

# FEDERAL REGISTER



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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 530]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### RESTRICTIONS ON JAPANESE BEETLE MODIFIED

Administrative instructions modifying the restrictions of the Japanese beetle quarantine by advancing the date of termination of restrictions on fruit and vegetable shipments and on cut flowers under § 301.48 of the Japanese beetle quarantine for the year 1943.

It has been determined that the active period of the Japanese beetle in its relation to fruits and vegetables has already ceased for the present season and that it is therefore safe to permit the unrestricted movement of fruits and vegetables from the regulated areas. Also that the reduced activity of the adult beetle warrants discontinuance of inspection and certification of cut flowers after September 30. Therefore, pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the fourth proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 48 on account of the Japanese beetle], it is ordered that the restrictions on the interstate movement of fruits and vegetables imposed by § 301.48-5 under Notice of Quarantine No. 48, revised effective January 14, 1943, be removed effective on and after September 9, 1943, and that the restrictions on the interstate movement of cut flowers imposed by § 301.48-6 under said quarantine, revised effective March 24, 1942, be removed effective on and after October 1, 1943. This order advances the termination of the restrictions as to fruits and vegetables provided for in § 301.48-5 from October 16 to September 9, 1943, and as to cut flowers, provided for in § 301.48-6, from October 16 to October 1, 1943, and applies to this season only.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR § 301.48)

Done at Washington, D. C., this 7th day of September 1943.

P. N. ANNAND,  
Chief.

[F. R. Doc. 43-14786; Filed, September 9, 1943; 3:21 p. m.]

[B. E. P. Q. 529]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### TREATMENTS USED AS A BASIS OF CERTIFICATION UNDER JAPANESE BEETLE QUARANTINE

The quarantine on account of the Japanese beetle and regulations supplemental thereto provide that treatments which give appropriate safeguards may be used as a basis of certifying products regulated under the quarantine. Many different materials and procedures may be used to remove or make innocuous infestations of the Japanese beetle that may be in the products offered for movement. The effectiveness of these various materials and procedures differs with the product, the season of the year, and climatic conditions that may exist when they are applied. Because of this wide variation, and in order to permit the freest possible use of the various treatments and to take advantage of new facts as promptly as they are developed, it is desirable that modification be made in the system followed in the past of delaying use of specific treatments until they have been formally authorized. Inspectors will be currently instructed on the treatments that may be used as a basis of certification. They will also be instructed on their range of applicability, the exact details on the dosage, exposure interval, temperature, and other requirements needed to assure elimination of infestation, as well as data on the reaction of commodities to treatments when these are available. The instructions here issued give general information about the treatments, the uses of which are authorized.

All treatments must be made under the observation of a Department inspector, who will ascertain that all treatment requirements have been met and then issue certification for shipment,

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provided the materials are protected from reinfestation as may be required.

Treatments have been determined on the basis of their efficiency in destroying Japanese beetle infestations. These treatments have had limited tests with respect to injury to plants or products that may be thus treated, and injury may occur to some plant materials. It is therefore understood that no liability shall attach either to the U. S. Department of Agriculture or to any of its employees in the event of injury to either plants or products. In the absence of available information as to injury, the owner should ascertain information as to possible injury to a specific lot of plant products by making test treatments of small lots in advance of applying the treatment to large lots.

The inspector's relation to treatments that may be applied as a basis for certification of any material restricted by the quarantine is to supply full information concerning them and to see that the work is carried out as required to assure elimination of infestation. The owner or shipper should recognize this and understand that he is to furnish the equipment and materials used for applying the treatments which are carried out under the observation of the inspector. The owner or shipper must assume all risk of injury to the equipment and responsibility for personal injuries to all individuals other than Department employees.

§ 301.48b *Administrative instructions to inspectors on treatments used as a basis of certification under the Japanese beetle quarantine.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48, and §§ 301.48-5-6-7, Chapter III, Title 7, Code of Federal Regulations (Quarantine No. 48 and Regulations 5, 6, and 7 of the Rules and Regulations supplemental thereto) inspectors are authorized to certify regulated articles when treated under their observation in accordance with instructions issued to them. Treatments are provided for four classes, as follows:

(a) *Treatment of soil in absence of plants.* Any surface soil or soil in bulk may be treated, provided it is friable, and provided the treating material can be applied safely and under conditions which will assure that various stages of the Japanese beetle that may be included in such soil will be rendered innocuous. The following kinds of materials may be used in applying such treatment: Carbon disulphide; lead arsenate; methyl bromide; methyl bromide solution; and naphthalene.

(b) *Treatment of soil about roots of plants before digging.* Soil of any type

may be treated, provided it is friable and provided the treatment can be applied so as to render stages of the Japanese beetle on parts of soil that may adhere to roots of the plant innocuous. The following materials may be used in such treatments: Carbon disulphide; lead arsenate; and methyl bromide.

(c) *Treatment of soil about roots of plants after digging.* Soil of any type may be treated, provided it is friable, and provided that conditions under which the treating material is used will render stages of the Japanese beetle that may be in the soil innocuous. The use of the following materials for such treatments is authorized: Carbon disulphide; hot water; paradichlorobenzene; methyl bromide; and ethylene dichloride.

(d) *Treatment of fruits and vegetables.* Fruits and vegetables may be treated with fumigants under conditions that will assure that any stages of the Japanese beetle that may be included in the product are rendered innocuous. In applying these treatments it is important that the chamber in which the treatment is applied is constructed in a manner to assure that the fumigant will be effective. The following materials may be used for fumigation: Carbon disulphide; ethylene oxide; methyl bromide; hydrocyanic acid gas; and calcium cyanide.

This revision of § 301.48b [B. E. P. Q. 499, as amended] supersedes all previous instructions to inspectors on the treatment of plants, fruits, vegetables, and soils under the Japanese beetle quarantine.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR § 301.48 and §§ 301.48-5-6-7)

Information in reference to approved treatments will be supplied to pest control officials and interested parties by inspectors or may be obtained by addressing inquiries to: U. S. Department of Agriculture, Bureau of Entomology & Plant Quarantine, 503 Main Street, East Orange, New Jersey.

Done at Washington, D. C., this 4th day of September 1943.

Effective September 10, 1943.

P. N. ANNAND,  
Chief.

[F. R. Doc. 43-14802; Filed, September 10, 1943; 11:25 a. m.]

## Chapter XI—War Food Administration (Distribution Orders)

[FDO 75-2, Amdt. 2]

### PART 1410—LIVESTOCK AND MEATS

#### BEEF REQUIRED TO BE SET ASIDE

Food Distribution Order 75-2, § 1410.18, as amended (8 F.R. 11325, 11890), is further amended to read as follows:

§ 1410.18 *Beef required to be set aside—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof, the definitions con-

tained in Food Distribution Order 75 (8 F.R. 11119), and Food Distribution Order 75-1 (8 F.R. 11327), shall apply when such terms are used herein.

(b) *Quantity; processing.* Notwithstanding the provisions of Food Distribution Order 75-1 and the provisions of the order of the Director issued on September 1, 1943 (8 F.R. 12122), partially suspending certain provisions of that order, no Class 1 slaughterer shall deliver meat unless he shall:

(1) Set aside, reserve and hold for delivery to the Army, Navy, Marine Corps and Coast Guard of the United States, War Shipping Administration, and the agencies which are the subject of Food Distribution Regulation 2 (8 F.R. 7523), and subject to the provisions thereof, 45 percent of the conversion weight of each week's production of beef obtained from the slaughter of steers and heifers, the carcasses of which meet Army specifications for carcass beef or frozen boneless beef;

(2) Bone in accordance with Army specifications for frozen boneless beef not less than 80 percent of the beef set aside, reserved and held in accordance with the requirements of paragraph (b) (1) hereof: *Provided, however,* That the Order Administrator may exempt, wholly or partially, any Class 1 slaughterer from the boning requirement provided for in this paragraph (b) (2) upon a proper showing that said slaughterer (i) does not have adequate facilities for boning, or (ii) does not have, or is unable to obtain, sufficient personnel to bone said beef, or (iii) is unable to comply with this requirement for any reason which appears to the Order Administrator to warrant such exemption.

(c) *Storage; packaging.* Any beef, set aside and reserved in accordance with the requirements of this order until delivered shall be stored in such manner as to maintain the quality thereof. Such beef shall be prepared and packaged in accordance with Army specifications for carcass beef or frozen boneless beef.

(d) *Credits allowed on deliveries.* Deliveries of beef of the class and grade required to be set aside, may be credited against the requirements of (b) (1) or (b) (2) hereof, as follows:

(1) Carcass beef, not exceeding the amount authorized to be set aside as carcass beef under (b) (1) and (b) (2), delivered to any person or agency enumerated in (b) (1) hereof, may be credited against the requirements of (b) (1).

(2) Boneless beef delivered to any person or agency enumerated in (b) (1) hereof, may be credited against the set aside requirements of (b) (1) and the boning requirements of (b) (2).

(3) Any beef which is stamped by a representative of the United States Army and delivered to any processor for use in the fulfillment of a contract for boneless beef with any person or agency enumerated in (b) (1) hereof, may be credited against the set aside requirements of (b) (1) and the boning requirements of (b) (2) hereof.

No credit shall be allowed for such deliveries when made to processors un-

less within 10 days after delivery, the slaughterer obtains a certificate signed by the processor, acknowledging receipt of the meat by him and containing the following:

The name and address of both parties;  
The date or dates of delivery;

The contract number of the contract between the processor and the person or agency specified in (b) hereof; and

A statement by the processor that the beef so delivered will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such beef, and shall retain the certificate for delivery to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false. (This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(e) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any Class 1 slaughterer is required to offer or to deliver under any existing contract with the agencies named in (b) hereof, or with the Food Distribution Administration, War Food Administration, (including, but not restricted to, the Federal Surplus Commodities Corporation), the United States Maritime Commission or the Veterans' Administration; but any meat required to be delivered after the effective date of this order to such agencies pursuant to pre-existing contracts other than those entered into with the Food Distribution Administration, War Food Administration, the United States Maritime Commission or the Veterans' Administration after June 11, 1943, may be used as a credit against the amount of meat required to be set aside or boned pursuant to the provisions of this order.

This amendment shall become effective at 12:01 a. m., e. w. t., September 13, 1943: *Provided, however,* That any Class 1 slaughterer who, between August 15 and August 30, 1943 delivered carcass beef stamped by a representative of the United States Army, to any processor for use by him in the fulfillment of a contract for boneless beef with a person or agency specified in (b) (1) hereof, shall be entitled to credit such deliveries as provided in (d) hereof if, on or before September 9, 1943, he has obtained a certificate in accordance with the provisions of (d) hereof.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order 75-2, as amended, prior to the effective date of this amendment, all provisions of Food Distribution Order 75-2, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280; 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 75, 8 F.R. 11119)

Issued this 9th day of September 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 43-14803; Filed, September 10, 1943; 11:25 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service

[Gen. Order C-38, 1st Supp.]

#### CHANGES IN BOUNDARIES OF FIELD SERVICE DISTRICTS

SEPTEMBER 4, 1943.

Pursuant to the authority contained in section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 327 of the Act of October 14, 1940 (54 Stat. 1150; 8 U.S.C. 727); § 90.1, Title 8, Chapter I, Code of Federal Regulations (8 F.R. 8735); and all other authority conferred by law, the following amendments to Title 8, Chapter I, Code of Federal Regulations are hereby prescribed, effective September 15, 1943:

#### PART 60—ADMINISTRATIVE FIELD OFFICERS

The title of Part 60 is amended to read as follows: "Part 60—Field Service Districts and Officers".

Sections 60.1, 60.2, 60.3, 60.4, 60.5, and 60.6 are renumbered 60.21, 60.22, 60.23, 60.24, 60.25, and 60.26, respectively, and the following new section is prescribed:

§ 60.1 *Field districts.* The territory within which officials of the Immigration and Naturalization Service are located is divided into districts which are designated by numbers, have fixed headquarters, and are defined, as follows:

1. St. Albans, Vermont. Includes the State of Vermont; that part of the State of Maine lying north and east of the counties of York, Cumberland, Androscoggin, Kennebec, Lincoln, and Knox; the counties of Grafton and Coos in the State of New Hampshire; and that part of the State of New York lying north of the counties of Oswego, Oneida, Herkimer, Fulton, and Warren; also jurisdiction over the United States immigration stations located at Halifax, Nova Scotia, and Montreal and Quebec, Province of Quebec, Canada.

2. Boston, Massachusetts. Includes that part of the State of Maine lying south and west of the counties of Oxford, Franklin, Somerset, and Waldo; that part of the State of New Hampshire lying south of the counties of Grafton and Coos; and the State of Massachusetts, Rhode Island, and Connecticut; also jurisdiction over the United States immigration station located at Yarmouth, Nova Scotia, Canada.

3. New York, New York. Includes that part of the State of New York lying south of the counties of Essex, Hamilton, and St. Lawrence, and east of the counties of Lewis, Oneida, Madison, Chenango, and Broome; and that part of the State of New Jersey

lying north of the counties of Ocean, Burlington, and Mercer.

4. Philadelphia, Pennsylvania. Includes that part of the State of New Jersey lying south of the counties of Monmouth, Middlesex, Somerset, and Hunterdon; the State of Delaware; the State of Pennsylvania, except the counties of McKean, Warren, Erie, Crawford, and Mercer; that part of the State of Ohio lying south of the counties of Mahoning, Stark, and Wayne, and east of the counties of Ashland, Knox, Licking, Perry, and Athens; and that part of the State of West Virginia lying north of the counties of Jackson, Roane, Clay, Braxton, Webster, and Pocahontas, and west of the counties of Pendleton and Grant.

5. Baltimore, Maryland. Includes the States of Maryland, Virginia, North Carolina; the District of Columbia; and that part of the State of West Virginia lying east of the counties of Tucker and Randolph.

6. Atlanta, Georgia. Includes the States of Georgia, Florida, South Carolina, Tennessee, Alabama, Mississippi, Louisiana, and Arkansas; also Puerto Rico and Virgin Islands of the United States.

7. Buffalo, New York. Includes that part of the State of New York lying west of the counties of Delaware, Otsego, and Herkimer, and south of the counties of Lewis and Jefferson; the counties of McKean, Warren, Erie, Crawford, and Mercer in the State of Pennsylvania; and that part of the State of Ohio lying north of the counties of Columbiana, Carroll, Tuscarawas, Holmes, Knox, and Morrow, and east of the counties of Crawford, Huron, and Erie.

8. Detroit, Michigan. Includes the States of Michigan, Indiana, and Kentucky; that part of the State of Ohio lying west of the counties of Lorain, Ashland, Richland, Holmes, Coshocton, Muskingum, Morgan, and Washington; and that part of the State of West Virginia lying south of the counties of Wood, Wirt, Calhoun, Gilmer, Lewis, Upshur, and Randolph.

9. Chicago, Illinois. Includes that part of the State of Illinois lying north of the counties of Edgar, Douglas, Platt, DeWitt, Logan, Mason, Schuyler, McDonough, and Hancock; and the States of Wisconsin, Minnesota, North Dakota, and South Dakota; also jurisdiction over the United States immigration station located at Winnipeg, Manitoba, Canada.

10. Spokane, Washington. Includes the States of Montana and Idaho; the counties of Wallowa, Baker, Union, Grant, Umatilla, and Morrow in the State of Oregon; and that part of the State of Washington lying east of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis, and Skamania.

11. Kansas City, Missouri. Includes the States of Missouri, Iowa, Oklahoma, Kansas, Nebraska, Colorado, and Wyoming; and that part of the State of Illinois lying south of the counties of Henderson, Warren, Fulton, Tazewell, McLean, Champaign, and Vermillion.

12. Seattle, Washington. Includes that part of the State of Washington lying west of the counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat; the State of Oregon except the counties of Wallowa, Baker, Union, Grant, Umatilla, and Morrow; and the Territory of Alaska; also jurisdiction over the United States immigration stations located at Sydney, Vancouver, and Victoria, British Columbia, Canada.

13. San Francisco, California. Includes that part of the State of California lying north of the counties of San Luis Obispo, Kern, and Inyo; the State of Nevada except the county of Clark; the State of Utah; and the Territory of Hawaii.

14. San Antonio, Texas. Includes that part of the State of Texas lying east and south of the counties of Terrell, Pecos, Upton, Mid-

land, Howard, Mitchell, Nolan, Fisher, Stone-wall, King, Cottle, and Childress.

15. El Paso, Texas. Includes that part of the State of Texas lying west and north of the counties of Valverde, Crockett, Reagan, Glasscock, Sterling, Coke, Taylor, Jones, Haskell, Knox, Foard, and Hardeman; the State of New Mexico; and the State of Arizona except the counties of Yuma and Mojave.

16. Los Angeles, California. Includes that part of the State of California lying south and east of the counties of Monterey, Kings, Tulare, Fresno, and Mono; the county of Clark in the State of Nevada; and the counties of Mojave and Yuma in the State of Arizona.

(Sec. 23, 39 Stat. 892, 8 U.S.C. 102; sec. 24, 43 Stat. 166, 8 U.S.C. 222; sec. 1, Reorg. Plan No. V, 5 F.R. 2223; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458; sec. 327, 54 Stat. 1150, 8 U.S.C. 727; 8 CFR 90.1)

#### PART 110—PRIMARY INSPECTION AND DETENTION

Section 110.1 is amended as follows:

§ 110.1 *Ports of entry for aliens.* The following are designated ports of entry for aliens, such ports being listed according to the numerical order of the Field Service district in which they are located:

##### DISTRICT No. 1.—ST. ALBANS, VERMONT

Calais, Maine  
Coburn Gore, Maine  
Eastport, Maine  
Fort Fairfield, Maine  
Fort Kent, Maine  
Houlton, Maine  
Jackman, Maine  
Limestone, Maine  
Lubec, Maine  
Madawaska, Maine  
Robbinston, Maine (June-Sept.)  
Vanceboro, Maine  
Van Buren, Maine  
Connecticut Lakes, N.  
Alexandria Bay, N. Y.  
Cape Vincent, N. Y.  
Champlain, N. Y.  
Chateaugay, N. Y.  
Clayton, N. Y.  
Fort Covington, N. Y.  
Malone, N. Y.  
Mooers, N. Y.  
Morristown, N. Y.  
Ogdensburg, N. Y.  
Rooseveltown, N. Y.  
Rouses Point, N. Y.  
Thousand Islands Bridge, N. Y.  
Trout River, N. Y.  
Waddington, N. Y.  
Alburg, Vt.  
Alburg Springs, Vt.  
Beebe Plain, Vt.  
Beecher Falls, Vt.  
Canaan, Vt.  
Derby Line, Vt.  
East Richford, Vt.  
Highgate Springs, Vt.  
Morses Line, Vt.  
Newport, Vt.  
Norton, Vt.  
North Troy, Vt.  
Richford, Vt.  
St. Albans, Vt.  
West Berkshire, Vt.

##### DISTRICT No. 2.—BOSTON, MASS.

Portland, Maine  
Boston, Mass.  
Gloucester, Mass.  
New Bedford, Mass.  
Providence, R. I.

##### DISTRICT No. 3.—NEW YORK, NEW YORK

New York, N. Y.

##### DISTRICT No. 4.—PHILADELPHIA, PENNSYLVANIA

Philadelphia, Pa. The port of Philadelphia includes, among others, the port facilities at Trenton, Camden, Gloucester City, Paulsboro, Gibbstown, and Deepwater Point, New Jersey; Chester and Marcus Hook, Pennsylvania; and Wilmington, Delaware.)

##### DISTRICT No. 5.—BALTIMORE, MARYLAND

Baltimore, Md.  
Morehead City, N. C.  
Wilmington, N. C.  
Newport News, Va.  
Norfolk, Va.

##### DISTRICT No. 6.—ATLANTA, GEORGIA

Mobile, Ala.  
Apalachicola, Fla.  
Boca Grande, Fla.  
Fernandina, Fla.  
Fort Pierce, Fla.  
Jacksonville, Fla.  
Key West, Fla.  
Miami, Fla.  
Panama City, Fla.  
Pensacola, Fla.  
Fort Everglades, Fla.  
St. Augustine, Fla.  
Tampa, Fla.  
West Palm Beach, Fla.  
Brunswick, Ga.  
Savannah, Ga.  
New Orleans, La.  
Gulfport, Miss.  
Aguadilla, P. R.  
Arecibo, P. R.  
Arroyo, P. R.  
Ensenada, P. R.  
Fajardo, P. R.  
Hunacao, P. R.  
Jobas, P. R.  
Mayaguez, P. R.  
Ponce, P. R.  
San Juan, P. R.  
Charleston, S. C.  
Georgetown, S. C.  
Christiansted, St. Croix, Virgin Islands  
Frederiksted, St. Croix, Virgin Islands  
Cruz Bay, St. John, Virgin Islands  
Charlotte Amalie, St. Thomas, Virgin Islands.

##### DISTRICT No. 7.—BUFFALO, NEW YORK

Buffalo, N. Y.  
Lewiston, N. Y.  
Niagara Falls, N. Y.  
Rochester, N. Y.  
Youngstown, N. Y.  
Cleveland, Ohio  
Erie, Pa.

##### DISTRICT No. 8.—DETROIT, MICHIGAN

Algonac, Mich.  
Isle Royal, Mich.  
Detroit, Mich.  
Marine City, Mich.  
Marysville, Mich.  
Port Huron, Mich.  
Roberts Landing, Mich.  
St. Clair, Mich.  
Sault Ste. Marie, Mich.  
Sandusky, Ohio  
Toledo, Ohio

##### DISTRICT No. 9.—CHICAGO, ILLINOIS

Chicago, Ill.  
Baudette, Minn.  
Duluth, Minn.  
International Falls, Minn.  
Noyes, Minn.  
Pigeon River, Minn.  
Pine Creek, Minn.  
Ranier, Minn.  
Roseau, Minn.  
Warroad, Minn.  
Ambrose, N. Dak.  
Antler, N. Dak.  
Carbury, N. Dak.

Dunseith, N. Dak.  
 Fortuna, N. Dak.  
 Hannah, N. Dak.  
 Hansboro, N. Dak.  
 Maida, N. Dak.  
 Neche, N. Dak.  
 Noonan, N. Dak.  
 Northgate, N. Dak.  
 Pembina, N. Dak.  
 Portal, N. Dak.  
 St. John, N. Dak.  
 Sarles, N. Dak.  
 Sherwood, N. Dak.  
 Walhalla, N. Dak.  
 Westhope, N. Dak.  
 Green Bay, Wis.  
 Milwaukee, Wis.

DISTRICT No. 10.—SPOKANE, WASHINGTON

Eastport, Idaho  
 Porthill, Idaho  
 Babb, Mont.  
 Del Bonita, Mont.  
 Havre, Mont.  
 Loring, Mont.  
 Opheim, Mont.  
 Raymond, Mont.  
 Roseville, Mont.  
 Scobey, Mont.  
 Sweetgrass, Mont.  
 Turner, Mont.  
 Westby, Mont.  
 Whitetail, Mont.  
 Danville, Wash.  
 Ferry, Wash.  
 Laurier, Wash.  
 Metaline Falls, Wash.  
 Oroville, Wash.  
 Northport, Wash.

DISTRICT No. 12.—SEATTLE, WASHINGTON

Ketchikan, Alaska.  
 Skagway, Alaska.  
 Astoria, Oreg.  
 Marshfield, Oreg.  
 Portland, Oreg.  
 Aberdeen, Wash.  
 Anacortes, Wash.  
 Bellingham, Wash.  
 Blaine, Wash.  
 Edmonds, Wash.  
 Everett, Wash.  
 Longview, Wash.  
 Lynden, Wash.  
 Olympia, Wash.  
 Port Angeles, Wash.  
 Port Townsend, Wash.  
 Seattle, Wash.  
 South Bend, Wash.  
 Sumas, Wash.  
 Tacoma, Wash.

DISTRICT No. 13.—SAN FRANCISCO, CALIFORNIA

Eureka, Calif.  
 San Francisco, Calif.  
 Hilo, T. H.  
 Honolulu, T. H.  
 Kahului, T. H.  
 Port Allen, T. H.

DISTRICT No. 14.—SAN ANTONIO, TEXAS

Beaumont, Tex.  
 Brownsville, Tex.  
 Corpus Christi, Tex.  
 Del Rio, Tex.  
 Eagle Pass, Tex.  
 Freeport, Tex.  
 Galveston, Tex.  
 Hidalgo, Tex.  
 Houston, Tex.  
 Laredo, Tex.  
 Port Arthur, Tex.  
 Rio Grande City, Tex.  
 Roma, Tex.  
 Thayer, Tex.  
 Zapata, Tex.

DISTRICT No. 15.—EL PASO, TEXAS

Douglas, Ariz.  
 Naco, Ariz.  
 Nogales, Ariz.  
 Sasabe, Ariz.  
 Sonoyta, Ariz. (Sonoyta Gate)  
 Columbus, N. Mex.  
 El Paso, Tex.  
 Fabens, Tex. (limited)  
 Presidio, Tex.  
 Ysleta, Tex. (limited)

DISTRICT No. 16.—LOS ANGELES, CALIFORNIA

San Luis, Ariz.  
 Andrade, Calif.  
 Calexico, Calif.  
 Los Angeles, Calif.  
 Port Hueneme, Calif.  
 San Diego, Calif.  
 San Luis Obispo, Calif.  
 San Pedro, Calif.  
 San Ysidro, Calif.  
 Tecate, Calif.

(Sec. 23, 39 Stat. 892, 8 U.S.C. 102; sec. 24, 43 Stat. 166, 8 U.S.C. 222; sec. 1, Reorg. Plan No. V, 5 F.R. 2223; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458; 8 CFR 90.1)

PART 168—ADMINISTRATIVE OFFICERS AND DISTRICTS

Sections 168.3 and 168.21 are repealed.

EARL G. HARRISON,  
*Commissioner.*

Approved:

FRANCIS BIDDLE,  
*Attorney General.*

[F. R. Doc. 43-14796; Filed, September 10, 1943; 10:43 a. m.]

[Gen. Order C-42]

PART 125—STUDENTS

EXTENSION OF STAY OF STUDENTS AND THE APPROVAL OF SCHOOLS ATTENDED BY THEM

SEPTEMBER 4, 1943

Pursuant to the authority contained in section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); § 90.1, Title 8, Chapter I, Code of Federal Regulations (8 F.R. 8735); and all other authority conferred by law, the following amendments of Part 125, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 125.2 is amended to read as follows:

§ 125.2 *Students; extension of stay.* Applications to extend period of temporary admissions of bona fide students pursuant to § 125.1 shall be prepared on Form I-535 and submitted to the officer in charge at the port of arrival at least 60 days prior to the expiration of the period for which admitted. The application shall contain all the data specified in the form and must be accompanied by applicant's passport or docu-

ment in lieu of passport, valid for departure to alien's own or some other country, for at least the time of the requested extension. Where the officer in charge is satisfied that the alien is a bona fide student and if the passport, or document in lieu of a passport acceptable under consular regulations, is valid as above described, the extension may be granted without referring the application to the district head. Where the officer in charge concludes that the application should not be granted, the application shall be forwarded to the district head for determination, the application to be accompanied by a statement of reasons for such reference. Where the district head concludes that the application should not be granted, he shall forward it to the Central Office for decision, with a statement of the reasons for his conclusion. (47 Stat. 524; 8 U.S.C. 215)

Section 125.5 is amended to read as follows:

§ 125.5 *Schools; conditions for approval.* No petition for approval as a school for immigrant students shall be considered unless such petition is accompanied by the written agreement of the school, college, academy, seminary, or university seeking such approval, to report in writing to the officer in charge at the port of arrival, immediately upon the admission of an immigrant student to such institution, the name, age, and local address of such student; the name and complete address of a friend or relative of such student in the United States; the date when such student was admitted; the course of study to be pursued by him; and at the termination of the attendance of such student, to forthwith report, in writing, to the Attorney General through the officer in charge at the port of arrival the date when and the reasons why such attendance was terminated. The foregoing conditions for approval of schools are hereby made applicable to all such approvals heretofore granted and the continuance of approval of a school will depend on the observance of this regulation. (Sec. 4 (e), 43 Stat. 155; 8 U.S.C. 204 (e))

EARL G. HARRISON,  
*Commissioner.*

Approved:

FRANCIS BIDDLE,  
*Attorney General.*

[F. R. Doc. 43-14794; Filed, September 10, 1943; 10:43 a. m.]

[Gen. Order C-28, 8th Supp.]

PART 379—CERTIFICATE OF DERIVATIVE CITIZENSHIP

MISCELLANEOUS AMENDMENTS

SEPTEMBER 4, 1943.

Pursuant to the authority conferred by section 327 of the Nationality Act of 1940 (54 Stat. 1150; 8 U.S.C. 727); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); § 90.1 of

Title 8, Chapter I, Code of Federal Regulations (8 F.R. 8735); and all other authority conferred by law, the following amendments to Part 379, Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

The following sentence is inserted as the antepenultimate sentence in § 379.2: "The applicant shall not be required to furnish a translation of any such documents written in a foreign language."

Section 379.6 is amended to read as follows:

§ 379.6 *Evidence and investigation.* The applicant and the person through whom he claims to have derived citizenship shall be questioned under oath by the examiner for the purposes of identification and to clarify any points in controversy on the basis of the information submitted in the application. If the sworn application form, supporting documentary evidence, records of the Service, the testimony of the person through whom citizenship is claimed, and the testimony of the applicant establish the applicant's claim to derivative citizenship, no other witnesses shall be required otherwise, such number of credible witnesses, preferably citizens of the United States, as may be deemed necessary shall be questioned under oath by the examiner concerning the facts of the applicant's alleged citizenship. If the person through whom the applicant claims citizenship is deceased or otherwise unavailable, the testimony customarily required of him may be furnished by a qualified witness. The testimony heard shall not be reduced to writing in verbatim form except in cases where neither primary nor secondary documentary evidence is available to establish some essential fact concerning the applicant's citizenship and except in cases where it appears that criminal proceedings might be instituted as a result of perjured statements. Any facts deemed necessary to the investigation relating to the birth, death, marriage, divorce, or identity of any person involved therein shall be established by official copies of public records or church records if such copies are available or can be obtained. If the examining officer is satisfied that the applicant has made a reasonable effort to procure such documentary evidence and that it is not available or cannot be procured without undue hardship to such applicant, the examining officer may receive and consider any other evidence which the applicant may present. The burden of proof to establish his derivative citizenship shall at all times be upon the applicant. In presenting his proof, he shall be entitled to the benefit of any records concerning him which are in the custody of the Service and copies of, or information from, any such records may be made available to the officer of the Service passing upon the application, without payment of fee by the applicant. At the examination, the examining officer shall orally review the application with the applicant. Any necessary changes in it shall be consecutively numbered and acknowledged in writing by the appli-

cant. When no longer required, the original documents shall be returned to the applicant if photostatic or other copies thereof have been supplied by him for the record. If the examiner is satisfied as to the authenticity of the documents and is satisfied that such photostatic or other copies are true and correct, he shall return the original documents to the applicant at the conclusion of the examination and incorporate the copies into the record which is submitted to the Central Office. (Section 339, 54 Stat. 1160; 8 U.S.C. 739)

The following is inserted after the first sentence in § 379.7:

Where any issue of law or fact is raised by the evidence, the examining officer shall summarize the evidence and prepare a report thereon to accompany the Form N-635. If the original documents were returned to the applicant at the conclusion of the examination, the examiner shall place a notation on Form N-635 showing that the copies were compared with such original documents and were found satisfactory and that the original documents were returned to the applicant.

The following sentence is inserted after the first sentence in § 379.8:

If the applicant has assumed and is known by a name other than his true name but has not had his name changed in accordance with the law of the jurisdiction where he assumed the new name and, therefore, is not legally entitled to use the assumed name, the certificate of derivative citizenship shall be issued in the applicant's true name followed by the words "also known as" followed by the assumed name, but in such a case the applicant shall be required to sign only his true name on the certificate and on the photographs submitted with his application.

EARL G. HARRISON,  
Commissioner.

Approved:

FRANCIS BIDDLE,  
Attorney General.

[F. R. Doc. 43-14795; Filed, September 10, 1943; 10:43 p. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4572]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### MANHATTAN BREWING COMPANY

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth,

(1) using any brand or trade name containing the word "Canadian", or any simulation thereof, to designate, describe, or refer to any beer or ale which is not brewed in Canada; or otherwise representing, directly or by implication, that beer or ale which is not brewed in Canada is brewed in that country; or (2) representing, directly or by implication, that beer or ale brewed in the United States is imported from any foreign country; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Manhattan Brewing Company, Docket 4572, September 7, 1943]

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, using any brand or trade name containing the word "Wisconsin", or any simulation thereof, to designate, describe, or refer to any beer which is not brewed in the State of Wisconsin; or otherwise representing, directly or by implication, that beer which is not brewed in Wisconsin is brewed in that state; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Manhattan Brewing Company, Docket 4572, September 7, 1943].

§ 3.6 (1) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.18. *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (k 1) *Misbranding or mislabeling—Success, use or standing.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, using any pictorial representation which simulates in appearance the British Royal Coat of Arms; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Manhattan Brewing Company, Docket 4572, September 7, 1943]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 7th day of September, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, 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, Manhattan Brewing Company, a corpo-

ration, 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 beer and ale in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using any brand or trade name containing the word "Canadian," or any simulation thereof, to designate, describe, or refer to any beer or ale which is not brewed in Canada; or otherwise representing, directly or by implication, that beer or ale which is not brewed in Canada is brewed in that country.

2. Using any brand or trade name containing the word "Wisconsin," or any simulation thereof, to designate, describe, or refer to any beer which is not brewed in the State of Wisconsin; or otherwise representing, directly or by implication, that beer which is not brewed in Wisconsin is brewed in that state.

3. Representing, directly or by implication, that beer or ale brewed in the United States is imported from any foreign country.

4. Using any pictorial representation which simulates in appearance the British Royal Coat of Arms.

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.

It is further ordered, That respondent's motion to dismiss this proceeding be, and it hereby is, denied.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-14801; Filed, September 10, 1943; 11:23 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T.D. 5296]

PART 19—INCOME TAX UNDER INTERNAL REVENUE CODE

AMENDMENTS TO CONFORM TO REGULATIONS OF ECONOMIC STABILIZATION DIRECTOR

In order to conform Regulations 103 to the provisions of § 4001.15 of the regulations prescribed by the Economic Stabilization Director under the Act of October 2, 1942, entitled An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes, and approved by the President, as amended to conform to the provisions of the Public Debt Act of 1943,

entitled An Act to increase the debt limit of the United States, and for other purposes, and to conform Regulations 103 to the provisions of § 1002.20 of Treasury Decision 5186 promulgated under the former section, as amended by Treasury Decision 5294, § 19.23 (a)-16, as added by Treasury Decision 5243, is amended as follows:

PARAGRAPH 1. Section 19.23 (a)-16 (a) is amended by inserting after "(Public No. 729, 77th Congress, 2d session)" the following: "as amended by the Public Debt Act of 1943 (Public No. 34, 78th Congress)".

PAR. 2. Section 19.23 (a)-16 (b) (3) is deleted.

PAR. 3. This amendment is effective as of October 2, 1942.

(Sec. 3791 (a) of the Internal Revenue Code, as amended; sec. 2, (Pub. Law 729, 77th Cong.), as amended; 32 CFR 4001.5, 8 F.R. 11960)

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

Approved: September 9, 1943.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-14791; Filed, September 9, 1943; 4:20 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. (2) (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943; 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3270—CONTAINERS<sup>1</sup>

[Limitation Order L-239 as Amended Sept. 10, 1943]

FOLDING AND SET-UP BOXES

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of folding and set-up boxes for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.29 *Limitation Order L-239.*

Definitions

(a) *Definitions.* (1) "Folding box" means any collapsible container, or part thereof, made of paper or paperboard, excepting solid fibre or corrugated shipping containers not made on folding box machinery.

(2) "Blank" means any sheet of paper or paperboard, cut to shape and creased

<sup>1</sup> Formerly § 3162.1, Part 3162.

or scored for the purpose of being used as a box or part thereof.

(3) "Set-up box" means a non-collapsible or rigid container, or part thereof, made of paper or paperboard, excepting cups, pails, and solid fibre or corrugated shipping containers not made on set-up box machinery.

(4) "Pail" means a wedge shaped, folded, liquid-tight, paper container.

(5) "Box" unless otherwise specified, includes blanks, folding boxes, set-up boxes, pails and parts thereof.

(6) "Work in process" means any material for physical incorporation in boxes, on which actual box making operations have been started. No preparatory work such as art work, engravings, electrotypes, dies, or forms shall be deemed "work in process".

(7) "Virgin wood pulp" means pulp manufactured either by mechanical or chemical means from coniferous or broadleaf trees.

(8) "Gage list" means any gage list set forth in United States Department of Commerce Simplified Practice Recommendation R44-36 entitled "Box Board Thickness".

(9) "Multiple container" means a box containing a number of separately packaged items of the same commodity.

Restrictions

(b) *General restrictions*—(1) *Restrictions on use of metal.* No person shall manufacture or incorporate in the manufacture of boxes:

(i) Any metal bails or metal handles for boxes, or

(ii) Metal mailing clips or fasteners for boxes customarily known as mailing containers.

(2) *Restrictions on manufacture of seasonal boxes and sleeves.* No person shall manufacture:

(i) Any box for seasonal or other special purpose having a greater pulp content or area or weight of paper or paperboard than contained in the usual commercial box for like contents.

(ii) Any sleeves or extra containers for seasonal or other special purposes unless also required for the usual commercial box for like contents.

(iii) *Exception.* The restrictions of paragraphs (b) (2) (i) and (ii) shall not apply to boxes in which are packed two or more commodities usually separately packed, except to the extent that said paragraphs (b) (2) (i) and (ii) are made applicable by any schedule.

(3) *Restrictions on dummy boxes.* No person shall manufacture any commercial display box simulating a package and not intended for packaging purposes, or use for display purposes, any box not previously used for packaging.

(4) *Restrictions imposed by separate schedules.* All persons shall observe the restrictions and other provisions which are and may be imposed from time to time by the War Production Board in all schedules hereto, all of which shall be parts of this order. No person shall

manufacture or commercially use any box in violation of any provision of this order. No person shall manufacture, sell, or deliver any box which he knows or has reason to believe will be used in violation of any provision of this order.

(5) *Restrictions on manufacture of boxes from virgin wood pulp.* No person shall manufacture any box from any of the following grades of paperboard listed in United States Department of Commerce Simplified Practice Recommendation R44-36 if any virgin wood pulp is contained in any of such paperboard: plain chipboard, filled news board, single news vat-lined chip, bending chip board, colored suit box chip back, solid jute, cracker shell board, or solid news.

(6) *Restrictions on pulp inner liners.* Except as provided in paragraph (b) (8) below, no person shall commercially use, on the inside surface of any folding box, any liner made from (a) virgin wood pulp or (b) from any waste paper (including, but not limited to, white cuttings and manila cuttings) which can be processed to simulate the appearance of a virgin wood pulp liner.

(7) *Restrictions on kraft board.* Except as provided in paragraph (b) (8) below, on and after June 22, 1943, no person shall manufacture any folding box from solid or filled kraft paperboard. "Solid or filled kraft paperboard" means any grade of paperboard, or paperboard and paper, containing, in its total fibre furnish, 50% or more virgin wood pulp or substitute high grade waste paper.

(8) *Permitted uses of pulp inner liners and kraft board.* The restrictions of paragraphs (b) (6) and (b) (7) above shall not apply to boxes designed for use as outer containers in parcel post or express shipments. They also shall not apply to boxes designed for packaging any of the following products:

- (i) Wet or oily foods.
- (ii) Products containing, by weight, 25% or more of metal.

(iii) Any other product determined by the War Production Board as requiring the protection of such liner or paperboard to ensure its delivery in merchantable condition to the ultimate consumer. Application for such determination may be made by the prospective packager by letter stating the pertinent facts.

#### Exceptions

(c) *Exceptions—(1) Material completed or in process.* (1) No restriction hereof shall apply to boxes completely manufactured or made from work in process prior to the effective date of such restriction.

(ii) Where any restriction hereof limits the type, grade, or quality of paperboard which may be used in manufacturing any box, such restriction shall not apply to the use of any paperboard man-

ufactured prior to the effective date of such restriction.

(iii) Where any restriction hereof limits the use of sheet-lined paperboard in manufacturing any box, such restriction shall not apply to the use of any paperboard sheet-lined prior to the effective date of such restriction.

(2) *Boxes for certain Government agencies.* The restrictions of this order shall not apply to boxes manufactured to meet the packaging specifications of, and delivered to or for the account of, the United States Army, Navy, Maritime Commission, War Shipping Administration, or any agency imposing such specifications for material to be delivered under the Act of Congress of March 11, 1941, entitled "An Act for the Defense of the United States" (Lend-Lease Act).

NOTE: Former paragraph (d) through (h) redesignated (f) through (j); paragraphs (d) and (e) added Sept. 10, 1943.

#### Inventory Restrictions

(d) *Inventory restrictions.* On and after September 11, 1943, no person shall accept, or have set aside, any quantity of boxes which will increase his inventory of a particular box item to more than either 25 tons or a 90-day supply, whichever is larger. This restriction shall not prevent any person from accepting any boxes which were in transit to him on or before September 11, 1943. For purposes of this paragraph, "box item" means any folding or set-up box of a particular size and type for a particular product; "inventory" means all quantities a person has on hand, in transit, or set aside by suppliers at his request or with his knowledge; and "accept delivery", as applied to a person who makes boxes for his own use, means completion of their manufacture.

(e) *Delivery restriction.* No box manufacturer shall deliver boxes to any person if he has reason to believe that person is not entitled to accept them.

#### Miscellaneous Provisions

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

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

(h) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board,

Containers Division, Washington, D. C., Ref. L-239.

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

Issued this 10th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I—FOOD BOXES

*Table I—Butter, lard, oleomargarine and similar boxes.* (a) No person shall manufacture any box for packaging butter, lard, oleomargarine, or similar products with a content capacity of less than one pound.

*Table II—Ice cream boxes.* (a) No person shall manufacture any box for direct fill factory packed ice cream except with content capacities of one pint, one quart, two gallons or larger than two gallons.

*Table III—Crackers and baked goods boxes—(a) Terms.* (1) Crackers and baked goods mean products of the biscuit, cracker and pretzel industry.

(2) Crackers and baked goods caddies mean paperboard containers for dispensing crackers and other baked goods in bulk.

(3) Cubic inch capacity of formed cartons is calculated on center to center of score line dimensions.

(b) *Restrictions on packing crackers and baked goods.* The following restrictions shall be observed in the packing of crackers and baked goods:

(1) Crackers, cookies or biscuits shall be packed not less than six bags, packets, or rolls to a folding or set-up box.

(2) Single caddies and double caddies made from folding or set-up boxboard shall be filled to normal capacity, regardless of weight or count of contents.

(c) *Restrictions on manufacturing boxes.* No person shall manufacture any box for packaging crackers or baked goods exceeding the following maximum specifications:

(1) No end flaps on seal end cartons shall be more than  $\frac{1}{2}$  the width of the carton plus  $\frac{1}{2}$ ", excepting that flaps on cartons for ground products (such as cracker meal) may be full width.

(2) (1) Tuck on carton having cover flap 5" or less in length shall not exceed  $\frac{3}{4}$ " from the center of score line to edge of tuck.

(ii) Tuck on carton having cover flap over 5" in length shall not exceed one inch from center of score line to edge of tuck.

(3) Length of side flaps on tuck flap cartons shall not exceed  $\frac{1}{2}$  of the width of carton from front to back, plus  $\frac{1}{2}$  of the closure tuck flap, as provided by paragraphs (c) (2), (1) and (ii).

(4) (1) Single caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 10".

(ii) Double caddies of folding or set-up boxboard for bulk goods shall not have openings less than 10" x 20".

(iii) No single or double folding or set-up boxboard caddies for bulk goods shall be less than 6 $\frac{1}{2}$ " in depth, excepting that fruit-filled bars, sandwich varieties and shortbreads may



be packed in caddies not less than 4 3/8" in depth.

(17) Single caddies of folding or set-up box-board shall be no thicker than .053.

(v) Double caddies of folding or set-up box-board shall be no thicker than .060.

(5) (i) Layer boards, strips, dividers and nestings of folding or set-up boxboard (non-virgin wood pulp) for bulk receptacles shall not exceed basis 100 sheets per 50 lb. bundle, excepting that divider strips for fruit-filled bars shall not exceed basis 50 sheets per 50 lb. bundle.

(ii) Layer boards, strips, dividers and nestings made from wood pulp board for bulk receptacles shall not exceed basis 100 sheets per 50 lb. bundle.

(iii) Nests for single caddies made from virgin wood pulp board shall not exceed .024 in thickness.

(iv) Nests for double caddies made from virgin wood pulp board shall not exceed .026 in thickness.

(v) Layers, strips, dividers and nestings for cellophane bags, glassine bags, paper bags, packets, tray packages and boats if made from laminated stock shall not exceed .022 in thickness; if made from other than laminated stock shall not exceed basis 90 sheets per 50 lb. bundle.

(6) Paperboard for packets, trays and boats shall not exceed .022 in thickness.

(7) Basis weight of board for cracker shell type cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50.....	8 oz.....	72	See Gage List No. 2
51 to 150.....	12 oz.....	80	
151 to 200.....	1 lb.....	85	
201 to 250.....	2 lb.....	90	
251 and up.....	Over 2 lb.....	96	

(8) Basis weight and caliper of board with printing surface, such as single manila lined and bleached manila lined boards used for printed cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50.....	8 oz.....	80	See Gage List No. 2
51 to 150.....	12 oz.....	85	
151 to 200.....	1 lb.....	90	
201 to 250.....	2 lb.....	96	
251 and up.....	Over 2 lb.....	103	

(9) Basis weight and caliper of board with printing surface such as patent coated news back board used for printing cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50.....	8 oz.....	82	See Gage List No. 6
51 to 150.....	12 oz.....	88	
151 to 200.....	1 lb.....	96	
201 to 250.....	2 lb.....	104	
251 and up.....	Over 2 lb.....	112	

(10) Basis weight and caliper of board in paragraphs (c) (7), (8) and (9) shall be based on the cubic inch capacity of the formed carton or the legend weight; whichever is greater.

(11) Caliper of board for single sale unit boxes made of laminated stock in one pound or up to and including two pound sizes shall not exceed .030 in thickness.

(12) Flanges on telescope covers of laminated single and double-size caddies shall not exceed 2" in depth.

(13) Printing designs shall not extend (bleed) over carton edges if such extension (bleed) causes an excess use of paperboard through the use of double knives or otherwise.

(14) Cracker caddies in carload lots shall be mill tied, knocked down flat, not wrapped.

**Table IV—Cereal Boxes—(a) Definition.** "Individual-serving cereal package" means any paperboard box packed with less than 4 ounces of any ready-to-eat breakfast cereal. "Multiple package" means any carton, tray, wrapper, or other type of package containing a number of individual-serving cereal packages (of the same or assorted types) and designed primarily or exclusively for retail sale as a single package unit.

(b) **Restrictions on packaging.** On and after September 11, 1943, no cereal manufacturer shall package individual-serving packages in "multiple packages."

(c) **Restrictions on distribution.** On and after September 11, 1943, no cereal manufacturer and no wholesale distributor shall sell or deliver individual-serving cereal packages (in "multiple packages" or otherwise) to any retail store or to any person, if there is reason to believe that person will re-deliver it to retail stores. This restriction shall not apply to any "multiple packages" which were packaged before September 11, 1943.

**SCHEDULE II—BEVERAGE AND TOBACCO BOXES**

**Table I—Beverage boxes.** (a) **Definition.** "Beverage" means any alcoholic or non-alcoholic beverage, exclusive of medicinal preparations.

(b) **Box prohibition.** On and after June 22, 1943, no person shall manufacture any type of folding or set-up paperboard box for packaging bottled beverages. This includes, but is not limited to, boxes designed for conveying bottled beverages from bottlers to distributors and boxes, including those known as "bottle carry-outs", designed for the consumer's use in conveying bottled beverages from the distributor. This restriction does not apply to solid fiber or corrugated shipping containers.

**Table II—Cigarette wrappers and boxes.** (a) **Wrappers.** On and after June 22, 1943, no printed wrappers for 20s cuptype cigarette packages shall be made of paper heavier than as specified below (weight to be computed on the basis of 500 25" x 38" sheets per ream):

Cigarette size	Maximum paper weight	
	Uncoated	Coated
Standard.....	60 lb.	65 lb.
King.....	65 lb.	70 lb.

(b) **Cigarette boxes.** (1) On and after June 22, 1943, no 20s/200s-size cigarette box shall be made from paperboard thicker than .018 caliper. (2) Such boxes in carload lots shall be mill tied, knocked down flat, not wrapped.

**SCHEDULE III—RETAIL BOXES**

**NOTE:** Tables I and III amended Sept. 10, 1943.

**Table I—General restrictions on retail boxes.** (a) **Definition:** Retail box means any plain or fancy, lined or unlined box furnished directly or indirectly by a retailer for packaging merchandise for retail distribution, excepting parcel post boxes and boxes

for packaging foods, candy, drugs, or medicinal supplies.

(b) **Quota restriction.** During the calendar year 1943, and during each succeeding calendar year, no person shall put in process for the manufacture of retail boxes more than 65% of the tonnage of paperboard he put in process for the manufacture of retail boxes during the whole of 1941.

(c) No person shall knowingly manufacture boxes for sale at retail as empty boxes.

**Table II—Restrictions on retail set-up boxes.** (a) No person shall manufacture any retail set-up boxes exceeding the following maximum specifications, provided that retail set-up boxes of sizes other than specified below may be manufactured if the material used is not of heavier weight than that permitted for the size box having the nearest higher area in square inches:

Length	Size width	Depth	Lid depth	Paperboard shall not be heavier than regular number 50 lbs. bundles (sheets per bundle)
2	x 2	x 2	2	65
2 1/2	x 1 3/4	x 3/4	3/4	65
3	x 2 1/4	x 1	1	65
3 1/2	x 3 1/2	x 1	1	65
4	x 4	x 2	3/4	65
4	x 4	x 4	1	60
4 1/2	x 1	x 1	1	65
4 1/2	x 4	x 5/8	5/8	65
5	x 3 1/2	x 1 1/2	9/16	65
5	x 5	x 2	3/4	65
5 1/2	x 5 1/2	x 4	1	60
6	x 3	x 2	3/4	65
6	x 4 1/2	x 2 1/2	1	65
6	x 6	x 3	1	60
6 1/2	x 1 1/2	x 1 1/2	9/16	65
6 1/2	x 6 1/2	x 3 1/2	3/2	65
6 1/2	x 6 1/2	x 4	1	60
6 1/2	x 6 1/2	x 6	1 1/4	55
7	x 6	x 2	2	65
7 1/2	x 7 1/2	x 3 1/2	3/2	65
7 1/2	x 5 1/2	x 3 1/2	1	60
8	x 3	x 3 1/2	3/4	65
8	x 5 1/2	x 1 1/2	1 1/2	65
8	x 8	x 2 1/2	1 1/2	60
8	x 8	x 4	1	65
8	x 8	x 8	1 1/4	50
9	x 3	x 3	3	60
9	x 6	x 3	1	60
9 1/2	x 6 1/4	x 5/8	5/8	65
9 1/2	x 6 1/4	x 1	1	65
9 1/2	x 6 1/4	x 1 1/2	1 1/2	65
10	x 3 1/2	x 2	2	65
10	x 6	x 6	1 1/4	50
10	x 7	x 2	2	65
10	x 10	x 5/8	5/8	60
10	x 10	x 4	1 1/4	50
10	x 10	x 5 1/2	1 1/4	50
10	x 10	x 10	2 1/2	50
10 1/2	x 7 1/2	x 1 1/4	1 1/4	65
10 1/2	x 10	x 1	1	60
10 1/2	x 10	x 1 1/2	1 1/2	60
10 1/2	x 10	x 2 1/2	1 3/8	60
11	x 4 1/2	x 1	1	65
11 1/4	x 5 3/4	x 3 1/2	1	60
11 1/2	x 8 1/2	x 1 3/8	1 3/8	60
11 1/2	x 8 1/2	x 2 3/4	1 3/8	60
12	x 8	x 8	2	50
12	x 12	x 1	1	60
12	x 12	x 2	2	60
12	x 12	x 4	1	50
12	x 12	x 6	1 1/4	50
12	x 12	x 10	2	45
12 1/2	x 6 1/2	x 4	1	60
12 1/2	x 9 1/2	x 2 1/2	1 1/2	60
13	x 4	x 5/8	5/8	65
13	x 4	x 1	1	65
13	x 6	x 6	1 1/4	50
14	x 10	x 1 1/4	1 1/4	60
14	x 14	x 8	2	45
14 1/2	x 8	x 8	1	45
15	x 11	x 2	2	50
16	x 16	x 2 1/2	2 1/2	50
17	x 11	x 1 1/2	1 1/2	50
18	x 7	x 1 1/2	1 1/2	50
18	x 10	x 1 1/2	1 1/2	50
18	x 13	x 3	1 1/4	50
18 1/2	x 7 1/2	x 5	2	50
20	x 18	x 5	2	45
22	x 12	x 3 1/2	1 1/4	50
23	x 14	x 4	1 1/4	50
24	x 20	x 6	2	40
26	x 2	x 2	1	60
26	x 4	x 1 1/4	7/8	50
30	x 4	x 1 1/4	7/8	50
36	x 5 1/2	x 1 1/4	7/8	50

(b) *Material for retail set-up boxes.* No person shall incorporate in any retail set-up boxes:

- (1) Any grade or quality of paperboard higher than solid news No. 2 finish, Gage List No. 3, or
- (2) Any bottom paper if the box is strip wrapped, or
- (3) Any lining other than news vat lining on the side of the board forming inside of the blank, or
- (4) Any metal.

**Table III—Restrictions on retail folding boxes.** (a) No retail folding box for packaging wearing apparel (exclusive of shoes) or flowers shall contain any metal nor any grade of paperboard other than (1) the grades, without virgin wood pulp, listed in paragraph (b) (5) of this Order L-239 or (2) mist-colored suit box board containing no more virgin wood pulp than is required to create the mist effect.

(b) *Exception for merchandise folders.* Notwithstanding the restrictions of paragraph (b) (5) of Order L-239 and of paragraph (a) of this Table, a virgin wood pulp liner may be used on the outside of any merchandise folder made in conformity with the following specifications:

- (1) *Style.* One-piece style only, with lock closures and without metal clasps.
- (2) *Sizes.* Total over-all area of blank no larger than 600 square inches.
- (3) *Paper grade.* Paperboard of no grade or quality better than clay coated.
- (4) *Caliper.* Caliper of paperboard not exceeding the caliper specified below for the particular size:

Blank size (over-all area)	Maximum caliper
(1)	(2)
Under 200 sq. in. ....	.020
200-400 sq. in., incl. ....	.022
Over 400 sq. in. but not over 600 sq. in. ....	.024

**SCHEDULE IV—BOXES FOR PAPER PRODUCTS**

**Table I—Envelope boxes.** (a) (1) No person shall use in the manufacture of any set-up envelope box:

- (i) Any paperboard of a quality better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2 if cover paper is used; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back, or
- (ii) Any sheet lined board, or
- (iii) Any paperboard of a weight in excess of the maximum shown below (25" x 40"—50 lbs. per bundle), which weight shall be specified by the envelope manufacturer or packer:

	Sheets per bundle
Envelopes 14" half perimeter and less....	60
Envelopes over 14" half perimeter and not exceeding 18" half perimeter....	55
Envelopes over 18" half perimeter.....	40

(2) No envelope box shall be double stripped on either box or cover, or have incorporated therein any metal.

(b) No person shall manufacture any folding box for envelopes from paperboard of better quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box.

**Table II—Papeterie boxes.** (a) (1) No person shall use in the manufacture of any set-up box for papeteries:

- (i) Any paperboard better than bending chip board or news vat lined chip, No. 2 finish, Gage List No. 2, if cover paper is used: *Provided, however,* That white wood vat lined board may be used in the covers and

lids of hinge-style boxes; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back.

(ii) Any paperboard of count in excess of the maximums shown below: (25" x 40"—50 lbs. per bundle).

Boxes containing 23 envelopes or less with corresponding note paper and/or cards—60 sheets per bundle;

Boxes containing from 24 to 72 (inclusive) envelopes with corresponding note paper and/or cards—50 sheets per bundle;

Boxes containing more than 72 envelopes with corresponding note paper and/or cards—40 sheets per bundle.

(iii) Any sheet lined board, metal, or more than double stripping.

(2) No person shall manufacture any folding box for papeteries from paperboard of higher quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box, nor incorporate any metal in any such folding box.

(3) No folding or set-up box for papeteries shall be made or equipped with: (i) base or cover caps, flanges, non-paper coverings, padded tops, projections, or shoulders; (ii) attached or unattached interior parts (such as dividers, drawers or slides, or partitions); or (iii) false work (such as false bottoms, ends, sides, traps, or decks): *Provided, however,* That any such box for 24 or more envelopes with note paper and/or cards of corresponding size may be made or equipped with false work (other than false bottoms, ends, or sides) which does not enclose more than 1/4 of the volume of the box.

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

- (1) Box dimensions: 2 1/16 x 2 1/16 x 12 3/8 inches.
- (2) Quality of paperboard: no higher than bleached manila lined news basis 70 sheets per 50 lb. bundle.

**Table IV—Roll toilet tissue.** (a) No person shall manufacture any boxes for packaging roll toilet tissue.

**SCHEDULE V—SPORTING GOODS BOXES**

**Table 1—Golf, tennis, baseball, football, volley ball and basket ball boxes.** (a) No person shall manufacture any box for packaging less than twelve (12) golf, tennis or baseballs or incorporate in the manufacture of any such box metal or sheet lining, or paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges or dividers, basis sixty (60) sheets per 50 lb. bundle.

(b) No person shall manufacture any box for packaging inflated footballs, volley balls or basket balls, or incorporate in any such box paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges, basis sixty (60) sheets per 50 lb. bundle.

**SCHEDULE VI—WEARING APPAREL BOXES**

NOTE: Tables I, II, III Amended; Table IV added Sept. 10, 1943.

**Table I—Work shirt boxes.** (a) No box shall be made for packaging less than six (6) work shirts. No such box shall be made from paperboard of a quality better than bleached manila lined news.

**Table II—Accessories boxes.** (a) *Minimum size.* On and after June 22, 1943, no box for packaging any of the following items of men's or boys' wearing apparel shall be made to contain less than 6 units of that item: belts, garters (pairs), suspenders.

**Table III—Rubber-heel boxes.** (a) *Minimum size.* On and after June 22, 1943, no box for packaging rubber heels shall be made except in the following sizes and in conformity with the following specifications:

(1) *Paperboard.* Paperboard shall be no better in quality than bleached manila lined chip or news.

(2) *Sizes.* Boxes shall be made only in sizes for packing 1 pair of heels or 6 or more pairs of heels.

(3) *Board caliper.* The maximum paperboard caliper shall be .018 for 1-pair boxes and .026 for larger permitted sizes.

**Table IV—Boxes for knit wear.** (a) *Definition.* For the purposes of this Table, "knit wear" means hosiery, knitted underwear, and knitted puterwear.

(b) *Manufacturing restrictions.* On and after September 11, 1943, no box for packaging knit wear shall be manufactured unless it conforms with the following restrictions:

(1) *Board grade.* Paperboard grades shall be no better than those shown in Column 2 below for the types of boxes shown in Column 1:

Box type (1)	Highest permitted grade (2)
Folding box.....	Patent coated news back
Set-up boxes for White wood vat lined women's rayon hosiery.	
Other set-up boxes.	Grades listed in paragraph (b) (5) of Order L-239 without virgin wood pulp.

(2) *Linens and linings.* Paperboard shall have no liners or linings on the inside surface (except as permitted above for set-up boxes for women's rayon hosiery).

(3) *Minimum size.* Boxes for packaging any of the items listed in Column 1 below shall be large enough to hold the number of units shown in Column 2 for that item (prices specified below represent manufacturers' net wholesale prices):

**KNIT WEAR ITEM FOR WHICH BOX IS DESIGNED**

	Hosiery	Minimum box size
Men's, women's, children's, infants':		
Over \$3/doz.....	-----	6 pr.
\$3/doz. or less.....	-----	12 pr.
	<b>Knitted Underwear</b>	
Wool spun unionsuits, shirts and drawers.....	-----	2
Men's unionsuits—10 lbs./doz. or heavier.....	-----	3
Men's and women's sleeping garments.....	-----	

KNIT WEAR ITEM FOR WHICH BOX IS DESIGNED—Continued

Knitted Underwear—Continued

Minimum box size

Men's unionsuits—lighter than 10 lbs./per doz.....	}	6
Athletic shirts.....		
Balbriggan shirts and drawers.....		
Sweat shirts.....		
Heavyweight shirts and drawers.....		
T-shirts.....		
Men's and boys' knit briefs.....		
Women's and children's rayons.....		
Women's, misses', boys', and children's unionsuits.....		
Infants' and children's sleeping garments.....		
Infants' gowns, kimonos, and combinations.....	}	12
Tuckstitch unionsuits, vests and pants.....		
Bloomers.....		
Infants' bands, shirts, binders, and pants.....		
Children's vests, pants, briefs, and bloomers—except rayons.....	}	12
Women's lightweight vests, pants, and briefs—except rayons.....		

Knitted outerwear

Men's and boys' sweaters:	
\$36/doz. or more.....	2
Less than \$36/doz.....	4
Ladies' and misses' sweaters, all types:	
Over \$24/doz.....	2
\$24/doz. or less.....	4
Children's sweaters and sacques.....	2
Knitted togs.....	4
Knitted bathing trunks and suits.....	6
Knitted woolen gloves and mittens.....	6
Knitted headwear and mufflers.....	12

(c) **Packaging restrictions**—(1) **Double-packing.** On and after September 11, 1943, no knit wear manufacturer shall "double-pack" any knit wear. "Double-pack" means packaging the same piece of merchandise in both a paper envelope and a box (folding or set-up).

(2) **Box findings.** On and after September 11, 1943, no knit wear manufacturer shall use any of the following inner box findings in boxes for packaging knit wear: fly leaves, platforms, paper folders, paper bands, paper stiffeners, paperboards. However, paper stiffeners and either paper folders and paper bands (if available) may be used for women's rayon hosiery and for rayon underwear.

(3) **Rayon hosiery.** On and after September 11, 1943, no hosiery manufacturer shall use any box made of white wood vat lined paperboard for packaging any hosiery except women's rayon hosiery.

(4) **Exceptions.** The packaging restrictions of this paragraph (c) shall not apply to the use of any supplies in a knitwear manufacturer's inventory (including inventory set aside for him by his suppliers) on September 11, 1943. The restrictions shall also not apply to the use of any boxes which a supplying box manufacturer is entitled to make by virtue of the exceptions allowed in paragraph (c) of Order L-239.

(d) **Exceptions for mail or express distribution.** The minimum-size restrictions of paragraph (b) (3), the double-packing restriction of paragraph (c) (1), and box-findings restrictions of paragraph (c) (2)

shall not apply to the manufacture and packaging of knitwear in boxes for mail or express delivery to mail order or direct distribution retail purchasers.

SCHEDULE VII—LAUNDRY BOXES

**Table I—Laundry boxes.** (a) No box for packaging laundry shall be made from any grade of paperboard other than the grades, without virgin wood pulp, listed in paragraph (b) (5) of this Order L-239.

SCHEDULE VIII—CANDY BOXES

**Table I—Set-up candy boxes—(a) Definition:**

(1) "Set-up candy box" means any set-up box designed for packaging chocolates or other candies, with the exception of (a) boxes of less than 1/2-lb. capacity or more than 5-lb. capacity and (b) boxes for bar and bulk goods.

(2) "Finished weight" means the weight of the finished box, including all trays, partitions, decorations (made of any material), and other findings (except paper cups), but not including candy contents.

(b) **Manufacturing restriction.** On and after September 11, 1943, no person shall make any "set-up candy box" which does not conform with the specifications of this Table I.

(c) **Maximum weight for standard sizes.** The "finished weight" of a "set-up candy box" of any size listed below shall not be more than the maximum specified below for that size (subject to a 5% tolerance for variation in paperboard weight):

1. Box size (net content capacity).....	1/2 lb.	1 lb.	1 1/2 lb.	2 lb.	2 1/2 lb.	3 lb.	5 lb.
2. Maximum finished weight of box.....	4 oz.	6 oz.	7 3/4 oz.	8 3/4 oz.	10 1/2 oz.	11 1/2 oz.	18 oz.

(d) **Maximum weight for odd sizes.** For a "set-up candy box" of any size not listed in paragraph (c) above, the maximum "finished weight" shall be the same as for the nearest

standard size listed in paragraph (c). (For example, a 1 lb. 2 oz. box has the same maximum as a 1 lb. box; a 1 lb. 6 oz. box has the same maximum as a 1 1/2 lb. box).

(e) **Outer containers.** No box designed as an outer container for one or more "set-up candy boxes" of any size shall be made except in conformity with the following specifications:

(1) **Paperboard.** Paperboard of no better grade or quality better than unlined chip or unlined news.

(2) **Coverings.** Paperboard to have no cover papers. However, paper reinforcing strips no wider than 1 1/4" may be used around the cover and base joints and folds.

(3) **Minimum size.** If designed for "set-up candy boxes" of any size listed in Column 1 below, minimum capacity shall be no less than the number of boxes (of that size) specified in Column 2:

<b>Set-up candy box size (1)</b>	<b>Minimum capacity of outer container (2)</b>
1/2 lb. or more but under 1 lb.....	6 boxes
1 lb. or more but under 2 lbs.....	3 boxes
2 lbs. or more but under 3 lbs.....	2 boxes

(4) **Exception.** The restrictions of this paragraph (e) do not apply to outer mailing cartons.

[F. R. Doc. 43-14804; Filed, September 10, 1943; 11:38 a. m.]

PART 311—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, MACHINE TOOL ACCESSORIES

[Limitation Order L-216 Schedule III, as Amended Sept. 3, 1943] <sup>1</sup>

PLIERS AND NIPPERS

§ 3114.4 **Schedule III to Limitation Order L-216—(a) Definitions.** For the purpose of this schedule:

(1) "Pliers" means any pliers of any type specifically mentioned in Appendix A of this schedule. Pliers of a type not specified in Appendix A of this schedule are not subject to its provisions.

(2) "Nippers" means any nippers or pincers of any type specifically mentioned in Appendix A of this schedule. Nippers of a type not specified in Appendix A of this schedule are not subject to its provisions.

(3) "Producer" means any person engaged in the production of pliers or nippers.

(4) "Distributor" means any person who purchases pliers or nippers for purposes of resale, excluding persons who purchase pliers or nippers for resale to their own employees and persons who purchase pliers or nippers for resale as accessories for delivery with or use with items of their own manufacture.

(5) "Ultimate consumer" means any person who purchases pliers or nippers other than a distributor.

<sup>1</sup> This document is a correct restatement of L-216, Schedule III, as Amended September 3, 1943, which appeared in the FEDERAL REGISTER of September 4, 1943, page 12175, and reflects the order in its corrected form as of September 3, 1943.

(6) "Alloy steel" means only those alloy steels which are in the series listed in Exhibit B to General Preference Order E-6.

(7) "Nominal", when applied to any over-all length specification contained in this schedule, means that such over-all length specification is subject to a production tolerance or allowance of one-half inch over or one-half inch under the given specification: *Provided*, That a "nominal" specification does not permit the production of two different size pliers or nippers under the one specification.

(b) *Restrictions on production.* (1) No producer shall commence processing any carbon or alloy steel for the production of any pliers or nippers unless such pliers or nippers when completed shall conform to all provisions of this schedule which are applicable thereto.

(2) Where any provision of this schedule prohibits the production of any pliers or nippers heretofore produced by a producer and such producer believes this imposes unreasonable hardship upon him, application for specific permission to continue the production of such pliers or nippers for the life of usable dies acquired by the producer prior to March 25, 1943, may be made to the War Production Board. Application for such permission may be made by filing a letter, in triplicate, setting forth a detailed description of the pliers or nippers for which permission to continue production is sought, the number of usable dies for such pliers or nippers on hand, the date of their acquisition, and the approximate number of pliers or nippers, or parts thereof, which such dies are capable of producing.

(c) *Limitations on use of alloy steel.* No producer shall make any pliers or nippers out of alloy steel except where alloy steel is specifically permitted by Appendix A of this schedule.

(d) *Limitation on styles, grades and dimensions.* Except where specifically permitted by Appendix A of this schedule, no producer shall:

(1) Make more than one style or pattern of any type of pliers or nippers.

(2) Make more than one grade of any type of pliers or nippers.

(3) Make any size pliers or nippers permitted by Appendix A of this schedule to more than one set of dimensions.

(e) *Limitation on finishes.* (1) Pliers and nippers may have finishes applied to them only to the following extent: They may be coated with oil or grease compound or chemical black, or lacquered, parkerized, or lead or zinc coated.

(2) Polishing is prohibited except to the extent necessary to make the pliers or nippers usable for the purposes intended; in no event shall any pliers or nippers be polished on more than one wheel, or one belt, or one similar polishing device.

(3) Except where specifically permitted by Appendix A of this schedule, no producer shall knurl or impress the handles of any pliers or nippers.

(f) *Limitations on sizes and inventories.* No producer shall make any pliers

or nippers of any type specified in Appendix A of this schedule except in the sizes therein authorized and for the purposes therein set forth.

(g) *Selection of sizes for production.* If, with respect to any pliers or nippers, it is indicated that one or more sizes on Appendix A shall be selected, each producer shall select such sizes as he may desire to manufacture within the limitations prescribed, not to exceed the number so indicated and shall forthwith give notification of his selection in writing to the War Production Board, Tools Division, Reference: L-216 Schedule III. The producer may thereafter apply to the War Production Board for leave to amend such selection but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(h) *Limitation on segregation by brand or trade name.* Notwithstanding the provisions of any contract or purchase order, no producer shall hold or reserve pliers or nippers for a particular customer if deliveries under orders from other customers entitled to preference will be delayed thereby, whether or not such pliers or nippers are stamped or marked with a special brand or trade name.

(i) *Exemptions.* Notwithstanding any other provisions of this schedule, pliers or nippers the production of which has been commenced prior to May 31, 1943 are exempt from the provisions of this schedule, provided such pliers or nippers will be completed within ninety days after May 31, 1943.

(j) *Applicability of other orders.* All the provisions of General Preference Order E-6 which are not inconsistent with the provisions of this schedule shall apply to the production and delivery of pliers and nippers.

Issued this 3d day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

APPENDIX A TO SCHEDULE III TO LIMITATION  
ORDER L-216

#### I. PLIERS

(1) A producer may make the following types of combination slip joint pliers only in the sizes specified (stated in nominal over-all length in inches):

Wire cutting, regular pattern, 6", 8", 10".

Wire cutting, light duty, 6".

Thin nose, regular pattern, 5", 6", 8", 10".

Thin nose, bent, 6".

Mechanics', side cutting—one size only to be selected by each producer.

Multiple position, angle nose (water pump), 10", normal duty and heavy duty.

Ignition, regular pattern, 5".

(2) A producer may knurl or impress handles on combination slip joint pliers only where such knurling or impressing is performed as a part of another manufacturing operation and does not require a separate additional operation.

(3) A producer may make the permitted multiple position, angle nose (water pump) pliers of either carbon or alloy steel but not both.

(b) A producer may make offset battery, angle nose type pliers in one size only which may be selected by each producer.

(c) (1) A producer may make the following types of fixed joint pliers only in the sizes specified (stated in nominal over-all length in inches):

Lineman's, side cutting, both with and without stripping notch, heavy duty, 6", 7", 8".

Lineman's, side cutting, both with and without stripping notch, light duty, 5", 6", 7", 8".

Diagonal cutting, both with and without stripping notch, 4", 5", 6", 7".

Diagonal cutting, short nose, 6".

Needle nose, both with and without cutter, 6".

Needle nose, curved, 6".

Long nose, chain, both with and without cutter, 6".

Short nose, chain, both with and without cutter, 5".

Long nose, flat, both with and without cutter, 6½".

Short nose, flat, without cutter, 5".

Duck bill, without cutter, 6½".

Round nose, 4", 6".

Buttons pattern, 8", 10".

(2) A producer may make any of the permitted sizes or types of fixed joint pliers out of carbon or alloy steel but not both.

#### II. NIPPERS

(1) A producer may make the following types of nippers only in the sizes specified (stated in nominal over-all length in inches), provided that both normal duty and heavy duty are permitted:

End nippers, 5", 6", 7", 8", 10", 12", 14".

(2) A producer may make any permitted size of end nippers, normal duty, only of carbon steel, provided that the inserted jaws may be made of carbon or alloy steel.

(3) A producer may make any permitted size of end nippers, heavy duty, of carbon or alloy steel, but not both.

[F. R. Doc. 43-14718; Filed, September 8, 1943; 12:19 p. m.]

#### Chapter XI—Office of Price Administration

##### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 468]

##### BROOM CORN

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

§ 1439.4 *Maximum prices for broom corn.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 468

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

[Broom Corn], which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.4 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 468—BROOM CORN

CONTENTS

Sec.

1. Prohibition against transactions at prices in excess of maximum prices.
2. To what products, transactions and geographical areas this regulation applies.
3. Producers' maximum prices for broom corn.
4. Enforcement.
5. Records and reports.
6. Prohibited practices.
7. Adjustable pricing.
8. Petitions for amendment.

SECTION 1. Sales of broom corn at higher than maximum prices prohibited.

(a) On and after September 10, 1943, regardless of any contract or other obligation, no producer of broom corn shall sell or deliver and no person, in the course of trade or business, shall buy or receive any broom corn from the producer thereof at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. To what products, transactions and geographical areas this regulation applies—(a) What products and transactions are covered by this regulation. This regulation applies to producers' sales and deliveries of broom corn of all types and qualities, except broom corn produced outside the continental United States.

(b) Export sales. The maximum prices at which a person may export broom corn shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation<sup>1</sup> issued by the Office of Price Administration.

(c) What geographical areas are covered. This regulation shall be applicable to the continental United States but not to the territories and possessions of the United States.

SEC. 3. Producers' maximum prices. The following are the maximum prices applicable to sales and deliveries of broom corn by the producer thereof:

Type of broom corn:	Price per ton
Shed cured broom corn.....	\$300.00
All other broom corn.....	\$250.00

The above maximum prices are net cash, f. o. b. shipping point. The term "shipping point" means the point at which the broom corn is loaded on a truck, railroad car or other conveyance for shipment from the producer to the purchaser.

The term "producer" means a person who grows or raises broom corn. It shall include a landlord or landowner with respect to sales of broom corn received

by him as rental for the land upon which the broom corn was produced.

SEC. 4. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of license provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 5. Records and reports—(a) Records. Every person shall, with respect to every sale, delivery or purchase of broom corn for which a maximum price is established by this regulation, keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept relating to the prices charged for such sales or deliveries. All such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect.

(b) Reports. Any person affected by this regulation shall submit such reports as the Office of Price Administration may, from time to time, require.

SEC. 6. Prohibited practices. Any practice which is used as a device to effect a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, service charges, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 7. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by the official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration.

This regulation shall become effective September 10, 1943.

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

Issued this 9th day of September 1943.

GEORGE J. BURKE,  
Acting Administrator.

Approved:

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-14787; Filed, September 9, 1943; 4:02 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 464]

PULPWOOD CUT FROM THE STUMP IN THE STATES OF MARYLAND, WEST VIRGINIA, PENNSYLVANIA AND OHIO

Correction

In section 8 of F.R. Doc. 14201 appearing on page 12092 of the issue for Thursday, September 2, 1943, the heading "Adjustable printing" should read "Adjustable pricing."

PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 38]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended to read as follows:

1. Section 2.3 (d) is added to read as follows:

(d) Each establishment shall file the second inventory with the Inventory Unit, Empire State Building, New York City, New York on or before October 10, 1943. The inventory shall be taken as of the close of business on September 30, 1943 and all information required by the form (OPA Form R-1701A) must be furnished.

2. Section 2.13 (b) (5) is amended to read as follows:

(5) A copy of each inventory of its stock of shoes required by this order.

This amendment shall become effective September 10, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in

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

<sup>1</sup> 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3851, 4129, 3948, 4716, 5589, 5678, 5679, 5867, 5758, 6046, 6687, 7198, 7261, 8064, 8357, 8601, 9062, 9422, 9567, 9844, 10269, 11445, 11515, 12026, 12137, 12180.

<sup>1</sup> 8 F.R. 4132, 5987, 7652, 9998.

<sup>2</sup> 7 F.R., 8961; 8 F.R. 3313, 3533, 6173, 11806.

accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-14825; Filed, September 10, 1943; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 29 Under § 1499.18 (c) As Amended,  
of GMPR]

HOLT HARDWARE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1529 *Adjustment of maximum prices for sales of screened kiln dried graded hardwood sawdust by Holt Hardware Company.* (a) Holt Hardware Company, of Oconto, Wisconsin, may sell and deliver, and any person may buy from such producer, screened, kiln dried, graded hardwood sawdust at prices no higher than those hereinafter set forth.

MAXIMUM PRICES FOR SCREENED, KILN DRIED,  
GRADED, HARDWOOD SAWDUST

Grade:	Maximum price f. o. b. mill Per ton
No. 3 sawdust.....	\$9.75
No. 6 sawdust.....	9.75
No. 7 sawdust.....	9.75
No. 8 sawdust.....	9.75
No. 10 sawdust.....	9.75

(b) All discounts, credit allowances and other terms relating to payment in effect by the seller in March 1942 shall apply to the prices herein determined.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 29 (§ 1499.1529) shall become effective this 11th day of September 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-14822; Filed, September 10, 1943; 11:51 a. m.]

[Order 609 Under § 1499.3 (b) of GMPR]

PART 1499—COMMODITIES AND SERVICES

BEN-HUR PRODUCTS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2146 *Authorization of maximum prices for sales of "B" Grade Imitation Cinnamon* by Ben-Hur Products, Inc., Los Angeles, California. (a) Ben-Hur Products, Inc. 800-812 Traction Ave., Los Angeles, California, may sell and deliver its new product, "B" Grade Imi-

tation Cinnamon" packed in the type containers as listed below at the maximum prices listed below:

Type of container:	Prices in cents per pound f. o. b. Los Angeles, Calif.
Barrel.....	\$ 0.42
½ Barrel.....	.42½
100 lb. kegs.....	.43
50 lb. kegs.....	.43½
Pails.....	.44

	Prices per shipping case containing .12 packages, f. o. b. Los Angeles, Calif.
Fibre tubes (termed quarts) each containing 20 ounces net.....	\$7.08
Fibre tubes (termed pints) each containing 10 ounces net.....	3.60
Sifting top fibre tubes each containing 2 ounces net.....	.92

(b) The above maximum prices are before discounts. Ben-Hur Products, Inc., shall reduce such prices by applying to them the same discounts and allowances which it customarily applied on similar sales of "Allspice."

(c) Wholesalers and retailers as defined in Maximum Price Regulations Nos. 421, 422 and 423 respectively, as amended, shall determine their maximum prices for "B Grade Imitation Cinnamon" by reference to these regulations.

(d) This Order No. 609 may be revoked or amended by the Administrator at any time.

(e) This Order No. 609 shall become effective September 11, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-14823; Filed, September 10, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 610 Under § 1499.3 (b) of GMPR]

FROSTED FOODS SALES CORP.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2147 *Authorization of maximum price for sales of "Birds Eye" Brand Quick-Frozen Pumpkin Pie-Mix by Frosted Foods Sales Corporation, 250 Park Avenue, New York, New York.* (a) On and after September 11, 1943, the maximum selling price for sales by Frosted Foods Sales Corporation, 250 Park Avenue, New York, New York, of "Birds Eye" Brand Quick-Frozen Pumpkin Pie-Mix, packed in 16-ounce cellophane lined, waxed paper containers and waxed paper wrapped, shall be \$1.69 per dozen packages, delivered to purchasers' stations.

(b) Frosted Foods Sales Corporation shall apply to the maximum selling price authorized by paragraph (a) the same discounts, allowances and price differen-

tials, including price differentials between different classes of purchasers, which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 610 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 610 shall become effective September 11, 1943.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-14824; Filed, September 10, 1943; 11:52 a. m.]

PART 1360—MOTOR VEHICLE AND MOTOR  
VEHICLE EQUIPMENT

[MPR 452, Amdt. 1]

MANUFACTURERS' MAXIMUM PRICES FOR  
AUTOMOTIVE PARTS

Correction

Under item 5 in F.R. Doc. 14417 appearing on page 12237 of the issue for Saturday, September 4, 1943 the first word of the second line, of the amended undesignated paragraph should read "apply".

TITLE 33—NAVIGATION AND  
NAVIGABLE WATERS

Chapter III—Coast Guard: Inspection and  
Navigation

PART 332—PILOT RULES FOR WESTERN  
RIVERS

VISUAL SIGNAL IN CONJUNCTION WITH  
WHISTLE SIGNAL

By virtue of the authority vested in me by R.S. 4405, 4412, as amended (46 U.S.C. 375, 381), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation Regulations is prescribed:

Part 332 is amended by the addition of a new § 332.10a which reads as follows:

§ 332.10a *Visual signal.* As soon as practicable but not later than January 1, 1945, all whistle signals shall be further indicated by a visual signal consisting of an amber colored light so located as to be visible all around the horizon for a distance of not less than one mile. This light shall be so divided that it will operate simultaneously and in conjunction with the whistle sounding mechanism, and remain ignited or visible during the same period as the sound signal.

R. R. WAESCHE,  
Commandant.

SEPTEMBER 8, 1943.

[F. R. Doc. 43-14790; Filed, September 9, 1943; 3:54 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter D—Tank Vessels

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R.S. 4405, 4417a, as amended (46 U.S.C. 375, 391a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), I find that an emergency exists and the following amendments to the Tank Vessel regulations are necessary in the conduct of the war:

PART 32—REQUIREMENTS FOR HULLS, MACHINERY, AND EQUIPMENT

Section 32.9-5 is amended to read as follows:

§ 32.9-5 *Alarm bells*—(a) *New tank ships—T/ALL.* All tank ships of over 100 gross tons, the construction of which is begun on and after September 15, 1943, shall have all sleeping accommodations and machinery spaces equipped with a sufficient number of alarm bells so located as to warn all occupants. The system shall operate from a continuous source of electric energy capable of supplying the system for a period of at least 8 hours without being dependent upon the main, auxiliary, or emergency generating plants. Each bell shall produce a signal of a tone distinct from that of other bell signals in the vicinity and shall be independently fused with each of these fuses located above the bulkhead deck. The bells shall be controlled by a manually-operated contact maker located in the pilothouse, or, if specific approval is given by the Commandant, in the fire control station. The characteristics of the contact maker shall be such that it possesses:

- (1) Positive contact
- (2) Watertightness (when located in open spaces subject to weather)
- (3) Means whereby its electrically open or closed position can be determined by sense of touch
- (4) Means to effect a make-and-break circuit for signaling and
- (5) Self-maintaining contacts.

(b) *Existing tank ships—T/ALL.* All existing tank ships, the construction of which is begun prior to September 15, 1943, shall have all sleeping accommodations equipped with a sufficient number of alarm bells so located as to warn all the occupants. The alarm bells, if electric, shall be operated from an open switch from the pilothouse or bridge. The bells shall be of such size, character, and construction, as to provide an alarm throughout the spaces for which they are provided.

(c) *B/OC.* Each tank barge of over 100 gross tons, where the crew is divided into watches for the purpose of steering the vessel, shall be provided with a suitable alarm bell installation.

PART 33—LIFESAVING APPLIANCES

Section 33.3-1 (x) is amended to read as follows:

§ 33.3-1 *Tank ship lifeboat equipment; ocean and coastwise—T/OC* \* \* \*

(x) *Sea anchor.* On and after 1 January, 1944, all sea anchors shall be of an approved type.

NOTE: Sea anchors installed prior to 1 January, 1944, meeting the requirements of regulations effective at the time of installation may be continued in use if in serviceable condition.

Section 33.3-2 (s) is amended to read as follows:

§ 33.3-2 *Tank ship lifeboat equipment; Great Lakes—T/L.* \* \* \*

(s) *Sea anchor.* On and after 1 January, 1944, all sea anchors shall be of an approved type.

NOTE: Sea anchors installed prior to 1 January, 1944, meeting the requirements of regulations effective at the time of installation may be continued in use if in serviceable condition.

R. R. WAESCHE,  
Commandant.

SEPTEMBER 8, 1943.

[F. R. Doc. 43-14788; Filed, September 9, 1943; 3:54 p. m.]

AMENDMENTS TO REGULATIONS; APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4427, 4429, 4433, 4481, 4488, 4491, as amended, 49 Stat. 1544, (46 U.S.C. 375, 391a, 392, 404, 405, 407, 411, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter F—Marine Engineering

PART 52—CONSTRUCTION

Section 52.3-6 (a) is amended to read as follows:

§ 52.3-6 *Welded joints.* (a) Welded joints shall be as specified in § 52.2-5 or §§ 56.20-1 to 56.20-19, inclusive.

Section 52.5-3 (h) is amended to read as follows:

§ 52.5-3 *Computations.* \* \* \*  
(h) The maximum working pressure and minimum thickness of dished, cast-steel heads, where permitted, shall be calculated by formulas (11) and (12).

PART 56—FUSION WELDING

Section 56.20-10 (g) is amended to read as follows:

§ 56.20-10 *Joints.* \* \* \*  
(g) *Holes.* (1) Unreinforced holes may be machine-cut through welded seams which have been stress relieved and radiographed. The joint efficiency as well as the ligament efficiency shall be considered in calculating the required thickness.

(2) Tubes may be rolled and expanded in such unreinforced holes, or such holes may be threaded: *Provided,* That in the portion of the welded joint in which the holes are cut the following additional requirements are fulfilled:

(i) The welds shall be examined by the paramagnetic powder method on both sides and found to be satisfactory.

(ii) The weld shall contain no slag inclusion or defect longer than 0.15T (where T is the thickness of the weld), but in no case greater than 3/8 inch.

(3) If either or both items (i) and (ii) are not complied with, the unreinforced holes for threaded connections or for rolled or expanded tubes may not be placed closer than 1/4" to the edge of the fused metal, and no deduction need be made in the maximum allowable working pressure computed for the same tube layout without a circumferential weld.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.11 (z) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* \* \* \*  
(z) *Sea anchor.* On and after 1 January, 1944, all sea anchors shall be of an approved type.

NOTE: Sea anchors installed prior to 1 January, 1944, meeting the requirements of regulations effective at the time of installation may be continued in use if in serviceable condition.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 (z) is amended to read as follows:

§ 60.9 *Lifeboat equipment.* \* \* \*  
(z) *Sea anchor.*  
(See § 59.11 (z) of this chapter which is identical with this section.)

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS AND LIFESAVING APPLIANCES

Section 76.14 (r) is amended to read as follows:

§ 76.14 *Equipment for lifeboats on vessels of classes (a), (b), (c), (d), and (e).* \* \* \*  
(r) *Sea anchor.*  
(See § 59.11 (z) of this chapter which is identical with this section.)

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

LIFEBOATS

24' x 8' x 3'5" metallic motor-propelled lifeboat (450 Cu. Ft. gross) (Dwg. No. M-1119, dated 15 April, 1943), manufactured by Imperial Lifeboat & Davit Company, Athens, N. Y.

24' x 8' x 3'5" metallic oar-propelled lifeboat (450 Cu. Ft.) (Dwg. No. M-1117, dated 15 April, 1943) manufactured by Imperial Lifeboat & Davit Company, Inc., Athens, N. Y.

31' x 11'3" x 4'6" metallic hand-propelled lifeboat (1028 Cu. Ft.) (Dwgs. No. 2443, dated 5 November, 1942, and No. 2665, dated 31 July, 1943), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

24' x 8' x 3'7" metallic motor-propelled lifeboat (458 Cu. Ft. gross) (Dwg. No. 2605, dated 5 May, 1943), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

## DISENGAGING APPARATUS

Rottmer releasing gear (Dwg. No. 2499-35, dated 22 June, 1943) (Maximum working load 19,900 pounds per hook), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

## DAVIT

Steward Mechanical Davit, Type 5-A-5-6 (Dwg. No. 1296, dated 22 March, 1943) (Maximum working load of 4,090 pounds per arm), manufactured by C. C. Galbraith & Son., Inc., New York, N. Y.

## LIFEBOAT SKATES

Lifeboat skates (Dwg. Plan C3-1334, Alt. 1, dated 20 March, 1943), manufactured by Western Pipe and Steel Company of California, San Francisco, Calif.

## BILGE PUMPS

Bilge Pump for lifeboats, Fig. 1570, Size 4 (Size U.S.C.G. No. 3, for use in lifeboats exceeding 700 Cu. Ft. capacity) (Dwg. No. R-4277½, dated 11 August, 1943), manufactured by the Deming Company, Salem, Ohio.

Bilge Pump for lifeboats (Size U.S.C.G. No. 2) (Dwg. No. 81, dated 8 January, 1943), manufactured by Allied Marine Equipment Division, Taprite Products Corp., Hackensack, N. J. (Correction previous approval, published 8 F.R., 4195, 2 April, 1943).

## EMBARKATION-DEBARKATION LADDERS

Embarkation-Debarcation ladder No. 504 (Dwg. dated June 1943), submitted by the John B. Salterini Company, New York, N. Y.

Embarkation-Debarcation ladder (Dwg. No. 407, dated 17 July, 1943), submitted by Kent Marine Products Corp., West Babylon, N. Y.

## LINE-THROWING GUN

2½" line-throwing gun (Dwgs. Nos. B-5372 and B-5373, dated 3 June, 1943), manufactured by Catskill Metal Works, Inc., Catskill, N. Y.

## LOW-PRESSURE HEATING BOILER

Way-Wolff Associates Blue Jacket Ship Heater (Maximum working pressure 30 p. s. i.) (Dwg. No. H-103A, dated 5 November, 1942, rev. 12 July, 1943, and Dwg. No. H-104A, dated 30 October, 1942, rev. 12 July, 1943), manufactured by Way-Wolff Associates, New York, N. Y.

## EMERGENCY LIGHTS

Type J-IS hand lantern, Navy Dept., Bureau of Ships, Dwg. 9-S-5311, Alt. 3, submitted by Grether Manufacturing Company, Dayton, Ohio.

Type JR-1 relay controlled hand lantern, Navy Dept. Bureau of Ships, Dwg. 9-S-5293-L, Alt. 2, submitted by Grether Manufacturing Company, Dayton, Ohio.

## LIFESAVING NETS

Lifesaving net, Model "A" (Dwg. No. 408, dated 20 July, 1943, Revised 31 July, 1943), submitted by Kent Marine Products Corp., West Babylon, N. Y.

Lifesaving net, designated as Norwell Debarcation ladder (Dwg. N. G. M. 11, dated 10 July, 1943), submitted by Williams and Wells Company, New York, N. Y.

## LIFESAVING SUITS

Model No. 4 lifesaving suit, manufactured by B. F. Goodrich Company, Akron, Ohio.

## LIFE PRESERVER

Model #200 adult quilted type kapok life preserver (Dwg. Model #200, revised 10 August, 1943), manufactured by Chesapeake Appliance Corp., Baltimore, Md.

## EMERGENCY FISHING KITS

Emergency fishing kit No. 10, manufactured by Sears Roebuck and Company, Chicago, Ill.

Emergency fishing kit, No. 2, manufactured by Jed Welsh, Long Beach, Calif.

R. R. WAESCHE,  
Commandant.

SEPTEMBER 8, 1943.

[F. R. Doc. 43-14789; Filed, September 9, 1943; 3:54 p. m.]

## TITLE 47—TELECOMMUNICATION

## Chapter I—Federal Communications Commission

## PART 1—RULES OF PRACTICE AND PROCEDURE

## INCREASES IN RATES OR CHARGES

The Commission on September 7, 1943, effective immediately, amended § 1.482 as follows:

§ 1.482 *Rate increases; furnishing to Commission of data furnished to Office of Price Administration.* Any common carrier subject to the Communications Act of 1934, as amended, which furnishes any notice or other data to the Office of Price Administration in connection with an increase in rates or charges subject to the Communications Act of 1934, as amended, shall concurrently furnish to this Commission two copies of such notice and other data.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-14792; Filed, September 9, 1943; 4:24 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

## Chapter I—Interstate Commerce Commission

## Subchapter A—General Rules and Regulations

## PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

NOTE: An order of the Commission modifying the uniform system of accounts for steam railroads, issue of 1943, dated August 31, 1943, effective January 1, 1944, was filed with the Division of the Federal Register September 9, 1943, at 11:17 a. m., F.R. Doc. 43-14766. Requests for copies should be addressed to the Interstate Commerce Commission.

[Service Order 147, Amdt. 1]

## PART 95—CAR SERVICE

## ICING OF CERTAIN FRUITS AND VEGETABLES FROM CERTAIN WESTERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of September, A. D. 1943.

Upon further consideration of Service Order No. 147 (8 F.R. 11390) of August 13, 1943, and it appearing that an acute shortage of ice is affecting both the intrastate and interstate movement of perishables in refrigerator cars originating in points in Arizona, California, Colorado, New Mexico, Oregon, Utah, or Washington; in the opinion of the Commission an emergency exists requiring immediate action:

*It is ordered, That:*

Section 95.317; icing restrictions on fruits and vegetables from western States of Service Order No. 147 (8 F.R. 11390) of August 13, 1943, be amended by designating paragraph (a) therein as (a) (1), and by adding the States of Oregon and Washington to said amended paragraph (a) (1), also by adding a paragraph (a) (2) reading as follows:

(a) (2) No common carrier by railroad subject to the Interstate Commerce Act shall initially ice with more than enough ice to bring ice to ¾ of the refrigerator car bunker capacity, a refrigerator car or cars loaded with fresh or green fruits, melons, or vegetables originating at and destined to any point or points in Oregon, or originating at and destined to any point or points in Washington. No icing shall be allowed or permitted under this paragraph.

And by adding a note to said amended paragraphs (a) (1) and (a) (2) reading as follows:

NOTE: Restrictions on icing in paragraph (a) (1) and (a) (2) in Oregon and Washington shall apply only on fresh or green fruits, melons, or vegetables originating on the Northern Pacific Railway Company. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered, That* this order shall become effective 12:01 a. m. September 9, 1943, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-14807; Filed, September 10, 1943; 11:45 a. m.]

[Service Order 152]

## PART 95—CAR SERVICE

## DRY ONIONS FROM CERTAIN WESTERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of September, A. D. 1943.



It appearing, that Marvin Jones, Food Administrator, has issued August 27, 1943, Title 7—Agriculture, Chapter XI—War Food Administration, Food Distribution Order No. 77, Part 1405—Fruits and Vegetables, § 1405-22, effective at 12:01 a. m. e. w. t., August 31, 1943 (8 F.R. 11889-90), which provides that "No person shall ship a quantity of dry onions in excess of one-hundred pounds \* \* \* from a point within the states of California, Colorado, Idaho, Indiana, Michigan, Minnesota, New York, Nevada, North Dakota, Oregon, Utah, and Washington, to any other point either within or without said states \* \* \* unless the shipper thereof has obtained a permit to ship such onions from the Regional Director (or any employee of the U. S. Department of Agriculture designated by such Regional Director)"; that the Director of the Office of Defense Transportation has requested this Commission to take such action as it deems necessary to prohibit transportation thereof from such states to such states or other states, except by permit; the Commission is of the opinion that an emergency exists requiring immediate action:

*It is ordered, That:*

§ 95.29 (a) *Definition.* As used in this section the term "dry onions" means all onions except onion sets and onions with green tops.

(b) *Permit required for transportation by common carrier by railroad or by common or contract carrier by motor vehicle of dry onions from or within certain states.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation or move interstate or intrastate and no common or contract carrier by motor vehicle subject to the Interstate Commerce Act shall accept for transportation or move interstate any dry onions in quantities in excess of one-hundred pounds from or within the states of California, Colorado, Idaho, Indiana, Michigan, Minnesota, New York, Nevada, North Dakota, Oregon, Utah, or Washington, unless the shipper thereof presents a permit authorizing the shipment of such onions as provided in Food Distribution Order No. 77, issued by the War Food Administrator on August 27, 1943 (8 F.R. 11889-90) supplements thereto or reissues thereof.

(c) *Exemptions.* The requirements of paragraph (b) of this section shall not apply to any transportation of onions for the shipment of which no permit is required by the provisions of Food Distribution Order No. 77, or by reason of any relief granted pursuant to § 1405.22 (e) of that order.

*It is further ordered,* That this order shall become effective at 12:01 a. m., September 13, 1943; that copies of this order and direction shall be served upon tariff publishing Agents for common and contract motor carriers serving the states of California, Colorado, Idaho, Indiana, Michigan, Minnesota, New York, Nevada, North Dakota, Oregon, Utah, or Washington, and upon the Association of American Railroads, Car Service Division, as agent of the rail-

roads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-14808; Filed, September 10, 1943; 11:45 a. m.]

#### Subchapter B—Carriers by Motor Vehicle

##### PART 210—EXEMPTIONS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of August, A. D. 1943.

Order in the matter of operations of common carriers of passengers or property by motor vehicle in interstate or foreign commerce under the second proviso of section 206 (a), Interstate Commerce Act. The above-entitled matter being under consideration, *It is ordered, That:*

§ 210.10 *Interstate operation by common carriers within a single State under State authority—(a) Statement of operations—(1) Existing operation.* Every common carrier of passengers or property by motor vehicle engaged in operations in interstate or foreign commerce under the second proviso of section 206 (a), Interstate Commerce Act, on the effective date of this order, and who has not prior to that date filed an application on Form B. M. C. 6 or Form B. M. C. 7, or a notification of transfer on Form B. M. C. 43, shall file with the Interstate Commerce Commission, Washington, D. C., within 30 days after the effective date of this order, a verified statement of such operations, which statement shall be in the form and contain the information and exhibits called for in Form B. M. C. 75 attached hereto and made a part hereof.

(2) *Operations under acquired (or transferred) rights.* Every common carrier by motor vehicle who after the effective date of this order proposes to engage in any operations in interstate or foreign commerce under the second proviso of section 206 (a), Interstate Commerce Act, or who after the effective date of this order, as successor in interest to, or purchaser, transferee, or lessee of, any intrastate common carrier, engages or proposes to engage in any operations in interstate or foreign commerce under the second proviso of section 206 (a), Interstate Commerce Act, shall file with the Interstate Commerce Commission, Washington, D. C., at or prior to the time of filing an adoption notice or a tariff in compliance with section 217 of the act, a verified statement of such operations, which statement shall be in the form and contain the information and exhibits called for in Form B. M. C. 75 attached hereto and made a part hereof.

(b) *Copies to be furnished.* At or within the time specified in the two preceding paragraphs hereof for the filing with the Commission of a statement on Form B. M. C. 75 every carrier who files such a statement shall furnish one true copy thereof to the District Director of the Bureau of Motor Carriers for the district in which such carrier is engaged in operations, and one true copy thereof to the State Board, Commission, or Official, from which such carrier secured its intrastate certificate of public convenience and necessity. (Sec. 206 (a), 49 Stat. L. 551, 52 Stat. L. 1238, 54 Stat. L. 923; 49 U.S.C. 306 (a))

*It is further ordered,* That orders of November 1, 1935, and December 31, 1940, relating to Forms B. M. C. 6 and B. M. C. 7, and the order of July 1, 1938, relating to Form B. M. C. 43, be, and they are hereby, vacated.

And *It is further ordered,* That this order shall become effective on the 1st day of December, A. D. 1943.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-14768; Filed, September 9, 1943; 11:17 a. m.]

#### Chapter II—Office of Defense Transportation

[General Order ODT 37, Amdt. 1]

##### PART 501—CONSERVATION OF MOTOR EQUIPMENT

###### SUBPART Z—LESS-THAN-TRUCKLOAD DELIVERIES BY PETROLEUM TANK TRUCK

Pursuant to Executive Orders 8989 and 9156, General Order ODT 37 (8 F.R. 5854) is hereby amended, by amending paragraphs (c) and (d) of § 501.340, and by adding a new paragraph (d) to § 501.344, as follows:

§ 501.340 *Definitions.* As used in this order (§§ 501.340 to 501.349, inclusive), or in any order, direction or permit issued hereunder, the term:

(c) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades known as Nos. 1, 2, 3, 4, 5 and 6, Bunker C, diesel oil, diesel fuel, kerosene, range oil, stove oil, or any liquid petroleum product, except liquefied petroleum gas, used for the same purposes as the above designated kinds or grades, except when any such products are used as motor fuel as defined in paragraph (d) below.

(d) "Motor fuel" means any liquid fuel of any kind used for the propulsion of motor vehicles or motor boats, including any liquid fuel to which Federal gasoline taxes apply, except liquefied petroleum gas, natural gasoline, or liquid fuel commonly used for the propulsion of aircraft.

§ 501.344 *Certain practices prohibited.* No person shall make or cause to be made any call by a petroleum tank truck for a purpose other than the loading or delivery of liquid petroleum products in bulk except:

(d) Calls for the purpose of picking up materials if the pick-ups are made by a tank truck while operated for any of the foregoing purposes and without adding to the mileage of such truck.

(E.O. 8989, 9156, 6 F.R. 6725, 7 F.R. 3349)

This amendment 1 to General Order ODT 37 shall become effective September 10, 1943.

Issued at Washington, D. C., this 10th day of September 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 43-14800; Filed, September 10, 1943; 11:16 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service

#### PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

##### RUBY LAKE NATIONAL WILDLIFE REFUGE, NEVADA

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.3 of the Regulations for the Administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 21.790 *Ruby Lake National Wildlife Refuge, Nevada; fishing.* Non-commercial fishing is permitted in the waters hereinafter specified of the Ruby Lake National Wildlife Refuge, Nevada, during the daylight hours, except during the migratory-waterfowl hunting season, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and subject to the following conditions, restrictions, and requirements:

(a) *Waters open to fishing.* The waters, ponds, and creeks designated by suitable posting by the officer in charge of the refuge shall be open to the taking of game fish as permitted by state or county law or regulation.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of Elko and White Pine Counties and the State of Nevada. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law.

(c) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the State of Nevada, if such license is required, and a permit issued by the officer in charge of the refuge. The license and permit shall serve as a Federal permit for fishing in the specified waters of the refuge and must be

carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Nevada State Fish and Game Commission or of the Fish and Wildlife Service.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(e) *Use of boats.* The use of any boat, canoe, or floating device of any description is prohibited on all waters of the refuge except for official purposes, except as designated by suitable posting by the officer in charge of the refuge.

(f) *Bait restrictions.* No person shall use live minnows or any other fish or any part thereof for bait while fishing in any of the waters of the refuge, and no one may have in his possession within the boundaries of the refuge any live minnows or any seine or net that may be used in capturing minnows.

(g) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

Dated: August 31, 1943.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

[F. R. Doc. 43-14783; Filed September 9, 1943; 2:38 p. m.]

#### PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

##### WICHITA MOUNTAINS WILDLIFE REFUGE, OKLAHOMA

Pursuant to authority contained in the Regulations for the Administration of the Wichita Mountains Wildlife Refuge, Oklahoma, dated December 2, 1936 (1 F.R. 2397), the following is hereby ordered:

§ 23.967a *Wichita Mountains Wildlife Refuge, Oklahoma; fishing.* Until further notice non-commercial fishing is permitted in the waters specified herein of the Wichita Mountains Wildlife Refuge, Oklahoma, during the open season each year as fixed by State law or regulation for lakes or waters in that section of the State wherein the Refuge is situated, in accordance with the provisions of the Regulations for the Administration of the Wichita Mountains Wildlife Refuge, dated December 2, 1936 (1 F.R. 2397), and subject to the following conditions, restrictions, and requirements:

(a) *Waters open to fishing.* The following-named waters of the refuge are hereby designated as areas open to fishing, and fishing on any other waters of the refuge will not be permitted: Caddo Lake, West Post Oak Lake, Treasure Lake, French Lake, all the lakes known as Fish Lakes on West Cache and Turkey Creeks from French Lake to Lost Lake,

Lost Lake, West Cache Creek from Lost Lake south to the refuge boundary fence, Jed Johnson Lake, that part of Rush Lake east of the big-game fence, Little Medicine Creek within the refuge boundary, that part of Elmer Thomas Lake within the refuge boundary, and Crater, Osage, Quanah Parker, and Burford Lakes together with the streams flowing south therefrom to the refuge boundary fence.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oklahoma. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law, and the use of trot and set lines and other similar contrivances is prohibited. The regulations governing the size or length of fish caught and the number of fish that may be taken each day must be complied with by persons fishing within the refuge.

(c) *Fishing licenses and permits.* Any person who fishes in any of the aforesaid waters under the aforesaid conditions must be in possession of a valid fishing license issued to him in accordance with the provisions of the laws of the State of Oklahoma, if such license is required, which shall serve as a Federal permit for fishing in said waters: Said license must be carried on the person of the permittee when he exercises the privilege of fishing in said waters and must be exhibited upon the request of any Federal or State officer authorized to enforce Federal or State fishing laws or regulations, or laws and regulations applicable to the refuge.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

(e) *Use of boats.* The use of boats or floating devices of any description is prohibited on all waters of the refuge except for official purposes by the Oklahoma State Game and Fish Commission and by representatives of the Fish and Wildlife Service authorized to enforce the laws and regulations applicable to the refuge or to fishing in Oklahoma: *Provided*, That boats, other than power or motorboats, may be used on Elmer Thomas Lake within the refuge under the supervision of the city of Lawton in accordance with, and subject to, such terms as may be prescribed in an appropriate permit by the superintendent of the refuge; and that authorized officials of the city of Lawton may utilize power or other boats in supervising such authorized boating activities on said lake.

(f) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing or the use of boats of any description will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl

concentrations and are posted suitably by such officer.

(g) *Revocation of previous regulations.* The regulation governing fishing on the Wichita Mountains Wildlife Refuge, Oklahoma, approved by the Acting Director, Fish and Wildlife Service, on May 1, 1943 (8 F.R. 6005), is hereby revoked.

Dated: September 3, 1943.

WARD T. BOWER,  
Acting Director.

[F. R. Doc. 43-14784; Filed, September 9, 1943;  
2:38 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Coal Mines Administration.

[Order No. T-35]

ADAMS, ROWE & NORMAN, INC., ET AL.

#### ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 6, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

*Provided, however,* That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695)

may be concluded in an orderly manner; *And provided further,* That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX A

##### Name of Mining Company and Address

Adams, Rowe & Norman, Inc., Birmingham, Alabama. Alabama Power Company, Birmingham, Alabama. American Rolling Mill Co., The, Nellis, West Virginia. Arthur S. Braine; Grove City, Pennsylvania. Brock, Incorporated, Morgantown, West Virginia. Cambria Collieries Co., The, Toledo, Ohio. Cipolla Fuel Co., Arnold, Pennsylvania. Coal Creek Coal Co., Henryetta, Oklahoma. Columbus Mining Co., Chicago, Illinois. Crystal Block Coal & Coke Co., Huntington, West Virginia. Crystal Block Mining Co., Huntington, West Virginia. Cutshin Coal Co., Inc., Combs, Kentucky. Delmont Fuel Co., Greensburg, Pennsylvania. Earlston Coal Co., Inc., Kermit, West Virginia. Hart Coal Co., Inc., Mortons Gap, Kentucky. Harvey Coal Corp., Inc., Harveytown, Kentucky. Hutchinson Coal Co., Fairmont, West Virginia. Irwin Gas Coal Corp., Greensburg, Pennsylvania. Kentucky-Jelico Coal Co., Inc., Kay Jay, Kentucky. Kingston-Pocahontas Coal Co., Inc., New York, New York. Louisville Gas and Electric Co., Louisville, Kentucky. Louisville-Lafayette Coal Co., Louisville, Colorado. Low Ash Mining Co., Inc., Rainelle, West Virginia. Maher Coal and Coke Co., Leechburg, Pennsylvania. Martin Mining Co., Philadelphia, Pennsylvania. Maureen Coal Co., Clarksburg, West Virginia. Milburn By-Products Coal Co., Milburn, West Virginia. Moffat Coal Co., Sparta, Illinois. Mammoth Coal Mining Co., Jasper, Alabama. New Alma Coal Co., McCarr, Kentucky. O. B. C. Coal Co., Johnston City, Illinois. Pecks Run Coal Co., Buckhannon, West Virginia. Raine Lumber and Coal Co., The, Duo, West Virginia. J. L. Sager Coal Co., Smithton, Pennsylvania. South Union Coal Co., Greensburg, Pennsylvania. Southern Coal & Coke Co., Boothton, Alabama. Tablar Fuel, Inc., Clarksburg, West Virginia. Thoma Coal Co., J. G., The, Moultrie, Ohio. Victoria Coal Co., Monessen, Pennsylvania. Virginia & Pittsburgh Coal & Coke Co., The, Fairmont, West Virginia. Wise Coal & Coke Co., Norton, Virginia.

[F. R. Doc. 43-14780; Filed, September 9, 1943;  
2:38 p. m.]

[Order No. T-36]

AMERICAN FUEL CO., ET AL

#### ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 6, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the

"war effort," and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

*Provided, however,* That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; *And provided further,* That except as otherwise ordered, the appointment of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX A

##### Name of Mining Company and Address

American Fuel Company, 1220 So. Main St., Salt Lake City, Utah. Black Diamond Coal Mine No. 4, Petersburg, Illinois. Buckhart Creek Coal Co., 912 Central National Bank Bldg., Peoria, Illinois. Cove Hill Coal Company, Hollidays Cove, W. Va. Gariand Coal & Mining Company, Stigler, Oklahoma. Magnolia Mining Company, The, 205 Cleveland Avenue NW., Canton, Ohio. Newton Coal Company, Pella, Iowa. Sugar Loaf Coal Corporation, Collinsville, Illinois. Union Coal Company, Main Street, Route 18, Burgettstown, Pennsylvania. Utah Fuel Company, Salt Lake City, Utah. Wyodak Coal & Mfg. Co., Lead, South Dakota.

[F. R. Doc. 43-14781; Filed, September 9, 1943;  
2:38 p. m.]

[Order No. T-37]

CENTRAL PENNSYLVANIA QUARRY, STRIPPING AND CONSTRUCTION CO., ET AL

#### ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 6, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A, have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to

the taking of possession by the Government has been restored, and have submitted factual evidence to that effort. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

*Provided, however,* That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: *And provided further,* That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

## APPENDIX A

## Name of Mining Company and Address

Central Pennsylvania Quarry, Stripping & Construction Co., Hazleton, Pennsylvania. Daly & Volpe Construction Company, 407-15 Miners Bank Building, Pittston, Pennsylvania. Florine Coal Company, P. O. Box 51, Old Forge, Pennsylvania. Penn Anthracite Collieries Company, Bowman Building, Scranton, Pennsylvania.

[F. R. Doc. 43-14782; Filed, September 9, 1943; 2:38 p. m.]

[Order No. T-38]

BABCOCK COAL & COKE CO., ET AL.  
ORDER TERMINATING APPOINTMENT OF  
OPERATING MANAGERS

SEPTEMBER 8, 1943.

Orders have been issued terminating Government possession and control of

the coal mines for which the persons listed in Appendix A have served as Operating Managers for the United States, and the mining companies have duly executed and delivered to the Administrator, Instrument No. 1, as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct that the appointments of the Operating Managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

HAROLD L. ICKES,  
Secretary of the Interior.

## APPENDIX A

## Name of Operating Manager and Name of Mining Company

John K. Saxman, Jr., Babcock Coal & Coke Company, Pittsburgh, Pa. C. A. Cabell, The Carbon Fuel Company, Charleston, W. Va. James Walter Carter, Carter Coal Company, 630 Fifth Ave., New York, N. Y. L. L. Shivers, Crawford Mining Company, Crawford, Tenn. R. W. Creech, Jr., Creech Coal Company, Twila, Ky. Charles C. Dickinson, Dixport Coal Company, Charleston, W. Va. John Hackert, Elm Creek Coal Co., Pella, Iowa. Charles B. Baton, Greensburg-Connellsville Coal & Coke Co., Pittsburgh, Pa. Irvin Davis, The Hatfield Campbell Creek Coal Co., Cincinnati, Ohio. James D. Francis, Island Creek Coal Company, Huntington, W. Va. Andrew B. Crichton, Johnstown Coal & Coke Company, Johnstown, Pa. H. F. Bovard, Keystone Coal & Coke Company, Greensburg, Pa. E. K. Sheffield, The Logan Clay Products Company, Logan, Ohio. S. B. Johnson, The Lorado Coal Mining Company, Columbus, Ohio. J. W. Wright, Pine Hill Mining Company, Madisonville, Ky. James D. Francis, Pond Creek Pocahontas Company, Huntington, W. Va. Wm. P. Cayton, Rail & River Coal Company, Cleveland, Ohio. R. J. Burmeister, Raleigh Coal & Coke Company, Cincinnati, Ohio. James W. Damron, Red Jacket Coal Corporation, Columbus, Ohio. E. C. Mattox, Roundup Coal Mining Co., Roundup, Mont. L. Russell Kelce, The Seneca Coal and Coke Company, Kansas City, Mo. L. Russell Kelce, Sooner Coal Mining Company, Kansas City, Mo. Hooper Love, West Kentucky Coal Company, Earlinton, Ky. John S. Beatty, Beatty Coal Company, Latrobe, Pa.

[F. R. Doc. 43-14797; Filed, September 10, 1943; 11:01 a. m.]

[Order No. T-39]

BUCKEYE COAL MINING CO., ET AL.  
ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL  
SEPTEMBER 9, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the opera-

tion of such mines in the interest of the "war effort," and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

*Provided, however,* That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; *And provided further,* That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

## APPENDIX A

## Name of Mining Company and Address

Buckeye Coal Mining Co., Lisbon, Ohio. Dawson Collieries, Inc., Dawson Springs, Ky. Dawson Daylight Coal Co., Dawson Springs, Ky. Illinois Colliery Co., Farmington, Ill. Iseman Bros., Ford City, Pa. J. & S. Coal Company, Kittanning, Pa. Kray Coal Co., Crellin, Md. Luxner Coal Co., Carmichaels, Pa. Morocco & Warren Coal Co., Trafford, Pa. Ohio Edison Co., Akron, Ohio. Peerless Coal Co., Pella, Iowa. Pine Hollow Coal Co., Columbiana, Ohio. Quality Mining Co., Inc., Boonville, Ind. Stanley Coal Co., Crellin, Md. United States Vanadium Corp., 30 East Forty-Second St., N. Y. V. Waroquier & Son, Clearfield, Pa. Williams Coal Co., Junior, W. Va. The Youngstown Sheet and Tube Co., Youngstown 1, Ohio. James Bros. Coal Co., Magnolia, Ohio.

[F. R. Doc. 43-14798; Filed, September 10, 1943; 11:01 a. m.]

[Order No. T-40]

ALLEBURN COLLIERIES CO., ET AL.  
ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL  
SEPTEMBER 9, 1943.

The Operating Managers for the United States for the coal mines of the

mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX A

##### Name of Mining Company and Address

Allburn Collieries Co., McCarr, Ky. Bianco Coal Mines, Seattle, Wash. Beech Creek Coal Co., Inc., Beech Creek, Ky. Youngstown Mines Corp., The, Youngstown, Ohio. Glogora Coal Co., Inc., Philadelphia, Pa. Mutual Coal Company, Gallup, N. Mex. Pine Hill Smokeless Coal Co., Inc., Garrett, Pa. Renton Mining Co., Inc., Renton, Wash. Westmoreland Mining Co., Inc., Blairsville, Pa.

[F. R. Doc. 43-14799; Filed, September 10, 1943; 11:02 a. m.]

Office of the Secretary.

[Order No. 1871]

#### PROCEDURE FOR REPORTING INVENTIONS BY EMPLOYEES OF THE DEPARTMENT OF THE INTERIOR

Section 3 of Order No. 1763 of November 17, 1942, requires every invention

made subsequent to its date by an employee of the Department and considered by him to be patentable to be reported by such employee to the head of his bureau and by the head of the bureau to the Secretary of the Interior. This reporting shall be accomplished in accordance with the following procedure.

1. *Report to Secretary and Attorney General.* Inventions by employees which they consider to have been made within the scope of their governmental duties and inventions for which employees seek to have patent applications prosecuted without the payment of any fee under the act of March 3, 1883, as amended (35 U.S.C. sec. 45), shall be submitted to the Secretary's Office by means of a letter to the Attorney General transmitting the following documents: (a) an invention report, and (b) a certificate of the public interest in the use of the invention. The forms for the transmittal letter, the invention report, and the certificate which have been prepared in the Solicitor's Office should be used. The transmittal letter shall be prepared for the signature of the First Assistant Secretary and copies of the letter and its enclosures shall be designated as follows: one for the Secretary's Office, one for the Solicitor's office, one for the employee-inventor, and others for such persons in the bureau or office as it may designate. The transmittal letter shall include the name and location of the person in the bureau or office with whom the attorney in the Department of Justice handling the case may thereafter communicate.

If the employee believes the invention was not made by him within the scope of his governmental duties and if he does not desire a patent application to be prosecuted under the act of 1883, he shall nevertheless prepare an invention report and submit it to the head of his bureau for transmission to the Secretary.

2. *Occasion for invention reports.* An invention report shall be prepared by the employee-inventor for each invention and submitted through his supervisor to the head of the bureau or office. If the invention is the result of group work the report shall be made by the supervisor. An invention report shall be promptly made whenever an employee or supervisor believes that a process or device has been discovered which is novel in its field. It is not necessary to wait until the process or device is completely reduced to practice nor to report as soon as the idea is conceived, unless for some special reason immediate report is considered necessary to protect the interests of the United States. The employee is not obligated to check the literature of the art or otherwise to make certain that the device or practice is technically "an invention" or is patentable.

3. *Contents of invention reports.* An invention report shall contain the following information: the title of the invention; the name, address and office of the inventor or inventors; a statement of the evidence of the invention available, any information concerning publication of the invention, the problems involved, the objects, advantages and use, and a description of the invention. Unless the invention report requests an opinion of

the Solicitor as to the relative rights of the Government and the employee under section 2 of Order No. 1763, it will be assumed that the invention was made subsequent to the date of the order and within the scope of the governmental duties of the employee and will, accordingly, be assigned to the United States under that order. If an employee considers that the invention is not one required to be assigned to the United States, he shall in the invention report request a Solicitor's opinion of his rights and present the following information: the circumstances under which the invention was made and developed, his official duties as given on his job sheet or otherwise at the time of making the invention, and his conclusions as to his rights in the invention.

4. *Action by the head of the bureau.* The head of the bureau shall make certain that the invention report is as complete as circumstances permit. If in the report the employee requests a Solicitor's opinion as to his rights in the invention, the head of the bureau shall state his conclusions with respect to such rights.

If in the opinion of the head of the bureau the facts justify the execution of a certificate to the effect that the invention is liable to be used in the public interest, he shall see that information supporting that conclusion is presented to the Secretary's Office. If the employee's invention report does not contain sufficient information on that score, such information should be added by the bureau or office. When an invention has been produced in the course of the activities of the bureau or office, no special justification of its liability for use in the public interest is needed.

5. *Action by the Solicitor.* In any cases where the employee requests an opinion of the Solicitor under Order No. 1763, the Solicitor shall prepare an opinion and submit it to the Secretary. In accordance with the decision of the Secretary in such cases, or in other cases in accordance with the decision of the employee to assign the invention to the United States, the Solicitor shall take such steps as may be necessary to assure the execution of an appropriate assignment or license to accompany the submission of a patent application by the Department of Justice to the Patent Office.

Section 3 of Order No. 1763 is hereby amended in so far as it is inconsistent with this order.

HAROLD L. ICKES,  
Secretary of the Interior.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14793; Filed, September 10, 1943; 9:20 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 50 Under Rev. MPR 122]

PENNSYLVANIA ANTHRACITE

PRICES IN YORK AND HARRISBURG COAL TRADING AREAS

Correction

In Schedule I of F.R. Doc. 43-14342 appearing at page 12153 of the issue for

Friday, September 3, 1943, the price per net half ton for nut coal should read "\$6.40".

### SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-565]

#### AUTO CITY BREWING COMPANY

##### ORDER SETTING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September, A. D. 1943.

In the matter of Auto City Brewing Company, Common Stock, \$1 Par Value.

The Detroit Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$1 par value, of Auto City Brewing Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered.* That the matter be set down for hearing at 10 a. m. on Monday, October 4, 1943, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered.* That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-14609; Filed, September 10, 1943; 11:54 a. m.]

[File No. 1-1871]

#### WOLVERINE BREWING COMPANY

##### ORDER SETTING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September, A. D. 1943.

In the matter of Wolverine Brewing Company, Common Stock, \$1 Par Value.

The Detroit Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$1 par value, of Wolverine Brewing Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered.* That the matter be set down for hearing at 10 a. m. on Monday, October 4, 1943, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

*It is further ordered.* That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-14810; Filed, September 10, 1943; 11:54 a. m.]

### WAR FOOD ADMINISTRATION.

#### EXPANSION OF PRODUCTION OF HOGS

Pursuant to the provisions of section 4 (a) of the Act approved July 1, 1941, 55 Stat. 498, as amended by Public Law 729, 77th Congress, approved October 2, 1942, public announcement is hereby

made that it has been found necessary to encourage the expansion of the production of hogs and that, subject to the provisions of the act, the War Food Administration will, through loan, purchase, or other operations, support the prices of good to choice butcher hogs, Chicago basis, as follows:

(1) For the period September 1, 1943, through September 30, 1944, \$13.75 per cwt. for hogs weighing 200 to 270 pounds;

(2) For the period October 1, 1944, through March 31, 1945, \$12.50 per cwt. for hogs weighing 190 to 230 pounds.

The War Food Administration, upon the expiration of the periods specified above, will continue to support the price of hogs as prescribed by the foregoing Act at not less than 90 percent of the parity price, but the precise level of such support, to the extent that it may exceed 90 percent of the parity price, and any conditions for eligibility for price support will be covered in subsequent announcements.

The provisions of this announcement shall prevail in the event of any conflict between them and provisions of any announcement heretofore made.

Done at Washington, D. C., this 8th day of September 1943.

MARVIN JONES,  
Administrator.

[F. R. Doc. 43-14785; Filed, September 9, 1943; 3:21 p. m.]

### WAR PRODUCTION BOARD.

[Serial No. 556-E]

#### LONE ROCK BRIDGE PROJECT, WISC.

##### CANCELLATION OF REVOCATION ORDER

Builder: Wisconsin State Highway Commission, Madison, Wisconsin. Project: Identified as Lone Rock Bridge—State Project No. 9103-A.

The revocation of preference rating issued on July 31, 1943 as amended, Serial No. 556-E is hereby cancelled; the preference ratings previously assigned are hereby restored; and said preference ratings shall have full force and effect.

Issued September 10, 1943.

#### WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-14805; Filed, September 10, 1943; 11:38 a. m.]