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

VOLUME 17 NUMBER 58

Washington, Saturday, March 22, 1952

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 58—GRADING AND INSPECTION OF DAIRY PRODUCTS

FEES

Notice is hereby given that the United States Department of Agriculture is amending the schedule of fees and charges for the grading of butter and cheese, sampling of milk, and the laboratory analyses of dairy products under §§ 58.43, 58.44, and 58.45 of the regulations governing the grading and inspection of dairy products (7 CFR Part 58). Such regulations are currently operative pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act of 1952 (Pub. Law 135, 82d Cong., approved Aug. 31, 1951).

The upward revision in the fees, as set forth in the amendment, is to provide additional revenue to cover greatly increased operating costs. Contributing factors to increased costs include recent salary increases for Federal employees and other costs, such as, office expenses, equipment, materials, and transportation expenses in connection with rendering service to applicants.

The Department finds that it is impractical, unnecessary, and contrary to public interest to give preliminary notice, engage in rule making, or postpone the effective date of this amendment until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that (1) the fees set forth are calculated to cover cost of rendering service on a voluntary basis; (2) they are calculated to be reasonable, and as nearly as may be to cover the cost of the service rendered as required by the aforesaid Department of Agriculture Appropriation Act of 1952; and (3) no additional requirements are included with respect to applicants' compliance with the regulations; therefore, this amendment to the regluations here issued is to become effective April 1, 1952.

Amend sections 58.43, 58.44 and 58.45 to read as follows:

§ 58.43 *Butter and cheese grading fees.* For each grading or regrading of any lot of butter, cheddar cheese, or swiss cheese, the following fees, on the basis of the net weight of such lot or the actual number of churnings of butter, vats of cheddar cheese, or wheels of swiss cheese comprising such lot, shall be applicable:

(a) When all the packages in any such lot are not individually identified by churning of butter or vat of cheddar cheese, the following fees shall be effective:

For 300 pounds or less	$1.80
For 301 to 1,000 pounds, inclusive	2.70
For 1,001 to 3,000 pounds, inclusive	3.60
For 3,001 to 6,000 pounds, inclusive	4.50
For 6,001 to 10,000 pounds, inclusive	6.50
For 10,001 to 15,000 pounds, inclusive	8.50
For 15,001 to 20,000 pounds, inclusive	10.50
For each additional 10,000 pounds, or fraction thereof, in excess of 20,000 pounds	2.50

(b) When all the packages in any such lot are individually identified by churning of butter or vat of cheddar cheese, the following fees shall be effective:

For 3 or less churnings or vats (total weight less than 18,000 pounds)	$2.70
For each additional churning or vat in excess of 3, an additional charge of	.40
For any lot of butter or cheddar cheese weighing 18,000 to 25,000 pounds, inclusive, the minimum charge shall be	8.00
For any lot of butter or cheddar cheese weighing in excess of 25,000 pounds, the minimum charge shall be	10.00

(c) When all the wheels of swiss cheese are individually identified by kettle of swiss cheese, the following fees shall be effective:

For 3 or less wheels	$2.70
For each additional wheel	.25

§ 58.44 *Milk sampling fees.* (a) For each sampling of any lot of dry milk, the following fees shall be applicable:

For 1,500 pounds or less	$2.70
For 1,501 to 3,000 pounds, inclusive	3.60
For 3,001 to 6,000 pounds, inclusive	4.50
For 6,001 to 10,000 pounds, inclusive	6.00

(Continued on p. 2477)

CONTENTS

FEDERAL REGISTER

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

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

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

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

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

For each additional 10,000 pounds, or fraction thereof, in excess of 10,000 pounds	$2.00

(b) For each lot of evaporated or condensed milk, the following fees shall be applicable:

For 50 packages or less	$2.70
For 51 to 200 packages, inclusive	3.60
For 201 to 400 packages, inclusive	4.50
For 401 to 600 packages, inclusive	6.00
For each additional 600 packages, or fraction thereof, in excess of 600 packages	2.00

§ 58.45 *Fees for laboratory analyses.* For each of the following laboratory analyses, the fee referable thereto shall be applicable except as otherwise provided in paragraph (h) of this section.

(a) *Dry milk, dry whey.*

Scorched particles	$0.75
Moisture	2.00
Fat	2.50
Solubility	.50
Bacteriological plate count	1.50
Titratable acidity	.50
Flavor, color	.50
Alkalinity of ash	2.50
E. coli (presumptive)	1.80
Coliform (presumptive test solid media)	1.50
Oxygen	2.00
Whey protein test, single sample	1.50
Whey protein test (for each additional sample in the same shipment)	.75
Iron	6.50
Copper	6.50

(b) *Evaporated milk.*

Solids	$1.50
Fat	2.50
Flavor, color, body	.75
Net weight	.50
Sediment	.75

(c) *Sweetened condensed milk.*

Solids	$1.50
Fat	2.50
Sugar	3.50
Sediment	.75
Bacteriological plate count	1.50
Yeast and mold count	1.50
E. coli count (presumptive)	1.80
Coliform (presumptive test solid media)	1.50
Net weight	.50
Flavor, color, body	.75
Viscosity	.75

(d) *Natural cheese.*

Complete moisture test in duplicate	$4.00
Fat	2.50

(e) *Process cheese.*

Moisture	$2.00
Fat	2.50

(f) *Butter oil (milk fat).*

Moisture	$1.50
Fat	2.50

(g) *Butter.*

Moisture, salt, and curd	$1.50
Fat	2.50
Complete Kohman analysis	3.50
Mold mycelia	1.50

(h) *Bacteriological analyses and other specified determinations with respect to individual tests for one factor.*

Bacteriological plate count	$1.75
Bacteriological direct count	1.50
E. coli count (presumptive test solid media)	2.00
Coliform (presumptive)	1.80
Yeast and mold count	1.50
Sediment	1.00
pH determination	$0.75
Flavor, color, body	1.00
Scorched particles	1.00
Extraneous matter	2.00
Lactose	5.00

(Sec. 205, 60 Stat. 1090, Pub. Law 135, 82d Cong.; 7 U. S. C. 1624)

Issued at Washington, D. C., this 17th day of March 1952.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-3305; Filed, Mar. 21, 1952; 8:49 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 814.7]

PART 814—ALLOTMENT OF SUGAR QUOTAS

PUERTO RICO, 1952

Basis and purpose. This allotment order is issued under section 205 (a) of the Sugar Act of 1948 (hereinafter called the "act") for the purpose of allotting the 1952 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar transferred for further processing and shipment within the direct-consumption portion of such quota) and the 1952 sugar quota for local consumption in Puerto Rico among persons who process Puerto Rican sugarcane into sugar (1) to be brought into the continental United States and (2) to be marketed for local consumption in Puerto Rico. The basis of the order is more fully explained below.

The sugar quota for Puerto Rico for consumption in the continental United States is referred to herein as "mainland quota" and allotments thereof are referred to as "mainland allotments." The sugar quota for consumption in Puerto Rico and allotments thereof are referred to respectively as "local quota" and "local allotments".

Omission of recommended decision and effective date. The record of the public hearing regarding allotment of the 1952 sugar quotas for Puerto Rico shows that production of sugar from the 1951–52 crop, together with stocks in the hands of allottees on January 1, 1952, will exceed by about 500,000 tons the sum of the local and mainland quotas which were established in the amount of 1,010,000 short tons by the Secretary of Agriculture (R. 10). Some of the allotments made by this order are small and could be exceeded by the marketing of a comparatively small amount of sugar. Since this proceeding was instituted for the purpose of issuing allotments to prevent disorderly marketing of sugar and to afford all interested persons an equitable opportunity to market, it is imperative that this order become effective at the earliest possible date in order to accomplish that end. Accordingly, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Preliminary statement. Section 205 (a) of the act requires the Secretary to allot a quota whenever he finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar within the quota for the area. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

On January 21, 1952, the Secretary of Agriculture, pursuant to the applicable rules of practice and procedure (7 CFR 801.1 et seq.), issued a notice of a public hearing to be held at Santurce, Puerto Rico, in the Conference Room, Caribbean Area Office, PMA, Segarra Building, on February 6, 1952, at 10:00 a. m., for the purpose of receiving evidence to enable him to make a fair, efficient and equitable distribution of the 1952 mainland quota (including raw sugar transferred for further processing and shipment within the direct-consumption portion of the quota) and the 1952 local quota among persons who process Puerto Rican sugarcane into sugar (1) to be brought into the continental United States and (2) to be marketed for local consumption in Puerto Rico. A statement of a proposed method of allotment was included in the notice.

Section 205 (a) of the act requires a preliminary finding by the Secretary of a condition precedent to the calling of a hearing. Accordingly, the notice of hearing issued by the Secretary provides in part as follows:

> Pursuant to the authority contained in the Sugar Act of 1948 (61 Stat. 922; 7 USC 1100), in accordance with the applicable rules of practice and procedure (12 F. R. 8225, 13 F. R. 127, 2063; 7 CFR 801.1 et seq.), and on the basis of information before me, I do hereby find that the allotment of (1) the 1952 sugar quota in Puerto Rico for consumption in the continental United States, (2) the direct-consumption portion thereof, and (3) the 1952 sugar quota for local consumption in Puerto Rico is necessary to prevent disorderly marketing and importation of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States and Puerto Rico, respectively, and hereby give notice that a public hearing will be held at Santurce, Puerto Rico, in the Conference Room, Caribbean Area Office, PMA, Segarra Building, on February 6, 1952, at 10:00 a. m. The quotas and portions thereof to be allotted are referred to herein as "mainland quota", "direct-consumption portion" and "local quota", respectively.

The hearing was held at the time and place specified in the notice.

Summary of testimony. With respect to the necessity for making allotments, the Government witness testified at the

hearing that the estimated quantity of Puerto Rican sugar available for marketing in 1952 exceeds the combined mainland and local quotas by such an amount as clearly to indicate that allotment of these quotas is necessary (R. 10). This testimony on the necessity for allotment was not controverted by any witness.

With respect to the manner in which the allotment should be made, the Government witness proposed, as indicated in the hearing notice, that the mainland and local sugar quotas for 1952 be allotted by giving equal weight to each of the three factors specified for consideration in section 205 (a) of the act, measuring each factor as follows (R. 10–19):

(1) Processings of sugar or liquid sugar from sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained to be measured by production of sugar from 1951–52 crop sugarcane.

(2) Past marketings to be measured by annual average mainland and local marketings (including shipments to the Virgin Islands) for the years 1948 through 1951.

(3) Ability to market to be measured by the largest combined local and mainland marketings for each allottee in any year of the period 1948 through 1951.

The method of calculation of allotments was proposed to be as follows:

(1) The combined mainland and local allotments for each allottee would be determined by (a) converting each of the three factors measured as indicated above to a percentage of the total of each such factor for all allottees; and (b) multiplying the sum of the mainland and local quotas for Puerto Rico by one-third of the sum of the three percentages so obtained.

(2) The local allotment for each allottee would be calculated by (a) determining the average percentage that local marketings of such allottee (including shipments to the Virgin Islands) were of its total mainland and local marketings in the years 1948 through 1951; (b) multiplying such percentage by the combined allotments for each allottee determined in (1) above; and (c) multiplying the result by a factor obtained by dividing the local quota by the sum of the results obtained for all allottees in (b).

(3) The mainland allotment for each allottee would be calculated by subtracting the local allotment computed under (2) above from the sum of the mainland and local allotments computed in (1) above for the same allottee.

It was proposed that an initial allotment order be issued in which "production of sugar from 1951–52 crop sugarcane" would be based on estimates of each allottee's production from such crop. To insure that no initial allotment will exceed the final allotment for the year, it was proposed that the initial order allot 80 percent of the quotas for marketing during the first eight months of the year. When final production data are available, the full quotas would be allotted based upon such data. (R. 20)

It was proposed that the allotment order provide that, if settlement with producers of sugarcane is made in sugar, marketings of sugar of such producer shall be charged to the allotment of the processor and that each processor shall reserve a share of his mainland allotment for the marketings of each such producer equal to the same percentage of the sum of the processor's mainland and local allotments that the producer's 1951–52 crop sugar is of the processor's total production of 1951–52 crop sugar. However, if a producer requests local allotment within 30 days of the effective date of the initial allotment order, the processor would be required to prorate the producer's share between local and mainland allotment to provide local allotment not to exceed the share determined by the ratio of the processor's local allotment to the sum of his allotments. (R. 20–21)

Paragraph (d), *Transfer or exchange of allotments*, of § 814.5 (16 F. R. 1668) was proposed for inclusion without change in the order allotting the 1952 quotas and paragraph (e), *Specific charges against allotments*, thereof was proposed for inclusion in the 1952 order with the following addition (R. 21–22): "Excess quota sugar produced in Puerto Rico which was marketed in 1951 for further processing under bond (14 F. R. 2163) and which is shipped within the direct-consumption portion of the 1952 mainland sugar quota for Puerto Rico shall be charged to the mainland allotment of the processor who processed such sugar."

Ten of the allottees represented at the hearing testified in regard to the formula which should be used in establishing 1952 allotments. Eight of the allottees opposed the formula proposed by the Government witness (R 57–62, 64–79, 137–141), and two of the allottees favored the formula (R. 110–111, 148). Six of the allottees proposed that the formula of the Government witness be modified by measuring "ability to market" by production of sugar in 1952 and by assigning a weight of 45 percent to "proportionate shares", 10 percent to "past marketings" and 45 percent to "ability to market" (R. 60). One allottee proposed that the 1952 allotments be based entirely on sugar processed from the 1951–52 crop so that each mill would be permitted to market the same proportion of its production (R. 65).

With respect to the method for sharing allotments with growers who receive sugar in settlement for sugarcane, the representative of one allottee contended that the provision which would permit producers to request local allotment within 30 days after the initial order is effective would be unfair to processors because the quantity of local allotment available for his own marketings would be uncertain until this period had expired (R. 147).

Representatives of all allottees stipulated for the record (R. 135–137) or subsequently in writing as follows:

1. The initial order shall be based on actual marketings of sugar for each year as shown by official records of the Department and estimates of sugar production from the 1951–52 sugarcane crop furnished by each allottee. Without further hearing and without change in the initial formula, the order may be revised on the basis of so-called "Easter estimates" of production from the 1951–52 sugarcane crop and shall be revised after the end of the grinding season on the basis of the actual sugar production from the 1951–52 crop for each allottee.

2. Sugar shipped to the Virgin Islands in the past shall be regarded as marketings for local consumption in Puerto Rico.

3. Sugar shipped to the Virgin Islands in 1952 shall be regarded as local allotment sugar.

4. To give effect to any change in the 1952 sugar quotas made after the issuance of the initial order, such order shall be revised without further hearing, using the same allotment formula as was used in the initial order.

Basis of allotment. Section 205 (a) of the act reads in pertinent part as follows:

> • • • Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such person to market or import that portion of such quota or proration thereof allotted to him • • •.

All three factors specified in the foregoing provision of law have been considered and each is given a percental weighting by the formula on which this allotment of the 1952 quotas for Puerto Rico is based. Under this formula the factors are measured and weighted as follows: Processings from sugarcane to which proportionate shares pertained, measured by production from the 1951–52 crop, 60 percent weight; past marketings, measured by average mainland and local marketings during the years 1948 to 1951, inclusive, 20 percent weight; ability to market, measured by the largest quantity of sugar marketed for mainland and local consumption by each allottee in any of the years 1948 to 1951, inclusive, 20 percent weight.

The testimony at the hearing indicates disagreement only regarding the most equitable method of measuring ability to market and the weight that should be given to proportionate shares. A group that expects to process a larger percentage of the crop in 1952 than in preceding years wanted both proportionate shares and ability to market to be measured by current production and given greater weight than in the government proposal. Such changes would permit all processors to market more nearly the same percentage of their 1952 production regardless of differences in the relationship of 1952 production to past performance or shifts of producers among processors in 1952. Producers receiving sugar in settlement for sugarcane would be directly affected in the same manner as their processors. For producers paid in cash, the effect would be to change the proportions of the crop paid for at the January–October 1952 and the January–March 1953 average prices. To measure "ability to market" by production of sugar from the current crop of sugarcane would be to measure it by only a part of the supplies available for

marketing. If supplies are to be so used, certainly total supplies should be the measure. The difficulty in using total supplies is that some processors had very large stocks on January 1, 1952, and others had none at all. Further, there is evidence in the record which indicates that some of the 1952-crop production may not be available for marketing within 1952 quotas by the time this order is effective. Accordingly, supplies do not appear to be a satisfactory measure of ability to market sugar under the allotments established by this order and the measure used in the government proposal is adopted.

In this allotment, "sugar produced from sugarcane to which proportionate shares pertained" has been given three times as much weight as either "past marketings" or "ability to market", rather than the equal weights used in the government proposal. Under the weighting used in the government proposal the producers with whom three of the allottees settle in sugar would be permitted to market substantially less sugar than other producers having identical 1952 production and past marketing records but having their cane ground by other allottees. The weightings adopted reduce such variations to a practicable minimum and yet provide fair and equitable allotments to all allottees.

The allotments are established by first calculating for each allottee the total quantity of sugar which such allottee may market in both the mainland and local markets. This is done by first converting the data for each of the factors for each processor to a percentage of the total of that factor for all processors, then applying the indicated weightings to such percentages, and finally applying the sum of the weighted percentages for each processor to the sum of the quotas (1,010,000 tons). For each processor a local allotment is determined by applying to its combined allotments the percentage that its local marketings were of its total marketings in the calendar years 1948, 1949, 1950 and 1951, and adjusting pro rata so that the total of such allotments will equal the local quota. The mainland allotment for each processor is determined by subtracting such local allotment from the total quantity that it may market.

Under allotment orders issued in prior years, exchanges of local and mainland allotments between Puerto Rican processors were permitted when approved by a local representative of the Department in Puerto Rico. Such adjustments in the distribution of a processor's marketings under local and mainland allotments result in greater efficiency in marketing. Therefore, the order permits such exchanges.

Since the allotments established by this order are based largely upon estimates of production from the 1951–52 crop for which more accurate production data are to be substituted later, only 80 percent of the quotas is allotted for marketing during the period January 1 through August 31, 1952. Limitation on allotments for this period is necessary to prevent any processor from marketing more than the share of the quota to which it will ultimately be entitled on the basis of its actual production. Allotment of a higher percentage of the quotas would likely result in marketings by some allottees in excess of the quantities permitted by their final allotments determined on the basis of actual production in 1952.

As in past allotment orders, processors are required to share their allotments with producers who receive sugar in payment for sugarcane. The producer's share is equal to the percentage of his 1951–52 crop sugar that the processor's combined allotment is of the processor's total production of 1951–52 crop sugar. All producers' shares are to be in mainland allotment, except that a producer who requests local allotment in writing within 30 days of the effective date of this order shall have local and mainland allotment in the same ratio as for his processor's total allotments. In the past few years the demand for sugar for local consumption has grown to be almost exclusively for refined sugar. Producers who receive raw sugar can, therefore, advantageously sell local sugar only to the refinery nearest them which, under some circumstances, may not want to purchase the producer's sugar. Providing the producer's share of allotment entirely as mainland allotment, unless he requests otherwise, assures his equitable opportunity to market the full amount of his allotment share. As a result of their marketing practices, several processors and many producers carried no sugar into 1952. Any carryover held by processors or producers does not enter into the calculation of the allotments. Therefore, relating the shares to current production affords an equitable basis for sharing the allotments.

A provision is added to paragraph (e), *Specific charges against allotments*, requiring that sugar transferred in 1951 for further processing under bond by refiners in Puerto Rico shall be charged to a 1952 mainland allotment if brought into the mainland within the direct-consumption portion of the 1952 quota. This provision is necessary to avoid the possibility of bringing into the mainland in 1952 sugar in excess of the 1952 quota for Puerto Rico.

Findings. On the basis of the record of the hearing, I hereby find that:

(1) For the calendar year 1952 Puerto Rican processors will have available for marketing on the mainland and in Puerto Rico an amount of sugar which exceeds the combined mainland and local quotas by approximately 500,000 short tons.

(2) To assure a fair, efficient and equitable distribution of the mainland and local quotas for Puerto Rico for 1952, the three statutory standards should be weighted as follows: "Processings from proportionate shares", 60 percent; "past marketings", 20 percent; and "ability to market", 20 percent.

(3) Production of sugar from 1951–52 crop sugarcane constitutes a fair and equitable measure of "processings from proportionate shares". Pending the availability of final data, estimated production is used and is set forth for each processor in column 1 of the table below.

(4) A fair and equitable measure of past marketings for each processor is its average mainland and local marketings during the years 1948, 1949, 1950 and 1951. The past marketings of each processors so measured is set forth in column 2 of the table below:

(5) The largest mainland and local marketings of sugar by each processor in any of the years 1948 through 1951 constitutes a fair and equitable measure of the ability of each processor to market sugar during 1952 and an estimate of such quantity for each processor is set forth in column 3 of the table below.

(6) The percentages that local marketings were combined mainland and local marketings for each processor during the years 1948, 1949, 1950, and 1951 are deemed to be representative for the purpose of dividing the combined 1952 allotments for each processor into a mainland allotment and a local allotment. Such percentages are set forth in column 4 of the table below:

[Short tons, raw value]

Processor	Estimated 1951–52 crop production (1)	Past marketings [1] (2)	Highest marketings 1948–51 (3)	Marketed locally 1948–51 (percentage [2]) (4)
Antonio Roig, Sucesores, S. en C	56, 435	47, 650	54, 846	44. 5100
Arturo Lluberas (estate of) y Sobrinos (San Francisco)	7, 000	6, 364	6, 532	24. 4343
Asociacion Azucarera Cooperativa (Lafayette)	38, 800	33, 845	37, 957	1. 7846
Central Aguirre Sugar Co., a trust	135, 786	110, 627	125, 350	1. 6045
Central Coloso, Inc	72, 292	49, 147	54, 989	1. 3917
Central Eureka, Inc	43, 020	31, 118	33, 222	3. 9623
Central Guamani, Inc	14, 800	9, 527	10, 016	10. 6434
Central Igualdad, Inc	57, 230	40, 985	43, 732	38. 8337
Central Juanita, Inc	44, 650	32, 984	34, 835	7. 3611
Central Mercedita, Inc	87, 000	70, 303	80, 756	23. 2238
Central Monserrate, Inc	30, 000	23, 770	27, 595	5. 0484
Central San Jose, Inc	21, 855	19, 092	20, 034	. 1048
Central San Vicente, Inc	71, 050	48, 765	52, 197	3. 3959
Compania Azucarera del Camuy, Inc. (Rio Llano)	17, 711	14, 416	15, 931	. 5619
Compania Azucarera del Toa	31, 900	28, 300	30, 270	
Cooperativa Azucarera Los Canos	39, 600	31, 958	36, 080	. 2566
Corporacion Azucarera Sauri & Subira (Constancia Ponce)	16, 600	11, 282	11, 868	11. 7355
Eastern Sugar Associates, a trust	154, 220	127, 467	137, 829	11. 7207
Fajardo Sugar Co	130, 519	121, 203	132, 542	. 1345
Land Authority of Puerto Rico	82, 687	73, 983	80, 197	. 0135
Mario Mercado e Hijos (Rufina)	43, 564	28, 351	30, 049	4. 5184
Mayaguez Sugar Co., Inc. (Rochelaise)	12, 650	10, 409	11, 360	1. 6524
Plata Sugar Co	60, 000	40, 653	47, 494	1. 1020
Soller Sugar Co	16, 760	12, 534	14, 159	. 0798
South Porto Rico Sugar Co., of Puerto Rico	110, 280	101, 404	110, 992	16. 1572
Total	1, 397, 309	1, 126, 137	1, 239, 403	8. 9257

[1] Total marketings mainland and local marketings, average 1948–51.
[2] Local marketings, average 1948–51 as percentage of total average marketings, shown in column (2).

Conclusions. On the basis of the foregoing and after consideration of the record and the briefs and stipulations submitted by all interested persons following the hearing, it is hereby determined and concluded as follows:

(1) The allotment of the 1952 mainland quota for Puerto Rico (including raw sugar transferred for further processing to be brought in within the direct-consumption portion of the quota) and the 1952 local quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States and in Puerto Rico.

(2) In order to make a fair, efficient and equitable distribution of such quotas as required by section 205 (a) of the act, (a) distribution of the total of the two quotas should be made by giving 60 percent weight to processings of sugar from sugarcane to which proportionate shares pertained, measured by production from the 1951–52 sugarcane crop, 20 percent weight to past marketings, measured by the average of such marketings by each processor during the years 1948, 1949, 1950 and 1951, and 20 percent weight to ability to market, measured by the largest mainland and local marketings of sugar by each processor in any of the years 1948 through 1951, and (b) the quantity so determined should be divided into local and mainland allotments on the basis of the division between local and mainland marketings for each processor during the years 1948, 1949, 1950, and 1951.

(3) An efficient distribution of the quotas requires exchanges between allottees of quantities of mainland allotment for like quantities of local allotment subject to the approval of the Director or Assistant Director, Caribbean Area Office, Production and Marketing Administration, Segarra Building, Santurce, Puerto Rico.

(4) Pending the availability of final production data for the 1951–52 crop (or "Easter estimates" thereof differing significantly from those used in this initial determination), 80 percent of the quotas should be allotted for marketings in the period January 1 to August 31, 1952.

(5) Any producer who receives sugar in payment for sugarcane (a) should be permitted to market, within the allotment of the processor who processed his sugarcane, a quantity of sugar equal to the same percentage of the producer's 1951–52 crop sugar that the sum of the processor's mainland and local allotments is of the processor's total production of 1951–52 crop sugar, and (b) mainland allotment should be reserved for all such marketings unless the producer requests local allotment.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act: *It is hereby ordered:*

§ 814.7 *Allotments of 1952 sugar quotas for Puerto Rico*—(a) *Allotments.* Eighty percent of the 1952 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar to be further processed and marketed within the direct-consumption portion of such quota), amounting to 728,000 short tons of sugar, raw value, and 80 percent of the 1952 sugar quota for local consumption in Puerto Rico, amounting to 80,000 short tons of sugar, raw value, are hereby allotted to the following processors in amounts which appear in columns (1) and (2) opposite their respective names:

[Short tons, raw value]

Processor	Mainland allotment	Local allotment
Antonio Rolg, Sucesores, S. en C	17,013	16,556
Arturo Lluberas (estate of) y Sobrinos (San Francisco)	3,058	1,136
Asociacion Azucarera Cooperativa (Lafayette)	22,808	460
Central Aguirre Sugar Co., a trust	77,920	1,410
Central Coloso, Inc	38,698	606
Central Eureka, Inc	22,980	1,055
Central Guamani, Inc	6,887	921
Central Igualdad, Inc	17,910	13,529
Central Juanita, Inc	22,747	2,020
Central Mercedita, Inc	37,728	13,075
Central Montserrate, Inc	16,197	960
Central San Jose, Inc	12,998	15
Central San Vicente, Inc	37,008	1,446
Compania Azucarera del Camuy, Inc (Rio Llano)	10,226	64
Compania Azucarera del Toa	19,073	
Cooperative Azucarera Los Canos	22,975	54
Corporacion Azucarera Saurl & Subira (Constancia Ponce)	7,765	1,161
Eastern Sugar Associates, a trust	78,109	11,659
Fajardo Sugar Co	79,838	119
Land Authority of Puerto Rico	49,755	7
Mario Mercado e Hijos (Rufina)	21,944	1,157
Mayaguez Sugar Co., Inc. (Rochelaise)	7,230	134
Plata Sugar Co	32,443	401
Soller Sugar Co	9,451	8
South Porto Rico Sugar Co. of Puerto Rico	55,239	12,047
Total allotted	728,000	80,000
Unallotted reserve	182,000	20,000
Total quotas	910,000	100,000

(b) *Producers' marketings under allotments.* If settlement with producers of sugarcane is made in sugar, marketings of such sugar of such producers shall be charged to the allotments of the processor. Each processor shall reserve a share of its mainland allotment for the marketings of each such producer equal to the same percentage of the producer's 1951–52 crop sugar that the sum of the processor's mainland and local allotments is of the processor's total production of 1951–52 crop sugar: *Provided,* That upon written request to the processor within 30 days of the effective date of this order, the producer's share shall be divided between local and mainland allotments as the sum of the processor's allotments is divided between mainland and local allotments.

(c) *Restrictions on marketing.* (1) Prior to September 1, 1952, each processor named in paragraph (a) of this section, together with the producers with whom it shares its allotments under paragraph (b) of this section, is hereby prohibited from bringing into the continental United States for consumption therein, or marketing for that purpose, or from marketing for local consumption in Puerto Rico, any sugar in excess of the allotments established in paragraph (a) of this section.

(2) During the calendar year 1952, all persons who acquire raw sugar for further processing and resale as direct-consumption sugar are hereby prohibited from marketing sugar for local consumption in Puerto Rico in excess of the sum of (i) the quantity of sugar acquired for such purpose under the limitations specified in § 814.5 (16 F. R. 1668, 4926, 8037, 10723) and held in inventory on December 31, 1951, and (ii) the quantity of sugar acquired for such purpose within the limits specified in this section.

(d) *Transfer or exchange of allotments.* The allotments established in paragraph (a) of this section, or producers' shares thereof established under paragraph (b) of this section, shall not be transferred or exchanged without the approval of the Director or Assistant Director of the Caribbean Area Office, Production and Marketing Administration, United States Department of Agriculture, Segarra Building, Santurce, Puerto Rico.

(e) *Specific charges against allotments.* (1) Sugar produced in Puerto Rico which is brought into the continental United States for consumption therein or marketed for local consumption in Puerto Rico during 1952 shall be charged to the applicable allotment of the processor who processed such sugar.

(2) Excess quota sugar produced in Puerto Rico which was transferred in 1951 to an allottee under § 814.8 for further processing under bond (14 F. R. 2163), in order to be marketed within the direct-consumption portion of the 1952 mainland sugar quota for Puerto Rico, shall be charged to a 1952 mainland allotment transferred pursuant to paragraph (d) of this section to the said allottee under § 814.8.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 205, 61 Stat. 926; 7 U. S. C. Sup., 1115)

Done at Washington, D. C., this 19th day of March 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN, *Secretary.*

[F. R. Doc. 52–3320; Filed, Mar. 21, 1952; 8:49 a. m.]

[Sugar Reg. 814.8]

PART 814—ALLOTMENT OF SUGAR QUOTAS

DIRECT CONSUMPTION PORTION OF 1952 FOR PUERTO RICO

Basis and purpose. This allotment order is issued under section 205 (a) of the Sugar Act of 1948 (herein called "act"), for the purpose of allotting the portion of the 1952 sugar quota for Puerto Rico which may be filled by direct-consumption sugar among persons who market such sugar for consumption in the continental United States. The basis and purpose of the order are more fully explained below.

Omisssion of recommended decision and effective date. The record of the public hearing regarding the subject of this order shows that the capacity of Puerto Rican refineries to produce direct-consumption sugar far exceeds the sum of 126,033 short tons of such sugar which may be marketed in the continental United States under the act and

the quantity of sugar needed for local consumption in Puerto Rico (R. 98). The proceeding to which this order relates was instituted for the purpose of alloting the direct-consumption portion of the quota to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market direct-consumption sugar in the continental United States (R. 7). Some of the allotments made by this order are small and could be exceeded if issuance of this order is delayed. Therefore, it is imperative that this order become effective at the earliest possible date in order fully to effectuate the purposes of section 205 (a) of the act. Accordingly, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Preliminary statement. Section 207 (b) of the act provides that not more than 126,033 short tons, raw value, of the sugar quota for Puerto Rico for any calendar year may be filled by direct-consumption sugar.

Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota or proration thereof whenever he finds that allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for the area. Section 205 (a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

On January 21, 1952, the Secretary, pursuant to the applicable rules of practice and procedure (7 CFR 801.1 et seq.), issued notice of a public hearing to be held in Santurce, Puerto Rico, on February 6, 1952, for the purpose of receiving evidence to enable him to make a fair, efficient, and equitable distribution of the direct-consumption portion of the 1952 sugar quota for Puerto Rico.

As stated above, the act requires a preliminary finding of necessity for allotment as a condition precedent to the calling of a hearing. Accordingly, the notice of hearing issued January 21, 1952, provided in part as follows:

> Pursuant to the authority contained in the Sugar Act of 1948 (61 Stat. 922, 7 U. S. C. 1100), in accordance with the applicable rules of practice and procedure (12 F. R. 8225, 13 F. R. 127, 2063; 7 CFR 801.1 et seq.), and on the basis of information before me, I do hereby find that the allotment of (1) the 1952 sugar quota for Puerto Rico for consumption in the continental United States, (2) the direct-consumption portion thereof, and (3) the 1952 sugar quota for local consumption in Puerto Rico is necessary to prevent disorderly marketing and importation of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States and Puerto Rico, respectively, and hereby give notice that a public hearing will be held at Santurce, Puerto Rico, in the Conference Room, Caribbean Area Office, PMA, Segarra Building, on February 6, 1952, at 10:00 a. m.

The hearing was held at the time and place specified in the notice.

The notice of hearing included a proposed method of allotment as follows:

> The Department representative will propose also to allot the direct-consumption portion of the mainland quota for 1952 on the same basis as that used in allotting the direct-consumption portion of the 1951 mainland quota (16 F. R. 1671), except for adding marketings in 1951 to the series of data used to measure past marketings and ability and reducing to 533 short tons, raw value, the quantity set aside as an unallotted reserve for marketing of raw sugar for direct consumption. Thus 125,500 short tons, raw value, would be allotted by giving equal weight to (1) past marketings as measured by average annual marketings for direct consumption in the continental United States in the years 1948 through 1951 and (2) ability to market as measured by the highest marketings in any of the years 1935 through 1951 for each allottee.
>
> In order to maintain complete consistency in accounting for marketings within individual allotments and within the mainland quota as a whole, it is proposed to restrict direct-consumption marketings as follows:
>
> *Restrictions on marketings.* (1) During the calendar year 1952, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States for consumption therein, or marketing for that purpose, any direct-consumption sugar from Puerto Rico in excess of the smaller of (i) the allotment therefor established in paragraph (a) of this section, or (ii) the quantity transferred to such allottee for such purpose under the limitations specified in § 814.7.
>
> (2) During the calendar year 1952, all other persons are hereby prohibited from bringing into the continental United States any direct-consumption sugar except that acquired from an allottee under the limitations of this section and such amount of raw sugar as may be marketed within the unallotted reserve.

Summary of evidence. With respect to the necessity for making allotments, the government witness stated that if each refiner and turbinado producer maintained the rate of operation represented by its biggest bi-weekly reporting period in 1951 for 13 periods, the maximum period of operation for any of them in 1951, about 350,000 short tons, raw value, of refined or turbinado sugar, would have been produced. Even this level, he stated, does not represent the physical limit of capacity because the period of operation could be extended and, since marketings were under allotment, some producers may not have pushed production to the limit of capacity in their best weeks. He pointed out that in contrast with this capacity the quantity of refined sugar which may be distributed by Puerto Rican refiners does not exceed about 225,000 short tons, raw value (R. 98). In view of this situation the Secretary of Agriculture found that allotments are necessary to prevent disorderly marketing of sugar and to afford all interested persons an equitable opportunity to market sugar within the area's quota. This testimony on the necessity for allotments in 1952 was not controverted by any witness.

The government witness explained the proposed method of allotments stated in the notice of hearing and presented estimated allotments based on the proposal. The proposed allotment of 125,500 short tons, raw value, was based on equal weightings of (1) past marketings as measured by annual marketing for direct consumption in the continental United States in the years 1948 through 1951 (R. 99) and (2) ability to market as measured by the highest marketings in any of the years 1935 through 1951 for each allottee (R. 100). An unallotted reserve of 533 short tons, raw value, would be set aside for marketing of raw sugar for direct consumption.

In order to maintain complete consistency in accounting for marketings within individual allotments and within the mainland quota as a whole, the government witness proposed that direct-consumption marketings be restricted as follows (R. 104):

> *Restrictions on marketings.* (1) During the calendar year 1952, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States for consumption sugar from Puerto Rico in excess of the smaller of (i) the allotment therefor established in paragraph (a) of this section, or (ii) the quantity transferred to such allottee and charged against a 1952 mainland allotment under § 814.7 of this part.
>
> (2) During the calendar year 1952, all other persons are hereby prohibited from bringing into the continental United States any direct-consumption sugar except that acquired from an allottee under the limitations of this section and such amount of raw sugar as may be marketed within the unallotted reserve.

The only objection made to the basis of allotment proposed by the government witness, was to the inclusion of the years prior to and including 1940 in measuring ability to market. This objection was made by witnesses for two of the allottees (R. 106, 107). A representative of another allottee testified in favor of the government proposal and objected to the position taken by the two allottees that years prior to and including 1940 should be excluded in measuring ability to market (R. 107, 108).

Basis of allotment. Section 205 (a) of the act reads in pertinent part as follows:

> * * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. * * *

Allottees accounting for over 95 percent of the marketings of Puerto Rican direct-consumption sugar in the continental United States do not themselves process sugar from sugarcane (R. 99). On the other hand, all of the raw sugar

mills in Puerto Rico do process sugar directly from sugarcane, but a majority of these mills do not make refined sugar for shipment to the United States for consumption as direct-consumption sugar (Puerto Rico Sugar Order No. 18, 13 F. R. 310–313). In view of these circumstances, and in order to provide a fair, efficient and equitable distribution of the direct-consumption portion of the quota, the standard "processings of sugar * * * from * * * sugarcane to which proportionate shares * * * pertained" has been considered but given no percental weight in determining this allotment. The other standards specified in the act, namely "past marketings" and "ability to market" have been applied and each given fifty percent weight in order to provide a "fair, efficient and equitable distribution" of that portion of the quota herein allotted.

The factor "past marketings" is measured by marketings of direct-consumption sugar in the continental United States in the years 1948, 1949, 1950 and 1951. These years are believed to be representative of past marketings for the purpose of this allotment. Recent years are most relevant because they take account of long run changes. These years, also, represent experience under marketing conditions, including allotments, similar to those which may be expected in 1952.

The factor "ability to market" is measured by the percentage that the largest marketings for each allottee in any year since 1935 is of the sum of such largest marketings for all allottees. In determining ability to market, the actual performance as reflected in shipments of direct-consumption sugar to the continental United States is considered the best and most practical measure. Marketings during a single year properly selected is an adequate measure, but if the same year is selected for all refiners such year may not, for circumstances peculiar to individual companies, properly reflect ability of all refiners. On the other hand it is believed that if a refiner is permitted to select its best single year's performance during an extended period, it would have had adequate opportunity to demonstrate its ability. This method would recognize demonstrated ability and if a comparison with present plant capacity shows no impairment in ability, such performance is a reasonable measure. The rate of production during the most active weeks of 1951 indicate that there has been no significant impairment of plant capacity. Therefore, the best single year's performance during the past 17 years is deemed to afford a fair and equitable measure of the ability of each refiner to market direct-consumption sugar in the continental United States.

Every year a certain amount of Puerto Rican raw sugar is marketed for direct-consumption in the continental United States. The act requires that such marketings be charged to the direct-consumption portion of the quota. In past allotment orders a sufficient amount of the direct-consumption portion of the quota has been reserved and set aside and all interested persons have been permitted to market Puerto Rican raw sugar for such purposes until the reserved amount had been depleted.

During the calendar years 1950 and 1951 totals of 875 and 289 short tons, respectively, of Puerto Rican raw sugar were marketed for direct consumption in the continental United States. It is not considered practicable to allot such a small quantity to the numerous sugar mills. Such an allotment would disrupt customary trade practices and interfere with the efficient distribution of such sugar. Therefore, 533 short tons have been set aside as a reserve for marketing of such sugar. This quantity is approximately equal to the average actual marketings of Puerto Rican raw sugar for direct consumption in 1950 and 1951 and is substantially smaller than the unallotted reserve for previous years.

Findings. On the basis of the record of the hearing, I hereby find that:

1. The potential capacity of Puerto Rican refiners to produce direct-consumption sugar during the calendar year 1952 exceeds 350,000 short tons.

2. The amount of direct-consumption sugar which Puerto Rican refiners are equipped to produce in 1952 far exceeds the sum of the quantity of direct-consumption sugar which may be brought into continental United States during 1952 and the quantity needed for local consumption in Puerto Rico during 1952.

3. A quantitative reflection of the proportionate shares standard in the final allotment formula would not result in fair, efficient and equitable allotments.

4. The best measure of the past marketings standard for each refiner is the average marketings of direct-consumption sugar in the continental United States during the years 1948, 1949, 1950 and 1951. Such marketings are shown in column (1) of the table below.

5. The best available measure of the ability standard for each refiner is the largest quantity of direct-consumption sugar marketed in the continental United States during any calendar year during the period 1935–51, exclusive, and the ability thus measured is within the present plant capacity of each refiner. Such marketings are shown in column 2 of the table below.

6. A small part of the direct-consumption portion of the Puerto Rican sugar quota is normally marketed in the continental United States as raw sugar for direct consumption. The quantity brought in during the calendar years 1950 and 1951 was 875 and 289 short tons, raw value, respectively. Five hundred and thirty-three short tons, raw value, is sufficient in 1952.

MARKETINGS OF REFINED AND TURBINADO SUGAR IN THE CONTINENTAL UNITED STATES

[Short tons, raw value]

Refiner	Average 1948–49–50–51 (1)	Highest year 1935–51 (2)
Arturo Lluberas, estate of, y Sobrinos (San Francisco)	782	2,590
Central Aguirre Sugar Co., a trust	4,411	10,640
Central Roig Refining Co	20,514	28,665
Porto Rican American Sugar Refinery, Inc	78,926	116,611
Western Sugar Refining Co	18,918	29,988
Total	123,551	188,494

Conclusions. On the basis of the foregoing and after consideration of the record of the hearing,[1] I hereby determine and conclude that (1) the allotment of the direct-consumption portion of the 1952 sugar quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States; (2) in order to make a fair, efficient, and equitable distribution of the direct-consumption portion of such quota, as required by section 205 (a) of the act, allotments should be made giving no percental weight to the proportionate shares standard and giving fifty percent weight to past marketings, measured by the annual average of such marketings for consumption in the continental United States by each refiner during the years 1948, 1949, 1950, and 1951, and fifty percent weight to ability to market, measured by the largest marketings of direct-consumption sugar for consumption in the continental United States by each refiner during any calendar year, 1935–1951, inclusive, and (3) an unallotted reserve of 533 short tons of sugar, raw value, should be set aside for marketings of Puerto Rican raw sugar in the continental United States for direct consumption.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered:

§ 814.8 *Allotment of the direct-consumption portion of 1952 sugar quota for Puerto Rico*—(a) *Allotments.* The direct-consumption portion of the 1952 sugar quota for Puerto Rico amounting to 126,033 short tons, raw value, is hereby allotted as follows:

Refiner	*Direct-consumption allotment (short tons, raw value)*
Arturo Lluberas, estate of, y Sobrinos (San Francisco)	1,259
Central Aguirre Sugar Co., a trust	5,782
Central Roig Refining Co	19,902
Porto Rican American Sugar Refinery, Inc	78,906
Western Sugar Refining Co	19,591
Total	125,500
Unallotted reserve for marketing of raw sugar for direct consumption	533
	126,033

(b) *Restrictions on marketings.* (1) During the calendar year 1952, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States for consumption therein, or marketing for that purpose, direct-consumption sugar from Puerto Rico in excess of the smaller of (i) the allotment therefor established in paragraph (a) of this section, or (ii) the quantity transferred to such allottee and charged against a 1952 mainland allotment under § 814.7.

(2) During the calendar year 1952, all persons other than the said allottees are hereby prohibited from bringing into the continental United States any direct-consumption sugar except that acquired from an allottee under the limitations of this section and such amount of raw sugar as may be marketed within the unallotted reserve.

[1] No briefs pertaining to direct-consumption allotments were filed by interested persons following the hearing.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 205, 61 Stat. 926; 7 U. S. C. Sup., 1115)

Done at Washington, D. C., this 19th day of March, 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN, *Secretary.*

[F. R. Doc. 52-3321; Filed, Mar. 21, 1952; 8:49 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreement and Orders), Department of Agriculture

[Lemon Reg. 427]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.534 *Lemon Regulation 427*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on March 19, 1952, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this regulation including its effective time, are identical, with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter specified; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 23, 1952, and ending at 12:01 a. m., P. s. t., March 30, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 300 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 20th day of March 1952.

[SEAL] S. R. SMITH, *Director, Fruit and Vegetable Branch, Production and Marketing Administration.*

PRORATE BASE SCHEDULE

[Storage Date: Mar. 16, 1952]

District No. 2

[12:01 a. m. Mar. 23, 1952, to 12:01 a. m. Apr. 6, 1952]

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.441
American Fruit Growers, Inc., Fullerton	1.124
American Fruit Growers, Inc., Upland	.491
Eadington Fruit Co	.495
Hazeltine Packing Co	1.255
Ventura Coastal Lemon Co	2.109
Ventura Pacific Co	1.600
Glendora Lemon Growers Association	2.208
La Verne Lemon Association	1.131
La Habra Citrus Association	1.609
Yorba Linda Citrus Association, The	.727
Escondido Lemon Association	5.735
Alta Loma Heights Citrus Association	.952
Etiwanda Citrus Fruit Association	.649
Mountain View Fruit Association	.259
Old Baldy Citrus Association	1.178
San Dimas Lemon Association	1.941
Upland Lemon Growers Association	4.975
Central Lemon Association	1.290
Irvine Citrus Association	1.453
Placentia Mutual Orange Association	2.202
Corona Citrus Association	0.445
Corona Foothill Lemon Co	3.305
Jameson Co	1.255
Arlington Heights Citrus Co	2.043
College Heights Orange & Lemon Association	1.978
Chula Vista Citrus Association, The	1.395
Escondido Cooperative Citrus Association	.339
Fallbrook Citrus Association	2.913
Lemon Grove Citrus Association	.745
Carpinteria Lemon Association	1.955
Carpinteria Mutual Citrus Association	2.339
Goleta Lemon Association	2.705
Johnston Fruit Co	2.836
North Whittier Heights Citrus Association	1.040
San Fernando Heights Lemon Association	3.212
Sierra Madre-Lamanda Citrus Association	1.503
Briggs Lemon Association	.840
Culbertson Lemon Association	1.185
Fillmore Lemon Association	1.068
Oxnard Citrus Association	4.077
Rancho Sespe	.385
Santa Clara Lemon Association	2.352
Santa Paula Citrus Fruit Association	2.404
Saticoy Lemon Association	2.177
Seaboard Lemon Association	3.357
Somis Lemon Association	2.826
Ventura Citrus Association	.448
Ventura County Citrus Association	.471
Limoneira Co	2.056
Teague-McKevett Association	.563
East Whittier Citrus Association	.921
Leffingwell Rancho Lemon Association	.668
Murphy Rancho Co	1.304
Chula Vista Mutual Lemon Association	.860
Index Mutual Association	.615
La Verne Cooperative Association	3.607
Orange Belt Fruit Distributors	.924
Ventura Co. Orange & Lemon Association	1.673
Whittier Mutual Orange & Lemon Association	.067
Evans Brothers Packing Co	.007
Huarte, Joseph D	.076
Latimer, Harold	.049
MacDonald Fruit Co	.038
Paramount Citrus Association, Inc.	.470
Torn Ranch	.000

[F. R. Doc. 52-3381; Filed, Mar. 21, 1952; 8:56 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 501—GENERAL RULES OF PROCEDURE

PART 510—REPORTS

FORM AND REPORT OF ROYALTIES DUE AND PAYABLE UNDER VESTED PATENT RIGHTS

1. In § 501.80 *Forms*, Form APC-20 has been redesignated Form OAP-20.

2. Section 510.30 (b) and (c) have required that royalties payable to the Attorney General by virtue of the vesting of patents, applications for patents or interests therein or in agreements with respect thereto be paid to the New York Office of the Office of Alien Property. Payments are now required to be made

to the Washington Office. Section 510.30 (d) has required that the payments be accompanied by reports, in duplicate, on Form APC–20. Such reports are now required to be made in triplicate and the Form has been redesignated OAP–20. Accordingly, paragraphs (b), (c), and (d) of § 510.30 are hereby amended to read as follows:

§ 510.30 *Report of royalties due and payable under vested patent rights.* * * *

(b) Unpaid royalties reported in Form APC–19 shall be paid to the Office of Alien Property, Washington 25, D. C., not later than the next date following the filing of Form APC–19 upon which payment is due under the agreement. Such payment shall include all royalties due on such date.

(c) Subsequent royalties shall be paid to the Office of Alien Property, Washington 25, D. C., as they become due under the agreement.

(d) All payments of royalties to the Office of Alien Property shall be accompanied by a report executed and filed in triplicate on Form OAP–20.

(Sec. 301, 55 Stat. 839; 50 U. S. C. App., 616. E. O. 9193, July 6, 1942, 7 F. R. 5205; 3 CFR 1943 Cum. Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381; 3 CFR 1946 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981, 12123; 3 CFR 1946 Supp.)

Executed at Washington, D. C., on March 17, 1952.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52–3314; Filed, Mar. 21, 1952; 8:47 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. P. L. 75]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DELETIONS FROM POSITIVE LIST OF COMMODITIES

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
142010	Coconut oil, refined, but not further processed (formerly 142000).
143200	Coconut oil, refined and deodorized (formerly 142000).
143300	Coconut oil, refined, deodorized and hydrogenated (except shortening) (formerly 142000).
143800	Coconut oil, refined, deodorized and winterized (formerly 142000).
	Vegetable oils (except essential) and fats, crude:
223000	Coconut oil, crude.
224958	Oiticica oil, inedible (formerly 224906).

This amendment shall become effective as of March 20, 1952.

(Sec. 3, 63 Stat. 7; Pub. Law 33, 82d Cong.; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52–3298; Filed, Mar. 21, 1952; 8:45 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

CERTIFICATION FOR APPOINTMENT; OFFICE OF PRICE STABILIZATION

1. Section 2.109 (c) is amended to read as follows:

§ 2.109 *Certification for appointment.* * * *

(c) In order to fill existing vacancies in appropriate positions, and to require displacement of temporary appointees who do not have eligibility for permanent retention, the Commission shall certify for probational appointment:

(1) Veterans who qualify in examinations under section 10 of the Veterans' Preference Act and who are entitled to 10-point preference and priority in certification under that statute; and

(2) Veterans entitled to priority in certification under § 2.107 (c) (3) because of lost opportunity for probational appointment due to military service.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp.)

2. Effective upon publication in the FEDERAL REGISTER § 6.218 (a) (1) is revoked.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 52–3316; Filed, Mar. 21, 1952; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1952 C. C. C. American-Egyptian Cotton Bulletin 1, Amdt. 1]

PART 607—COTTON

SUBPART—1952 AMERICAN-EGYPTIAN COTTON PURCHASE PROGRAM

Section 607.311 of American-Egyptian Cotton Bulletin 1 issued by the Commodity Credit Corporation (17 F. R. 1875) is hereby amended to change the PMA Commodity Office serving New Mexico and Texas, so that such section reads as follows:

§ 607.311 *PMA Commodity Offices.* The addresses of the appropriate PMA Commodity Offices and the cotton growing area served by each are shown below:

333 Fell Street, San Francisco 3, Calif.: Arizona and California.

1114 Commerce Street, Room 218, Dallas 2, Tex.: New Mexico and Texas.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply Sec. 5, 62 Stat. 1072, Secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 18th day of March 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 52–3304; Filed, Mar. 21, 1952; 8:46 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter II—The Tax Court of the United States

PART 701—RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 52–625, appearing at page 500 of the issue for Thursday, January 17, 1952, "§ 701.3" in paragraph 1 should read "§ 701.30".

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 7, Amdt. 16]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

UNIFORM RESELLERS' CEILING PRICES FOR BRANDED ARTICLES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 16 to Ceiling Price Regulation 7 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to section 43 of Ceiling Price Regulation 7 revokes the provisions of this section as to uniform dollar-and-cents ceiling prices for branded articles, except with respect to pending applications for special orders and except as provided in Supplementary Regulation 4 to Ceiling Price Regulation 7.

The substantive provisions formerly contained in section 43 of CPR 7 are being replaced by Supplementary Regulation 4 to that regulation which is issued concurrently with this amendment. Reasons for this amendment to

section 43 of CPR 7 are explained in the statement of considerations to SR 4.

AMENDATORY PROVISIONS

1. Section 43 is deleted and a new section 43 substituted therefor to read as follows:

SEC. 43. *Uniform dollar-and-cents ceiling prices for certain articles.* A special method of establishing uniform dollar-and-cents ceiling prices for certain branded articles is provided in Supplementary Regulation 4 to this regulation. After March 26, 1952, the provisions of this section 43 as they existed prior to that date shall remain in effect only to the limited extent provided in Supplementary Regulation 4, except that applications for orders filed before December 17, 1951 may be granted until April 1, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 16 shall become effective on the day of March 26, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 21, 1952.

[F. R. Doc. 52-3427; Filed, Mar. 21, 1952; 12:03 p. m.]

[Ceiling Price Regulation 7, Supplementary Regulation 4]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

SR 4—UNIFORM CEILING PRICES FOR BRANDED ARTICLES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation is issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation makes several fundamental changes in section 43 of Ceiling Price Regulation 7, which it supersedes. Section 43 dealt with uniform dollar-and-cent retailer and wholesaler ceiling prices for certain branded articles of merchandise. New standards for qualifying applicants to receive uniform ceiling prices are formulated and made explicit in this supplementary regulation. These new standards refer both to the determination of whether uniform pricing practices were customary and to the determination of whether the requested markups and prices are "in line." Another fundamental change is that an applicant's ceiling prices may become effective 30 days after filing, instead of the applicant being required to wait for authorization by special order.

Under section 43 of Ceiling Price Regulation 7, manufacturers and distributors who historically have their branded merchandise sold by resellers at uniform prices could apply for orders establishing uniform dollar-and-cent retail and wholesale ceiling prices. The ease-of-enforcement advantages to OPS of uniform dollar-and-cent ceiling prices accompanied by a pre-ticketing requirement are obvious. It is important therefore to preserve these advantages as well as to preserve customary pricing practices.

Section 43 of Ceiling Price Regulation 7, however, gave rise to certain administrative difficulties, and is, therefore, superseded by this supplementary regulation. In part, those difficulties resulted from the fact that section 43 of CPR 7 does not set forth a method or standards whereby applicants themselves can determine in advance that the ceiling prices and markups requested meet the requirements of the regulation, nor does it state in sufficient detail what evidence of prior uniform pricing should be submitted by the applicant. This absence of specific standards in the regulation has been a most important cause of administrative difficulties in processing section 43 orders. It appears necessary to set forth in this supplementary regulation a set of specific standards which can be applied by the applicant himself, using his own figures and data, before his application is submitted to OPS, so that the administrative processing of the order can be simplified and expedited.

Under this supplementary regulation, uniform dollar-and-cent ceiling prices may be authorized by the Office of Price Stabilization if the applicant shows the following: (1) That the branded articles had customarily been sold at substantially uniform prices by his customers; specific detailed evidence must be filed to show that, previously, this merchandise was sold at uniform prices. (2) That the markup to wholesalers and retailers resulting from each proposed uniform ceiling price for a style or model of article is, within certain tolerances, the same as the markup for the same style or model during a one year base period; or, when the same style or model was not sold during the base period, the same as the markup of another style or model of the closest cost.

Also, the applicant must submit a base-period markup schedule and a proposed uniform ceiling price schedule. The base-period schedule shows the percentage markup for each style or model of article sold by resellers at a uniform price during the base period. The proposed uniform ceiling price schedule lists costs to resellers and proposed resellers' ceiling prices for each style or model of article for which a ceiling price authorization is requested.

Thirty days after the application is filed, those suggested uniform prices would become the ceiling prices, unless the application should be, in the meantime, disapproved or approval is withheld pending the submission of additional information. The requirements of marking and tagging and of notifications by applicants to their distributors of uniform ceiling prices granted under this regulation, have been modified.

By Amendment 11 to CPR 7, issued December 14, 1951, the provisions of section 43 of the regulation were limited to applications for orders made on or before December 17, 1951. That action was taken as a temporary measure pending issuance of the accompanying supplementary regulation which reopens the privilege of establishing uniform resellers' ceiling prices to qualified manufacturers and wholesalers.

As it affects new applicants, this regulation becomes effective on April 1, 1952. Thus, no new applications for uniform dollar-and-cent ceiling prices will be accepted by the Office of Price Stabilization until April 1, 1952. This is necessary because efficient administration of this regulation requires the Office of Price Stabilization to review the exceptionally large number of orders that have already been issued under section 43 of Ceiling Price Regulation 7. Further, in the opinion of the Director of the Office of Price Stabilization, the more urgent situations requiring uniform pricing orders have, by this time, already been resolved by the issuance of orders under section 43 of Ceiling Price Regulation 7.

Applicants to whom orders were issued under section 43 of CPR 7 may apply on and after April 1, 1952 for authorizations under this regulation. Orders issued under section 43 of Ceiling Price Regulation 7 will be deemed revoked on the date authorization under this supplementary regulation is given or June 30, 1952, whichever date is earlier.

In the formulation of this regulation there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Wholesalers and retailers.
3. When ceiling prices may be authorized.
4. Applications.
5. Markup schedules.
6. OPS approval.
7. Additional articles or changes in prices.
8. Notice to retailers and wholesalers.
9. Marking and tagging.
10. Orders under section 43 of CPR 7.
11. Records.
12. Other provisions which shall be in effect.
13. Applicability.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation authorizes the establishment of uniform ceiling prices for sales at retail and for sales both at wholesale and retail of certain branded articles included in the categories listed in Appendix B to Ceiling Price Regulation 7. On or after April 1, 1952 manufacturers or wholesalers of branded articles may apply for the establishment of such ceiling prices in accordance with the provisions of this regulation. Such ceiling prices will be authorized if they conform to the standards set forth in section 3 and may be modified or revoked by the Director at any time. These ceiling prices supersede those which would otherwise be established under any other regulation or order.

SEC. 2. *Wholesalers and retailers*—(a) *Ceiling prices.* (1) If you are a wholesaler, the ceiling prices which are established under this regulation for branded articles are your ceiling prices for those articles as soon as your supplier notifies you of them. The ceiling prices remain in effect until your supplier notifies you of a change and apply to articles which you had in stock when you received the notice as well as to articles which you receive with or following the notice.

(2) If you are a retailer, the ceiling prices which are established under this regulation for branded articles are your ceiling prices for those articles as soon as your supplier notifies you of them. The ceiling prices remain in effect until your supplier notifies you of a change. However, these ceiling prices apply only to: (i) Articles which you receive marked or tagged as described in paragraph (b) of this section; and (ii) articles which you had on hand when you received the notice and which are the same as the articles in (i): *Provided, however,* That these ceiling prices do not apply to articles in stock which at the time you received them, were required to be marked or tagged as described in paragraph (b) of this section and were not so marked or tagged.

(b) *Marking.* (1) A manufacturer or wholesaler who has applied for and been granted uniform resellers' ceiling prices for an article under this supplementary regulation is required by section 9, below, to mark or tag each article in either of the following ways:

OPS—SR4—CPR 7
(or)
OPS—Sec. 43—CPR 7

In addition such manufacturer is required, on such mark or tag, to state the uniform retail ceiling price or to mark the article or the tag with the model, style, or lot number of the article. As long as a ceiling price for an article is authorized under this supplementary regulation, you may not remove a mark or tag required by this supplementary regulation, except for the purpose of re-marking the article to indicate a change in ceiling price pursuant to subparagraph (2) of this paragraph. If you are a retailer who receives articles marked or tagged as described above, but not showing the uniform retail ceiling price, you yourself must use one of the methods set forth in paragraphs (a) or (b) of section 51 of CPR 7 to show your selling prices for such articles.

(2) If you are a retailer who receives a notice of a change in the ceiling price established under this supplementary regulation for articles in your stock which were marked or tagged with their ceiling prices by your supplier as provided in section 9 of this supplementary regulation, you must re-mark the articles with the new ceiling prices as provided in paragraph (b) (1) of this section, provided that the ceiling prices apply to your stock under paragraph (a), (2) (ii) of this section.

(c) *Notices by manufacturers and wholesalers.* Sections 7 and 8 tell the manufacturer or wholesaler who has applied for and received OPS approval of ceiling prices for his customers' sales of his branded article what notices he must send to his customers. Wholesalers who distribute a manufacturer's branded article should also consult sections 7 and 8, since these sections require them to redistribute to their retailer customers the notices received from the manufacturer.

SEC. 3. *When ceiling prices may be authorized.* Uniform ceiling prices for sales at retail or for sales at wholesale and retail may be authorized only if the applicant meets the standards set forth in paragraphs (a), (b), and (c) of this section.

(a) *Uniformity.* The branded articles included in his application must be:

(1) The same articles as those which his customers sold at substantially uniform [1] prices during the base period or;

(2) New styles or models of the articles which his customers sold at substantially uniform prices during the base period, provided the articles and the new styles or models thereof are included in the same CPR 7 category.

(b) *Markups.* The ceiling prices proposed for each style or model of article must result in markups to resellers which are the same as those which the same class of resellers had during the base period for the same style or model; or where the same style or model was not sold during the base period, for another style or model of the same article sold in the base period which then had a cost to the reseller closest to the current cost to the reseller of the style or model for which a ceiling price is being proposed. If the current cost is halfway between two base period costs, you must use the markup for the higher cost.

(c) *Rounding prices.* If the applicant has had customary retail price points he may elect to retain them. If he does elect to retain them, he must perpetuate them throughout his proposed ceiling price schedule insofar as permitted by this section.[2] Rounding to a price point is permitted only within a certain tolerance from the computed price. (A computed price is a proposed ceiling price which has been computed in accordance with the provisions of paragraph (b) of this section.) If a seller finds that the tolerance permits him to reach customary price points, he must, if he elects to round, round to the closest price point whether up or down from the computed price; otherwise he may not deviate from the computed price. (If a computed price results in a price exactly halfway between two customary price points, the seller may elect to move up or down.) Fractions of a cent less than half a cent shall be dropped, and fractions of a half cent or more may be increased to nearest higher cent. The tolerance permitted under this section is an amount equal to 4 percent of the computed price. If you elect to round, the method of rounding is as follows:

(1) Ascertain your computed price for the article;

(2) Determine the appropriate tolerance;

(3) Determine whether a customary price point is within the tolerance either up or down from the computed price, and if it is, you must use as the ceiling price the customary price point; if it is not, you may not adjust the computed price at all.

(d) *Base period.* "Base period" as the term is used in this supplementary regulation means the calendar year 1950. Where the same style or model of article during the base period yielded different markups at different times to the same class of reseller, the markup used to determine ceiling prices shall be the markup longest in effect for that style or model during the base period. Where, under this paragraph, a markup must be derived from a different model or style of article sold in the base period and two or more styles or models had the same costs but different markups, the highest of these base period markups may be used.

SEC. 4. *Applications.* If you are a manufacturer or a wholesaler your application must be filed in duplicate with the Wholesale and Central Pricing Branch, Office of Price Stabilization, Washington 25, D. C., and must state:

(a) Your business name and address;

(b) Whether you are a manufacturer or a wholesaler of the branded commodities included in your application;

(c) The approximate number of retail outlets handling your branded articles;

(d) The kinds and brand names of the articles and the zones as to which you are applying for uniform ceiling prices. You may not apply for different ceiling prices for more than five zones. Each zone must be a single integrated geographical area;

(e) Whether you are applying for uniform ceiling prices for sales at retail or for sales at wholesale and retail;

(f) Which of your branded articles you distributed directly to retailers; which you distributed indirectly through wholesalers; and which you distributed both directly to retailers and indirectly through wholesalers;

(g) Which of your branded articles were sold by resellers (including wholesalers, where applicable) at substantially uniform prices during the calendar year 1950 in each zone for which you are applying for uniform ceiling prices. Proof must include certifications from retailers regarding their sales of your branded articles during the calendar year 1950. Those certifications must be dated by the retailer, must state the retailer's name and address, and shall be in the following form:

This certification of the prices at which the articles in the attached list were sold by you during the period indicated below is

---

[1] Uniform price means the article was sold at the exact price suggested by the applicant, ($.98 does not mean $1.00) and substantial refers to the number of resellers who sold at the exact price.

[2] Customary price points are retail price endings used throughout certain price ranges of merchandise. For instance, a customary nine cent ending is typified by the prices $0.49, $0.59, $0.79, $0.99. A customary 50-cent ending is typified by the prices $7.00, $7.50, $8.00, $8.50. Price endings are considered customary only with reference to the price ranges in which they generally appeared during the base period.

requested by the Office of Price Stabilization pursuant to Supplementary Regulation 4 of CPR 7. It will be used by the OPS, together with certifications from other retailers, in determining whether or not the manufacturer of these articles meets the requirements of the regulation. Accordingly, the OPS has requested us to secure from you the following certification:

I certify that I have examined the attached list of branded articles, which shows their recommended retail prices for the calendar year 1950, that I have marked the letters "NS" opposite each article not sold by us during that period, that where an article was sold at other than the *exact* price on this list I have noted the *exact* price at which the article was sold, and that I have marked a check (√) beside each article which we sold during that period at the *exact* price which this list shows to have been in effect on the date of sale.

There must be attached to each certification a list furnished by you showing, for all your uniformly priced branded articles, the price or prices effective in the calendar year 1950, with the effective dates of any price changes within this period.

The number of retailers who must make these certifications depends upon the number of retail outlets selling your branded articles, as follows:

Number of outlets:	*Number of retailers who must certify*
Under 1,000	20
1,000 to 9,999	30
10,000 to 19,999	40
20,000 to 49,999	50
50,000 and over	75

The retailers making the certifications must be selected as follows:

If you sell directly to retailers, compile a list in alphabetical order of your customers whose company names begin with the letter of the alphabet with which your own company name begins. If you do not have the required number of customers on this list, continue your list with the next consecutive letters of the alphabet. Secure certifications from the first 20 retailers on this list if 20 certifications are required; from the first 30 if 30 certifications are required, etc.

If you sell through wholesalers, estimate the number of wholesalers who handle your uniformly-priced branded articles, select five wholesalers from widely separate geographical areas (at least one from each zone for which you are applying for different prices) and secure through each of these one-fifth of the required number of certifications.[3]

In addition to securing retailers' certifications through these wholesalers, you must secure from each wholesaler a signed statement that he has secured certifications from retailers selected in the manner as is prescribed for applicants selling directly to retailers. Where you have fewer than five wholesalers, secure certifications and statements prorata from all your wholesalers.

Example: If you estimate that the total number of retail outlets handling your uniformly-priced branded articles is 30,000, you are required to submit 60 certifications. You must select five wholesalers from different parts of the country. Each of these wholesalers procures ten certifications from his list of retailers and the certifications in turn are forwarded to you for submission to OPS.

Your proof must also include all your printed price lists for this period and any supplemental data necessary to show all changes in your suggested prices, together with their effective dates, and must show all variations from the suggested price in your price list which, as a matter of company policy, you approved with respect to any of the articles in the categories covered by your application. Your proof must include the following evidence to correspond with your practice during the base period:

(1) National advertising of the branded articles, including their uniform resellers' selling prices where shown;

(2) Copies of local advertising of the branded articles and their uniform prices in a widely representative number of communities;

(3) Tickets or labels regularly attached to the branded articles showing uniform selling price.

Where you are applying for uniform wholesale ceiling prices, your proof must include wholesalers' catalogs or price lists for the calendar year 1950, secured from fifty percent of your wholesalers (or from fifteen where you have more than thirty wholesalers). These wholesalers must be selected in the same manner as you selected retailers for the purpose of obtaining certifications under this section.

(h) Markup schedules showing that your proposed ceiling prices result in markups for resellers which are in line with markups for resellers for your uniformly-priced branded articles during the base period. These schedules, that is a proposed uniform ceiling price schedule and a base-period markup schedule, are described in section 5.[4]

(i) If you are a manufacturer applying as to branded articles manufactured in common by one or more manufacturers whose applications have been approved under this supplementary regulation, you may apply for an order authorizing resellers' ceiling prices in line with those of other manufacturers of these branded articles.

SEC. 5. *Markup schedules*—(a) *Base-period markup schedule.* You must have a separate base-period markup schedule for each CPR 7 category in which you sold uniformly priced articles. The schedule must list:

(1) The brand name, and style, model or lot number of each branded article which you sold to retailers or wholesalers and which they sold at uniform prices during your base period ("base period" is defined in section 3). List each article as many times as it was sold by the reseller at a different cost-price relationship.

Example: If Style XYZ of the brand "Silver Goose" was sold to resellers during one part of the base period at $26 and uniformly sold by retailers at $39 and the same style was, during another part of the base period, sold to retailers for $27.50 and uniformly sold by retailers at $39, that style should be listed twice on the schedule.

Where different cost-price relationships appear on your base-period markup schedule for any single style, model or lot number, indicate the number of months during the base period that each such relationship existed for each such style, model or lot number.

(2) A description of each article;

(3) Your net selling price and terms of sale for each article listed in (1) to the first of the following groups which is applicable to your method of distribution:

(i) Your largest class of wholesalers who sold at uniform prices during the base period;

(ii) Your largest class of non-uniformly priced wholesalers;

(iii) Your largest class of retailers.

Net selling price means the invoice cost to your customer less all discounts which he took or could have taken.

(4) Each uniform retail selling price and each uniform wholesaler selling price (if there was one) in effect on the basis of your own selling price or prices as listed in (3). Place an asterisk beside each selling price which represents a customary price point, and describe in detail on the schedule your customary price points;

(5) The retailer's base-period percentage markup on his net invoice cost where he purchased directly from you or from a wholesaler selling at a uniform price or (if you sold through non-uniform pricing wholesalers) the markup spread between the base period retail selling price and your net selling price to the wholesaler (i. e., wholesaler's net cost) expressed as a percentage of the wholesaler's net cost;

(6) The wholesaler's base-period percentage markup on his net invoice cost where he sold at uniform prices.

(b) *Proposed uniform ceiling price schedule.* Your proposed uniform ceiling price schedule must list for each category:

(1) The branded name of each article as to which you are applying for a uniform ceiling price for your retailer or wholesaler customers, and its style, model or lot number;

(2) A description of each article;

(3) For any model not sold in the base period, a reference to the base period model which you used in obtaining the markup for the new model under section 3 (b);

(4) The OPS regulation under which you established your ceiling price for each article listed in (1);

(5) The price at which you yourself are proposing to sell each article listed in (1) to the first of the following groups which is applicable to your method of distribution:

(i) Your largest class of wholesalers for which you are proposing a uniform ceiling price.

(ii) Your largest class of non-uniformly priced wholesalers;

(iii) Your largest class of retailers.

[3] Each wholesaler compiles his list in alphabetical order beginning with the letter of the alphabet with which his own name begins.

[4] Examples of proposed uniform ceiling price schedule and base-period markup schedule are contained in Appendix I. OPS does not supply these forms.

(6) The applicable markup or markup spread (derived from your base-period schedule) to retailers for whom you are proposing uniform ceiling prices;

(7) The applicable markup (derived from your base-period schedule) to wholesalers for whom you are proposing uniform ceiling prices;

(8) The computed price or prices for your retailer and wholesaler customers. You arrive at these computed prices:

(i) For your uniformly pricing wholesalers, by applying the applicable markup (Item 7) to your selling price to them (Item 5).

(ii) For retailers, where you sell exclusively directly to retailers, by applying the applicable markup (Item 6) to your selling price to these retailers (Item 5).

(iii) For retailers, where some or all of your sales are made through uniformly pricing wholesalers, by applying the applicable markup of these retailers (Item 6) to the uniform wholesale ceiling price you are proposing (Item 8 (i)) after rounding (Item 9).

(iv) For retailers, where some or all of your sales are made through nonuniformly pricing wholesalers, by applying the markup spread (Item 6) to the price to which you are proposing to sell to these wholesalers (Item 5).

(9) The uniform ceiling price or prices you are proposing for your retailer and wholesaler customers to the extent you have rounded the computed prices under section 3 (c).

SEC. 6. *OPS approval.* The prices which you propose for wholesalers or retailers if computed in accordance with this regulation shall be deemed authorized thirty days after written OPS acknowledgment of receipt of your application if the Office of Price Stabilization has not notified you to the contrary. The resellers' ceiling prices thus authorized are and remain your resellers' ceiling prices for so long as your own prices to resellers are the same as those listed in your application for articles to which those resellers' ceiling prices apply; except that those ceiling prices do not apply to sales at retail of articles received by retailers not marked or tagged in accordance with the provisions of section 9. The Office of Price Stabilization may by order grant or deny in whole or in part any application or revoke, modify or alter any authorization or requirement under this regulation and may in such order make appropriate provisions for notification of affected persons.

SEC. 7. *Additional articles or changes in prices*—(a) *Authorization of new uniform ceiling prices.* If you have received from the Office of Price Stabilization authorized ceiling prices for sale at wholesale or retail of your branded articles you may apply for like authorization for additional branded articles described in section 3 (a). If your prices to resellers differ from those listed in the application upon which your authorization rests and you wish to continue to price uniformly, you must apply for an adjustment of authorized ceiling prices. In both cases the application is made in the same manner as though you were making an original application, except that you need not file a base-period markup schedule or further proof of uniformity. In the case where ceiling prices for your resellers have been authorized and you are applying for a change of those ceiling prices, the new ceiling prices shall be deemed authorized fifteen days after written acknowledgment of receipt of your application if the Office of Price Stabilization has not notified you to the contrary.

(b) *Change of applicant's selling prices without receiving authorization for new uniform ceiling prices.* Articles for which uniform ceiling prices were authorized which you now ship to resellers at a price different from that listed in your application without securing new authorized resellers' uniform ceiling prices are not covered by this supplementary regulation and must be priced by resellers under CPR 7, GCPR, or whatever regulation applies. You may not ship these articles unless:

(1) All tags or tickets required under this supplementary regulation are removed from the articles, or the OPS designation (OPS—SR 4—CPR 7) or (OPS—Sec. 43—CPR 7) and the uniform ceiling prices are obliterated;

(2) You accompany your first shipment of these articles to each customer with a notice reading as follows:

Notice: The following article(s) for which ceiling prices were formerly authorized under SR 4 to CPR 7, bearing style or lot numbers _____ no longer have uniform ceiling prices under SR 4 to CPR 7. Until you again receive notice that these articles have uniform ceiling prices authorized under SR 4, you must establish your ceiling prices under GCPR, CPR 7, or whichever regulation applies.

If you are a wholesaler receiving this notice, you must, at the time you ship articles listed in the notice, send a copy to each person to whom you deliver listed articles. If your customer is another wholesaler, you must at the same time supply him with sufficient copies of the notice to enable him in turn to make similar distribution to his customers.

Where the applicant under the supplementary regulation sells to wholesalers and is required by this paragraph to send them a notice, he must supply such wholesalers with sufficient copies of the notice to enable them in turn to make distribution to their customers.

SEC. 8. *Notices to retailers and wholesalers*—(a) *By whom notice is sent.* (1) If you are a manufacturer or wholesaler for whom resellers' ceiling prices are authorized under this regulation you must after ten days have elapsed from the date of your authorization send a copy of the notice specified in paragraph (b) of this section to each person to whom you ship articles covered by the authorization. This notice must accompany or precede your first shipment to each person made following the expiration of the ten-day period. If you sell your branded articles through wholesalers, you must at the same time supply your wholesalers with sufficient copies of the notice to enable them in turn to make distribution to their customers.

(2) If you are a wholesaler selling the branded articles for which resellers' ceiling prices were authorized under this regulation, you must, after ten days have elapsed from the date you receive a copy of the notice specified in paragraph (b) of this section, send a copy of that notice to each person to whom you ship articles listed in the notice. This notice must accompany or precede your first shipment to each person made following the expiration of the ten-day period. If your customer is another wholesaler, you must at the same time supply him with sufficient copies of the notice to enable him in turn to make similar distribution to his customers.

(b) *Form of notice.* The notice required to be sent under this section must describe each article covered by the notice, must set forth the ceiling prices authorized, must state the date of approval, and shall be substantially in the following form:

NOTICE

1. On _____
(Insert date ceiling prices were authorized pursuant to section 6)

the following ceiling prices were established under OPS Supplementary Regulation 4 to CPR 7:

Brand name of article	Description of article including style, model or lot No.	Authorized ceiling price for sales at wholesale (where authorized)	Authorized ceiling price for sales at retail
-------	----------	$_____ per (state regular) unit.	$_____ (unit price).

2. These ceiling prices shall apply both to articles which were in your stock prior to the date of receipt of this notice and to articles received with, or following this notice, except as provided in section 2 (a) (2) of SR 4 to CPR 7.

3. You may not sell these SR 4 articles at higher than the ceiling prices listed above. OPS regulations do not forbid you, however, from charging less at any time.

4. You should secure from your local OPS office a copy of SR 4 to CPR 7, in order to understand your responsibility with respect to these goods under that regulation. You should note especially that (as provided in section 2 of that supplementary regulation) if you receive an article listed above which is not marked or tagged as required by section 9 of SR 4, you may not use the ceiling price listed for that article in this notice, but must establish your ceiling price under CPR 7, GCPR or such other regulation as is applicable.

Also note that if the article is marked in accordance with the second method of marking described in section 9 (b) of SR 4 (i. e., without the ceiling price on the tag), you must mark or tag such article with your selling price, using one of the methods prescribed in paragraph (a) or (b) of section 51 of CPR 7.

In lieu of sending the notice described above, a supplier may attach to and send with his price list the following notice:

Notice: 1. Attached hereto is our price list. Included on that list are certain branded articles for which uniform resale ceiling prices have been authorized under OPS Supplementary Regulation 4 to CPR 7. In the margin of our list, beside each of these branded articles, appears the date on which these ceiling prices were authorized by OPS. No date notation appears next to articles for which uniform resale ceiling prices have not been authorized pursuant to Supplementary Regulation 4 to CPR 7.

2. The SR 4 ceiling prices shall apply both to articles which were in your stock prior to the date of receipt of this notice and to articles received with, or following, this notice, except as provided in section 2 (a) (2) of SR 4 to CPR 7.

3. You may not sell these SR 4 articles at higher than their ceiling prices. OPS regulations do not forbid you, however, from charging less at any time.

4. You should secure from your local OPS Office a copy of SR 4 to CPR 7 in order to understand your responsibilities with respect to these goods under that regulation. You should note especially that (as provided in section 2 of that supplementary regulation) if you receive an article listed above which is not marked or tagged as required by section 9 of SR 4, you may not use the ceiling price listed for that article in this notice, but must establish your ceiling price under CPR 7, GCPR or such other regulation as is applicable. Also note that if the article is marked in accordance with the second method of marking described in section 9 (b) of SR 4 (i. e., without the ceiling price on the tag), you must mark or tag such article with your selling price using one of the methods prescribed in paragraph (a) or (b) of section 51 of CPR 7.

SEC. 9. *Marking and tagging.* If you are a manufacturer or wholesaler whose proposed resellers' ceiling prices have been authorized under this regulation you may not deliver any article for resale unless it is marked or tagged in either of the following ways:

(a) With its authorized ceiling price in the following form:

OPS—SR 4—CPR 7
Ceiling Price $--------

(b) Without designating a price, as follows:

OPS—SR 4—CPR 7

If you use this second method, you must mark the article on the tag with model, style or lot number of the article.

(c) If, on March 26, 1952 you had on hand a stock of tags, prepared in accordance with the tagging requirements of an OPS order under section 43 of CPR 7, or if on that date you had on hand a stock of articles marked or tagged in accordance with the marking or tagging requirements of such an order, you may use such stock of tags and deliver such stock of articles so marked or tagged without complying with the requirements of paragraphs (a) and (b) of this section, provided that the price shown by such mark or tag is the uniform retail ceiling price authorized under this supplementary regulation.

SEC. 10. *Orders under section 43 of CPR 7*—(a) *Expiration of orders.* Each special order issued to a manufacturer or wholesaler and in effect under section 43 of Ceiling Price Regulation 7, (including orders amended as provided in paragraph (b) of this section) shall continue in effect but shall expire and be deemed revoked on the date uniform ceiling prices for any of his articles covered by that order are authorized under this supplementary regulation or on June 30, 1952, whichever is earlier.

(b) *Notices.* Within 10 days of the date or revocation under this regulation of an order issued under section 43 of CPR 7, each supplier who was required to notify his customers of ceiling prices established under that order must send to all his customers to whom he sent copies of the order, and to all his customers to whom he shipped articles covered by that order while the order was in effect, a notice in the following form:

NOTICE

Special Order No. ---------- (Fill in order number)
issued to---------- (Fill in brand name—owner)
fixing ceiling prices for---------- (Fill in types of articles)
having the brand name---------- (Fill in brand names)
has been revoked.

(1) If the supplier, at the date of the revocation, has received authorization under this supplementary regulation for the establishment of ceiling prices for sales at wholesale or at retail (or both), he may include in the notice which he is required to send under this section a reference to the notice which he is also required to send under the provisions of section 8 (b) of this supplementary regulation.

(2) If the supplier, at the date of revocation, has not received authorization under this supplementary regulation, he must include in the notice the following:

OPS requires you to determine your ceiling prices for articles formerly covered by our order in accordance with CPR 7, GCPR, or whichever regulation is applicable.

(c) *Amendments*—(1) *Limit on issuance.* The Office of Price Stabilization may issue an amendment to a special order under section 43 of Ceiling Price Regulation 7 if the application for that amendment was filed before March 26, 1952.

(2) *Orders establishing ceiling prices in terms of cost.* Each special order issued under section 43 of Ceiling Price Regulation 7, which establishes a uniform ceiling price for an article in terms of its cost to the reseller shall be deemed amended as of March 26, 1952 so as to permit the uniform ceiling price of that article to remain as established in the special order, notwithstanding that its cost has been reduced from the cost which had previously been the basis for its ceiling price under the order, provided:

(i) The supplier's ceiling price for the article is not below its previous cost to resellers listed in the special order, and

(ii) The supplier sends each reseller to whom a sale is made at a cost below the cost listed in the special order a notice in substantially the following form:

NOTICE OF VOLUNTARY PRICE CHANGE

Our selling prices for the articles listed below are lower than they were when your uniform ceiling prices were established in Special Order ---------- (Insert Order No.). Since our present prices represent voluntary reductions, your ceilings for these articles are not affected. (Section 10 (c), S. R. 4, Ceiling Price Regulation 7). OPS regulations do not forbid you, however, from charging less at any time.

Be sure to keep this notice available for inspection by OPS at all times.

Brand name and lot, model, or style No. of article	Our price to you listed in special order	Our new voluntarily reduced selling price to you	Your ceiling (same as before our reduction)

SEC. 11. *Records*—(a) *Applicant's base period records.* If you are a manufacturer or wholesaler whose application for the establishment of uniform resellers' ceiling prices has been granted under this supplementary regulation, you are required, for so long as the Defense Production Act of 1950, as amended, shall remain in effect, and for two years thereafter, to preserve and keep available for inspection by the OPS the following records:

(1) All invoices of sales to your customers during your base period;

(2) Your price lists for resellers in effect during your base period.

(b) *Applicant's current records.* If you are a manufacturer or wholesaler whose application for the establishment of uniform reseller's ceiling prices has been granted under this supplementary regulation, you must preserve and keep available for inspection by OPS for two years the following records:

(1) All invoices of sales to your customers since authorization of uniform resellers' ceiling prices;

(2) Your price lists for resellers in effect since your proposed resellers' ceiling prices were authorized under this regulation;

(3) A copy of each notification sent by you to resellers as required under this regulation and a record showing the date and the means (mail, personal delivery or otherwise) each such notification was sent;

(4) Books, ledgers, or other records or documents which you used in compiling the alphabetical list of your customers in accordance with section 4 (g) of this supplementary regulation.

(c) *Resellers.* If you are a wholesaler or a retailer handling articles for which uniform ceiling prices have been established under this supplementary regulation, you are required to preserve and keep available for inspection by OPS for two years the following records:

(1) Whatever invoices, sales slips or other written records you customarily keep showing the prices at which you sell articles for which ceiling prices have been established for you under this regulation;

(2) All invoices which you receive for articles for which uniform resale ceiling prices have been established under this regulation and all notices, price lists, copies of orders and amendments which you receive pursuant to the provisions of the regulation;

(3) If you are a wholesaler who is required, pursuant to section 4 (g) of this supplementary regulation to furnish your supplier with retailer certifications, all books, ledgers or other records or documents which you used in compiling the alphabetical list of your customers in accordance with that section.

In addition, you must make and preserve for inspection by OPS for a similar period a record showing the date and the means (mail, personal delivery or otherwise) by which you delivered notifications sent to resellers as required under this regulation.

(d) *Other provisions.* In addition to the records which you are required to keep under this regulation, you must also abide by the record-keeping provisions of the regulations which apply to your sales or which, but for this supplementary regulation, would apply to your sales.

SEC. 12. *Other provisions which shall be in effect.* With respect to sales at retail and at wholesale covered by this supplementary regulation, all the provisions of other regulations not inconsistent with the provisions of this supplementary regulation, shall be in effect.

SEC. 13. *Applicability.* The provisions of this supplementary regulation shall apply in the 48 states and in the District of Columbia.

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

Effective date. This regulation shall become effective on the 26th day of March 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 21, 1952.

APPENDIX I

EXAMPLE 1—BASE PERIOD SCHEDULE OF MARK-UPS FOR UNIFORM RETAIL PRICES BY A MANUFACTURER OR WHOLESALER SELLING DIRECTLY TO RETAILERS[1]

Name of applicant ---- Address ----
CPR 7 category No. ---- Terms of sale to largest class of customers ----

Base Period Markup Schedule

Article by brand name, style, model, lot No., etc. (1)	Description (2)	Manufacturer's net selling price to largest buying class of retailer (per dozen) (3)	Uniform retail selling price (per unit)[2] (4)	Percentage mark-up (on cost)[3] (5)
Wearwell:				
AN536a	Fancy rayon sock	$6.10	[4] $0.85	67.2
AT147b	Fancy cotton sock	6.10	[4] .85	67.2
AT148a	Cotton clock sock	6.10	[4] .85	67.2
AT153a	Cotton rib sock	7.20	[4] 1.00	66.7
AV775b	Part wool rib	7.20	[4] 1.00	66.7
AX347a	Nylon clocks	8.00	1.10	65.0
AX348b	Nylon verticals	8.00	1.10	65.0
AX355a	Nylon clocks	9.00	[4] 1.25	66.7
AT823a	Cotton argyles	9.00	[4] 1.25	66.7
AV728a	Nylon and wool argyles	14.00	[4] 2.00	71.4
AX358b	Nylon argyles	21.00	[4] 3.00	71.4
AX779a	Nylon argyles	25.00	[4] 3.75	[5] 80.0
		26.00	[4] 3.75	[6] 73.1

[1] Note: A wholesaler applicant selling directly to retailers uses same schedules, substituting word "Wholesalers' " for "Manufacturers' " in column 3.
[2] Customary price points for prices from $0.50 to $1.00 consist of prices ending in 5 or 0. Customary price points for prices of $1.00 and over consist of prices ending in .00, .25, .50, and .75.
[3] Markups were computed on the basis of dozen lots.
[4] Denotes customary price points.
[5] 9 months.
[6] 3 months.

EXAMPLE 2—PROPOSED SCHEDULE OF UNIFORM RETAIL CEILING PRICES BY A MANUFACTURER OR WHOLESALER SELLING DIRECTLY TO RETAILERS[1]

Name of applicant ---- Address ----
CPR 7 category No. ---- Terms of sale to largest class of customer ----

Proposed Uniform Ceiling Price Schedule

Article by brand name, style, model, lot No., etc. (1)	Description (2)	Brand name, style, model, lot No., etc., of comparable base period item with cost nearest to that of new item (3)	OPS regulation under which manufacturer's ceiling price was determined (4)	Manufacturer's net selling price to largest buying class of retailer (per dozen) (5)	Percentage markup (on cost) (6)	Computed uniform retail price (per unit) prior to rounding [Col. 5×(col. 6+100)+col. 5]÷12 (7)	Proposed uniform retail ceiling price (per unit) after rounding[2] (8)
Wearwell:							
AN536a	Fancy rayon sock	----	CPR 45	$6.50	67.2	$0.90	$0.90
AT147b	Fancy cotton sock	----	CPR 45	6.50	67.2	.90	.90
AT148a	Cotton clock sock	----	CPR 45	6.50	67.2	.90	.90
AT153a	Cotton rib sock	----	CPR 45	7.20	66.7	1.00	1.00
AV775b	Part wool rib	----	CPR 45	7.50	66.7	1.04	1.00
AX778a	Nylon vertical	Wearwell AX348b	CPR 45	7.75	65.0	1.07	1.07
AX347a	Nylon clocks	----	CPR 45	8.00	65.0	1.10	1.10
AX348b	Nylon vertical	----	CPR 45	8.00	65.0	1.10	1.10
AX349b	Nylon clocks	Wearwell AX347a	CPR 45	8.25	65.0	1.13	1.13
AX355a	Nylon clocks	----	CPR 45	9.00	66.7	1.25	1.25
AT823a	Cotton argyles	----	CPR 45	9.25	66.7	1.29	1.25
AV728a	Nylon and wool argyles	----	CPR 45	16.00	71.4	2.29	2.25
AX358b	Nylon argyles	----	CPR 45	23.50	71.4	3.36	3.25
AX333a	Nylon argyles	Wearwell AX779a	CPR 45	23.50	80.0	3.53	3.50
AX779a	Nylon argyles	----	CPR 45	26.00	80.0	3.90	4.00

[1] Note: A wholesaler selling to a retailer uses same schedule, substituting word "wholesaler" for "manufacturer" in columns 4 and 5.
[2] Prices were rounded to customary price points (as described on base period schedule) in cases where the customary price points could be reached by adding to or subtracting from the computed price not more than 4 percent of the computed price (column 7).

APPENDIX I—Continued

EXAMPLE 3—BASE PERIOD SCHEDULE OF MARKUPS FOR UNIFORM WHOLESALE AND RETAIL PRICES BY A MANUFACTURER SELLING TO RETAILERS THROUGH WHOLESALERS AT UNIFORM PRICES

Name of applicant ..... Address .....
CPR 7 category No. ..... Terms of sale to largest class of customer .....

Base Period Markup Schedule

Article by brand name, style, model lot, number, etc.	Description	Manufacturer's net selling price to largest buying class of wholesaler (per dozen)	Uniform wholesale selling price (per dozen)[1]	Percentage markup (on cost) for wholesaler [2]	Uniform retail selling price (per unit)[3]	Percentage markup (on cost) for retailer [2]
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Argo:						
256a	45/30	$8.60	$10.20	18.6	[4]$1.35	58.8
281a	45/30 cotton foot	9.00	[4]10.80	20.0	[4]1.50	66.7
287b	45/30	9.00	[4]10.80	20.0	[4]1.50	66.7
349a	51/30	9.60	[4]12.00	25.0	[4]1.65	65.0
349b	51/30	9.60	[4]12.00	25.0	[4]1.65	65.0
418a	51/15	10.60	[4]12.60	18.9	[4]1.75	66.7
427a	51/15	10.60	[4]12.60	18.9	[4]1.75	66.7
429a	51/15	10.60	[4]12.60	18.9	[4]1.75	66.7
451a	51/15 dark seam	11.50	13.44	16.9	1.90	69.6
463a	51/15 dark seam	11.50	13.44	[5]16.9	1.90	[7]69.6
		11.60	[4]13.60	[6]17.2	[4]1.95	[6]72.1
520b	60/15 dark seam	11.50	13.44	16.9	1.90	69.6
537a	60/15 dark seam	11.50	13.44	16.9	1.90	69.6
485b	51/15 fancy heel	12.40	[4]14.40	16.1	[4]1.95	62.5

[1] Customary price points consist of prices ending in .00, .20, .40, .60, and .80.
[2] Markups were computed on the basis of dozen lots.
[3] Customary price points consist of prices ending in .35, .50, .65, .75, and .95.
[4] Denotes customary price points.
[5] 7 months.
[6] 5 months.
[7] 9 months.
[8] 3 months.

EXAMPLE 4—PROPOSED SCHEDULE OF UNIFORM WHOLESALE AND RETAIL CEILING PRICES BY A MANUFACTURER SELLING TO RETAILERS THROUGH WHOLESALERS AT UNIFORM PRICES

Name of applicant ..... Address .....
CPR 7 category No. ..... Terms of sale to largest class of customer .....

Proposed Uniform Ceiling Price Schedule

Article by brand name, style, model, lot No., etc.	Description	Brand name, style, model, lot No., etc., of comparable base period item with cost nearest to that of new item	OPS regulation under which manufacturer's ceiling price was determined	Manufacturer's net selling price to largest buying class of wholesaler (per dozen)	Percentage markup (on cost) for wholesaler	Computed uniform wholesale price (per dozen) prior to rounding—Col. 5× (Col. 6+100)+ Col. 5	Proposed uniform wholesale ceiling price (per dozen) after rounding [1]	Percentage markup (on cost) for retailer	Computed uniform retail price (per unit) prior to rounding—[Col. 8× (Col. 9+100)+ Col. 8]+12	Proposed uniform retail ceiling price (per unit) after rounding [1]
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Argo:										
256a	45/30		CPR 45	$8.60	18.6	[4]$10.20	$10.20	58.8	$1.35	$1.35
281a	45/30 cotton feet		CPR 45	9.00	20.0	10.80	10.80	66.7	1.50	1.50
287b	45/30		CPR 45	9.00	20.0	10.80	10.80	66.7	1.50	1.50
349a	51/30		CPR 45	9.50	25.0	11.88	11.80	65.0	1.62	1.65
349b	51/30		CPR 45	9.50	25.0	11.88	11.80	65.0	1.62	1.65
359a	51/30 dark seam	Argo 349a	CPR 45	9.60	25.0	12.00	12.00	65.0	1.65	1.65
418a	51/15		CPR 45	10.80	18.9	12.84	12.80	66.7	1.78	1.75
427a	51/15		CPR 45	10.80	18.9	12.84	12.80	66.7	1.78	1.75
429a	51/15		CPR 45	10.80	18.9	12.84	12.80	66.7	1.78	1.75
430a	51/15 dark seam	Argo 451a	CPR 45	11.40	16.9	13.33	13.40	69.6	1.89	1.95
451a	51/15 dark seam		CPR 45	11.60	16.9	13.56	13.60	69.6	1.92	1.95
463a	51/15 dark seam		CPR 45	11.60	16.9	13.56	13.60	69.6	1.92	1.95
520b	60/15 dark seam		CPR 45	11.60	16.9	13.56	13.60	69.6	1.92	1.95
537a	60/15 dark seam		CPR 45	11.60	16.9	13.56	13.60	69.6	1.92	1.95

[1] Prices were rounded to customary price points (as described on base period schedule) in cases where the customary price points could be reached by adding or subtracting not more than 4 percent of the computed price to the computed price.

APPENDIX I—Continued

EXAMPLE 5—BASE PERIOD SCHEDULE OF MARKUP SPREADS FOR UNIFORM RETAIL PRICES BY A MANUFACTURER SELLING THROUGH WHOLESALERS AT NON-UNIFORM PRICES

Name of applicant..... Address.....
CPR 7 category No..... Terms of sale to largest class of customer.....

Base Period Markup Schedule

Article by brand name, style, model, lot No., etc. (1)	Description (2)	Manufacturer's net selling price to largest buying class of wholesaler (per dozen) (3)	Uniform retail selling price (per unit) [1] (4)	Percentage markup spread (on cost) [2] (5)
Spartan:				
23A	Sleeveless wool pullover	$24.00	[3] $3.95	97.5
47A	Sleeveless wool pullover	30.00	[3] 4.95	98.0
51B	Long sleeve wool pullover	30.00	[3] 4.95	98.0
54C	Long sleeve wool coat sweater	33.00	[3] 4.95	80.0
62A	Sleeveless wool pullover	36.00	5.50	83.3
63B	Long sleeve wool pullover	36.00	5.50	83.3
67C	Long sleeve wool coat sweater	39.00	[3] 5.95	83.1
75A	Sleeveless wool pullover	42.00	6.50	85.7
77B	Long sleeve wool pullover	42.00	[3] 6.95	[4] 98.6
		45.00	[3] 6.95	[5] 85.3
79C	Long sleeve wool coat sweater	45.00	[3] 6.95	[6] 85.3
		48.00	[3] 6.95	[7] 73.8
81B	Long sleeve wool pullover	48.00	[3] 7.95	98.8
83B	Long sleeve wool pullover	48.00	[3] 7.95	98.8
87B	Long sleeve wool pullover	60.00	[3] 9.95	99.0

[1] Customary price points consist of prices ending in .95.
[2] Markups were computed on basis of dozen lots $\left(\frac{\text{Col. (4)}\times 12-\text{col. (3)}}{\text{Col. (3)}}\right)\times 100$.
[3] Denotes customary price points.
[4] 10 months.
[5] 2 months.
[6] 8 months.
[7] 4 months.

EXAMPLE 6—PROPOSED SCHEDULE OF UNIFORM RETAIL CEILING PRICES BY A MANUFACTURER WHO SELLS THROUGH WHOLESALERS AT NON-UNIFORM PRICES

Name of applicant.....
CPR 7 category No.....
Address.....
Terms of sale to largest class of customer.....

Proposed Uniform Ceiling Price Schedule

Article by brand name, style, model, lot No., etc. (1)	Description (2)	Brand name, style, model, lot No., etc. of comparable base period item with cost nearest to that of new item (3)	OPS regulation under which manufacturer's ceiling price was determined (4)	Manufacturer's net selling price to largest buying class of wholesaler (per dozen) (5)	Percentage markup spread (on cost) (6)	Computed uniform retail price (per unit) prior to rounding [Col. 5× (Col. 6+100) +Col. 5]÷12 (7)	Proposed uniform retail ceiling price (per unit) after rounding [1] (8)
Spartan:							
47A	Sleeveless wool pullover		CPR 45	$30.00	98.0	$4.95	$4.95
51B	Long sleeve wool pullover		CPR 45	30.00	98.0	4.95	4.95
54C	Long sleeve wool coat sweater		CPR 45	36.00	80.0	5.40	5.40
62A	Sleeveless wool pullover		CPR 45	36.00	83.3	5.50	5.50
63B	Long sleeve wool pullover		CPR 45	36.00	83.3	5.50	5.50
67C	Long sleeve wool coat sweater		CPR 45	42.00	83.1	6.41	6.41
75A	Sleeveless wool pullover		CPR 45	42.00	85.7	6.50	6.50
77B	Long sleeve wool pullover		CPR 45	42.00	98.6	6.95	6.95
79C	Long sleeve wool coat sweater		CPR 45	48.00	85.3	7.41	7.41
81B	Long sleeve wool pullover		CPR 45	48.00	98.8	7.95	7.95
86B	Long sleeve wool pullover	Spartan 87B	CPR 45	54.00	99.0	8.96	8.95
87B	Long sleeve wool pullover		CPR 45	60.00	99.0	9.95	9.95
93B	Long sleeve wool pullover	Spartan 87B	CPR 45	66.00	99.0	10.95	10.95

[1] Prices were rounded to customary price points (as described on base period schedule) in cases where the customary price points could be reached by adding or subtracting not more than 4 percent of the computed retail price to the computed retail price (column 6).

[F. R. Doc. 52-3431; Filed, Mar. 21, 1952; 12:04 p. m.]

[Ceiling Price Regulation 131]

CPR 131—GROUNDWOOD PRINTING AND CONVERTING PAPERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 131 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollar-and-cent ceiling prices for sales by manufacturers of 23 grades of groundwood printing and converting paper and provides that the ceiling prices of 45 pound coated enamel paper and related grades shall be determined under Ceiling Price Regulation 106. It also provides methods by which manufacturers shall establish ceiling prices for the sale of other grades of groundwood paper.

Description of the product and industry. Groundwood printing and converting papers comprise a group of coated and uncoated papers containing more than 25 percent of mechanically ground wood pulp. These papers are primarily consumed by the printing and publishing industries but also are used in the manufacture of wall paper, packaging, and school, office, and business supplies.

The groundwood paper industry is chiefly located in the Northeastern and Lake State regions with marked concentration in Maine, New York, and Minnesota. Mills located in these States account for about 75 percent of the industry's total output. The industry consists of about 30 mills operated by 22 companies, 5 of which account for 65 percent of the production of groundwood paper.

Mills producing this kind of paper represent a part of the industry which formerly produced newsprint but shifted to groundwood base paper when it became apparent that they could not success-

fully compete with low-cost producers of newsprint in Canada. The average age of the mills is high and some of the mills are operating under relatively high cost conditions, but in recent years the position of the industry has been strengthened by the opening of new markets due to the development of machine-coated paper and paper made from bleached groundwood pulp. The process of product improvement and shifting to the production of higher priced grades of paper has been continuous. It has resulted in higher returns to the mills and has caused nonuniform prices which reflect differences in quality within the limits of grade classifications. The extent to which mills have shifted to the production of higher priced papers is illustrated by the increase in production of machine-coated paper, from 40,000 tons in 1947 to an estimated 190,000 tons in 1951.

Some of the companies operate only mills which specialize to a high degree in the production of groundwood paper, but others operate a number of mills wherein groundwood paper, although produced in large volume, represents only a small part of the company's total production of paper and paperboard. Most of the mills produce all of the groundwood pulp they consume, but 40 percent of the total production of these papers is by mills which purchase all of the chemical pulp they consume.

Groundwood paper manufacturers sell about 70 percent of their production directly to large consumers and 30 percent to merchants. They sell approximately 75 percent of their output on a contract basis, and, in general, their spot and contract prices are identical, although the terms of sale may differ slightly. The fact that the bulk of sales are on a contract basis causes the prices of groundwood paper to be less responsive to changes in cost and market conditions than are the prices of most kinds of paper.

Recent economic developments. Since World War II, mill operations in this industry have been at a high level. Between 1946 and 1948 the mills operated at close to 100 percent of their capacity and, as additional mills shifted from the production of newsprint and existing mills modernized their plants and installed new equipment, production, as reported by the Groundwood Paper Manufacturer's Association, increased from 715,000 tons in 1946 to 805,000 tons in 1948. In 1949 and 1950, despite the high demand through the last 6 months of 1950, production was at lower levels than in 1948. In 1951 demand continued to be large and mills operated at close to 100 percent of their capacity to produce an estimated 880,000 tons valued at about 140 million dollars.

The National Production Authority considers groundwood paper essential to the defense effort and to the civilian economy and, under Order M-36, mills are required to reserve 10 percent of their production for sale at the direction of that agency.

Between the outbreak of the Korean war and the period January 25 through February 24, 1951, groundwood paper producers raised their prices about 10 percent. Between the latter date and the present, prices were raised an additional 10 percent under CPR 22. These price increases were relatively uniform for all grades due to the practice of the industry to price the bulk of its production by the application of standard differentials to 3 basic grades of paper.

Summary of the main features of the regulation. The ceiling prices established under this regulation are at the level of average prices currently in effect. This level is approximately 21 percent higher than in June 1950 and 10 percent higher than during the period January 25 through February 24, 1951. It is well below the level of prices permitted under Ceiling Price Regulation 22.

Spelled out ceiling prices have been set for 23 grades of groundwood paper by use of the industry technique of applying standard differentials to the ceiling prices of 3 basic grades. These 23 grades constitute about 75 percent of the output of this industry. A ceiling price for coated paper, which also is produced by book paper mills, has previously been established in Ceiling Price Regulation 106, and producers of such paper in the groundwood industry will determine their ceiling prices by reference to that regulation. Coated paper represents about 20 percent of the paper produced by groundwood mills. The ceiling prices of unlisted grades produced during the base period (January 25 through February 24, 1951) are determined by application of the price differentials in that period between the unlisted grades and the listed grades to which they are most closely related and the addition or subtraction of the appropriate differentials. To determine the ceiling price of an unlisted grade not produced during the base period, the producer must apply to the Director of Price Stabilization as set forth in section 22 of the regulation.

This regulation recognizes that, although most of the producers allow 40 cents or more per hundredweight freight allowance, it is the practice of a few producers to sell on an f. o. b. mill basis and permits them to sell on that basis at ceiling prices calculated by deducting from the specified ceiling price the actual freight charges up to 40 cents per hundredweight.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; to prices prevailing December 19, 1950 to January 25, 1951, inclusive, and to relevant factors of general applicability. The ceiling prices established herein are not below the level of (a) the price prevailing during the period January 25, 1951 to February 24, 1951, inclusive, or (b) the price prevailing just before the date of issuance of this regulation.

In formulating this regulation, there has been extensive consultation with representatives of the industry, including trade association members and consideration has been given to their recommendations. This consultation included six meetings of the Industry Advisory Committee. The specifications or standards used in this regulation are in general use in this industry.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 27 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.

SECTION 1. *What this regulation does.* This regulation establishes specific ceiling prices for sales by the manufacturers of 23 grades of groundwood printing and converting paper and provides that ceiling prices of 45 pound coated enamel paper and related grades shall be determined under Ceiling Price Regulation 106. Methods are also provided by which manufacturers shall establish their ceiling prices for other grades of these papers.

SEC. 2. *Regulations superseded.* Ceiling Price Regulation 22 and the General Ceiling Price Regulation insofar as they covered manufacturers of groundwood printing and converting papers are hereby superseded.

SEC. 3. *Geographical applicability.* The provisions of this regulation shall be applicable to sales by manufacturers of groundwood printing and converting papers located in the forty-eight states of the United States and the District of Columbia but shall not be applicable to sales by such manufacturers located in the territories and possessions of the United States.

SEC. 4. *Manufacturer and sales by a manufacturer defined.* For the purpose of this regulation:

(a) Manufacturer, hereinafter sometimes called "you", means any person who manufactures any of the papers covered by this regulation and includes an agent and a person affiliated with a manufacturer through community of ownership, who distributes or sells such manufacturer's papers covered by this regulation.

(b) Sales by a manufacturer operating as a merchant are excluded from this regulation if the Director of Price Stabilization has made a finding pursuant to section 23 that for such sales the manufacturer operates as a merchant.

SEC. 5. *Groundwood printing and converting papers defined.* For the purposes of this regulation: Groundwood printing and converting paper means those types, brands, and grades of paper which are generally used for the transmitting of a message or design, or for conversion into paper products, and which (a) contain more than 25 percent groundwood fiber in their fiber furnish, and (b) weigh no less than 25 pounds and no more than 140 pounds in basis weight 25 x 38—500.

SEC. 6. *Identification of grades.* You shall determine under which of the grades listed in this regulation each paper manufactured by you shall be classified. In determining whether a particular groundwood printing and converting paper is to be classified under one of the grades below, you shall consider the group descriptions and specifications stated with each grade. If the paper being classified meets the appropriate group descriptions and specifications of any grade, it may be considered as belonging to that grade. A paper made by you at a particular mill which does not meet the furnish specifications for a particular grade may nevertheless be considered as belonging to that grade: *Provided,* The paper being classified is of a quality which has been generally recognized in the industry as being equivalent in quality to paper which conforms with such specifications, and is in all respects equally satisfactory in appearance and use to paper which conforms with such specifications. The Director of Price Stabilization may at any time thereafter review and officially classify any papers subject to this regulation. There shall be taken into account in any review and reclassification by the Director the designation by which you heretofore identified the paper in question, the common designation in the paper manufacturing industry of papers possessing the same general physical characteristics, and other relevant factors. The basic grades are identified as follows:

(a) *Groundwood printing papers.* In the specifications below, the brightness values stated are for machine finish, unsized papers in minimum standard basis weights. Brightness is proportionately reduced by extra sizing, by supercalendering, and in the manufacture of weights lighter than the minimum standard basis weights.

(1) *Enamel.* Groundwood printing papers include those grades of enamel papers used generally but not exclusively for publishing and commercial printing end uses, such as magazines, books, pamphlets, labels, wraps, folders, and brochures where the use of fine halftone illustrations is frequently necessary. These papers, irrespective of furnish, have one or both surfaces treated with clay or a pigment, and adhesive mixture, or other suitable materials, to improve their finish with respect to printing quality, color, smoothness, opacity, or other surface properties: *Provided,* That the amount of such coating shall be no less than 2½ pounds of the total ream basis weight (25 x 38—500) if applied to one side only, or at least 5 pounds total if applied to both sides of the paper.

(2) *A Offset No. 1.* This paper contains 100 percent bleached fiber; it is surface sized for offset printing; and has an average brightness no less than 70.

(3) *A Offset No. 2.* This paper contains no less than 75 percent bleached fiber; it is surface sized for offset printing; and has an average brightness no less than 64.

(4) *A Printing.* This paper contains no less than 30 percent bleached chemical fiber or 60 percent bleached fiber; it contains no less than 7½ percent filler; and has an average brightness no less than 67.

(5) *A Printing supercalendered.* Same as A printing and supercalendered.

(6) *A–1 Printing.* This paper contains no less than 25 percent bleached chemical fiber or 50 percent bleached fiber; it contains no less than 7½ percent filler; and has an average brightness no less than 65.

(7) *A–1 Printing supercalendered.* Same as A–1 printing and supercalendered.

(8) *A–2 Printing.* This paper contains no less than 15 percent chemical fiber or 30 percent bleached fiber; it contains no less than 7½ percent filler; and has an average brightness no less than 63.

(9) *A–2 Printing supercalendered.* Same as A–2 printing and supercalendered.

(10) *B Printing.* This paper contains no less than 20 percent unbleached chemical fiber; the balance is unbleached specialty groundwood fiber; it contains no less than 7½ percent filler; and has an average brightness no less than 60.

(11) *C Printing.* This is an unsized, unfilled paper containing unbleached chemical and specialty groundwood fiber; it is not supercalendered and its minimum basis weight is 35 pounds (25 x 38—500).

(b) *Groundwood specific converting papers.* These grades are generally made to specifications established either by the mill or by customers for a great variety of end uses. All of these grades are sized unless otherwise indicated and conform with strength or other physical characteristics appropriate to the indicated use.

(1) *Canary pencil tablet.* This paper contains unbleached groundwood fiber and chemical fiber. It has no filler. It is made in canary color only and is normally made unsized.

(2) *Groundwood B carbonizing.* This paper contains unbleached groundwood fiber and chemical fiber; it is free of pin holes and is sufficiently dense to retain a carbon and wax solution on one surface without penetration through to the other surface. Its fibers are "fine" and specially treated for maximum resistance to oil penetration.

(3) *Groundwood coating base stock.* This paper contains no less than 25 percent chemical fiber; the balance of fiber furnish is groundwood fiber. It is especially formed and sized to be suitable for coating and when dry for calendering or glazing. It is made in two qualities:

(i) "A coating" containing bleached fiber, and

(ii) "B coating" containing no bleached fiber.

(4) *Groundwood drawing paper.* This paper contains no less than 20 percent chemical fiber; the balance of the fiber furnish is groundwood fiber. It is made in the standard colors—white, cream, and gray with a finish suitable for drawing. It is made in two qualities:

(i) "A drawing" containing bleached fiber, and

(ii) "B drawing" containing no bleached fiber.

(5) *Groundwood lining.* This paper contains no less than 20 percent chemical fiber; the balance of the fiber furnish is groundwood fiber. The basis weight 16 pounds (17 x 22—500) is made in two qualities:

(i) "A lining" containing bleached fiber, and

(ii) "B lining" containing no bleached fiber.

(6) *No. 2 Hanging paper.* This paper contains unbleached groundwood and chemical fiber. It is normally made without filler and is specially produced for conversion into wallpaper.

(c) *Groundwood general converting papers.* These papers are made in five generally recognized quality classifications. The specifications within a quality classification frequently vary as between customers of the same manufacturer to comply with end-use requirements. The five qualities are:

(1) A converting	Containing bleached fiber.
(2) A–1 converting	
(3) A–2 converting.	
(4) B–1 converting.	Containing no bleached fiber.
(5) B–2 converting.	

(d) *Groundwood general use papers—*(1) *Mimeograph paper.* This paper is made to conform with federal specification UU–P–388e, dated May 17, 1951, regarding Type IV—mimeograph paper in which the fiber furnish shall be not less than 60% groundwood fiber. The physical requirements are as follows:

PHYSICAL REQUIREMENTS

Type IV—Groundwood mimeograph

Basis weight, 17 x 22—500 pounds	16	18	20	24
Thickness, inch	0.0040	0.0050	0.0055	0.0065
Bursting strength, minimum points	14	15	16	18
Opacity, minimum, percent	81	89	91	92
Oil penetration, maximum seconds	50	50	50	50
Finish (smoothness), maximum, seconds	15-20	15-20	15-20	15-20
Brightness, minimum, percent	65	65	65	65

(2) *Groundwood poster.* This paper contains unbleached groundwood and chemical fiber; it contains no filler and is made with a medium printing finish. It is made in an assortment of colors, either the standard assortment consisting of pink, jade, mandarin, sulphur, gold, azure, and white, or in assortments of selected colors.

(3) *Railroad manila.* This paper contains unbleached groundwood and chemical fiber. It contains no filler and is sized for pen and ink writing. It is made in the standard color canary. The minimum basis weight manufactured is 13 pounds (17 x 22—500).

SEC. 7. *Ceiling price for 45 pound coated enamel.* The ceiling prices for the sale of coated two sides 45 pound enamel, 25 x 38—500, trimmed 4 sides, and all grades of enamel paper related thereto, directly or indirectly, as these terms are used in Ceiling Price Regulation 106, are determined under Ceiling Price Regulation 106, including sales of such paper whether spot, contract or direct sales involving special services.

SEC. 8. *Ceiling prices for listed grades.* The base prices for the sale of 23 listed grades of groundwood printing and converting papers are set forth in paragraph (a) of this section. To compute the ceiling price for an actual sale of one of these grades there may be added to and there must be subtracted from the base price all differentials of paragraph (b) of this section which are appropriate to the particular sale.

(a) *Base prices for listed grades.* The base prices for 23 listed grades of groundwood printing and converting papers are set forth in Schedule A below. Except for A Offset No. 1, these prices are per hundred pounds, on regular billing weight for one item of standard colors, standard finish, and standard basis weight packed in standard rolls, shipped in quantities of 36,000 pounds or more f. o. b. mill, with lowest available carload freight allowed up to 40 cents per hundred weight. For A Offset No. 1, these prices are per hundred pounds, trimmed 4 sides, packed on skids in carload quantities f. o. b. your mill, lowest available carload freight allowed to destination point. However, a freight allowance on A Offset No. 1 is not required on shipments of less than 5,000 pounds to a merchant to points other than the merchant's home city. *Provided, however:*

(1) If it was your customary practice during the period January 25, 1951, through February 24, 1951 to sell on an f. o. b. mill basis, you may continue to do so using as your base price the base price specified in Schedule A below, less the actual carload freight charges to the purchaser up to 40 cents per hundred weight.

(2) If it was your customary practice on paper produced in and shipped from Washington, Oregon, and California to add a differential to base prices, a like differential may be added to the base prices of Schedule A and freight allowances employed during the period January 25, 1951 through February 24, 1951, shall be continued by you.

SCHEDULE A—GROUNDWOOD PRINTING AND CONVERTING PAPERS

PRINTING PAPERS

Grade	Minimum standard basis weight	Code for lightweight differential, see par. (b) (5)	Base price per hundredweight
(1) A offset No. 1 trimmed 4 sides	50 pounds 25 x 38–500	BLD carload skids	$12.90
(2) A offset No. 2	45 pounds 25 x 38–500	CLD carload rolls	9.65
(3) A printing	40 pounds 25 x 38–500	DLD carload rolls	9.45
(4) A printing supercalendered	45 pounds 25 x 38–500	ELD carload rolls	9.95
(5) A-1 printing	40 pounds 25 x 38–500	DLD carload rolls	8.95
(6) A-1 printing supercalendered	45 pounds 25 x 38–500	ELD carload rolls	9.45
(7) A-2 printing	40 pounds 25 x 38–500	DLD carload rolls	8.70
(8) A-2 printing supercalendered	45 pounds 25 x 38–500	ELD carload rolls	9.20
(9) B printing	40 pounds 25 x 38–500	DLD carload rolls	8.55
(10) C printing	40 pounds 25 x 38–500	DLD carload rolls	8.45

SPECIFIC CONVERTING PAPERS

(1) Canary pencil tablet	32 pounds 24 x 36–500	None carload rolls	9.00
(2) B Carbonizing	35 pounds 24 x 36–500	None carload rolls	10.35
(3) B Coating	20 pounds 20 x 24–500	None carload rolls	9.50
(4) B Drawing	36 pounds 24 x 36–500	None carload rolls	8.75
(5) B Lining	16 pounds 17 x 22–500	BLD carload rolls	9.25
(6) #2 Hanging	38 pounds 24 x 36–480 (9 ounce)	None carload rolls	8.75

GENERAL CONVERTING PAPERS

(1) A-1 Converting	16 pounds 17 x 22–500	HLD carload rolls	9.75
(2) A-2 Converting	16 pounds 17 x 22–500	HLD carload rolls	9.50
(3) B-1 Converting	16 pounds 17 x 22–500	HLD carload rolls	9.50
(4) B-2 Converting	16 pounds 17 x 22–500	HLD carload rolls	9.25

GENERAL USE PAPERS

(1) A Mimeograph	16 pounds 17 x 22–500	None carload rolls	9.75
(2) Poster	32 pounds 24 x 36–500	GLD carload rolls	9.25
(3) Railroad Manila	14 pounds 17 x 22–500	FLD carload rolls	9.25

(b) *Differentials, charges, allowances, discounts, and other pricing elements.* Wherever a maximum charge is stated in dollars and cents under the following subparagraphs, it shall apply per hundred pounds, unless otherwise specified.

(1) *Antique and eggshell finish.* For paper manufactured in the antique or eggshell finishes, there may be added $0.25 per cwt.

(2) *Bulking.* (i) For manfacturing bulking paper there may be added $0.25 per cwt.

(ii) Paper made to bulk. For paper manufactured to bulk there may be added $0.40 per cwt.

(3) *Colors.* Appropriate color differentials may be added to those grades for which the base price does not include such standard colors, according to the shade and depth of such special colors, as follows:

	Per hundredweight
Tint colors	$0.50
Light colors	.50
Medium colors	.75
Deep colors	2.00
Special deep colors:	
Black	3.00
Purpurine	3.50
Scarlet and blue	4.00
Red	5.00

The above color classifications and shades shall be determined according to the color book entitled "Standard Color Nomenclature System and Manual", prepared by the Groundwood Paper Manufacturer's Association, a copy of which is on file with the Forest Products Division, Office of Price Stabilization, Washington 25, D. C.

(4) *Finishing and packing, including trimming and cutting to small sizes.* Wherever differentials for finishing and packing, including trimming and cutting to small sizes are not specifically provided for in this regulation, your ceiling price for these operations and services is the price which you charged for these operations and services performed during the base period.

(5) *Lightweight differentials.* (i) Following each grade of groundwood printing and converting paper listed in Schedule A in paragraph (a) of this section will be found either the word "none" or a three letter coded reference. The word "none" indicates that no amount may be added for sales of lighter than standard weights to the grade involved. The code references are explained below:

(ii) The maximum lightweight differentials listed below may be applied to the base price after adding any applicable sheeting, finishing, trimming, and packing differentials:

CODE:

ALD—Add 2 percent to the base price per pound of basis weight or fraction thereof below 45 pounds down to and including 40 pounds (25 x 38–500). Add 3 percent to the base price per pound of basis weight or fraction thereof below 40 pounds down to and including 35 pounds (25 x 38–500).

BLD—Add 1 percent to the base price per pound of basis weight or fraction thereof below 50 pounds down to and including 40 pounds (25 x 38–500).

CLD—Add 1 percent to the base price per pound of basis weight or fraction thereof below 45 pounds down to and including 40 pounds (25 x 38–500).

DLD—Add 1 percent to the base price per pound of basis weight or fraction thereof below 40 pounds down to and including 35 pounds (25 x 38–500). Add 2 percent per pound or fraction thereof below 35 pounds down to and including 31 pounds. Add 3

percent per 30 pounds. Add 4 percent per pound or fraction thereof below 30 pounds down to and including 25 pounds.

ELD—Add 1⅓ percent to the base price per pound of basis weight or fraction thereof below 45 pounds down to and including 40 pounds (25 x 38–500). Add 2 percent per pound or fraction thereof below 40 pounds down to and including 35 pounds. Add 4 percent per pound or fraction thereof below 35 pounds down to and including 32 pounds.

FLD—Add 6 percent to the base price per pound of basis weight for any basis weight less than 14 pounds (17 x 22–500).

GLD—Add 3 percent to the base price per pound of basis weight or fraction thereof below 32 pounds down to and including 30 pounds (24 x 36–500).

HLD—Add 5 percent to the base price per pound of basis weight or fraction thereof below 16 pounds down to and including 14 pounds (17 x 22–500). Add 6 percent to the base price per pound of basis weight or fraction thereof below 14 pounds down to and including 12 pounds (17 x 22–500). Add 10 percent to the base price per pound of basis weight or fraction thereof below 12 pounds down to and including 10 pounds (17 x 22–500).

(6) *Nonstandard rolls.* For rolls in width or diameter other than standard as herein described, there may be added $0.50 per cwt.

(7) *Other manufacturing differentials.* For operations and services not specifically listed herein, you may add not more than the differentials charged by you during the base period. If you did not perform the particular operation during the base period, you may add the amount which you would have charged using the basis of calculations you used in the base period.

(8) *Quantity differentials.* Upon orders specifying less than a carload of one item for shipment at one time to one consignee at one destination there may be added the following quantity differentials:

	Per hundredweight
(i) 10,000 pounds to a carload	$0.10
(ii) 5,000 pounds to 9,999 pounds	.25
(iii) 2,000 pounds to 4,999 pounds	.50
(iv) Less than 2,000 pounds	.75

(9) *Roto differential.* When paper is ordered and made suitable for rotogravure printing, there may be added $0.20 per cwt.

(10) *Special labels.* For special labels prepared to the order of any purchaser there may be added no more than the actual cost to you of the special labels furnished.

(11) *Sizing.* For each of the following kinds of sizing in addition to that ordinarily supplied in the grade there may be added $0.50 per cwt. for:

(i) Beater sizing;

(ii) Surface sizing;

(iii) Waterleaf sizing.

(12) *Supercalendering.* There may be added to the base price $0.50 per cwt. when this operation is performed on a grade not already specified in the schedule of base prices as supercalendered.

(13) *Terms and discounts.* Terms and discounts shall be applied in accordance with your practices effective during the base period, January 25, 1951 through February 24, 1951.

(14) *Trim loss differential.* Upon sales of less than minimum acceptable trim, a trim loss differential may be added of $0.04 per cwt. per inch or major fraction of an inch of trim loss.

(15) *Watermarking, waterlining, or laid marking.* Where any of these operations are performed there may be added $0.25 per cwt. for each such operation in the case of uncoated paper.

SEC. 9. *Ceiling prices for unlisted grades.* The base price for a grade of groundwood printing and converting paper not listed in sections 7 and 8 above and not a related grade under section 7, is determined under paragraph (a) of this section in all instances where the unlisted grade was delivered or offered for delivery by you during the period January 25, 1951 through February 24, 1951. If the unlisted grade was not delivered or offered for delivery by you during that period, the base price shall be determined under section 22.

(a) The base price for an unlisted grade which was delivered or offered for delivery by you during the period January 25, 1951 through February 24, 1951, is determined as follows: You shall take the highest base price charged by you for the unlisted grade during the base period, and shall ascertain the difference between that base price and the highest base price charged by you during the same period for the listed grade which is most closely related to the unlisted grade being priced. For this purpose the most closely related listed grade is the one which is closest in fiber furnish and general use. That difference shall then be added to, or as the case may be, subtracted from the base price listed under section 8 (a) for the grade with which the comparison was made. The resulting amount shall be the base price for the unlisted grade being priced under this paragraph. To this base price there may be added and must be subtracted as may be appropriate all applicable differentials as set forth in section 8 (b) to compute the ceiling price.

SEC. 10. *Ceiling prices for spot sales of groundwood paper.* The ceiling prices for spot sales of all grades of groundwood printing and converting paper (except 45 pound coated enamel and all grades of enamel paper related thereto and covered by section 7) are determined as follows:

(a) The ceiling price for spot sales of a listed grade is the price determined under section 8 of this regulation to which you must apply your differentials, charges, discounts, allowances and other pricing elements prevailing for your spot sales during the period January 25, 1951, through February 24, 1951.

(b) The ceiling price for spot sales of an unlisted grade is the price determined under section 9 of this regulation to which you must apply your differentials, charges, discounts, allowances and other pricing elements prevailing for your spot sales during the period January 25, 1951 through February 24, 1951.

SEC. 11. *Ceiling prices for contract sales of groundwood paper.* The ceiling prices for contract sales of all grades of groundwood printing and converting paper (except 45 pound coated enamel and all grades of enamel paper related thereto and covered by section 7) are determined as follows:

(a) The ceiling price for contract sales of a listed grade is the price determined under paragraph (a) and (b) of section 8 of this regulation to which you must apply your differentials, charges, discounts, allowances and other pricing elements prevailing for your contract sales during the period January 25, 1951, through February 24, 1951.

(b) The ceiling price for contract sales of an unlisted grade is the price determined under section 9 of this regulation to which you must apply your differentials, charges, discounts, allowances and other pricing elements prevailing for your contract sales during the period January 25, 1951, through February 24, 1951.

SEC. 12. *Ceiling prices for direct sales involving special services.* (a) If you make a direct sale involving special services not generally performed by manufacturers and if you charged for such additional services during the base period, the ceiling price for all grades of groundwood printing and converting paper so sold (except 45 pound coated enamel and all grades of enamel paper related thereto covered by section 7) is:

(1) The price determined under sections 8 and 9 of this regulation;

(2) Plus your differentials in effect during the period January 25, 1951 through February 24, 1951, for this special service.

(b) Before selling at ceiling prices determined under paragraph (a) of this section, you must first file by registered mail, return receipt requested, with the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., a statement explaining to what extent you perform such services and explaining your system of differentials with respect to such direct sales. If you have rendered such services and charged such higher prices only in particular areas or upon certain types of direct sales or to certain types of direct purchasers, set forth these customary practices in detail. Any information already on file with the Office of Price Stabilization may be incorporated into this statement by reference. Fifteen days after filing this statement, you may use your proposed ceiling price under this section, unless or until you are advised in writing to the contrary by the Director of Price Stabilization.

SEC. 13. *Job lots and seconds.* Ceiling prices for job lots and seconds are to be determined in accordance with your practice during the period January 25, 1951 through February 24, 1951: *Provided, however,* The ceiling prices for job lots and seconds shall not exceed the ceiling prices for the first quality of the same paper. The invoice covering any sale of job lots or seconds shall state that the paper is a job lot or second.

SEC. 14. *Rounding of prices.* Cents and fractions of a cent remaining after calculation of prices may be rounded to the nearest five cents or to the nearest cent in accordance with your practice during the base period used as a base for computation. In rounding to the nearest five cents, cents and fractions of a cent shall be dropped if less than two

and one half cents and may be increased to the nearest higher five cents if two and one half cents or more; similarly in rounding to the nearest cent, fractions less than a half cent shall be dropped, and may be increased to the nearest higher cent if one half cent or more.

SEC. 15. *Prices lower than ceiling prices.* Lower prices than the ceiling prices established by this regulation may be charged, demanded, paid or offered.

SEC. 16. *Adjustment of ceiling prices.* (a) Upon application or upon his own motion the Director of Price Stabilization may adjust any ceiling price established under this regulation so as to bring it into line with the general level of ceiling prices established by this regulation or by regulations specifically establishing ceiling prices for other grades of paper.

(b) Applications for adjustment shall be filed with the Forest Products Division, Office of Price Stabilization, Washington 25, D. C., and contain the following:

(1) The brand name, grade name, if any, specifications and a sample of the paper which is the subject of the application.

(2) The ceiling price for this grade established under this regulation and the computations by which this price was calculated.

(3) The ceiling price for this or a comparable grade of your closest competitor. Give the name of your competitor, the brand and grade name, if any, of the paper used in the comparison.

(4) Information as to the customary differentials, which existed prior to or during price control, between grades of paper demonstrating the necessity for adjusting the prices which are the subject of your application so as to bring them into line with the general level of ceiling prices established by this regulation or by regulations specifically establishing ceiling prices for other grades of paper.

(c) You may not make any adjustment applied for under this section unless and until you have been notified by letter order that you may do so by the Director of Price Stabilization.

SEC. 17. *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 Price Procedural Regulation 1, Revised.

SEC. 18. *Adjustable pricing.* Any person may agree to sell or may sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, agree to sell or sell at prices to be adjusted upward in accordance with any increase in a ceiling price after delivery. Such authorization may be given when a request for a change in the applicable ceiling 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 Defense Production Act of 1950, as amended.

SEC. 19. *Taxes separately stated.* (a) In addition to your ceiling price, you may collect the amount of any excise, sale or similar federal, state or local taxes paid by you as such only if it has been your practice to state and collect such taxes separately from your selling price for the same or similar commodities.

(b) If such a tax is imposed by a law which is not effective until after the effective date of this regulation, or if any increase in such a tax is made subsequent to the effective date of this regulation, you may collect the amount of the tax actually paid as such by you, if not prohibited by the tax law. You must in all such cases state separately the amount of the tax paid.

SEC. 20. *Exports and imports.* The ceiling price for export sales of groundwood printing and converting paper is determined under Ceiling Price Regulation 61. The ceiling price for sales of groundwood printing and converting paper imported into the United States is determined under Ceiling Price Regulation 31.

SEC. 21. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business subject to this regulation are sold or otherwise transferred after the effective date of this regulation and the transferee carries on the business or continues to deal in the same type of products in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 22. *Application for classification of a grade or aid in determining a ceiling price.* If you did not deliver or offer a grade of paper during the base period, or are uncertain as to the proper grade under which to classify a particular kind of paper, or whether this regulation applies to a particular kind of paper, or need aid in determining the ceiling price of a particular kind of paper, you may apply in writing to the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., for an official classification or ceiling price or both of such paper, submitting the following with your application:

(a) Representative samples of the paper;

(b) Description of special processes of manufacture and proposed use of paper;

(c) Your available selling or ceiling prices, January 1, 1950–June 24, 1950, inclusive; December 19, 1950–January 24, 1951, inclusive; January 25, 1951–February 24, 1951, inclusive; current and proposed ceiling prices of the grade which is the subject of your application;

(d) Brand, current selling price, grade name and sample of closest type or types of paper with which it competes;

(e) Breakdown of your direct costs including date of same;

(f) Difficulty in clasifying grade or in calculating the ceiling price.

After filing an application under this section you may not sell the paper which is the subject of the application until the Director of Price Stabilization notifies you in writing of your grade or ceiling price, unless you had a ceiling price for such paper established prior to the issuance of this regulation. If you had such ceiling price, after filing your application you may continue to sell at not more than that ceiling price until the Director notifies you of a different ceiling price. In making such classification or determining the ceiling price upon application or upon his own motion, the Director shall bring the paper into line with the classifications and the level of ceiling prices otherwise established under this and related regulations.

SEC. 23. *Manufacturer operating as a merchant.* A manufacturer who sells groundwood printing and converting paper of his own manufacture as a merchant, and a person affiliated with such manufacturer through any community of ownership, shall not sell as a merchant unless within 15 days of the issue of this regulation, or prior to making such sales, an application for a finding that he operates as a merchant has been filed by registered mail, return receipt requested, with the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., showing the following:

(a) Name and address of the manufacturer or affiliate making the application;

(b) Special services rendered not customarily rendered by manufacturers, but customarily performed by merchants;

(c) List of groundwood printing and converting papers sold as a merchant during the period January 1, 1951 through March 31, 1951;

(d) Type and geographic location of customers sold as a merchant;

(e) Pricing method and prices used during the period January 1, 1951 through March 31, 1951, for sales as a merchant.

All sales made by you as a merchant after filing your application shall include notice to the purchaser that the price is subject to revision until you are notified by the Director of Price Stabilization that you have or have not been found to operate as a merchant.

SEC. 24. *Records and reports.* (a) on and after the effective date of this regulation, on all sales, exchanges or purchases of groundwood printing and converting paper you shall, in addition to the base period records required by section 16 (a) of the General Ceiling Price Regulation, keep for inspection by the Office of Price Stabilization for a period of two years after making such sale or purchase, records of each sale or exchange or purchase of groundwood printing and converting paper. Such records may be in the form of invoices and must show the following:

(1) Date of sale or exchange.

(2) Name and address of the seller and the buyer.

(3) Quantity and grade of groundwood printing and converting paper sold or exchanged.

(4) Prices charged including shipping terms, premiums if any, and other terms of sale.

(b) You shall keep such other records and shall submit such reports as the Director of Price Stabilization may from time to time require, or permit, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) With respect to each sale of paper covered by this regulation, you shall furnish the buyer with the information set out in subparagraphs (1), (2), (3) and (4) of paragraph (a) above which may be in the form of an invoice.

(d) Within 45 days after the effective date of this regulation, you shall file with the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., by registered mail the following information:

(1) Name your listed grades currently offered for sale, giving your grade names, your brand names and the ceiling prices for each such paper computed pursuant to this regulation.

(2) Name your unlisted grades currently offered for sale giving your brand names and the ceiling prices for each such paper computed pursuant to this regulation. In giving the ceiling price for each grade, name the listed grade used in the comparison.

(3) Complete statement of your pricing point and freight allowances.

SEC. 25. *Prohibitions and violations.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically, but not in limitation of the above, you shall not, regardless of any contract or other obligation, sell and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling prices established by this regulation, and you shall keep, make, and preserve true and accurate records and reports required by this regulation.

(b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

(c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 26. *Evasions.* Any means or devices which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information required for record purposes is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 27. *Definitions and explanations.* The terms in this Ceiling Price Regulation shall be construed in the following manner unless otherwise clearly required by the context.

(a) *Base period.* The base period used in this regulation is the period from January 25, 1951 through February 24, 1951.

(b) *Basis weight.* Basis weight means the weight in pounds of a ream of 480 or 500 sheets of paper cut to a given size.

(c) *Brightness.* Brightness is relative brightness of any white paper as measured by the GE Brightness test as that test is defined in the most recent modification T. A. P. P. I. Standard method.

(d) *Bulking paper.* (1) Bulking paper means paper manufactured in such a way as to produce a greater than normal thickness.

(2) "Made to bulk" means bulking paper manufactured in such a way as to achieve uniform thickness resulting in a specified thickness of a given number of sheets under a specified pressure.

(e) *Carload.* A minimum carload for pricing purposes is 36,000 pounds.

(f) *Chemical fiber.* Chemical fiber refers to fiber made by a chemical pulping process.

(g) *Colors.* This term refers to the colors, including black, set forth in the standard color book entitled "Standard Color Nomenclature System and Manual" published by the Groundwood Paper Manufacturers' Association; white shall not be considered a color.

(h) *Cut sizes of sheets.* Cut sizes of sheets include all sizes less than 336 square inches. All other size sheets shall be considered standard size.

(i) *Delivered.* Paper is deemed to have been "delivered" if it is received by the purchaser or by any carrier, including a carrier owned or controlled by the manufacturer, for shipment to the purchaser.

(j) *Differentials.* Differentials include all types of adjustments both by addition and substraction including such adjustments as those made for quantity, substance weights, color, finish, packing, cutting, discounts, allowances, etc., in order to transform a standard sale of a standard grade of paper into an actual sale of particular paper to a particular purchaser.

(k) *Fiber furnish.* Fiber furnish refers to the percentage of each of the different types of fiber contained in a particular grade of paper averaged for one uninterrputed run of the grade, expressed with reference to the total quantity of fiber.

(l) *Filler.* This term means any one of several types of fine mineral or nonfibrous materials used with the furnish to impart smoothness and opacity to the finished paper. The percentage of filler shall be determined by comparing the ash weight after burning with the weight of the paper, using the standard method approved by the Technical Association of the Pulp and Paper Industry. Paper is deemed to contain no filler if it contains less than 4 percent filler by the above ash test.

(m) *Grade.* Grade has reference to your practice of classifying your particular papers for pricing purposes in accordance with their difference in physical characteristics and uses, and also is applicable to those papers of your manufacture to which you have not given a brand or trade name. Papers produced by you which differ in physical characteristics or use constitute more than one grade.

(n) *Groundwood fiber.* Groundwood fiber means fiber, either bleached or unbleached, produced by the mechanical pulping process with characteristics of freeness, cleanliness and strength calculated to make it suitable for use in the manufacture of groundwood printing and converting papers.

(o) *Groundwood printing and converting papers.* This term is explained in section 5.

(p) *Highest price.* Highest price during a particular period means the highest price at which you delivered a grade of groundwood printing and converting paper during that period, or if you made no such delivery your highest offering price for delivery during that period.

(q) *Item.* Item means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and brand or grade.

(r) *Job lots and seconds.* Job lots and seconds means substandard qualities of paper resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper of acceptable quality and quantity.

(s) *Manufacturer.* This term is explained in section 4.

(t) *Merchant.* Merchant means any person who buys and resells any groundwood printing and converting paper, except (1) Retailers, and (2) manufacturers buying groundwood printing and converting paper from another manufacturer and reselling it. A merchant who is a manufacturer selling groundwood printing and converting paper of his own manufacture, shall apply under section 21 for a finding that he operates as a merchant.

(u) *Minimum acceptable trim.* This term means the minimum width in inches of saleable paper of a particular grade which you customarily produce on a particular paper machine, without extra charge.

(v) *Offering price.* Offering price means the price quoted in your price list, or, if you had no such price list, the

price which you regularly quoted in any other manner.

(w) *Person.* Person includes any individual, corporation, partnership, association or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States or any other government or their political subdivisions or agencies.

(x) *Regular billing weight.* This term when applied to sale in sheets, means the net billing weight computed from the nominal weight; and when applied to sales in rolls, means the gross weight exclusive of any returnable cores.

(y) *Retailer.* Retailer means any person, the major portion of whose sales are to ultimate consumers other than industrial, commercial, or institutional users or government agencies.

(z) *Returnable core.* This term means a metal capped, iron or other heavy duty core on which paper is wound in a roll and for which a unit charge is made by the seller in the event the core is not returned for further use. Returnable cores may be charged by each manufacturer on the standard unit basis up to its replacement cost at time of shipment, but this core charge is to be credited to the purchaser when the cores are returned in good condition, freight paid, to the mill from which they were shipped.

(aa) *Rolls.* Rolls are rolls of paper in the standard sizes customarily sold without differential by each manufacturer of the grade involved.

(bb) *Sell.* Sell includes sell, supply (with respect to either commodities or services), dispose, barter, exchange, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(cc) *Sizing.* Sizing means the treatment of paper or its furnish in such a manner as to alter the normal resistance of the paper to the absorption of water. "Beater sizing" means sizing the furnish of paper before the sheet is formed on the paper machine. "Surface sizing" means the sizing of the paper after it is formed on the paper machine. "Water leaf sizing" means the treatment of the furnish of paper in such a way as substantially to reduce the normal resistance of the paper to the absorption of water.

(dd) *Special finishes.* Special finishes include those finishes recognized in the industry as generally carrying a differential such as, but not limited to, antique, eggshell, supercalendered, embossed and oatmeal.

(ee) *Spot and contract sales.* Spot sales are those sales which involve one shipment or multiple shipments in close sequence over a specified period against one order at a firm price as distinguished from contract sales which involve multiple shipments over a longer period at prices to be established in accordance with the terms of the contract.

(ff) *Standard finishes.* Standard finishes include those finishes recognized in the industry as not generally carrying a differential such as machine finish and English finish.

(gg) *Standard skid.* A standard skid is a packing unit of paper in sheets no less than 3000 pounds net.

(hh) *Supercalendering.* A finish obtained by passing paper between rolls of a supercalender under pressure.

(ii) *You.* You means the person subject to this regulation. "Your" and "yours" are construed accordingly.

Effective date. This regulation shall become effective on March 26, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 21, 1952.

[F. R. Doc. 52-3429; Filed, Mar. 21, 1952; 4:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 9 as Amended March 21, 1952]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 9—NON-NICKEL-BEARING STAINLESS STEEL

This amended direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

This amendment affects Direction 9 to CMP Regulation No. 1 by amending section 4 and by adding a new section 5.

REGULATORY PROVISIONS

Sec.
1. What this direction does.
2. Definitions.
3. Change of non-nickel-bearing stainless steel from a controlled material to a non-controlled material.
4. Applicability of NPA Orders M-1 and M-80.
5. Status of outstanding orders for non-nickel-bearing steel.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071. Sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this direction does.* The purpose of this direction is to change the designation of non-nickel-bearing stainless steel from a controlled material to a non-controlled material.

SEC. 2. *Definitions.* As used in this direction:

(a) "Stainless steel" means heat- and corrosion-resisting steel containing 50 percent or more of iron or steel and 10 percent or more of chromium whether with or without nickel, molybdenum, or other elements.

(b) "Non - nickel - bearing stainless steel" means a stainless steel containing less than 1 percent of nickel.

(c) "Nickel-bearing stainless steel" means a stainless steel, wrought, cast, or sintered, containing 1 percent or more of nickel.

SEC. 3. *Change of non-nickel-bearing stainless steel from a controlled material to a non-controlled material.* Notwithstanding the provisions of CMP Regulation No. 1, non-nickel-bearing stainless steel shall not be deemed a controlled material. The foregoing sentence shall not be construed to permit any person who has placed an authorized controlled material order for non-nickel-bearing stainless steel pursuant to an allotment, to place an authorized controlled material order for nickel-bearing stainless steel and to charge such order against that portion of his allotment already charged with the order theretofore placed for the non-nickel-bearing stainless steel.

SEC. 4. *Applicability of NPA Orders M-1 and M-80.* The applicable provisions of NPA Order M-1 continue to apply to producers of non-nickel-bearing stainless steel and the provisions of NPA Order M-80, continue to apply to melters, processors, and consumers of non-nickel-bearing stainless steel.

SEC. 5. *Status of outstanding orders for non-nickel-bearing stainless steel.* Each authorized controlled material order for non-nickel-bearing stainless steel outstanding on January 28, 1952, is hereby converted to a delivery order bearing a DO rating with the same allotment number that identified such authorized controlled material order. As converted under this section, each such delivery order shall retain its original delivery date (unless the purchaser agrees to a different delivery date), and shall be deemed a rated order as defined in and for the purposes of NPA Reg. 2.

This direction as amended shall take effect March 21, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-3419; Filed, Mar. 21, 1952; 11:37 a. m.]

[CMP Regulation No. 4 as Amended March 21, 1952]

CMP REG. 4—DELIVERIES OF CONTROLLED MATERIALS BY DISTRIBUTORS

This amended CMP regulation is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this regulation as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the regulation affects many different industries. However, there was consultation with industry representatives prior to the original issuance of this regulation on May 10, 1951.

This amendment affects CMP Regulation No. 4 as follows: Paragraph (a) of section 2 is amended; paragraph (b) of section 3 is amended; paragraphs (a) and (b) of section 4 are amended; a new paragraph (e) is added to section 4; and section 6 is amended. As so amended, CMP Regulation No. 4 reads as follows:

Sec.
1. What this regulation does.
2. Definitions.
3. Placement of authorized controlled material orders.
4. Rejection of orders.
5. Applicability of other regulations and orders.
6. Records and reports.
7. Applications for adjustment or exception.
8. Communications.
9. Violations.

AUTHORITY: Sections 1 to 9 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this regulation does.* The purpose of this regulation is to describe the rules under which distributors make deliveries of controlled materials under the Controlled Materials Plan. The methods by which distributors obtain controlled materials will be covered by directives or other regulations and orders of NPA.

SEC. 2. *Definitions.* As used in this regulation and any other CMP regulation (unless otherwise indicated):

(a) "Controlled material" means domestic and imported steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, whether new, remelted, rerolled, or redrawn, including used and second quality materials, shearings, and material sorted or salvaged from scrap which are sold for other than remelting, rerolling, or redrawing purposes.

(b) "Distributor" means any person (including a warehouseman, jobber, dealer, or retailer) engaged in the business of stocking any controlled material at a location regularly maintained by him for such purpose, for sale or resale, in the form or shape as received or after performing the operations described in this paragraph, and who, in connection therewith, maintains facilities and equipment necessary to conduct such business. Such operations are cutting, shearing, burning, or torch cutting to length, size, or shape; pipe threading; sorting and grading; and the like. A person who, in connection with any sale of controlled material from his stock, bends, punches, or performs any fabricating or processing operation designed to prepare such material for final use or assembly, shall not be deemed a distributor with respect to such sale; and a person who, in connection with any purchase of controlled material for resale, does not take physical delivery of such material into his own stock at a location regularly maintained by him for such purpose, shall not be deemed a distributor with respect to such resale.

SEC. 3. *Placement of authorized controlled material orders.* (a) Each distributor shall comply with such directives as may be issued from time to time by NPA.

(b) Each distributor shall accept all (1) authorized controlled material orders, except as provided in section 4 of this regulation, (2) orders which he is required to accept pursuant to any regulation or order of NPA, and (3) orders which he is required to accept pursuant to NPA directive.

(c) A delivery order for controlled material placed with a distributor shall be deemed an authorized controlled material order only if (1) it contains an allotment number, the calendar quarter for which the allotment is valid, and the certification as provided in section 19 of CMP Regulation No. 1, or (2) it is specifically designated as an authorized controlled material order by any regulation or order of NPA.

(d) A delivery order for controlled material placed with a distributor shall be considered as calling for immediate delivery unless such order specifically provides otherwise.

(e) An authorized controlled material order may be placed with a distributor orally or by telephone, provided that the person placing the order makes written confirmation of such order, conforming to the requirements of this regulation, within 15 days. If such confirmation is not received within 15 days, the distributor shall promptly notify NPA of the circumstances.

(f) An authorized controlled material order shall not constitute an allotment of controlled material to the distributor with whom it is placed.

SEC. 4. *Rejection of orders.* (a) A distributor shall be required to accept orders for controlled materials in conformity with the provisions of this regulation, as the same is or may be modified by the provisions of NPA Order M–6A (steel), NPA Order M–82 (copper), NPA Order M–86 (copper), NPA Order M–88 (aluminum), and NPA Order M–89 (steel, copper, and aluminum), and the directions thereto, or of any other applicable regulation or order of NPA, as the same may be issued or amended from time to time.

(b) A distributor must reject any authorized controlled material order bearing a specific allotment number which requires a quarterly identification, after the end of the quarter for which the allotment is valid. However, a distributor may accept, and make shipment against, any authorized controlled material order bearing a specific allotment number which requires a quarterly identification, calling for delivery during the 15 days prior to the first day of the calendar quarter for which the allotment is valid. Delivery orders bearing a symbol such as MRO which do not have to bear any quarterly identification may be filled during any quarter.

(c) A distributor may reject any order for controlled material which is not for immediate delivery. If he elects to accept such an order, he must not set aside or hold any material to fill it.

(d) A distributor may reject any authorized controlled material order if he does not have the material ordered in his stock, unless he knows that such material is in transit to his stock, but shall not discriminate between customers in rejecting or accepting such orders.

(e) A distributor may reject any order for controlled material if the person seeking to place the order is unwilling or unable to meet such distributor's regularly established prices and terms of sale or payment, but shall not discriminate between customers in rejecting or accepting such orders.

SEC. 5. *Applicability of other regulations and orders.* Nothing in this regulation shall be construed to relieve any person from complying with all other applicable regulations and orders of NPA.

SEC. 6. *Records and reports.* (a) Each person participating in any transaction covered by this regulation shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this regulation. This regulation does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this regulation shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this regulation shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 7. *Applications for adjustment or exception.* Any person subject to any provision of this regulation may file a request for adjustment, exception, or other relief upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests claiming that the public interest is prejudiced, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing submitted in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 8. *Communications.* All communications concerning this regulation

shall be addressed to the National Production Authority, Washington 25, D. C., Ref.: CMP Regulation No. 4.

SEC. 9. *Violations.* Any person who wilfully violates any provision of this regulation or any other regulation or order of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this regulation, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment, or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

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.

This regulation as amended shall take effect March 21, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-3420; Filed, Mar. 21, 1952; 11:37 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 4 to Schedule B]

RR 1—HOUSING

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREA OR PORTIONS THEREOF

TEXAS

Effective March 22, 1952, Rent Regulation 1 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 19th day of March 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. A new item 47 is added to Schedule B of Rent Regulation 1 reading as follows:

47. *Provisions relating to Precincts 1, 2 and 8 in Cass County, Texas, a portion of the Mount Pleasant-Daingerfield, Texas, Defense-Rental Area (Item 324 of Schedule A):*

2. With respect to housing accommodations in Precincts 1, 2 and 8 in Cass County, Texas, Section 141 of this regulation shall read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* (a) The housing accommodations had a maximum rent in effect on May 31, 1947, and did not have a maximum rent on July 31, 1951 or on the maximum rent date, and the present maximum rent does not equal (1) 120 percent of the maximum rent in effect on May 31, 1947, (2) plus any increase in rental value because of a major capital improvement or an increase in services, furniture, furnishings, or equipment which occurred after May 31, 1947, (3) minus any decrease in rental value because of any decrease in services, furniture, furnishings, or equipment required by the rent regulations on May 31, 1947, or because of a substantial deterioration.

(b) The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 120 percent of the maximum rent in effect on May 31, 1947, (2) plus or minus appropriate increases or decreases in rental value, if any, specified in paragraph (a) of this section.

[F. R. Doc. 52-3311; Filed, Mar. 21, 1952; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

REIMBURSEMENT TO OWNERS AND TENANTS OF LAND ACQUIRED BY THE DEPARTMENT OF THE ARMY PURSUANT TO PUBLIC LAW 155, 82D CONGRESS

New §§ 536.90 through 536.97 are added to Part 536 as follows:

Sec.
536.90 Statutory provisions.
536.91 Definitions of terms as used in §§ 536.90 to 536.97.
536.92 Scope.
536.93 Delegation.
536.94 Filing of application.
536.95 Limitation of amount of payment.
536.96 Conditions of reimbursement.
536.97 Payment.

AUTHORITY: §§ 536.90 to 536.97 issued under Pub. Law 155, 82d Cong.

SOURCE: Regs., January 22, 1952, ENGCM.

§ 536.90 *Statutory provisions.* The Secretary of the Army is authorized, to the extent he determines to be fair and reasonable, to reimburse owners and tenants of land acquired by the Department of the Army pursuant to the provisions of Public Law 155, 82d Congress, for expenses and other losses and damages incurred by such owners and tenants, respectively, in the process and as a direct result of the moving of themselves and their families and possessions because of such acquisition of land, which reimbursement shall be in addition to, but not in duplication of, any payments in respect of such acquisition as may otherwise be authorized by law: *Provided,* That the total of such reimbursement to the owners or tenants of any parcel of land shall in no event exceed 25 percent of the fair value of such parcel of land as determined by the Secretary of the Army. No payment or reimbursement shall be made unless application therefor, supported by an itemized statement of the expenses, losses and damages so incurred shall have been submitted to the Secretary of the Army within one year following the date of such vacating (section 501 (b), Pub. Law 155, 82d Cong.).

§ 536.91 *Definitions of terms as used in §§ 536.90–536.97*—(a) *The act.* Public Law 155, 82d Congress, approved September 28, 1951.

(b) *Owner.* Any owner of land, who moves himself, his family, or his possessions because of acquisition of his land pursuant to the act.

(c) *Tenant.* One who under proper authority uses or occupies land and who moves himself, his family, or his possessions because of acquisition of such land pursuant to the act.

(d) *Acquisition pursuant to the act.* Acquisition by the Department of the Army of any interest in land for any project authorized by the act.

(e) *Date of vacating.* The date the owner or tenant moves himself, his family and his possessions.

(f) *Fair value.* The value of the land as determined in accordance with Department of the Army appraisal procedure.

§ 536.92 *Scope.* Pursuant to the provisions of the act, reimbursement may only be made to the extent determined fair and reasonable for items of expense and other losses and damages incurred by owners or tenants in the process and as a direct result of the moving of themselves and their families and possessions. The types of reimbursable items and non-reimbursable items hereinafter described are not intended to be exclusive.

(a) Types of reimbursable items:

(1) Moving expenses, such as cost of transportation, insurance, crating and uncrating;

(2) Temporary storage expenses;

(3) Expenditures for obtaining new site or land such as cost of appraisals, surveys, and title searches, where such expenses are normally borne by the purchaser. This does not include any part of the purchase price for the new site or any expenditures for the purpose of adding to the value or utility of the new site.

(b) Types of non-reimbursable items:

(1) Costs of conveying property to the Government;

(2) Consequential damages or losses, such as loss of good will, loss of profits, loss of trained employees, or expenses of sales and losses because of such sales.

§ 536.93 *Delegation.* Authority is delegated to the Chief of Engineers, Department of the Army, and such of his officers or employees in the Office, Chief of Engineers, as he may designate and are approved by the Secretary of the Army to perform all functions and make all determinations which are authorized to be performed by the Secretary of the Army with respect to reimbursement under the provisions of section 501 (b) of the act.

§ 536.94 *Filing of application.* All applications for reimbursement will be filed with the appropriate Division or District Engineer, Corps of Engineers, Department of the Army, for forwarding to the Chief of Engineers for final action. Such applications must be delivered to or mailed to such Division or District Engineer within one year from the date of vacating and must be supported by an itemized statement of the expenses, and the losses and damages incurred and for which reimbursement is requested.

§ 536.95 *Limitation of amount of payment.* The act provides that the total

amount of reimbursement to all owners and tenants of any parcel of land shall not exceed 25 percent of the fair value of such parcel of land. In the event that the approved amount of reimbursement for all owners and tenants exceeds 25 percent of the fair value of the land, each applicant will receive the same proportion of the 25 percent of the fair value as the approved amount for each application is of the total amount approved for all applications.

§ 536.96 *Conditions of reimbursement.* In determining whether reimbursement will be made and the extent and amount thereof, consideration will be given to the following:

(a) Reimbursement shall not be made unless and until reasonable proof of the expenses or other losses and damages incurred, in the form of receipts therefor or the next best evidence thereof when receipts are not available, have been submitted.

(b) Reimbursement shall not be made to the extent the applicant's negligence, wrongful act has contributed to the amount of the expenses, losses or damages.

(c) Reimbursement shall not be made for any expenses, losses or damages which were allowed in establishing the compensation paid or to be paid for the interest acquired in the land.

§ 536.97 *Payment.* Appropriate action will be taken to accomplish payment in accordance with prescribed procedure and regulations. Reimbursement will be made from funds appropriated to the Department of the Army pursuant to the act, to the extent available.

NOTE: The regulations contained in §§ 536.90 to 536.97 were approved by the Acting Secretary of Defense on Feb. 19, 1952.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-3308; Filed, Mar. 21, 1952; 8:50 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter A—General

[CGFR 52-1]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

MISCELLANEOUS AMENDMENTS

By virtue of the authority contained in an act approved June 29, 1948 (62 Stat. 1081); and in an act approved October 12, 1949 (63 Stat. 825); and section 751 of Title 14, United States Code (63 Stat. 551); the following amendments are hereby prescribed.

TRAINING OF RESERVE

1. Section 8.5301 is amended to read as follows:

§ 8.5301 *Means of training provided for Reserve.* The following means of training are provided for the training of the Coast Guard Reserve:

(a) Training duty with pay.
(b) Training duty without pay.
(c) Regular drills.
(d) Appropriate duty.
(e) Equivalent instruction or duty.
(f) Group training.
(g) Annual training duty.

2. Section 8.5303, paragraph (a) is amended to read as follows:

§ 8.5303 *Training duty without pay.* (a) Reservists may be permitted on their own application to perform training or other duty without pay and allowances and without expense to the Government for the travel to and from such duty. District Commanders are authorized to approve such requests and to issue necessary orders where duty is to be performed at activities or aboard vessels within their jurisdiction. In case of requests for training duty without pay in other districts or aboard vessels outside their jurisdiction, District Commanders receiving the requests will forward same with recommendation to the District Commander concerned for approval or disapproval. In any case where a reservist has applied for training duty without pay, District Commanders, in their discretion, may order such Reservists to perform training duty without pay but with expense to the Government for travel to and from training duty and for subsistence during the performance of such duty. In such cases, orders should specify that transportation and subsistence is at Government expense.

3. A new § 8.5304 is hereby added as follows:

§ 8.5304 *Regular drills.* (a) Regular drills will consist of training in duties pertaining to the Coast Guard, as designated from time to time by the Commandant in separate instructions.

(b) Regular drills must be:

(1) A period of not less than two (2) hours' duration, and may be conducted on any day of the week, holidays included.

(2) Conducted not more frequently than once during any one calendar week, except those for aviation units which may be conducted not more frequently than three (3) times during any one day, not more than three (3) times during any one calendar week, nor more than four (4) times during any one month.

(3) Conducted not more frequently in any one fiscal year than the maximum number prescribed by the Commandant from time to time for the authorized units of the Coast Guard Reserve.

(4) Designated quarterly in advance by the Commandant or in those authorized units in which the Commanding Officer is charged with developing the training curriculum, approved quarterly in advance by the District Commander.

(c) When required due to inadequacy of space or facilities or to facilitate training, authorized units may be authorized by the Commandant to drill in increments on different days.

(d) Coast Guard Reserve Personnel, in appropriate cases to be determined by the District Commander, may attend training drills of Reserve Components of the other Armed Forces in which their members receive points: *Provided,* That such attendance is in accordance with current inter-service agreements and that proper arrangements have been made with the local Commanding Officers.

4. A new § 8.5305 is hereby added as follows:

§ 8.5305 *Appropriate duty.* (a) The purpose of appropriate duty is to enable the Commandant, District Commanders, and the Commanding Officers of authorized units to accomplish various tasks and effect training of Coast Guard Reserve personnel who are not on active duty or on active duty for training.

(b) Periods of appropriate duty shall consist of not less than two (2) hours' duration. Duty performed in one calendar week may not be credited in a subsequent calendar week.

(c) The Commandant and District Commanders may authorize reservists to perform periods of appropriate duty by the issuance of written orders which stipulate:

(1) That the Reservist is authorized to perform appropriate duty, with or without pay, as the case may be.

(2) That the nature of the duty to be performed will consist of work assignments or similar duties which are commensurate with grade or rate.

(3) The number of periods of appropriate duty which may be performed.

(d) Commanding Officers of authorized units may authorize personnel assigned to their units to perform, without pay, periods of appropriate duty in connection with the administration of the units or the instruction of the members thereof, by the issuance of orders which stipulate:

(1) That such duty is to be performed without pay.

(2) The nature of the duty to be performed.

(3) The number of periods of appropriate duty which may be performed.

(e) The Commandant may prescribe the maximum number of periods of appropriate duty that may be performed by any reservist in any one fiscal year.

5. A new § 8.5306 is hereby added as follows:

§ 8.5306 *Equivalent instruction or duty.* (a) Equivalent instruction or duty is analogous to regular drills. It may be performed without pay by members of authorized units of the Coast Guard Reserve to supplement training or duty performed at regular drills.

(b) For authorized units of the Coast Guard Reserve, other than aviation units, equivalent instruction or duty must be:

(1) A period of not less than two (2) hours' duration and may be conducted on any day of the week, including holidays.

(2) Conducted on a day other than one on which a regular drill is prescribed.

(3) Prescribed by the commanding officer for all or part of his command not more frequently than once during any one calendar week, not more than three (3) times during any one calendar month,

nor more than sixteen (16) times during any one fiscal year.

(c) For Aviation Units, equivalent instruction or duty must be:

(1) A period of not less than two (2) hours' duration and may be conducted on any one day of the week, holidays included.

(2) Performed only at such times as may be acceptable to the commanding officers of Naval Air Stations or the commanding officers of Naval Air Reserve Training Units concerned or the commanding officers of Coast Guard Air Stations concerned.

(3) Conducted on days other than those on which a regular drill is conducted for the unit to which attached.

(4) Prescribed by the commanding officer for all or part of his command not more frequently than twice during any one calendar week, not more than four (4) times in any one calendar month; nor more than sixteen (16) times during any one fiscal year.

(5) Certified as having been performed by the commanding officer of the Naval Air Station or Naval Air Reserve Training Unit or Coast Guard Air Station at which training was conducted.

6. A new § 8.5307 is hereby added as follows:

§ 8.5307 *Group training.* (a) Personnel of Organized or Volunteer Units of the Reserve may be authorized by the District Commander under written orders for training duty with or without pay, to perform short periods of less than four (4) days of group training duty on board vessels or at shore stations.

(b) Employment of a single set of orders is authorized for the individuals comprising a group, provided the grade or rate and unit to which attached is stated therein opposite their respective names.

(c) Physical examinations shall be in accordance with § 8.1404.

(d) Appropriate records shall be maintained by the District Commander.

7. A new § 8.5308 is hereby added as follows:

§ 8.5308 *Annual training duty.* (a) The Commandant may prescribe annual training duty with pay for personnel of the Organized Reserve and the Volunteer Reserve to be performed on board vessels or at shore stations designated for this purpose.

(b) Quotas and instructions for such training shall be as determined by the Commandant.

8. A new § 8.5309 is hereby added as follows:

§ 8.5309 *Minimum training requirements.* (a) Under the Reserve regulations prescribed in § 8.1106 (c), the Commandant, with the approval of the Secretary of the Treasury, may prescribe minimum training requirements and minimum standards of performance of training duty for retention of personnel in an active reserve status. The Commandant may transfer to the inactive reserve status list any officer or enlisted personnel who fails to meet such minimum requirements and standards.

(b) The Commandant, with the approval of the Secretary of the Treasury, may prescribe the conditions under which officers and enlisted personnel who have been transferred to the inactive reserve status list may become eligible for restoration to an active reserve status. The Commandant may transfer officer and enlisted personnel who become so eligible to an active reserve status.

(c) The Commandant, with the approval of the Secretary of the Treasury, may prescribe minimum training requirements for officer personnel to become eligible for promotion under §§ 8.3103 to 8.3112, inclusive, of Reserve regulations; the names of officer personnel who thereafter fail to conform to such minimum training requirements, shall not be submitted to a promotion board and such personnel shall not receive consideration for promotion during any period in which they have failed so to conform.

9. Section 8.3101 is hereby amended to read as follows:

§ 8.3101 *Promotion zone.* The promotion zone for officers of the Reserve in each grade shall include all officers of the Reserve who are performing extended active duty or are in the Organized or Volunteer Reserve and whose running mates have been, or are scheduled to be, considered by a promotion board for officers of the Coast Guard; *Provided,* That the Commandant, with the approval of the Secretary of the Treasury, may prescribe minimum training requirements for officer personnel to become eligible for promotion under §§ 8.3103 to 8.3112 inclusive, of Reserve regulations; the names of officer personnel who thereafter fail to conform to such minimum training requirements, shall not be submitted to a promotion board and such personnel shall not receive consideration for promotion during any period in which they have failed so to conform.

(63 Stat. 551, as amended; 14 U. S. C. Sup., 751)

Approved: February 29, 1952.

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

Concurred in: March 11, 1952.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 52-3312; Filed, Mar. 21, 1952; 8:47 a. m.]

Subchapter L—Security of Waterfront Facilities

[CGFR 52-18]

PART 125—IDENTIFICATION CREDENTIALS FOR PERSONS REQUIRING ACCESS TO WATERFRONT FACILITIES OR VESSELS

TEMPORARY IDENTIFICATION CREDENTIALS

Pursuant to the authority of 33 CFR 6.10-3 in Executive Order 10173, as amended by Executive Order 10277 (15 F. R. 7007, 3 CFR 1950 Supp., 16 F. R. 7537), the Commandant, United States Coast Guard, may define and designate those categories of vessels and waterfront facilities wherein any person seeking access shall be required to carry identification credentials as prescribed in 33 CFR 6.10-7 and 125.11. The purpose of the new regulation, designated 33 CFR 125.37 (d) is to authorize the issuance and recognition of letters signed by the Coast Guard District Commander or Captain of the Port to serve in lieu of identification credentials listed in 33 CFR 125.11 for a period of time not to exceed sixty days in order to permit employment of members of crews of towing vessels or barges engaged in trade on the Great Lakes or the western rivers pending the issuance of a United States Coast Guard Port Security Card. Since the new regulation is a relaxation of present requirements and procedures, it is found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof, of the Administrative Procedure Act is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order 10173, as amended by Executive Order 10277, § 125.37 is amended by adding a new paragraph reading as follows, which shall be in effect on and after the date of publication of this document in the FEDERAL REGISTER:

§ 125.37 *Requirements for credentials; towing vessels or barges engaged in trade on the Great Lakes or the western rivers.* * * *

(d) At the discretion of the District Commander a member of the crew of a vessel defined in paragraph (a) of this section may be furnished a letter signed by the District Commander or the Captain of the Port and this letter shall serve in lieu of a Coast Guard Port Security Card and will authorize his employment for a period not to exceed sixty days, and such a letter issued shall be deemed as satisfactory identification within the meaning of § 125.11. The issuance of the letter shall be subject to the following conditions:

(1) The services of the person are necessary to avoid delay in the sailing of the vessel;

(2) The person does not possess one of the identification credentials listed in § 125.11;

(3) The person has filed his application for a Coast Guard Port Security Card or submits his application before the letter is issued; and,

(4) The person has been screened by the District Commander or Coast Guard Captain of the Port and such officer is satisfied concerning the eligibility of the applicant to receive a temporary letter.

(40 Stat. 220, as amended; 50 U. S. C. 191. E. O. 10173, Oct. 18, 1950, 15 F. R. 7005; 3 CFR 1950 Supp., p. 140)

Dated: March 19, 1952.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 52-3313; Filed, Mar. 21, 1952; 8:47 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 24—SANITATION, HEALTH, AND QUARANTINE

CROSS REFERENCE: For revision of §§ 24.57 and 24.61 see Canal Zone Order 25 in appendix to this chapter, *infra*.

Appendix—Canal Zone Orders

[Canal Zone Order 25]

AMENDMENT OF CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 4314 OF SEPTEMBER 25, 1925, AS AMENDED, RELATING TO MARITIME AND AIRCRAFT QUARANTINE IN THE CANAL ZONE

By virtue of the authority vested in the President by section 371 of title 2 of the Canal Zone Code, and delegated to the Secretary of the Army by Executive Order No. 9746 of July 1, 1946, as amended by Executive Order No. 10101 of January 31, 1950, it is ordered as follows:

1. Rule 119c of Executive Order No. 4314 of September 25, 1925, as amended by Canal Zone Order No. 15 issued by the Secretary of the Army on July 15, 1948 (35 CFR 24.57), establishing rules governing the navigation of the Panama Canal and adjacent waters, and governing maritime and aircraft quarantine in the Canal Zone, is amended to read as follows:

RULE 119c. *General provision.* (a) A vessel or aircraft arriving at a port of the Canal Zone shall undergo quarantine inspection prior to disembarking passengers, officers or crew members, or discharging baggage or cargo unless:

(1) In the current voyage the vessel or aircraft has not touched at any port other than ports under the control of the United States or in the Republic of Panama or ports in Canada, the Islands of St. Pierre and Miquelon, Iceland, Greenland, the West Coast of Lower California, Cuba, the Bahama Islands, the Bermuda Islands, or the Islands of Aruba and Curacao; or

(2) The vessel or aircraft possesses a duplicate of a pratique issued at a port under the control of the United States, provided that since receiving such pratique the vessel or aircraft has not touched at ports other than those listed in the preceding paragraph.

(b) A vessel or aircraft otherwise exempt from inspection under the provisions of paragraph (a) (1) or (2) of this section shall undergo quarantine inspection prior to entering a port of the Canal Zone if the vessel or aircraft:

(1) Has aboard a person infected or suspected of being infected with anthrax, chickenpox, cholera, dengue, diphtheria, infectious encephalitis, measles, meningococcus meningitis, plague, poliomyelitis, psittacosis, scarlet fever, smallpox, streptococcic sore throat, typhoid fever, typhus, yellow fever, or with any illness characterized by fever and/or skin rash, or

(2) Arrives from a port where at the time of departure there was present or suspected of being present cholera, plague, or yellow fever, or where there was significant increase in prevalence of smallpox or typhus at the time the vessel or aircraft touched there.

2. Rule 119g, as amended (35 CFR 24.61), is amended to read as follows:

RULE 119g. *Vessels: Awaiting inspection.* A vessel shall fly a yellow flag, anchor in the prescribed anchorage, and await inspection; provided, however, that if the Health Director of the Canal Zone Government is of the opinion that the proceeding of the vessel to some other designated point in the port would not be likely to cause the introduction of communicable disease, he may direct the vessel to proceed to such a point to await inspection.

(Sec. 1, 39 Stat. 527, as amended; 2 C. Z. Code 371, 372; 48 U. S. C. 1310)

FRANK PACE, Jr.,
Secretary of the Army.

MARCH 10, 1952.

[F. R. Doc. 52-3390; Filed, Mar. 21, 1952; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 949]

HANDLING OF MILK IN THE SAN ANTONIO, TEXAS, MARKETING AREA

NOTICE OF CORRECTION OF DECISION

Notice is hereby given that the order of the Secretary directing that a referendum be conducted; determination of a representative period; and designation of an agent to conduct such referendum contained in the decision of the Acting Secretary of Agriculture with respect to a proposed marketing agreement and order regulating the handling of milk in the San Antonio, Texas, marketing area, as published in the FEDERAL REGISTER on March 18, 1952 (17 F. R. 2327; F. R. Doc. 52-3124), is hereby corrected as follows:

Delete from column 2, paragraph 5, line 9, and column 3, paragraph 1, line 1, 17 F. R. 2333; F. R. Doc. 52-3124, the words "December 1951" and substitute therefor the words "January 1952."

Done at Washington, D. C., this 20th day of March 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-3407; Filed, Mar. 21, 1952; 10:54 a. m.]

[7 CFR Part 974]

[Docket No. AO-176-A9]

HANDLING OF MILK IN COLUMBUS, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Correction

In F. R. Doc. 52-3319, appearing at page 2450 of the issue for Friday, March 21, 1952, the signature should have read "George A. Dice."

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

CHIEF, MANAGEMENT AND LIQUIDATION BRANCH, AND MANAGER, NEW YORK OFFICE

ORGANIZATION AND DELEGATIONS OF FINAL AUTHORITY

Subparagraphs 4 (d) (2) (iii) and 4 (h) (2) (ii) of the Statement of Organization and Delegations of Final Authority of the Office of Alien Property, as amended (16 F. R. 7880-7881), authorize the Chief, Management and Liquidation Branch, and the Manager, New York Office, severally, to demand and to accept payment of royalties and other monies due the Attorney General with respect to patents, applications for patents, trademarks, licenses, and interests therein. These functions are no longer performed by the Manager, New York Office, and the payments are made to this Office at Washington, D. C. Accordingly, subparagraph 4 (h) (2) (ii) of such Statement and Delegations is amended to read as follows:

4. *Organization.* * * *

(h) *New York Office.* * * *

(2) The Manager, New York Office, is authorized: * * *

(ii) To take custody of any property or interest therein, which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to

accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to said act; and, where necessary and appropriate in connection with the foregoing, to execute such documents as may be necessary to evidence any such action, including receipts, surrenders, releases, or other similar instruments.

(Sec. 7, 40 Stat. 416, 50 U. S. C. App. 7; Sec. 301, 55 Stat. 839, 50 U. S. C. App. 5; Sec. 3, 60 Stat 418, 64 Stat. 1116, 22 U. S. C. and Sup. 1382; E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp.; E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp.; E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.; E. O. 9989, August 20, 1948, 13 F. R. 4981, 3 CFR, 1948 Supp.; E. O. 10244, May 17, 1951, 16 F. R. 4639; E. O. 10254, June 15, 1951, 16 F. R. 5829)

Executed at Washington, D. C., on March 17, 1952.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-3315; Filed, Mar. 21, 1952; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SALE OF MINERAL INTERESTS

REVISED AREA DESIGNATIONS

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's Order dated June 26, 1951 (16 F. R. 6318), are amended as follows:

In Schedule A, under Georgia, in alphabetical order, add the counties "Sumter" and "Macon."

In Schedule A, under Ohio, in alphabetical order, add the county "Washington."

In Schedule B, under Georgia, delete the counties "Sumter" and "Macon."

In Schedule B, under Ohio, delete the county "Washington."

(Sec. 3, Pub. Law 760, 81st Cong.)

Done at Washington, D. C., this 19th day of March 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-3334; Filed, Mar. 21, 1952; 9:09 a. m.]

Commodity Credit Corporation

KENAF PROGRAM

NOTICE OF 1952-CROP PLANTING

Notice is hereby given that the Secretary of Agriculture, through the Commodity Credit Corporation, will undertake a purchase program to obtain a supply of kenaf fiber. The Corporation will offer to purchase a maximum of 7,500 tons of kenaf fiber, or under certain circumstances some kenaf seed in lieu of fiber, harvested after March 31, 1952, and prior to March 31, 1953. Prices to be paid for kenaf fiber under the program range from 10 cents a pound to 32 cents a pound depending on the grade. Purchases will be made in Pinellas, Hillsborough, Polk, Osceola and Brevard Counties in Florida and in Florida counties south of such counties, in United States Possessions in the Western Hemisphere and in other Western Hemisphere countries. Detailed terms and conditions under which purchases will be made are contained in the contract forms.

Any person or company desiring to enter into a purchase contract with Commodity Credit Corporation must first file an application in writing with the Cotton Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. The application should show the number of pounds requested, the area in which fiber will be produced and the name and address of the applicant. All applications received by the Cotton Branch by March 26, 1952, will be considered for allotments against the 7,500 tons of fiber to be purchased. Applications for allotments received after March 26, 1952, will be considered if any portion of the 7,500 tons remains unallocated. Information, application blanks, and contract forms with respect to the program may be obtained from the Cotton Branch.

Issued this 19th day of March 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 52-3317; Filed, Mar. 21, 1952; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1904]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

MARCH 17, 1952.

Take notice that on March 3, 1952, United Gas Pipe Line Company (Applicant), a Delaware corporation having its principal place of business at Shreveport, Louisiana, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to construct and operate facilities to connect with facilities to be constructed by United Gas Corporation for natural-gas service to the towns of Hall Summit, Keatchie, Eros, and Oak Ridge, all in Louisiana.

Applicant would construct and operate 4.4 miles of 2-inch line and appurtenant facilities extending from a point on its 24-inch and 20-inch Carthage-Sterlington lines near Milepost 63 southwesterly to United Gas Corporation's proposed distribution systems for the Town of Hall Summit; 1.8 miles of 2-inch line extending from Applicant's said lines near Milepost 25 northerly to United Gas Corporation's proposed distribution system for the town of Keatchie; 0.7 miles of 2-inch pipeline extending from Applicant's Auga, Dulce-Sterlington line, presently under construction, northwesterly to United Gas Corporation's proposed distribution system for the town of Eros; and 3.6 miles of 2-inch line extending from Applicant's Sterlington-Jackson 18-inch line near Milepost 19 northerly to United Gas Corporation's proposed distribution system for the town of Oak Ridge.

Applicant's estimated 1952 peak day demand for the four towns is 363 Mcf. The estimated cost of the facilities to be constructed is approximately $66,000. Applicant requests temporary authorization to construct and operate such facilities, and requests that its application be heard under the shortened procedure provided by the Commission's rules.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 4th day of April 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-3299; Filed, Mar. 21, 1952; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 874, Amdt. 1[1] to Corr. 2d Rev. General Permit 8]

LIVESTOCK FEED WITH HIGH MOLASSES CONTENT

EXTENSION OF EXPIRATION DATE

Pursuant to the authority vested in me in paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), good cause appearing therefor: *It is ordered,* That:

Corrected Second Revised General Permit No. 8 is hereby amended by substituting the following paragraph for the third paragraph thereof:

This General Permit shall expire at 11:59 p. m., September 15, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 11:59 p. m., March 15, 1952; that a copy of this amendment and direction 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 amendment 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.

Issued at Washington, D. C., this 18th day of March 1952.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 52-3307; Filed, Mar. 21, 1952; 8:46 a. m.]

[1] Amendment No. 2 issued in error.

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-142, 59-34]

WEST PENN ELECTRIC CO. ET AL.

SUPPLEMENTAL ORDER AUTHORIZING AND DIRECTING PAYMENT OF SHARES

MARCH 17, 1952.

In the matter of the West Penn Electric Company et al., File No. 54-142; American Water Works and Electric Company, Incorporated, and subsidiary companies (American Water Works and Electric Company, Inc., dissolved and liquidated, the West Penn Electric Company being successor both as to assets and obligations), File No. 59-34.

American Water Works and Electric Company, Incorporated ("American"), a registered holding company, having heretofore filed a Plan, including amendments thereto, under section 11 (e) of the Public Utility Holding Company Act of 1935, providing for the liquidation and dissolution of American; said Plan having been approved by the Commission by its supplemental findings, opinion and order dated February 17, 1947, and ordered enforced by the United States District Court for the District of Delaware on March 19, 1947; and said Plan having provided, among other things, for the retirement of American's then outstanding 6 percent Cumulative Preferred Stock by the payment to the holders thereof of an amount of cash equal to their liquidation preference of $100 per share and accrued dividends together with the issuance for each share of such stock of one certificate evidencing the right to receive such additional amount, if any, as might subsequently be determined to be due by the Commission or a Court;

The Commission having reserved jurisdiction to determine what further amounts, if any, the holders of said certificates are entitled to receive;

American having deposited in escrow, to secure the payment of such amounts, non-interest bearing promissory notes of its successor in interest under the Plan, The West Penn Electric Company ("West Penn"), in the aggregate amount of $2,200,000, which American purchased for cash;

Public hearings having been held, after appropriate notice, on the reserved issue, a recommended opinion by the Division of Public Utilities and briefs and exceptions thereto having been filed, and the Commission having heard oral argument;

The Commission being duly advised and having this day issued its supplemental findings and opinion, concluding therein that a payment of $10 cash on each certificate, plus compensation for delay in payment of such $10 at the rate of 5.45 percent per annum is fair and equitable;

On the basis of said Supplemental Findings and Opinion, and pursuant to the applicable provisions of the act and the rules and regulations thereunder and the jurisdiction heretofore reserved by the Commission in its supplemental findings, opinion and order dated February 17, 1947,

It is ordered, That West Penn be and it hereby is authorized and directed to deposit with the escrow agent cash in an amount sufficient to pay to the holders of the certificates with respect to the 6 Percent Cumulative Preferred Stock of American the sum of $10 for each share of such preferred stock represented by said certificates, plus compensation for delay in payment of said amount at the rate of 5.45 percent per annum from October 15, 1947, to the date payment is made available to certificate holders, and said escrow agent, upon receipt of such deposit, be, and it hereby is, authorized and directed to distribute such amounts to the said certificate holders.

It is further ordered, That this order shall not be operative to authorize or require the carrying out of any of the determinations herein until the United States District Court for the District of Delaware shall have entered an order approving and enforcing said determinations.

It is further ordered, That jurisdiction be, and the same hereby is, reserved for the purpose of entertaining such further proceedings and entering such further orders as may be necessary or appropriate to ensure that the determinations herein made and the action herein ordered are duly accomplished in a manner consistent with the provisions of the act.

It is further ordered, That jurisdiction be, and the same hereby is, reserved with respect to fees and expenses in connection with this supplementary proceeding.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-3301; Filed, Mar. 21, 1952; 8:45 a. m.]

[File No. 812-770]

BOND INVESTMENT TRUST OF AMERICA AND SOUTHERN PRODUCTION CO., INC.

NOTICE OF APPLICATION

MARCH 18, 1952.

The Bond Investment Trust of America, located in Boston, Massachusetts ("Applicant"), a registered investment company, has filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of said section 10 (f) of the act a proposed purchase by Applicant of not exceeding $150,000 principal amount of Fifteen Year -- percent Convertible Debentures of Southern Production Company, Inc. ("Southern") to be publicly offered in the near future. Southern, whose principal offices are located in Fort Worth, Texas, and Shreveport, Louisiana, is principally engaged in producing oil and natural gas, processing gas, operating drilling rigs and exploring for, acquiring and developing prospective and proven oil and gas properties.

James H. Orr, who is one of three trustees of Applicant, and John R. Macomber, who is one of three advisory board members of Applicant, are directors and therefore affiliated persons of The First Boston Corporation, an investment banking organization which participates in the underwriting of securities. Applicant is informed that The First Boston Corporation expects to be among a group of underwriters of $12,500,000 principal amount of Fifteen Year -- percent Convertible Debentures of Southern, shortly to be offered to the public. The board of trustees of Applicant has authorized the purchase by Applicant, at the initial public offering price, of not exceeding $150,000 principal amount of such debentures, such purchase to be made from an underwriter or member of the selling group, if any, other than The First Boston Corporation. Orr and Macomber did not vote in connection with the authorization.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. Section 10 (f) further provides that the Commission by order upon application may conditionally or unconditionally exempt any such purchase or acquisition from the provisions of the section if and to the extent that such exemption is consistent with the protection of investors. Applicant has therefore filed the instant application for an order of the Commission exempting the proposed purchase from the provisions of section 10 (f).

The application states that if Applicant were to purchase the entire $150,000 principal amount of debentures, it would acquire approximately 1.2 percent of the total offering, and that assuming a price of $100 per $100 debenture, the purchase would represent an investment of approximately 2.4 percent of the total assets of the Applicant as of February 29, 1952.

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after March 25, 1952, upon such conditions as the Commission may deem necessary or appropriate unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission, in writing, not later than March 24, 1952, at 5:30 p. m., his views or any additional facts bearing upon the aplication or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application

which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-3302; Filed, Mar. 21, 1952; 8:46 a. m.]

[File No. 812-772]

RAILWAY AND LIGHT SECURITIES CO. AND SOUTHERN PRODUCTION CO., INC.

NOTICE OF APPLICATION

MARCH 18, 1952.

Railway and Light Securities Company, located in Boston, Massachusetts ("Applicant"), a registered investment company, has filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of said section 10 (f) of the act a proposed purchase by Applicant of not exceeding $150,000 principal amount of Fifteen Year __ percent Convertible Debentures of Southern Production Company, Inc. ("Southern") to be publicly offered in the near future. Southern, whose principal offices are located in Fort Worth, Texas, and Shreveport, Louisiana, is principally engaged in producing oil and natural gas, processing gas, operating drilling rigs and exploring for, acquiring and developing prospective and proven oil and gas properties.

James H. Orr, Stedman Buttrick, and Russell Robb are three of the seven members of Applicant's board of directors and are, also, respectively, a director of The First Boston Corporation, a partner of Estabrook & Co., and a director of Stone & Webster, Incorporated, of which Stone & Webster Securities Corporation is a subsidiary. Orr, Buttrick, and Robb are therefore affiliated persons of the latter investment banking organizations which participate in the underwriting of securities. Applicant is informed that The First Boston Corporation and Stone & Webster Securities Corporation expect to be among a group of underwriters of $12,500,000 principal amount of Fifteen Year _____ Percent Convertible Debentures of Southern, shortly to be offered to the public. Applicant has no knowledge whether Estabrook & Co. will be included in the underwriting group or in any selling group which may be formed. The board of directors of Applicant has authorized the purchase by Applicant, at the initial public offering price, of not exceeding $150,000 principal amount of such debentures, such purchase to be made from an underwriter or member of the selling group, if any, other than The First Boston Corporation, Stone & Webster Securities Corporation or Estabrook & Co. Orr, Buttrick and Robb did not vote in connection with the authorization.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. Section 10 (f) further provides that the Commission by order upon application may conditionally or unconditionally exempt any such purchase or acquisition from the provisions of the section if and to the extent that such exemption is consistent with the protection of investors. Applicant has therefore filed the instant application for an order of the Commission exempting the proposed purchase from the provisions of section 10 (f).

The application states that if Applicant were to purchase the entire $150,000 principal amount of debentures, it would acquire approximately 1.2 percent of the total offering, and that assuming a price of $100 per $100 debenture, the purchase would represent an investment of approximately 1.0 percent of the total assets of the Applicant as of February 29, 1952.

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the proposed transaction and the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after March 25, 1952, upon such conditions as the Commission may deem necessary or appropriate unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission, in writing, not later than March 24, 1952, at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-3303; Filed, Mar. 21, 1952; 8:46 a. m.]

[File No. 812-773]

UNITED STATES & FOREIGN SECURITIES CORP. AND UNITED STATES & INTERNATIONAL SECURITIES CORP.

NOTICE OF APPLICATION FOR ORDER EXEMPTING TRANSACTION INVOLVING AFFILIATED PERSONS

MARCH 20, 1952.

Notice is herby given that United States & Foreign Securities Corporation (hereinafter referred to as "Foreign"), a registered investment company, and United States & International Securities Corporation (hereinafter referred to as "International") also a registered investment company, have filed an application pursuant to section 10 (f) and 17 (b) of the Investment Company Act of 1940 for an order of the Commission (1) exempting from the provisions of section 10 (f) of the act the proposed purchase by Foreign of up to 20,000 shares of common stock, and by International of up to 15,000 shares of common stock of Canadian Chemical & Cellulose Company, Ltd. (hereinafter referred to as "Canadian Ltd.") at the initial public offering price of such shares or, to the extent that such shares are not available at such price, at the best price at which such shares are available, and (2) exempting from the provisions of section 17 (a) of the act the purchase of some or all such shares from Dillon, Read & Co., Inc. (hereinafter referred to as "Dillon Read") an affiliated person of an affiliated person of Foreign and International.

Foreign is a diversified, closed-end, management investment company and owns approximately 99 percent of the second preferred stock and approximately 80 percent of the common stock of International. The common stock of International is the only class of its stock entitled to vote. International also is a diversified, closed-end, management investment company. Both Foreign and International have offices at 33 Rector Street, New York, New York.

Foreign and International make studies of various industries and particular companies in those industries to determine what investments they will make. Such studies are made largely through Keswick Corporation, which is a wholly owned subsidiary of Foreign and International. The Keswick Corporation has made a study of Canadian, Ltd., and has recommended to Foreign and International the purchase by each respectively, of up to 20,000 and up to 15,000 shares of the common stock of Canadian, Ltd., without par value. A majority of the directors of each applicant has approved such purchase by it.

Foreign and International are informed as follows: Canadian, Ltd., was incorporated under The Companies Act, 1934, of Canada, in 1951 under the name of Celcana, Ltd. It adopted its present name on February 8, 1952. Canadian, Ltd., was organized by Celanese Corporation of America to utilize certain natural resources of Canada, principally wood and petroleum hydrocarbons, by processing them into cellulosic and chemical products which may be sold as such or combined into other products. Canadian, Ltd., filed with the Commission on March 7, 1952 a registration statement under the Securities Act of 1933 (on Form S-1, No. 2-9495) covering 1,000,000 of its common shares of which 500,000 shares are proposed to be offered for sale by United States underwriters and 500,000 shares by Canadian underwriters. Dillon Read is a principal underwriter of the 500,000 shares proposed to be offered for sale in the United States and, subject to such registration statement becoming effective, the initial public offering will be made on or about March 26, 1952.

Foreign and International each proposes to purchase the shares from one or more of the principal underwriters or in the over-the-counter market at the initial public offering price as will be set forth in the prospectus included in said registration statement when the same becomes effective or, to the extent that such shares are not available at such price, at the best price at which such shares are available. In an effort to obtain such shares, Foreign and International each may purchase some or all of such shares from Dillon Read.

Foreign and International have identical boards of directors, each consisting of ten men. Two of the ten men are C. Douglas Dillon, who is an officer and director of both Foreign and International and of Dillon Read, and Clarence Dillon, who is a director of both Foreign and International but who is neither a director nor an officer of Dillon Read. Each of the two men owns more than 10 percent of the outstanding voting securities of Dillon Read. These two also own, directly or indirectly a very substantial number of shares of the outstanding stock of Foreign and International.

Since C. Douglas Dillon and Clarence Dillon own more than 5 percent of the voting securities of Dillon Read, each is an affiliated person of Dillon Read by reason of the provisions of section 2 (a) (3) (A) of the act and therefore the proposed purchase of such shares of common stock is prohibited by section 10 (f) of the act unless the Commission by order issued pursuant to section 10 (f) exempts the transaction from the prohibition of the act. In addition, as a result of the ownership of such securities, Dillon Read is an affiliated person of C. Douglas Dillon and of Clarence Dillon by reason of section 2 (a) (3) (B) of the act, and by reason of the fact that C. Douglas Dillon and Clarence Dillon are directors of Foreign and International each is an affiliated person of Foreign and International by reason of section 2 (a) (3) (D) of the act. Therefore the proposed purchase of some or all of such shares from Dillon Read, who is an affiliated person of an affiliated person of Foreign and International, is prohibited by section 17 (a) of the act unless the Commission by order issued pursuant to section 17 (b) of the act exempts the purchase from the prohibition of the act.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time on or after March 27, 1952, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than March 26, 1952, at 5:30 p. m., e. s. t., submit in writing to the Commission his views or any additional facts bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-3380; Filed, Mar. 21, 1952; 8:56 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority No. 22, Revision 2]

REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AND TO FIX CEILING PRICES UNDER SECTION 16 (B), OF CPR 67

By virtue of the authority vested in me as Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2, as amended (16 F. R. 738, 11626), this Revision 2 to Delegation of Authority No. 22, Revision 1 (17 F. R. 219), is hereby issued.

1. *Authority to act under section 5 of CPR 67.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to approve, pursuant to section 5, CPR 67, a price-determining method for sales at wholesale or retail proposed by a reseller under CPR 67, disapprove such a proposed price-determining method, establish a different price-determining method, by order, or request further information concerning such a price-determining method.

2. *Authority to act under section 16 (b) of CPR 67.* Authority is hereby delegated to the Directors of Regional Offices of the Office of Price Stabilization to issue orders, pursuant to section 16 (b) of CPR 67, fixing ceiling prices for any person subject to this regulation who fails to keep the records, file the reports, and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

3. *Redelegation of authority.* The authority herein delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This Revision 2 to Delegation of Authority No. 22, Revision 1, shall take effect on March 22, 1952.

ELLIS G. ARNALL,
Director of Price Stabilization.

MARCH 21, 1952.

[F. R. Doc. 52-3430; Filed, Mar. 21, 1952; 12:04 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 11, Amdt. 3]

GENERAL MOTORS CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES; CLARIFICATION

Statement of considerations. Inquiries received from dealers in passenger automobiles manufactured by the General Motors Corporation indicate that there is some misunderstanding as to whether all 1952 cars received by them at prices established by the manufacturer in accordance with the OPS Order granting the General Motors Corporation an adjustment in their prices pursuant to Supplementary Regulation 1 to Ceiling Price Regulation 1, Revision 1, may be sold by these dealers at the basic prices established in this Special Order. This amendment clarifies the intention of the Director that dealers in passenger automobiles manufactured by the General Motors Corporation be permitted to sell all 1952 cars at prices which reflect their existing markup as required by section 402 (k) of the Defense Production Act of 1950, as amended, commonly referred to as the Herlong amendment. Those 1952 cars received by a dealer at the lower prices in effect prior to the issuance of the order granting the manufacturer the increase, must be sold at the prices in effect prior to the issuance of this Special Order.

Amendatory provisions. For the reasons set forth in the statement of considerations and pursuant to section 2 of CPR 83, this amendment to Special Order No. 11 is hereby issued.

(1) The first sentence of paragraph numbered 1. is amended to read as follows:

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of 1952 model automobiles manufactured by the General Motors Corporation and which were delivered to such sellers at prices reflecting the adjustment provided for in Letter Order 3, dated January 17, 1952, for the several body styles in each line or series are as follows:

(2) The first sentence of paragraph numbered 2. is amended to read as follows:

2. The charges for factory installed extra, special or optional equipment which wholesalers and retail sellers will use in determining the ceiling prices of 1952 model automobiles manufactured by the General Motors Corporation and which were delivered at prices reflecting the adjustment provided for in Letter Order 3 dated January 17, 1952, are as follows:

Effective date. This amendment to Special Order 11 shall become effective March 21, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MARCH 21, 1952.

[F. R. Doc. 52-3428; Filed, Mar. 21, 1952; 12:04 p. m.]