain the proposed directional antenna in correct adjustment and whether such methods are technically feasible.

10. To determine whether public interest, convenience and necessity requires that the license of Station WTAD, Quincy, Illinois, be modified so as to authorize operation on 550 kc in lieu of its present operation on 930 kc.

11. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

12. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion, dated April 27, 1942.

13. To determine whether in view of the foregoing, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

The Pulitzer Publishing Company, Radio Station KSD, 12th & Olive Streets, St. Louis, Missouri.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6821; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6344]

R. G. LETOURNEAU (WRLC)

NOTICE OF HEARING

In re application of R. G. LeTourneau (WRLC), dated January 27, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Toccoa, Georgia; operating assignment specified: Frequency, 1420 kc.; power, 1 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a writen 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: R. G. LeTourneau, Radio Station WRLC, 1200 Prather Bridge Road, Toccoa, Georgia.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6822; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6345]

WHEB, INC.

NOTICE OF HEARING

In re application of WHEB, Incorporated (WHEB), dated January 7, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Portsmouth, New Hampshire; operating assignment specified: Frequency, 750 kc.; power, 10 kw. day (directional antenna); hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

WHEB, Incorporated, Radio Station WHEB, P. O. Box 336, Portsmouth, New Hampshire.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6823; Filed, July 17, 1942; 11:35 a. m.]

[Docket No. 6346]

WNOE, INC.

NOTICE OF HEARING

In re application of WNOE, Incorporated (WNOE), dated January 7, 1942, for construction permit; class of service; broadcast; class of station, broadcast; location, New Orleans, La.; operating assignment specified: Frequency, 1,060 kc.; power, 50 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

WNOE, Incorporated, Radio Station WNOE, St. Charles Hotel, 211 St. Charles Street, New Orleans, La.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6824; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6348]

COURIER JOURNAL AND LOUISVILLE TIMES (WHAS)

NOTICE OF HEARING

In re application of Courier-Journal and Louisville Times Company (WHAS), dated September 24, 1941, for construction permit; class of service, broadcast; class of station, broadcast; operation assignment specified: Frequency, 840 kc.; Power, 750 kw.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Courier-Journal and Louisville Times Company, Radio Station WHAS, 300 West Liberty Street, Louisville, Kentucky.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6816; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6350]

ISLE OF DREAMS BROADCASTING CORP. (WIOD)

NOTICE OF HEARING

In re application of Isle of Dreams Broadcasting Corporation (WIOD), dated January 17, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Miami, Florida; operating assignment specified: Frequency, 610 kc.; power, 5 kw. (night), 10 kw. (day); hours of operation, unlimited (directional antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Isle of Dreams Broadcasting Corporation, Radio Station WIOD, 600 Biscayne Boulevard, Miami, Florida.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6817; Filed, July 17, 1942; 11:36 a. m.]

[Docket No. 6351]

INTERMOUNTAIN BROADCASTING CORP. (KDYL)

NOTICE OF HEARING

In re application of Intermountain Broadcasting Corporation (KDYL), dated August 25, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Salt Lake City, Utah; operating assignment specified: Frequency, 880 kc.; power, 10 kw.; hours of operation, unlimited (directional antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Intermountain Broadcasting Corporation, Radio Station KDYL, Ezra Thompson Building, 143 S. Main St., Salt Lake City, Utah.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6818; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6353]

PITTSBURG BROADCASTING CO., INC. (KOAM)

NOTICE OF HEARING

In re application of The Pittsburg Broadcasting Company, Inc. (KOAM), dated, April 26, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Pittsburg, Kansas; operating assignment specified: Frequency, 860 kc.; power, 5 kw. (DA—night); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this memorandum would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Pittsburg Broadcasting Company, Inc., Radio Station KOAM, Commerce Building, Fourth and Broadway, Pittsburg, Kansas.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6819; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6354]

JOHN EWING

NOTICE OF HEARING

In re application of John Ewing (new), Dated October 28, 1941, For Construction Permit; Class of Service, Broadcast; Class of Station, Broadcast; Location, New Orleans, La.; Operating Assignment Specified: Frequency, 1,060 kc.; power, 10 kw. night, 50 kw. day; Hours of operation, unlimited (Directional Antenna).

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless 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 Commision'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:

John D. Ewing, P. O. Box 1387, Shreveport, La.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6820; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6355]

NEW HAVEN BROADCASTERS

NOTICE OF HEARING

In re application of H. Ross Perkins and J. Eric Williams d/b as New Haven Broadcasters (NEW), dated July 7, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, New Haven, Connecticut; operating assignment specified: Frequency, 1170 kc.; power, 1000 w.; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing up the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

H. Ross Perkins and J. Eric Williams, d/b as The New Haven Broadcasters, % H. Ross Perkins, 41 South Main Street, Essex, Conn.

Dated At Washington, D. C. July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6811; Filed, July 17, 1942; 11:37 a. m.]

[Docket No. 6356]

HUGH FRANCIS MCKEE

NOTICE OF HEARING

In re application of Hugh Francis McKee (new), dated May 28, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Oreg.; Operating Assignment Specified: Frequency, 1,450 kc.; power, 250 w.; hours of operation, share—KBPS.

You are hereby notified that the Commission on July 1, 1942, denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Hugh Francis McKee, 1903 S. E. 26th Avenue, Portland, Oregon.

Dated at Washington, D. C., July 11, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6812; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6357]

PETER Q. NYCE

NOTICE OF HEARING

In re application of Peter Q. Nyce (new), dated March 15, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Alexandria, Virginia; operating assignment specified: Frequency, 740 kc.; power, 1 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Peter Q. Nyce, 1266 National Press Building, Washington, D. C.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6814; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6359]

LEXINGTON BROADCASTING CO.

NOTICE OF HEARING

In re application of Lexington Broadcasting Company (new), dated December 16, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Lexington, North Carolina; operating assignment specified: Frequency, 1,370 kc. (1,400 kc. NARBA); power 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Lexington Broadcasting Company, c/o J. F. Spruill, Secretary, corner Main and 2d Street, Lexington, North Carolina.

Dated at Washington, D. C., July 13, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6813; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6360]

FORT SMITH NEWSPAPER PUBLISHING CO.

NOTICE OF HEARING

In re application of Fort Smith Newspaper Publishing Company (new), dated March 3, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Fort Smith, Arkansas; operating assignment specified: Frequency, 550 kc.; Power, 1 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the Petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Fort Smith Newspaper Publishing Company, 507 Rogers Avenue, Ft. Smith, Arkansas.

Dated at Washington, D. C., July 13, 1942.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6815; Filed, July 17, 1942; 11:38 a. m.]

[Docket No. 6220]

HERMAN RADNER

ORDER AMENDING ISSUES

In re application of Herman Radner (new), Dearborn, Michigan; for construction permit.

It is ordered, On the Commission's own motion this 11th day of July, 1942, that all of the issues heretofore released on the above described application be, and they are hereby, amended to read as follows:

1. To determine the relationships, the nature, extent and effect thereof existing between the applicant, the personnel of the proposed station and WIBM, Inc., licensee of Station WIBM, Jackson, Michigan.

2. To determine the areas and populations now receiving primary service from Station WIBM which would receive primary service from the station proposed herein.

3. To determine the character of the proposed program service.

4. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Stations WMAQ, Chicago, Illinois, and WISR, Butler, Pennsylvania.

5. To determine the areas and populations which would be deprived of primary service, particularly from Stations WMAQ and WISR, as a result of the operation of the proposed station, and what other broadcast service is available to these areas and populations.

6. To determine the areas and populations which would gain primary service from the operation of the proposed station and what other broadcast service is available to these areas and populations.

7. To determine whether the proposed station would provide primary service to (a) the business districts, (b) the residential districts and (c) the metropolitan district of Detroit, Michigan, as contemplated by the Standards of Good Engineering Practice.

8. To determine whether the applicant, by modifying his proposal so as to provide for the use of a directional antenna, and using the requested power or increased power, could render a better service to the Detroit, Michigan area than would be rendered by station operation as now proposed, and avoid causing objectionable interference to the services of existing stations.

9. To determine whether there are other assignments available for this area which would enable the applicant to provide service more nearly in accordance with the Standards of Good Engineering Practice.

10. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

11. To determine whether the granting of this application and the operation of the proposed station would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

12. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

It is further ordered, That the hearing date on the above entitled application, namely July 15, 1942, be, and it is hereby, continued to July 28, 1942.

By the Commission, Clifford J. Durr, Commissioner.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6806; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6347]

KCMO BROADCASTING CO. (KCMO)

NOTICE OF HEARING

In re application of KCMO Broadcasting Company (KCMO), Dated November 10, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Kansas City, Missouri; operating assignment specified: Frequency, 810 kc.; power, 10 kw. (DA-night) 50 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

KCMO Broadcasting Company, Radio Station KCMO, 1515 Commerce Trust Building, 922 Walnut Street, Kansas City, Missouri.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6807; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6349]

SOUTHERN UTAH BROADCASTING CO. (KSUB)

NOTICE OF HEARING

In re application of Southern Utah Broadcasting Company (KSUB), dated March 14, 1942; for construction permit; class of service, broadcast; class of station, broadcast; location, Cedar City, Utah; operating assignment specified: frequency, 1,340 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provision 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:

Southern Utah Broadcasting Company, radio Station KSUB, El Escalante Hotel, First, N and Main Streets, Cedar City, Utah.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6808; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6352]

HARWELL V. SHEPARD (KDNT)

NOTICE OF HEARING

In re application of Harwell V. Shepard (KDNT), dated October 1, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Denton, Texas; operating assignment specified: Frequency, 1,450 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 1, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Harwell V. Shepard, Radio Station KDNT, 300 W. Ross Street, Denton, Texas.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6809; Filed, July 17, 1942; 11:40 a. m.]

[Docket No. 6358]

CAPITAL CITY BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Capital City Broadcasting Co., Inc., (new), dated November 18, 1940, for construction permit, class of service, broadcast; class of station, broadcast; location, Topeka, Kansas; operating assignment specified: Frequency, 1,210 kc.; power, 5 kw. day; hours of operation, daytime.

You are hereby notified that the Commission on July 1, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues.

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

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

The applicant's address is as follows:

Capital City Broadcasting Co., Inc., 800 Kansas Avenue, Topeka, Kansas.

Dated at Washington, D. C., July 14, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-6810; Filed, July 17, 1942; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 1147-1-P]

PACIFIC COAST FORGE CO.

ORDER GRANTING EXCEPTION

Order No. 2 under Maximum Price Regulation No. 147 [1]—Bolts, Nuts, Screws and Rivets.

On July 1, 1942, Pacific Coast Forge Company, 3800 Iowa Avenue, Seattle, Washington, filed a protest to Maximum Price Regulation No. 147 as applied to said Company's sales to purchasers within the United States intended for consumption in Alaska. Due consideration has been given to the protest and it has been considered as a petition for an exception pursuant to the provisions of § 1368.7 (b) of Maximum Price Regulation No. 147 and an opinion in support of this Order No. 2 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, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Pacific Coast Forge Company, on sales to purchasers within the United States intended for consumption in Alaska, may sell or offer to sell at prices not in excess of the prices established by Maximum Price Regulation No. 147 for its sales for delivery on the Pacific Coast and intended for consumption in the United States.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(c) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(d) This Order No. 2 shall become effective July 16, 1942.

Issued this 16th day of July, 1942.

LEON HENDERSON, *Administrator.*

[F. R. Doc. 42-6784; Filed, July 16, 1942; 4:58 p. m.]

[1] 7 F.R. 3808.

[Docket No. 3006-12]

PHOENIX IRON COMPANY

ORDER GRANTING EXCEPTION

Order No. 16 under Revised Price Schedule No. 6 [1]—Iron and Steel Products.

On April 20, 1942, the Phoenix Iron Company, Phoenixville, Pennsylvania, filed a petition for amendment, adjustment, or exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 thereof. Due consideration has been given to the petition, and an opinion in support of this Order No. 16 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, and in accordance with Procedural Regulation No. 1,[2] it is hereby ordered:

(a) The Phoenix Iron Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, iron and steel products as set forth in paragraph (b), at prices not in excess of those stated therein.

[1] 7 F.R. 1215, 1836, 2132, 2153, 2298, 2299, 2351, 3115.

[2] 7 F.R. 971.

(b) The maximum price which may be charged by the Phoenix Iron Company on its export sales and sales for export of carbon steel structural shapes shall not be in excess of $2.50 per hundred pounds, base, f. o. b. Phoenixville, Pennsylvania.

(c) The Phoenix Iron Company shall furnish monthly data showing profit or loss and cost of production on the output of its mill. Such data shall be filed not later than the fifteenth day of each next succeeding month.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(f) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(g) This Order No. 16 shall become effective July 18, 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6826; Filed, July 17, 1942; 11:51 a. m.]

DORTCH STOVE WORKS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Revised Price Schedule No. 64 [1]—Domestic Cooking and Heating Stoves.

On January 8, 1942, Dortch Stove Works, Inc., of Franklin, Tennessee, made application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for eight coal and wood ranges, Models Nos. 28-42, 11-42, 82-42, 26-42, 21-42, 31-42, 136-42, and 33-42.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Dortch Stove Works, Inc., may sell, offer to sell or deliver the following models at prices no higher than those specified:

	F. o. b. factory
Model No. 28-42 @	$44.26
Model No. 11-42 @	42.02
Model No. 82-42 @	39.80
Model No. 26-42 @	39.03
Model No. 21-42 @	37.56
Model No. 31-42 @	36.79
Model No. 136-42 @	34.73
Model No. 33-42 @	30.81

Subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of Models Nos. 28-14, 11-00, 82-14, 26-14, 21-00, 31-00, 36-14 and 33-00, respectively, as established under Revised Price Schedule No. 64.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

[1] 7 F.R. 1329, 1836, 2000, 2132, 4404.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 11 shall become effective on the 18th day of July 1942.

Issued this 17th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6828; Filed, July 17, 1942; 11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-575]

PLYMOUTH COUNTY ELECTRIC COMPANY, AND NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commision held at its office in the City of Philadelphia, Pa. on the 15th day of July, A. D. 1942.

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 New England Gas and Electric Association, a registered holding company, and its auxiliary, Plymouth County Electric Company; and

Notice is further given that any interested persons may not later than August 3, 1942, at 5:30 p. m. E. S. 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 therein. At any time thereafter, such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

Plymouth County Electric Company proposes to issue and sell to New England Gas and Electric Association 6,960 shares of additional common stock, of the par value of $25.00 per share, at a price of $31.25 per share. The proceeds from the sale of this stock are to be used for the purpose of paying floating indebtedness incurred by Plymouth County Electric Company for extensions, additions and improvements to its plant and property amounting to $217,500 as of May 31, 1942. Such floating indebtedness is represented by open account advance from New England Gas and Electric Association of $150,000, together with a four-month note for $67,500 payable to The First National Bank of Boston with interest at 3% per annum.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6779; Filed, July 16, 1942; 3:44 p. m.]

[File No. 70-573]

BROCKTON EDISON COMPANY, AND MONTAUP ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of July 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Brockton Edison Company (hereinafter called Brockton) and Montaup Electric Company (hereinafter called Montaup), both subsidiaries of Eastern Utilities Associates, a registered holding company; and

Notice is further given that any interested person may, not later than July 31, 1942, at 5:30 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or 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, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

1. Brockton proposes to issue and sell $1,900,000 of ten-year 3% notes. Said notes to be sold at not less than the principal amount thereof plus accrued interest to the date of delivery to one or more insurance companies in a private transaction not involving a public offering. They will be issued under an Indenture of Trust of Brockton.

2. Montaup proposes to issue and sell to Brockton 12,750 shares of its common stock at par ($100 per share). The proceeds thereof will be used by Montaup to reimburse itself for expenditures heretofore made for capital additions and to provide a portion of funds required to complete such additions.

3. Of the $1,900,000 to be received by Brockton from the sale of the said notes, $1,275,000 will be invested in common stock of Montaup as above indicated. Of the remaining $625,000, $460,000 will be applied by Brockton to the payment of short term bank loans incurred to pro-

vide funds for capital additions, and $165,000 will be used to reimburse Brockton for funds previously used for capital additions and now needed to maintain a minimum cash position.

4. Montaup proposes to issue to Blackstone Valley Gas and Electric Company, (hereinafter called Blackstone), a subsidiary of said Eastern Utility Associates, 30,000 shares of its common stock in payment of a $3,000,000 note of Montaup now held by Blackstone. This is being done pursuant to a provision in said note whereunder said note is convertible at the option of either Montaup or Blackstone into common stock of Montaup at the rate of 1 share of such common stock for each $100 principal amount of such note. Blackstone proposes to file an application regarding this acquisition.

The declarants and applicants have requested that Commission action should be accelerated and an order issued by August 6, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6780; Filed, July 16, 1942; 3:44 p. m.]