THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

FEDERAL REGISTER

VOLUME 10 NUMBER 116

Washington, Tuesday, June 12, 1945

The President

EXECUTIVE ORDER 9567

AMENDING EXECUTIVE ORDER NO. 9095, AS AMENDED BY EXECUTIVE ORDER NO. 9193, TO DEFINE FURTHER THE FUNCTIONS AND DUTIES OF THE ALIEN PROPERTY CUSTODIAN WITH RESPECT TO PROPERTY OF GERMANY AND JAPAN AND NATIONALS THEREOF

By virtue of the authority vested in me by the Constitution, by the First War Powers Act, 1941 (50 U.S.C. App., Sup., 601 et seq.), by the Trading with the Enemy Act of October 6, 1917, as amended (50 U.S.C. App., Sup., 1 et seq.), and as President of the United States, it is hereby ordered as follows:

Section 2 (c) of Executive Order No. 9095 of March 11, 1942, as amended by Executive Order No. 9193 of July 6, 1942 (3 CFR Cum. Supp.), is amended to read as follows:

"(c) any other property or interest within the United States of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country or national thereof: *Provided, however,* That with respect to any such country or national other than Germany or Japan or any national thereof, such property or interest shall not include cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange, and securities except to the extent that the Alien Property Custodian determines that such cash, bullion, moneys, currencies, deposits, credits, credit instruments, foreign exchange, and securities are necessary for the maintenance or safeguarding of other property belonging to the same designated enemy country or the same national thereof and subject to vesting pursuant to section 2 hereof;"

HARRY S. TRUMAN

THE WHITE HOUSE,
June 8, 1945.

[F. R. Doc. 45-10016; Filed, June 8, 1945; 4:44 p. m.]

EXECUTIVE ORDER 9568

PROVIDING FOR THE RELEASE OF SCIENTIFIC INFORMATION

By virtue of the authority vested in me as President of the United States by the Constitution and Statutes, and as Commander in Chief of the Army and Navy, and in order to provide for the release for publication by individuals or groups, in so far as it may be done without prejudice to the public interest, of certain scientific and technical data now or hereafter withheld from public dissemination for the purpose of national military security, to the end that such information may be of maximum benefit to the public, it is hereby ordered as follows:

1. For the purpose of determining what portion thereof should be released for publication and making appropriate recommendations therefor to the War and Navy Departments, the Director of War Mobilization and Reconversion (hereinafter referred to as the Director) is hereby authorized to review all scientific and technical information, which (1) has been, or may hereafter be developed by, or for, or with funds of any department or agency of the Government, and (2) is now, or may hereafter be classified as secret, confidential, restricted, or by other comparable designation, or otherwise withheld from the public for purposes of the national military security. This information is hereinafter referred to as scientific information.

2. All departments and agencies shall furnish the Director all information that he may request as essential to the performance of his duties under this order. Any provision of this order notwithstanding, there shall be excluded from the scope of this order any scientific information which the President shall declare to be in a closed field of information, except as the President shall subsequently remove any such information from the closed field.

3. In determining what scientific information may be released, and generally in the performance of his duties under this order, the Director shall proceed in the manner hereinafter outlined

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THE PRESIDENT

REGULATIONS AND NOTICES

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, 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.

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and in accordance with such procedures as may be adopted by him, utilizing such governmental and private agencies and personnel as he shall deem appropriate:

(a) Should the Director desire to recommend the release for publication of any scientific information, he shall discuss such a proposed release with the department or agency which has classified it or otherwise withheld it from the public, and with other interested agencies.

(b) Notwithstanding objection on the part of the agency which has classified or otherwise withheld information, the Director may recommend release of such information for publication to the Secretary of War or the Secretary of the Navy, whichever shall have primary interest in such information, or to both the Secretary of War and the Secretary of the Navy when they shall both have a substantial interest in such information. The decision of the Secretary of War or the Secretary of the Navy shall be final as to whether the national military security permits that the scientific information in question be released.

(c) The procedure for removing security classifications in order to effectuate the release for publication of scientific information in pursuance hereof shall be determined by the Director.

(d) When it shall be determined that any scientific information may properly be released for publication, the Director shall take such measures as may be appropriate to effectuate the release and publication of such scientific information. In connection with such release and publication, the Director may, in so far as practicable, give, without creating substantive rights, appropriate recognition to the relative professional contribution to such information of those persons or groups of persons who perform for, or at the request of the Government, or with Government funds the research involved in the discovery or development of such information.

4. The Director is authorized, in consultation with the Department of State, to deal with duly accredited representatives of those foreign governments with which exchange of classified information has taken place, in order that similar policies and procedure will be observed so far as practicable by such Governments in dealing with the subject of the declassification and publication of scientific information.

5. To assist the Director in the performance of his duties hereunder, there is hereby established an interdepartmental board to be known as the Publication Board, which shall consist of the Director as Chairman, the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, each of whom may designate an alternate to act in his stead. The Director may from time to time designate a member of the Board as Vice Chairman of the Board. The Secretary of War, the Secretary of the Navy, the Director of the Office of War Information, the Director of the Office of Scientific Research and Development, and the Chairman of the National Advisory Committee for Aeronautics may designate one liaison officer each, who may attend the meetings and participate in the discussions of the Board. The function of the Board shall be to bring to the attention of the Director any information within the scope of this order and to advise with him concerning its release for publication.

6. To assist the Board or the Director in carrying out their respective duties, the Director may establish committees composed of civilian employees of the Government or of officers of the Army

and Navy, or of both such civilians and officers.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 8, 1945.

[F. R. Doc. 45-10111; Filed, June 9, 1945; 2:54 p.m.]

Regulations

TITLE 7—AGRICULTURE

Subtitle A—Offices of the Secretary and the War Food Administrator

PART 6—WAR CONTRACT SETTLEMENT

The Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C. App. Supp. 101-125) (hereinafter called the act) became effective July 21, 1944. This law requires the Department of Agriculture and the War Food Administration (hereinafter called the Department [1]) to carry out the policies and procedures established therein and the regulations promulgated by the Director of Contract Settlement. It is the policy of the Government and the responsibility of the Department to provide war contractors having contracts with the Department and their subcontractors with speedy and fair compensation for the termination of any such war contract, in accordance with and subject to the provisions of the act, giving priority to contractors whose facilities are privately owned or privately operated.

The Department acting pursuant to the provisions of the act has prescribed the following regulations with respect to the settlement of claims arising under terminating war contracts:

SUBPART A—GENERAL PROVISIONS

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

SUBPART C—NOTICE OF TERMINATION

SUBPART D—IMMEDIATE ACTION AFTER TERMINATION

SUBPART E—METHODS OF SETTLEMENT

SUBPART F—SETTLEMENT PROPOSALS FOR FIXED PRICE CONTRACTS

SUBPART G—BASIS FOR NEGOTIATED SETTLEMENT OF FIXED-PRICE CONTRACTS

SUBPART H—SETTLEMENTS NOT MADE BY AGREEMENT

SUBPART I—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

SUBPART J—CLAIMS UNDER DEFECTIVE INFORMAL, OR QUASI CONTRACTS

SUBPART K—REMOVAL AND STORAGE OF MATERIAL

SUBPART L—INTEREST

SUBPART M—INTERIM FINANCING

AUTHORITY: §§ 6.1 to 6.43, inclusive, issued under Contract Settlement Act of 1944, 58 Stat. 649.

SUBPART A—GENERAL PROVISIONS

§ 6.1 *Definitions.* (a) All terms used in this part which are used in the Contract Settlement Act of 1944 have the same meaning as given such terms in such act.

(b) "War contract" is defined in the act, in effect, as a contract "connected with or related to the prosecution of the war". In view of the large number of transactions of differing type and purpose entered into by the Department under a wide range of program activities which may or may not be related to the war effort, whether or not any such transaction is a war contract shall be determined by the Director of Surplus Property and Reconversion after consultation with the Solicitor.

(c) The "terminating officer" with respect to any particular contract shall be the head of the office, agency, or bureau having jurisdiction over such contract, or the officer designated by the head of such office, agency, or bureau.

(d) "Settlement Review Board" in any individual case means the Settlement Review Board designated by the head of the office, agency, or bureau within the Department which had jurisdiction over the terminated contract under which the settlement is being made.

(e) "Director of Surplus Property and Reconversion" means the Director of Surplus Property and Reconversion of the United States Department of Agriculture and the War Food Administration.

§ 6.2 *Orders and regulations of the Director of Contract Settlement.* The exercise of any authority or discretion and the performance of any duty or function conferred or imposed by this part shall be subject to the orders or regulations issued by the Director of Contract Settlement within the scope of the authority conferred upon him by the act. Such orders or regulations, whenever issued, must be complied with by all officers and employees of the Department whose duties or functions are affected thereby. Anything contained in this part which may be inconsistent with any such order or regulation will be deemed amended so as to remove such inconsistency.

§ 6.3 *Assistance to war contractors.* Employees of the Department dealing in any capacity with the war contract terminations shall as a part of their official duties advise, aid, and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters, *Provided,* That the employees do not receive therefor benefits or compensation of any kind directly or indirectly from the war contractor.

§ 6.4 *Amendments to provide for fair compensation.* (a) Contracting officers of the Department may, to the extent deemed feasible, give prime war contractors an opportunity to amend their war contracts to include the "Uniform Termination Article for Fixed-price Supply Contracts" set forth in Office of War Mobilization Directive Order No. 1.[2]

(b) Contracting officers of the Department may embody in any war contract with a prime contractor a special agreement with respect to amount of fair compensation, upon termination in accordance with Regulation 3 of the Office of Contract Settlement (9 F.R. 11854).

§ 6.5 *Scope of review by Settlement Review Boards.* The sole function of the Settlement Review Board is to determine the over-all reasonableness of the proposed settlement from the standpoint of protecting the Government's interest.

§ 6.6 *Determining amount of claim or settlement.* When any action under this part depends upon the amount of a termination claim or settlement, then, unless specifically provided otherwise, in determining the amount of claim or set-

[1] As used herein the word "Department" means the War Food Administration whenever the action contemplated by this regulation relates to a contract under the jurisdiction of any office or agency comprising the War Food Administration.

[2] 9 F.R. 478.

tlement (a) credits for retention or disposal of termination inventory allocated to the claim and advance or partial payments shall not be deducted from the gross claim or settlement, but (b) amounts payable for completed articles or work at the contract price, for the discharge of termination claim of subcontractors and for interest shall be deducted.

§ 6.7 *Notice from war contractors.* Any request, demand, or notice required or authorized to be made under this part shall be given or made in writing by registered mail, postage prepaid.

§ 6.8 *Supervision.* All functions and duties hereby conferred or imposed upon any officer of the Department shall be performed under the general supervision of the Director of Surplus Property and Reconversion.

§ 6.9 *Authorizations.* The head of each agency, office, or bureau is hereby vested with authority to terminate war contracts; to create settlement review boards, where necessary; to handle defective, informal and quasi contracts; to provide interim financing; to do all acts not otherwise assigned which are required or authorized under these regulations, the regulations of the Director of Contract Settlement, and the act, and, except as otherwise specifically provided, to delegate to subordinates any or all of the powers and duties vested in him. Such head may prescribe such conditions, regulations, and restrictions as he may deem necessary for the Department within his agency of the functions provided for hereunder as are consistent with this part.

SUBPART B—ADVANCE PREPARATIONS FOR TERMINATION SETTLEMENTS

§ 6.10 *Value of advance preparations.* In order to effectuate the transition from war to civilian production with the greatest possible speed, diligent efforts should be made before actual termination to prepare for the decisions and actions which must be made by war contractors and the Department in connection with the settlement of terminated contracts.

§ 6.11 *Types of advance preparation.* Preparation for termination with any contractor may take the form of:

(a) Advance planning, consisting of:

(1) Discussions with the contractor relating to termination education, organization, procedures and problems; and

(2) Tentative understanding or arrangements, not binding upon the Government or the contractor, covering some or all elements of the termination settlement; or

(b) Pretermination agreements between the Department and the contractor covering the elements of the termination settlement in accordance with Regulation 3 of the Office of Contract Settlement.[3]

[3] 9 F.R. 11854.

§ 6.12 *Conditions applicable to use of pretermination settlement agreements.* Pretermination settlement agreements may be made only when the contractor has had sufficient experience in the type of production to which the contract relates to insure reasonable accuracy of the information on which the agreement is based. When an agreement involves a forecast of the factors involved in determining fair compensation, the available data must permit a reasonable forecast consistent with sound commercial standards of such factors, and the agreement will so state.

§ 6.13 *Approval required.* Whenever any pretermination settlement agreement, in an original contract or supplement to an existing contract, involves major elements of a termination settlement, it must be approved by the Director of Surplus Property and Reconversion before it will be considered a binding agreement upon the Department.

§ 6.14 *Subcontractor pretermination agreements.* Pretermination agreements in subcontracts will be recognized on substantially the conditions applicable to such agreements in prime contracts stated in § 6.12. Any settlements made in accordance with such agreement are subject to review to the same extent as other subcontract settlements.

SUBPART C—NOTICE OF TERMINATION

§ 6.15 *Notice of termination.* The terminating officer will give each prime contractor, work under whose contract is terminated for the convenience or at the option of the Government, notice of such termination. Such notice shall be given as far in advance of cessation of work under the contract as is feasible and consistent with the national security without permitting unneeded production or performance.

§ 6.16 *Election to treat suspension notice as termination notice.* Whenever the terminating officer directs a prime contractor to cease or suspend all or a substantial part of work under prime contract, without terminating the contract, then, unless the contract otherwise provides, (a) the Department shall compensate the contractor for reasonable costs and expenses resulting from such cessation or suspension, and (b) if the cessation or suspension extends 30 days or more, the contractor may elect to treat it as a termination by delivering written notice of his election so to do to the terminating officer, at any time before the contractor is directed to resume work under the contract.

SUBPART D—IMMEDIATE ACTION AFTER TERMINATION

§ 6.17 *Stoppage of work.* The prime contractor must discontinue the making of subcontracts and must take all necessary steps to stop work as promptly as possible on and after the effective date of the termination notice, except that the prime contractor may continue any part of the work for his own account, unless the notice expressly provides otherwise.[4] The prime contractor is not entitled to compensation or reimbursement of costs, for work done after he should have stopped work, or for work continued on his own account. The contractor should immediately call to the attention of the terminating officer any special circumstances which make it necessary or desirable to continue some or all of the work for the account of the Government in order to avoid waste of materials or work in process or injury to the plant or other property.[4] The terminating officer is authorized to modify the notice of termination in appropriate cases.

§ 6.18 *Termination of subcontracts.* Except as the termination notice provides otherwise, the prime contractor must take steps to terminate, with or without the consent of the subcontractors, all unperformed or partially performed subcontracts related to the terminated portion of the prime contract, except that he may continue any such subcontracts for his own account unless the notice expressly provides otherwise. Such subcontracts must be terminated as promptly as practical on and after the effective date of the termination notice or if the termination notice so provides, at such later time as the terminating officer may direct. The prime contractor will notify his subcontractors of the termination as far in advance of the effective date as possible. Subcontractors, in turn, should be required to pass along the same requirements to their immediate subcontractors. If any subcontractor continues work after it should have been stopped, neither he nor the prime contractor is entitled to compensation or reimbursement from the Government for such work.

§ 6.19 *Termination inventory.* The prime contractor and each subcontractor must use reasonable care, and, in addition, take such action as the terminating officer may direct or approve, to protect and preserve property in his possession in which the Government has or may acquire an interest, and to reduce or prevent loss or damage to the Government.

§ 6.20 *Notice of suits.* The prime contractor should promptly notify the terminating officer in writing of any legal proceedings against the contractor based upon any subcontract or commitment related to the terminated contract, which are pending on the effective date of the termination notice or are brought at any time thereafter. The Director of Surplus Property and Reconversion will decide whether to assume control of any such case and defend against such claim by suitable arrangement with the prime contractor.

SUBPART E—METHODS OF SETTLEMENT

§ 6.21 *Methods of settlement.* (a) The act provides that fair compensation to war contractors shall be determined (1) by agreement with the war contrac-

[4] See also Director of War Mobilization and Reconversion regulation entitled "Processing of Uncompleted Items; Retention of Work in Progress by Contractor; Taking over of Contracts by Other Agencies or Governments" dated October 24, 1944 (9 F.R. 12850).

tor, (2) by determination without agreement, (3) by any combination of these two methods, and (4) by arbitration.

(b) It is the policy of the Department to settle termination claims by agreement to the maximum extent feasible. Other methods of settlement will be resorted to only when a termination claim cannot be fairly settled by agreement.

§ 6.22 *Duty to submit claim promptly.* Each war contractor should prepare and submit his own claim as promptly as possible without waiting for the claims of his subcontractors. Likewise, a war contractor should promptly transmit up the contractual chain all his settlements with his subcontractor which require approval by the Department.

SUBPART F—SETTLEMENT PROPOSALS FOR FIXED-PRICE CONTRACTS [5]

§ 6.23 *Forms.* In order to expedite the preparation and review of settlement proposals, the Director of Contract Settlement has prescribed standard forms for settlement proposals under fixed-price war supply contracts.[6] The forms are for use by prime contractors and their subcontractors. The forms are designed to present the information required both for settlement of the claim and for disposal of termination inventory.

§ 6.24 *Deviation from forms.* Although minor deviations from the requirements of the forms are permissible, prior approval of the Department or the customer (contractor in the next higher tier) must be obtained for any substantial deviation from the requirements. A contractor receiving such approval may not require his subcontractors to submit their proposals on other than the prescribed standard forms. The terminating officer, with the approval of the Director of Surplus Property and Reconversion, may authorize substantial deviations in the standard form or the use of some other suitable form for presenting the proposal.

SUBPART G—BASIS FOR NEGOTIATED SETTLEMENT OF FIXED-PRICE CONTRACTS

§ 6.25 *General standards for negotiating settlement.* The primary objective in negotiating a settlement is to agree to an amount to compensate the war contractor for work done and the preparations made for the terminated portion of the contract, with such allowance for profit thereon as is reasonable under the circumstances. Such fair compensation is inherently a matter of judgment. In a given case, various methods may be equally appropriate for arriving at fair compensation; and differing amounts, resulting from reasonable variations of methods and sound judgment, may all be regarded as constituting fair compensation. Costs and accounting data, like other criteria for judgment, are to be regarded as guides to the ascertainment of fair compensation and not as rigid measures of it. The amount agreed upon may be determined as an entirety, leaving flexibility in the determination of any particular element entering into the final result. However, in the consideration of costs and profits as elements of the total amount to be agreed upon as fair compensation, certain principles set forth in §§ 6.26 and 6.27 hereof should be observed to the extent not inappropriate in the light of the particular contract.[7]

§ 6.26 *Costs.* Regulation No. 5 of the Office of Contract Settlement (9 F.R. 12282) sets forth a Statement of Principles for the Determination of Costs upon Termination of Government Fixed-Price Supply Contracts (hereinafter referred to as the Statement of Cost Principles). To serve as a guide in interpreting and applying the Statement of Cost Principles, the Director of Contract Settlement has issued Regulation No. 14 (10 F.R. 2312), amended (10 F.R. 3925), and incorporated therein certain Termination Cost Memorandums.[8]

§ 6.27 *Profits.* Profits should be limited to preparations made and work done for the terminated portion of the contract; but, subject to this limitation, any reasonable method of arriving at a fair profit may be used. Regulation 7 of the Office of Contract Settlement (9 F.R. 12285) sets forth certain standards for guidance in determining profit.

SUBPART H—SETTLEMENTS NOT MADE BY AGREEMENT

§ 6.28 *Determination without agreement.* (a) In cases where termination claims are not settled by agreement and the amount of fair compensation is for determination by the Department pursuant to subsection (c) of section 6 and subsection (a) of section 13 of the act, the terminating officer is authorized to make such determination. In making such determination, the terminating officer will take into account the includible charges, and shall exclude as elements of cost, the items listed in subsection (d) of section 6 of the act; subject, however, to such inclusions or exclusions as the Director of Contract Settlement may by regulation prescribe;[9] however, where the small size of claims or the nature of production or performance or other factors make it impracticable to apply the principles stated in subsection (d) of section 6 of the act, to any class of settlements which are subject to such subsection, the terminating officer in determining fair compensation for that class of termination claims, shall use such other standards or methods as in the particular case will result in the contractor receiving fair compensation: *Provided,* That the aggregate amount of compensation in accordance with this paragraph (excluding costs of the kind referred to in paragraphs (3) and (4) of subsection (d) of section 6 of the act) shall not exceed the total contract price reduced by the amount of payments otherwise made or to be made under the contract.

(b) In cases where the contractor and the terminating officer are unable to settle a claim in full by agreement and the contractor desires to have the Department determine the amount due on the claim or unsettled part pursuant to clause (2) of subsection (a) of section 13 of the act, the contractor shall make written demand for such determination on the terminating officer.

(c) Contractors normally will be given advance notice of the intention on the part of the Department, pursuant to clause (1) of subsection (a) of section 13 of the act, to make a determination of the amount due on any claim or any unsettled part of any claim in cases where the termination claim has not been settled by agreement or has been so settled only in part. Notice of the intention to make any such determination, the amount ultimately determined to be payable, and a copy of the findings by the terminating officer indicating the basis of the determination, shall be forwarded to the contractor over the signature of the terminating officer.

§ 6.29 *Settlement review.* No settlement [10] involving payment to a war contractor of an amount in excess of $50,000 shall become binding upon the Department until such settlement has been reviewed and approved by the appropriate Settlement Review Board of the Department, or not disapproved by such board within thirty (30) days after the date of its submission, or in the event of disapproval by the Settlement Review Board, unless approved by the head of the agency, bureau, or office in which settlement is being made.

§ 6.30 *Arbitration settlement.* (a) Pursuant to subsection (e) of section 13 of the act, the terminating officer and the war contractor asserting the claim, by agreement, may submit all or any part of the termination claim to arbitration, without regard to the amount in dispute. Any war contractor asserting any such claim and desiring so to arbitrate shall serve written notice thereof on the terminating officer and shall give such other notice thereof as may be required by the terms of the war contract.

(b) Pursuant to subsection (f) of section 13 of the act, in addition to the right

[5] In the event the terminated contract is other than a fixed-price contract, appropriate forms and instructions will be sent to the contractor with the notice of termination.

[6] See Office of Contract Settlement Forms 1, 1a, 1b, 2a, 2b, 2c, 2d, and 3, and Instructions for Use of Standard Contract Settlement Proposal Forms (dated Oct. 1, 1944) which were prescribed by the Director of Contract Settlement by Regulation 8, dated Oct. 13, 1944 (9 F.R. 12541), for use by contractors and subcontractors in settling terminated fixed-price war supply contracts.

[7] In this connection, see Office of Contract Settlement Reg. No. 5 (9 F.R. 12282) and Reg. No. 7 (9 F.R. 12285).

[8] Nine Termination Cost Memorandums have been issued as of the date of this regulation. Memorandums Nos. 1 through 8 are published in 10 F.R. 2312; Memorandum No. 9 is published in 10 F.R. 3925.

[9] See for guidance, Office of Contract Settlement, Reg. 5, dated Sept. 30, 1944 (9 F.R. 12282), Reg. 7, dated Oct. 5, 1944 (9 F.R. 12285) and Reg. 14, dated Feb. 22, 1945 (10 F.R. 2312).

[10] Including settlements under defective, informal and quasi contracts.

to submit to the Appeal Board, whenever any dispute exists between any war contractor and a subcontractor regarding any termination claim, either of them, by agreement with the other, may submit the dispute to the terminating officer issuing the termination notice for mediation or arbitration. The war contractor and subcontractor will be notified by such terminating officer as to whether he will undertake the mediation or arbitration.

SUBPART I—APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

§ 6.31 *Settlement of subcontracts without approval.* Settlement of termination claims arising under subcontracts may be made by war contractors without the approval of the Department when such settlements are made on the basis of settlement proposals submitted by subcontractors on copie sof OCS Form 1a (9 F.R. 12547) for use where it is proposed to retain or dispose of all inventory and the amount of the net settlement of termination claims arising under subcontracts without approval in the event that (1) the amount of the claim does not exceed $5,000 and (2) authority has been granted by the Director of Surplus Property and Reconversion to settle such claims. Authority to settle any claim without approval may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Director of Surplus Property and Reconversion. Except as provided in this section, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

§ 6.32 *Approval authority.* Terminating officers are authorized to approve termination claims of subcontractors with respect to those contracts which such officers are authorized to terminate. In the event the subcontract is a fixed-price contract (whether or not underlying cost-plus-a-fixed fee or fixed-price contract), such approvals may be granted only in those cases where the claim is made upon forms approved by the Director of Contract Settlement,[11] except where deviation from such forms is approved as provided in § 6.24.

§ 6.33 *Review of and policy governing approval.* No approval of the termination claims of subcontractors granted under the provisions of § 6.32 hereof shall be binding upon the Department if the amount of the claim shall exceed the sum of $5,000, unless it shall have been submitted to the appropriate Settlement Review Board and approved by such Board or not disapproved by it within 30 days of the date of its submission. In approving termination claims arising under fixed-price supply orders or subcontracts, the officers of the Department shall conform to the provisions of the regulations of the Office of Contract Settlement.[12]

§ 6.34 *Direct settlement and payment of subcontractors' claims.* Unless a different procedure is approved by the terminating officer, settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the contract. Where a subcontractor is of the opinion that any war contractor is not financially responsible or where the death or dissolution of such contractor, or other circumstances, make it necessary for the protection of the subcontractor that settlement or payment be made directly with or to the subcontractor, such fact should be reported immediately to the terminating officer. Whenever the terminating officer is satisfied of the inability of a war contractor to meet his obligations to a subcontractor, such terminating officer is authorized to require such supervision or control over payments to the war contractor on account of the termination claims of subcontractors of such war contractor to such extent and in such manner as the terminating officer deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors. Such decision by the terminating officer is subject to review by the Director of Surplus Property and Reconversion.

SUBPART J—CLAIMS UNDER DEFECTIVE, INFORMAL, OR QUASI CONTRACTS

§ 6.35 *Form of claim and supporting evidence.* A claim for relief under section 17 of the act shall be filed with the Director of Surplus Property and Reconversion. Such claim shall be in the form and supported by the information set forth in Regulation No. 12 of the Office of Contract Settlement (10 F.R. 1278) unless the Director of Surplus Property and Reconversion shall otherwise direct.

§ 6.36 *Formalization of obligations and commitments.* Where an obligation or commitment created or incurred by the Department might be invalidated because of a formal or technical defect or omission in a prime contract or in any grant of authority to an officer or agent, the appropriate officer of the Department, if, in his judgment, such action is warranted, shall formalize the obligation or commitment within 90 days from the notice to the Director of Surplus Property and Reconversion of such formal or technical defect or omission.

§ 6.37 *Investigation and notice of disposition of claim.* All claims submitted under section 17 of the act will be investigated and the claimant notified of the disposition made or proposed disposition of the claim.

§ 6.38 *Procedure if claim not settled by agreement.* Where any claim or any part of a claim asserted under section 17 of the act is not settled by agreement, the dispute shall be subject to the provisions of section 13 of the act.

SUBPART K—REMOVAL AND STORAGE OF MATERIAL

§ 6.39 *Termination inventory.* The policies, principles, methods, procedures, and standards relating to the removal of termination inventory from plants of war contractors shall be those prescribed by Regulation 10 of the Office of Contract Settlement (10 F.R. 1279).[13] The terminating officer is authorized to exercise all of the powers and functions required of the Department under said Regulation 10, and all termination inventory schedules required to be filed by the contractor with the Department shall be filed with such officer.

§ 6.40 *Government-owned machinery, tools, and equipment.* The policies, principles, methods, procedures, and standards relating to removal of any machinery, tools, or equipment of the Department which are installed in a war contractor's plant and which the contractor desires to remove or have removed from his plant pursuant to subsection (g) of section 12 of the act shall be those prescribed by regulation of the Director of Contract Settlement.[14] Pursuant to subsection (g) of section 12 of the act, the head of any agency, office, or bureau may waive or release, on behalf of the United States, any obligation of war contractors with respect to machinery, tools, or equipment upon such terms and conditions as he deems appropriate, and may delegate this function with the specific approval of the Director of Surplus Property and Reconversion. All requests, demands, and notices with respect to such removals shall be addressed to the officer of the Department who negotiated the contract under which the property is being used, or his successor.

SUBPART L—INTEREST

§ 6.41 *Interest on termination claims.* Interest on termination claims under a prime contract or subcontract shall be allowed in accordance with the provisions of subsection (f) of section 6 of the act at the rate of 2½ percent per annum. Such interest shall not accrue for the period prior to July 29, 1944, nor for the 30-day period next after the date fixed for termination of such contract and may be denied or reduced in accordance with the provisions of such subsection (f). For the purpose of computing interest, the term "date fixed for termination" means the date upon which the notice of termination first requires the contractor (a) to reduce or stop deliveries under his contract, or (b) if no deliveries are being made or called for under the contract, to reduce or stop performance under the contract. If in the opinion of the Department the war contractor unreasonably delays settlement of his claim, interest shall not accrue for the period of

[11] See Office of Contract Settlement Forms and Instructions for Use of Standard Contract Settlement Proposal Forms (dated October 1, 1944) which were prescribed by the Director of Contract Settlement by Reg. 8, dated October 13, 1944 (9 F.R. 12541) for use by contractors and subcontractors in settling terminated fixed-price war supply contracts.

[12] See Reg. 6, dated October 4, 1944 (9 F.R. 12283), Reg. 7, dated Oct. 5, 1944 (9 F.R. 12285, and Reg. 14, dated Feb. 22, 1945 (10 F.R. 2312), as amended (10 F.R. 3925).

[13] The forms and instructions referred to in said Reg. 10 are those set forth in Instructions for Use of Standard Settlement Proposal Forms dated October 1, 1944, which were prescribed by the Director of Contract Settlement by Reg. 8, dated October 13, 1944 (9 F.R. 12541).

[14] See Reg. 4, dated Sept. 28, 1944 (9 F.R. 11964) of the Office of Contract Settlement.

such delay as determined by the Department. Ordinarily, a delay of longer than 60 days in submitting a claim is considered an unreasonable delay unless the terminating officer determines otherwise.

SUBPART M—INTERIM FINANCING

§ 6.42 *Interim financing.* Applications for advance or partial payments on account of the termination claim of a war contractor should be made to the terminating officer. Such application shall be made in such form as may be prescribed by the Director of Contract Settlement,[15] or in the event no applicable form has been prescribed by the Director of Contract Settlement, in such form as may be approved by the Department.[16] In determining the amount of the partial or advance payment to be made, the Department will consider the provisions of sections 8 and 9 of the act and appropriate regulations of the Director of Contract Settlement.

§ 6.43 *Suspension or modification of penalty for overstatement in connection with interim financing.* To the extent delegation is authorized under Regulation 13 of the Office of Contract Settlement (10 F.R. 2036) the Director of Surplus Property and Reconversion is hereby authorized to suspend or modify and determine the dollar value of the penalty provided in section 8 (d) of the act, whenever, in connection with any interim financing furnished or guaranteed by or on behalf of the Department, any war contractor overstates the amount due on his termination claim or claims and the Director of Surplus Property and Reconversion determines that under the standards prescribed in Regulation 13 of the Office of Contract Settlement such penalty would be inequitable.

Issued this 8th day of June, 1945.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.
MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-10066; Filed, June 9, 1945; 11:10 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-3a, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

PORK SET ASIDE SPECIFICATIONS

War Food Order No. 75-3a (10 F.R. 6500), is amended by inserting, immediately after the table and prior to the last subparagraph in paragraph (c), the following:

Not less than 70 percent of the total weight of all loins set aside shall be converted into semi-boneless (partially boneless) loins.

Not less than 30 percent of all hams set aside shall be processed into overseas hams requiring 96 hours' smoke, and not less than 20 percent of all hams set aside shall be processed into Army hams requiring 48 hours' smoke.

Not less than 35 percent of all square-cuts and seedless bellies set aside shall be processed into overseas bacon requiring 96 hours' smoke, and not less than 20 percent of such bellies shall be processed into Army bacon requiring 48 hours' smoke.

This order shall become effective at 12:01 a. m., e. w. t., June 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3a, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649)

Issued this 9th day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-10075; Filed, June 9, 1945; 11:23 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-4E]

PART 704—EXCEPTIONS OF CREDIT FOR DEFENSE HOUSING FROM CONSUMER CREDIT REGULATIONS

Repeal of NHA Regulation No. 60-4D, 10 F.R. 945 (§§ 704.1 to 704.5; inclusive), together with regulations or General Orders Nos. 60-4, 8 F.R. 1831; 60-4A; 60-4B, 8 F.R. 15312; and 60-4C, 9 F.R. 14887, entitled "Declaration of authority to creditors and lenders to except remodeling and rehabilitation credits from the provisions of Regulation W".

AUTHORITY: 55 Stat. 838; E.O. 9070, 3 CFR, Cum. Supp.; 40 Stat. 415, as amended; E.O. 8343, 3 CFR, Cum. Supp.; 12 CFR, Cum. Supp., 222.8 (e).

Purpose. Regulation W issued by the Board of Governors of the Federal Reserve System, as amended from time to time, restricts all types of consumer credit for a comprehensive list of durable and semi-durable goods for civilian consumption. Section 8 (e) of Regulation W delegates authority to the Administrator of the National Housing Agency to exempt remodeling or rehabilitation of structures designated as "defense housing" from the restrictions of said Regulation. The Board of Governors of the Federal Reserve System has further amended Regulation W by Amendment No. 16, effective June 11, 1945, which deletes said section 8 (e), among other things. Consequently, it is necessary to repeal NHA Regulations, as herein provided, issued pursuant to the delegation of authority contained in said Section 8 (e).

Repeal and revocation. NHA Regulation No. 60-4D (§§ 704.1 to 704.5, inclusive), together with Regulations or General Orders Nos. 60-4, 60-4A, 60-4B and 60-4C, are hereby repealed and all delegations thereunder heretofore authorized by the National Housing Agency are hereby revoked.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 45-10113; Filed, June 9, 1945; 4:06 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

GENERAL AUTOMOBILE REPAIR INDUSTRY IN CHICAGO AND PEORIA, ILL., MILWAUKEE, WIS., INDIANAPOLIS, IND., AND TWIN CITIES, MINN.

The National War Labor Board, under paragraph (d) of § 803.4, has approved the following exception to the exemption provided for in paragraph (a) of this order:

(64) The general automobile repair industry in the metropolitan areas of Chicago (defining Chicago as including all of Cook County, Illinois and Lake County, Indiana); Milwaukee, Wisconsin, Indianapolis, Indiana, and the Twin Cities, Minnesota, and also Peoria, Illinois. (Approved June 6, 1945.)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-10133; Filed, June 11, 1945; 9:49 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 49]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN PICKING CHERRIES IN NEZ PERCE AND LATAH COUNTIES, IDAHO

§ 1108.6 *Wages of workers engaged in picking cherries in Nez Perce and Latah Counties, Idaho.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the Idaho WFA Wage Board and the Washington WFA Wage Board that a majority of the producers of cherries in Nez Perce and Latah Counties, Idaho, and Asotin and Whitman Counties, Washington, have

[15] With respect to partial payments; see Reg. 2, dated September 8, 1944 (9 F.R. 11275) of the Office of Contract Settlement.

[16] In the event no applicable forms have been prescribed by the Director of Contract Settlement, appropriate forms will be furnished by the terminating officer upon request.

requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Idaho WFA Wage Board and the Washington WFA Wage Board and from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in Nez Perce and Latah Counties, Idaho, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking cherries.*

Piece rates—3¢ per pound

If workers are paid on any other basis the rate of cempensation shall not exceed the equivalent of the rate herein provided. No perquisites may be paid in addition to maximum wage rates specified above.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this Supplement No. 49, in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F. R. 831) as revised October 23, 1944 and March 23, 1945 (9 F. R. 12807, 14206; 10 F. R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This Supplement No. 49 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F. R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 49 and any violation of this Supplement No. 49 shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 49 shall become effective at 12:01 a. m., mountain war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U. S. C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U. S. C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F. R. 3177)

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10147; Filed, June 11, 1945; 11:04 a. m.]

[Supp. 46]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING RASPBERRIES IN PIERCE COUNTY, WASH.

§ 1111.9 *Wages of workers engaged in picking raspberries in Pierce County, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Washington WFA Wage Board that a majority of the producers of raspberries in Pierce County, Washington, have requested the intervention of the War Food Administrator, and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking raspberries in Pierce County, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Definitions.* When used in this Supplement No. 46 the term "picking" means the removal of the raspberries from vines and placing them in crates furnished by the producer.

(c) *Wage rates, maximum wage rates for picking raspberries.*

Piece rate—$1.25 per 30-pound crate, plus a bonus of 25 cents per crate if the worker continues to pick raspberries throughout the season.

(d) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this Supplement No. 46 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F. R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This Supplement No. 46 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 46 and any violation of this Supplement No. 46 shall constitute a violation of such specific wage ceiling regulations.

(f) *Effective date.* This Supplement No. 46 shall become effective at 12:01 a. m., Pacific war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177).

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10148; Filed, June 11, 1945; 11:04 a. m.]

[Supp. 48]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING CHERRIES IN ASOTIN AND WHITMAN COUNTIES, WASH.

§ 1111.10 *Wages of workers engaged in picking cherries in Asotin and Whitman Counties, Washington.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries, issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547), and to the regulations of the War Food Administrator, issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations," and based upon certifications of the Washington WFA Wage Board and the Idaho WFA Wage Board that a majority of the producers of cherries in Asotin and Whitman Counties, Washington, and Nez Perce and Latah Counties, Idaho, have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Washington WFA Wage Board and the Idaho WFA Wage Board and from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking cherries in Asotin and Whitman Counties, Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547).

(b) *Maximum wage rates for picking cherries.*

Piece Rate—3¢ per pound

If workers are paid on any other basis the rate of compensation shall not exceed the equivalent of the rate herein provided. No perquisites may be paid in addition to maximum wage rates specified above.

(c) *Administration.* The Idaho WFA Wage Board located in Room 621, Idaho Building, Boise, Idaho, will have charge of the administration of this Supplement No. 48, in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This Supplement No. 48 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831) as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177) and the provisions of such regulations shall be applicable to this Supplement No. 48 and any violation of this Supplement No. 48 shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 48 shall become effective at 12:01 a. m., Pacific war time, June 12, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O.

9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 11th day of June 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-10146; Filed, June 11, 1945; 11:04 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 221—OIL AND GAS OPERATING REGULATIONS

GOVERNMENT ROYALTY OIL

Correction

In Federal Register Document 45-9471, appearing on page 6502 of the issue for Saturday, June 2, 1945, the sixth line of the first paragraph should read as follows: "sufficient supplies of oil to assure continued".

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 35]

PART 802—GENERAL LICENSES

IN TRANSIT SHIPMENTS PROCEEDING FROM DESIGNATED COUNTRIES

Section 802.9 *General in transit licenses "GIT"* is hereby amended in the following particulars:

That portion of paragraph (g) preceding the list of commodities is amended to read as follows:

(g) The following commodities shall not be exported pursuant to any general license granted in this section except when such commodities are incorporated in "in transit shipments" proceeding:

(1) From any destination in the British Empire to any other destination in the British Empire, (2) from Mexico to any other part of Mexico, (3) between the Republic of Panama and any destination within the scope of General License GIT-A/A through the Panama Canal Zone, (4) from Canada to any designated country of destination, (5) from any country of origin included in the list of "Y Countries" to any country of destination included in the list of "S Countries", (6) from any country of origin included in the list of "V Countries" to any country of destination included in the list of "V Countries" through the Panama Canal Zone.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 8, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-10110; Filed, June 9, 1945; 2:42 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-724, Revocation]

RICHARD IVES CO.

Richard Ives and Helen Ives, husband and wife, partners doing business as Richard Ives Company at 661 West Colfax Avenue, Denver, Colorado, as dealers in and distributors of metal working machinery, cutting tools, and accessories were suspended effective March 1, 1945 by Suspension Order No. S-724. They appealed from the provisions of the suspension order and pending final determination of the appeal the order was stayed effective March 1, 1945 by the Chief Compliance Commissioner. The appeal was considered by Deputy Chief Compliance Commissioner Curtis Bok who directed that the suspension order be reinstated effective May 18, 1945, the stay be revoked and the order be amended in order to reduce the period of suspension from 90 days to 30 days. Through error the respondent began compliance with the order 7 days before the termination of the stay. The Chief Compliance Commissioner has therefore directed that the stay be revoked effective June 11, 1945 in order to give the respondent credit for the 7 days.

In view of the foregoing: it is hereby ordered, that: § 1010.724 *Suspension Order No. S-724* be revoked effective June 11, 1945.

Issued this 8th day of June 1945.

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

[F. R. Doc. 45-10015; Filed, June 8, 1945; 4:22 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 7]

ALUMINUM DISTRIBUTORS

The following direction is issued pursuant to CMP Regulation 4:

(a) *Purpose.* The purpose of this direction is to explain how an aluminum distributor uses AM numbers in ordering material for his stock.

(b) *The use of AM numbers in the 9600 series.* An aluminum distributor to whom the War Production Board has assigned an AM number in the series AM 9600 through AM 9699 shall endorse his AM number on all orders for aluminum placed by him with producers or with other distributors. He may place orders bearing an AM number in the 9600 series without limit as to quantity.

(c) *Use of AM numbers in the 9500 series.* An aluminum distributor to whom the War Production Board has assigned an AM number in the series AM 9500 through AM 9599 shall endorse all orders for aluminum placed by him with producers or with other distributors as follows:

(1) He must use his individually assigned AM number in the 9500 series to the extent that the total amount of aluminum that he wishes to order for delivery in the third calendar quarter of 1945 or any calendar quarter thereafter does not exceed the amount of aluminum that he delivered in the preceding calendar quarter on authorized controlled material orders, including deferred ("Z") orders, and any orders that he has been directed to fill by the War Production Board.

(2) In endorsing orders for aluminum in excess of the quantities specified in paragraph (c) (1) above, he must not use his individually assigned AM number in the 9500 series, but must use instead, the number AM 9600.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45-10076; Filed, June 9, 1945; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Direction 2, as Amended June 8, 1945]

CONVERSION OF LOOMS TO PRODUCTION OF TENTAGE FABRICS

The following direction is issued pursuant to Limitation Order L-99:

(a) Notwithstanding any of the provisions of Limitation Order L-99 or any of the schedules of that order and regardless of any rated order heretofore or hereafter placed, commencing October 28, 1944 looms which on July 1, 1944 produced or were assigned to produce the cotton textiles listed in column I may, except as provided in paragraphs (g) and (h), to the extent of the percentage indicated for each group in column II, produce only the cotton textiles of the constructions specified in column III, unless otherwise expressly authorized in writing by the War Production Board. The percentages are applicable to the daily average number of looms on assignment or production. All column references in this direction are to Table I.

(b) Each loom which under this direction may be operated only to produce the fabrics listed in column III shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(c) All the fabrics produced on looms which under this direction may be operated only to produce the frabrics listed in column III may be sold or delivered only to the U. S. Army or Navy unless rejected in writing by both the Army and Navy.

(d) No application for an exception from the provisions of this direction will be considered unless it is filed in triplicate with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than September 25, 1944 and contains the following information with respect to each plant affected by this direction:

(1) Total number of spindles (running and idle) classified according to ring sizes.
(2) Total number of looms (running and idle), stating with respect to each loom (i) the name of the manufacturer, (ii) the model, (iii) the width between swords, and (iv) the auxiliary shaft and cam equipment.
(3) A list of fabric constructions now being woven in the plant and number of looms assigned to or being operated on each construction.
(4) The yardages due on outstanding contracts for each of the fabric constructions listed in column I, classified according to proposed uses, i. e., type of clothing or other product, where known.

(e) Each person operating looms affected by this direction must report in writing to the War Production Board by September 25, 1944 the Army and Navy contracts (direct or subcontracts) he holds for fabrics which are presently being produced on the looms affected by this direction. This information may be included in an application filed in accordance with paragraph (d).

(f) Each person operating looms affected by this direction must report in writing to the War Production Board not later than October 30, 1944, the number of his looms that have been converted to produce each of the fabrics listed in column III and the estimated weekly production of each such fabric construction.

(g) After June 8, 1945 the other provisions of this direction shall be applicable to Group No. 74 only to the extent that producers may at their election continue until July 21, 1945 to produce the cotton textiles of the constructions listed in Column III for Group No. 74 to fill contracts with the United States Army or Navy.

Except as provided in paragraphs (g) and (h) producers of the constructions listed in Column III for Group No. 74 are governed by paragraph (b) (5) of Order L–99 and must produce at least the minimum linear yardage of each construction required by paragraph (b) (5) of Order L–99.

(h) Applications may be filed by producers who desire to produce after July 21, 1945, cotton textiles of the constructions specified in Group No. 74, Column III, to meet programmed requirements for the Armed Services and essential civilian purposes. Applications for such exceptions shall be filed in writing at least fifteen days before the beginning of any calendar quarter. If the applications are for the production of yardage in excess of the program requirements, the War Production Board will grant the applications on a pro rata basis.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 8th day of June 1945.

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

TABLE I

Group No.	Form WPB–658–B (6/9/44) item number	Column I	Column II	Column III
72	14 thru 20	Class A sheetings	*Percent* 12½	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD–580) 33" or 65" width or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
73	51	Carded poplins (sheeting yarns)	75	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
	53	All three leaf herringbone twills except jeans and 8.5 oz. herringbone made to U. S. Army Spec. 6–261.		
	54 thru 59	All drills		Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD–580) 33" or 65" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
	63, 65 thru 69	All four leaf twills except tent twills made to U. S. Army Spec. JQD–48.		
	70	Warp and filling sateens, (Sheeting yarns) less than 42" wide.		
	72	Carded gabardines.		
74	98 thru 104	Denim	50	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per square yard (tentative U. S. Army Spec. JQD–580) 33" or 65" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
	106	Pin stripes, pin checks, express stripes, hickory stripes, etc.		
	107 thru 110	Cottonades and suiting coverts.		
	111	Whipcords and bedford cords.		

[F. R. Doc. 45–10014; Filed, June 8, 1945; 4:22 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–375, Direction 1]

RESTRICTIONS ON PURCHASE AND SALE OF WELDERS' GLOVES AND MITTENS

The fulfillment of the requirements for the defense of the United States has created shortages in the supply of leather and leather welders' gloves and mittens for defense, for private account and for export; and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *Definition of welders' gloves.* "Welders' gloves" means any type of gauntlet style leather glove or mitten designed for workers' wear while engaged in welding operations.

(b) *Restrictions on sale of welders' gloves—*(1) *Deliveries by manufacturers to dealers.* No manufacturer of, or dealer in, welders' gloves shall sell or deliver any new welders' gloves for resale except on rated orders bearing substantially the following certification: "These gloves will be sold only for use in welding operations."

(2) *Deliveries to consumers.* No manufacturer of, or dealer in, welders' gloves, shall sell or deliver any new welders' gloves to any consumer except on a rated order from a person whom he knows, or has reason to believe, will use the product for welding operations. He should satisfy himself that the gloves will be used for welding operations in some reasonable manner before delivery. He may, but need not, require a statement in writing from the purchaser stating substantially: "These gloves will be used for welding operations."

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10077; Filed, June 9, 1945; 11:29 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M–293, Revocation of Table 3]

ALUMINUM AND MAGNESIUM DIVISION

Correction

In the document appearing on page 6874 of the issue for Saturday, June 9, 1945, the FEDERAL REGISTER serial number should read: "45–9961".

PART 1010—SUSPENSION ORDERS

[Suspension Order S–700, Reinstatement and Amdt.]

HERRMAN LUMBER CO.

Herrman Lumber Company, Springfield, Missouri, engaged in the retail sale of lumber, building supplies, and plumbing and heating equipment was suspended on February 10, 1945, effective

February 20, 1945. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on March 23, 1945. The appeal has been considered by the Chief Compliance Commissioner who has directed that the stay be terminated and the suspension order be amended and reinstated effective June 10, 1945, to expire September 7, 1945.

In view of the foregoing, it is hereby ordered, that: § 1010.700 *Suspension Order No. S–700,* issued February 10, 1945, and effective February 20, 1945, be reinstated as of June 10, 1945, to expire September 7, 1945, the stay of execution be revoked as of June 9, 1945, and the suspension order be amended by substituting the following paragraphs (a), (b), (c), (d), and (g) for the present paragraphs (a), (b), (c), (d), and (g):

(a) Jesse Herrman and Carrie M. Herrman shall not from June 10, 1945, to September 7, 1945, apply or extend preference rating to obtain plumbing and heating equipment regardless of the delivery date named in any purchase order for plumbing and heating equipment to which such ratings may be applied or extended.

(b) Jesse Herrman and Carrie M. Herrman shall cancel immediately all preference ratings which they have applied or extended to orders for plumbing and heating equipment which have not yet been filled except that they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) they need not cancel the rating provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings outstanding in connection with orders for delivery of plumbing and heating equipment to Jesse Herrman or Carrie M. Herrman or placed prior to the termination date of this reinstatement are void and shall not be given any effect by suppliers of Jesse Herrman or Carrie M. Herrman or by any other person. This does not apply to material already delivered or in transit for delivery to them on the effective date of this reinstatement.

(d) Jesse Herrman and Carrie M. Herrman shall not from June 10, 1945 until September 7, 1945, receive or accept delivery of any hot water heaters as defined on List A of Order L–79 as amended from time to time. This shall not apply to hot water heaters now in transit for delivery to them.

(g) This reinstatement shall take effect on June 10, 1945 and shall expire on September 7, 1945.

Issued this 30th day of May 1945.

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

[F. R. Doc. 45–10116; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–800]

A. DIAMOND

A. Diamond, of 13922 Schaefer Highway, Detroit, Michigan, is a building contractor. In October, 1944, without permission of the War Production Board, he did construction on a brick, concrete-block building to be used for restaurant purposes at 24010 West Seven-Mile Road, Detroit, Michigan, at an estimated cost in excess of $200, in violation of Conservation Order L–41. A. Diamond had knowledge of Conservation Order L–41, and his acts of violation must be deemed wilful.

His violations have diverted critical materials to use not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.800 *Suspension Order No. S–800.* (a) A. Diamond shall not, for three months from the effective date of this order, apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve A. Diamond from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to A. Diamond, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on June 9, 1945, and shall expire on September 9, 1945.

Issued this 2d day of June 1945.

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

[F. R. Doc. 45–10117; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–802]

HUDSONVILLE BOX AND BASKET CO.

Hudsonville Box and Basket Company, a Michigan corporation, with principal offices at Hudsonville, Michigan, is engaged in the manufacture and sale of wooden fruit and vegetable shipping containers. During the period September 11 to November 2, 1944, Hudsonville Box and Basket Company commercially manufactured and assembled wooden shipping containers for celery crates which did not meet the specifications contained in Table II, Schedule A, of Limitation Order L–232; the company likewise manufactured wooden parts designed for wooden shipping containers for the crating of celery, which did not conform with the specifications of Table II, Schedule A, of the same order. The responsible officers of the corporation were familiar with the provisions of Limitation Order L–232, and these acts constituted wilful violations thereof.

The violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.802 *Suspension Order No. S–802.* (a) Hudsonville Box and Basket Company shall not, for two months from the effective date of this order, manufacture or assemble any wooden shipping container or any wooden parts designed therefor to be used for celery crates, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Hudsonville Box and Basket Company from any restriction, prohibition or provisions contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Hudsonville Box and Basket Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the 9th day of June 1945.

Issued this 2d day of June 1945.

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

[F. R. Doc. 45–10118; Filed, June 9, 1945; 4:12 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–812]

SAN HYGENE UPHOLSTERY CO.

The San Hygene Upholstery Company, an Ohio corporation with its principal office at 692 Miami Street, Akron, Ohio, is engaged in the manufacture of living room, dining room, and juvenile furniture. During the third and fourth quarters of 1944, it used in the manufacture and crating of its furniture over 80,000 board feet of wood in excess of the amount it was permitted to use by Limitation Order L–260–a, in violation of that order.

This violation has diverted critical materials to uses not authorized by the War Production Board.

In view of the foregoing, it is hereby ordered, that:

§ 1010.812 *Suspension Order No. S–812.* (a) During the third and fourth calendar quarters of 1945 and the first and second calendar quarters of 1946, the San Hygene Upholstery Company, its successors or assigns, shall reduce its use of wood in the manufacture and crating of furniture by 20,000 board feet

per calendar quarter below the amount of wood it otherwise would be permitted to use under the provisions of Limitation Order L–260–a, as amended from time to time, aggregating a total reduction in permitted usage of wood during this period of 80,000 board feet.

(b) Nothing contained in this order shall be deemed to relieve the San Hygene Upholstery Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10119; Filed, June 9, 1945; 4:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–814]

THE GLOBE BREWING CO.

The Globe Brewing Company is a corporation engaged in the brewing, bottling, packing and distribution of beer, with its principal place of business located at 327 S. Hanover Street, Baltimore, Maryland. During the calendar year 1944, the company used new fibre shipping containers, as defined in Limitation Order L–317, in excess of its quota, as established by that order, in the packing of beverages. The responsible officers of the company were grossly negligent in not ascertaining the restrictions placed on the company by said Limitation Order L–317, in committing the aforementioned violation.

This violation of Limitation Order L–317 has diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.814 *Suspension Order No. S–814.* (a) During the second, third and fourth calendar quarters of 1945, beginning April 1, 1945, and ending December 31, 1945, the Globe Brewing Company shall reduce its use of new fibre shipping containers, as defined in Limitation Order L–317, by 3500 pounds and 5000 square feet in each quarter under the quota it would otherwise be entitled to use as specified by the provisions of Limitation Order L–317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve the Globe Brewing Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions thereof.

(c) The restrictions and provisions contained herein shall apply to the Globe Brewing Company, a corporation, its successors or assigns, or persons acting in its behalf. The prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10120; Filed, June 9, 1945; 4:11 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16, Revocation]

IDLE AIRCRAFT MATERIAL

Section 903.28 *Directive 16* is revoked. This revocation does not affect any liabilities incurred for violation of the directive or of actions taken by the War Production Board under the directive.

Issued this 9th day of June 1945.

J. A. KRUG,
Chairman,
War Production Board and
Aircraft Production Board.

[F. R. Doc. 45–10114; Filed, June 9, 1945; 4:11 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–816]

KLUNK BROTHERS

Wm. J. Kunk, Jr., David H. Klunk, and Robert J. Klunk, copartners, doing business as Klunk Brothers, at 544 Carlisle Street, Hanover, Pennsylvania, are general building contractors. On or about October 1, 1943 without authorization from the War Production Board, the partnership began and carried on construction consisting of the erection of an addition to the L. K. Beaudin Shoe Company plant in Fairfield, Pennsylvania at a cost in excess of $35,000, in violation of Conservation Order L–41. The partners should have been aware of the provisions of Conservation Order L–41 and the beginning and carrying on of this construction constituted a grossly negligent violation of that order. This violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.816 *Suspension Order No. S–816.* (a) Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk shall not do any further construction on the premises of L. E. Beaudin Shoe Company's plant at Fairfield, Pennsylvania, including putting up or altering the structure located on said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of two months from the effective date of this order, Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk shall not apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended unless otherwise specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Wm. J. Klunk, Jr., David H. Klunk and Robert J. Klunk, doing business as Klunk Brothers, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Paragraph (b) of this order shall take effect on June 16, 1945, and the balance of the order shall take effect on the date of issuance.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10121; Filed, June 9, 1945; 4:11 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328, Direction 15]

SEAMLESS KNIT GLOVES AND INSERTS FOR MILITARY REQUIREMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of seamless knit gloves and inserts for defense, for private account and for export; and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense.

(a) Beginning June 18, 1945, no person may operate fingering machines in ranges from 4 to 7 cut, inclusive, except to produce seamless gloves, mittens or inserts contracted by or for the account of the United States Army or Navy. Any person affected by this direction must accept and fill contracts and orders of or for the account of the United States Army and Navy for such gloves, mittens or inserts.

(b) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M–328.

(c) This direction shall expire on October 1, 1945, unless previously extended.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10115; Filed, June 9, 1945; 4:11 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L–41, as Amended June 11, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities required for construction for defense, for private account and for export, and the following order is deemed

necessary and appropriate in the public interest and to promote the national defense.

§ 1075.1 *Conservation Order L–41*—(a) *What this order does.* This order forbids most kinds of construction by any person who has not received specific authorization from the War Production Board. The prohibition on construction applies whether or not priorities assistance is necessary to get materials for the construction. It may therefore be necessary to apply for permission to do a job for which all materials are on hand. It may also be necessary to apply for priorities assistance even though the work is not forbidden by this order. Other orders of the War Production Board place restrictions on the use of certain kinds of scarce materials. The provisions of these other orders must be observed even though the work does not require permission under L–41.

(b) *What is meant by construction.* The word "construction" as used in this order means putting up, altering, remodeling, rehabilitating, reconstructing or repairing any structure such as a building, road, bridge, dam, sewer or the like. The installation of equipment or fixtures in a building is considered construction if the equipment or fixture is attached to the building and used as a part of the building or is so firmly attached that removal would result in material injury to the building or the fixture. The erection of a prefabricated or portable building is considered construction except where the use to which the building is put requires that it be moved about so frequently that the building is left upon skids or wheels.

(c) *Prohibited construction.* No person shall begin or carry on any construction which has not been specifically authorized under this order unless the construction is of a kind described in and permitted under paragraph (d) or paragraph (e) of this order. This prohibition applies to a person who does his own construction work, to a person who gets a contractor to do it for him and to any contractor, subcontractor, architect, or engineer who works on the job or gets others to work on it or to supply materials for it. No person shall accept an order for, sell, deliver or cause to be delivered materials which he knows or has reason to believe will be used in violation of the terms of this order.

(d) *Permitted construction.* (1) It is not necessary to get War Production Board permission under this order for construction jobs done on a unit if the total cost of all of the construction jobs begun on that unit in the same calendar year does not exceed the appropriate allowance indicated below. If a building is used for more than one purpose and might therefore fall within more than one of the classes indicated, the use to which the greatest part of the floor area is or will be put will determine the allowance. If a building is being converted from one purpose to another, the allowance applicable to the building after the conversion is available for the conversion, less any amounts previously spent on the unit during the calendar year.

(i) $1,000 for a house designed for occupancy by one family (including a farmhouse, i. e., a building on a farm used for residential purposes); $2,000 for a residential building designed for occupancy by two families; $3,000 for a residential building designed for occupancy by three families; $4,000 for a residential building designed for occupancy by four families; $5,000 for a residential building designed for occupancy by five families. Note that paragraph (e) (1) does not give an exception for maintenance and repair for residential buildings covered by this subparagraph. Accordingly, the limits given above apply to repair jobs and maintenance work as well as to alterations and new construction.

(ii) $1,000 for a farm, excluding the farmhouses which are covered by paragraph (d) (1). A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(iii) $1,000 for an irrigation or drainage system serving more than one farm.

(iv) $5,000 for a hotel, apartment building or other residence for six or more families. Note that paragraph (e) (1) limits the amount of maintenance and repair work which may be done in these buildings.

(v) $5,000 for a building used for an office, bank, store, laundry, garage, restaurant, theatre, warehouse or other retail or wholesale service establishment, including a frozen food locker plant. Note that paragraph (e) (1) limits the amount of maintenance and repair work which may be done in these buildings.

(vi) $10,000 for a church, hospital, school, college, USO club, public playground for children, for a publicly owned building or group of buildings used for public purposes, for an orphanage or other building used exclusively for charitable purposes, for a military exchange situated on a reservation of the Army or Navy, or for a canal, storm sewer, dam, levee or for a jetty or retaining wall needed for shore protection.

(vii) $25,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, including logging and lumber camps, or for a bridge, overpass, underpass, tunnel, dock, pier, commercial airport, bus terminal, truck terminal operated by a common or contract carrier by truck, or for a railroad or street railway building or group of buildings, or for a research laboratory or pilot plant.

(viii) $1,000 for any other kind of unit.

(2) The word "unit" means a single independently operated structure or building, or a group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other and which serve the same general purpose or closely related purposes. For example, each of the following is a unit: a suburban house together with a detached garage, tennis court, swimming pool, etc., a farm including the barns, hen houses, dairy, etc., but excluding the farm house, a manufacturing plant with a number of buildings used for the same or different processes together with administration buildings, cafeterias, etc. On the other hand, every separate house or building used for residential purposes constitutes a separate unit. If a person owns several different houses and apartment houses, each one must be treated as a separate unit and the appropriate allowance for each must be determined under paragraph (d). In no case may a single building or structure be treated as more than one unit.

(3) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the entire construction job including the cost of all paid labor regardless of who pays for it and including the cost or value of new machinery, equipment, fixtures and materials incorporated in the construction, whether or not obtained without paying for them, excluding, however, the cost or value of previously used machinery, equipment, fixtures and materials, the value of unpaid labor and the cost of architects' and engineers' fees. A construction job which would ordinarily be done as a single piece of work may not be subdivided for the purpose of coming within the exemptions given by this paragraph (d).

(e) *Exceptions for special kinds of construction.* It is not necessary to get War Production Board permission under this order for the following kinds of construction and the cost of such construction need not be charged against the annual limits stated in paragraph (d);

(1) Maintenance and repair on units other than houses or residential property covered by paragraph (d) (1) (i) above. "Maintenance and repair" means the minimum work necessary to keep a building or structure in sound working condition or to fix it when it has become unsafe or unfit for service because of wear and tear. Changes in material are permitted in doing maintenance and repair work where it is necessary to replace materials which have become unsafe or unfit for service because of wear and tear. The following kinds of work are not permitted as maintenance and repair: the construction of an addition to a building, the completion of an unfinished part of a building, a structural alteration to a building, a non-structural alteration except where the only alteration is a permitted change in materials, and the remodeling of a building either for the purpose of modernizing or improving it or for the purpose of converting it to a new use. Maintenance and repair work on a building covered by paragraph (d) (1) (iv) (hotels, apartment houses, etc.) or paragraph (d) (1) (v) (offices, banks, stores, etc.) is further limited in any calendar year to the amount obtained by multiplying by 20 cents the gross floor area (in square feet) of the building. If maintenance or repair work costing more than this amount is necessary, permission under L–41 must be obtained from the War Production Board, unless the maintenance and repair work can be done within the appropriate annual allowance under paragraph (d) (1) (iv) or (d) (1) (v), in which case the cost must be charged against the annual allowance. CMP Regulation 5 and other regulations and orders provide priorities

assistance for materials for maintenance and repair work. The limitations contained in these regulations must be observed. For example, Interpretation 8 to CMP Regulation 5 indicates situations where that regulation does not apply.

(2) The minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war or the like. However, rebuilding or restoring a building or structure after being damaged by these causes is not permitted under this subparagraph.

(3) The rebuilding or restoring of a house (including a farmhouse) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(4) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the War Food Administration to be essential to the agricultural program.

(5) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(6) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the War Food Administration to be essential to the agricultural program.

(7) Putting up wire fencing on farms, and the erection of farm silos which were manufactured by a "producer" as defined in Order L–257.

(8) Drilling and casing water wells, not including any use of pipe to conduct water on the surface.

(9) Grading, ditch-digging or similar earth-moving operations, if no lumber or other building materials are permanently installed, except drainage pipe. This applies only to jobs to the extent that they can be carried on without the permanent installation of any other materials.

(10) The use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

(11) Construction of public highways and public streets by a government agency (construction of this kind is controlled by Order L–41–e).

(12) Construction of structures which are to be used directly in the discovery, development or depletion of mineral deposits; also minor capital additions given priorities assistance under Order P–56 (relating to mines and smelters).

(13) Construction which is regulated by any petroleum administrative order or other order issued or administered by the Petroleum Administration for War.

(14) Construction of facilities which will be used directly in furnishing wire communications services and which will be owned by an operator as defined in Orders U–3 and U–4.

(15) Construction of facilities which will be used directly in furnishing electric, gas, water or central steam heating utility services and which will be owned by a utility producer as defined in Order U–1.

(16) Construction of facilities which will be used directly for a sewerage system and which will be owned by a sewerage system operator as defined in Order P–141.

(17) The laying of railroad tracks and the construction of other necessary railroad operating facilities. This subparagraph does not exempt construction of or on bridges, overpasses, underpasses, tunnels or buildings. See paragraph (d) (1) (vii) for the allowance applicable to those structures.

(18) Construction jobs which are classed as minor capital additions under CMP Regulation 5 when done in industrial plants, or under CMP Regulation 5A.

(19) Construction given priorities assistance under paragraph (e) (2) of Order P–43 (relating to laboratories), Order P–47 (relating to civilian aircraft facilities), Order P–68 (relating to facilities for the manufacture of steel), Order P–89 (relating to facilities for the manufacture of chemicals), and Direction 23 to CMP Regulation 5 (relating to facilities for international point-to-point radio communication carriers).

(20) The installation in an existing building, or the erection outside of a building, of any piece of machinery or equipment which is to be used for the manufacture, processing or assembling of any goods or materials. The installation in an existing building, or the erection outside of a building, of any piece of machinery or equipment for which a special authorization was given to the person making the installation. In connection with such an installation of such machinery or equipment, all building alterations required for the installation or operation of the machinery or equipment may be made. However, no new buildings or additions to existing buildings may be built under the exemption given by this subparagraph.

(21) Construction of buildings or structures owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Veterans' Administration, Civil Aeronautics Administration, Coast and Geodetic Survey or Panama Canal.

(22) Facilities to house prisoners of war assigned by the Army to the builder when priorities assistance for the construction has been granted on Form CMPL–593 Navy (Army).

(23) Construction jobs which began before this order originally became effective (April 9, 1942) or at a time when the job was not limited by this order and which have gone on without interruption.

(f) *Applications and authorizations.* (1) Applications may be filed for permission to do construction jobs which may not be done under paragraph (d) or paragraph (e) of this order, or for priorities assistance for materials for construction jobs whether or not permission for the job is needed. When a specific authorization under L–41 is given for a job, the cost of the job need not be deducted from the annual allowance given under paragraph (d) (1). If the construction to be done is housing covered by WPB Directive 24, application Form WPB–2896 should be filed with the FHA field office having jurisdiction over the site. If the application is for farm construction, including farm dwellings, application Form WPB–617 should be filed with the County Agricultural Conservation Committee having jurisdiction over the site. Applications for other kinds of construction restricted by this order should be made on Form WPB–617 and filed with the local War Production Board district office. (The application forms specified in this paragraph have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(2) In case of emergency, application may be made by wire or in person. Application should be made to the office where the written application form would otherwise be filed. The emergency application should state the cause of the emergency (fire, flood, etc.), the use to which the building will be put, the type of construction, the estimated cost of construction and the reasons why immediate construction is necessary.

(3) The issuance of certain preference rating orders or certificates constitutes authorization under L–41 even though the order or certificate does not specifically state that construction is authorized. If you receive or have in the past received one of the following orders or certificates you are authorized under L–41 to perform the work covered by the authorization: orders in the P–14 series, orders in the P–19 series, P–41, orders in the P–55 series, P–110, PD–3, PD–3A, WPB–542, CMPL–593 Navy (Army), CMPL–224, GA–1456 and WPB–2774. The issuance of preference rating orders or certificates other than those listed in this subparagraph does not authorize construction under these orders, except to the extent covered by paragraph (e) (20) of this order.

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

Issued this 11th day of June 1945.

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

INTERPRETATION 1: Revoked Nov. 1, 1943.

INTERPRETATION 2

MOTION PICTURE SETS

Conservation Order L–41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However, it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location (Issued Nov. 13, 1943).

INTERPRETATION 3: Revoked Sept. 28, 1944.
INTERPRETATION 4: Revoked May 29, 1945.
INTERPRETATION 5: Revoked Sept. 28, 1944.
INTERPRETATION 6: Revoked May 29, 1945.
INTERPRETATION 7: Revoked Sept. 28, 1944.
INTERPRETATION 8: Revoked Aug. 19, 1944.
INTERPRETATION 10: Revoked May 29, 1945.
INTERPRETATION 12: Revoked May 29, 1945.

INTERPRETATION 9

INSTALLATION OF EQUIPMENT AND FIXTURES

Paragraph (b) of L–41 provides that the installation of equipment or fixtures in a building is construction if the equipment or fixture is attached to the building and is used as a part of the building or is so firmly attached that removal would result in material injury to the building or the fixture.

The following kinds of installations are construction under L–41:

The installation of any piece of equipment or fixture which is attached to the plumbing system of a building; the installation of any piece of equipment or fixture which involves putting new wiring in a building; the installation of any piece of equipment or fixture for which a base or foundation must be built; the installation of any piece of equipment or fixture cemented to a floor or wall of a building; the installation of a furnace or stoker connected by pipes or flues or wiring to the building; cementing linoleum, tiles or the like to a building.

The following kinds of installations are not construction under L–41:

The installation of a counter, table or booth which is attached to the building only by nails or screws and which can be removed as a unit and will only make it necessary to fill up the holes left by the nails or screws (however, if the counter contains equipment which is attached to the plumbing system, construction is involved); the installation of a piece of equipment or fixture which requires only making a connection to an existing wiring outlet (if new wires must be run or a new outlet built into the wall or ceiling, construction is involved).

These examples illustrate the general principles. In case of doubt as to a particular installation, consult the nearest WPB office or file an application for permission to do the work, if the cost of the work plus the cost of other construction already done on the building during the calendar year exceeds the allowance given under the applicable subparagraph of paragraph (d) (1) of L–41 and if the installation is not permitted under paragraph (e) (1) or paragraph (e) (20) of L–41. (Issued May 29, 1945.)

INTERPRETATION 11

INSTALLATION OF MACHINERY AND EQUIPMENT UNDER PARAGRAPH (E) (20) OF L–41 (FORMERLY DIRECTION 2 TO L–41)

Paragraph (e) (20) of L–41 exempts from the restrictions of L–41 the installation in an existing building or the erection outside of a building of any piece of machinery or equipment which is to be used in the manufacturing, processing or assembling of any goods or materials. This exception applies regardless of how the equipment is obtained. It also applies when the equipment is on hand already. Paragraph (e) (20) also exempts from L–41 the installation in an existing building or the erection outside of a building of other machinery or equipment, such as service equipment or building service equipment, when the equipment was obtained on a special form.

Building alterations may be made when required for the installation or operation of the machinery or equipment being installed or relocated under paragraph (e) (20). Building alterations which are not required for the installation or operation of the equipment, or new buildings or additions or extensions to existing buildings, may not be made under paragraph (e) (20). For example, in installing a piece of processing machinery, foundations may be placed under it, walls may be demolished or moved in order to install it and new walls or partitions may be put in where the operation of the equipment requires a wall or partition, as in the case of a machine which must operate in a dust-free or quiet location. Pipes to run water to the equipment, power lines to the equipment and fixtures to provide light to run the equipment may also be installed where necessary. On the other hand, the installation of processing machinery does not make it permissible under paragraph (e) (20) to install offices or office partitions, storage rooms or facilities for the operators of the machines, such as cafeterias, toilets, etc. When equipment other than processing equipment is installed under paragraph (e) (20), i. e., after approval on a special form, all building alterations normally required for the use or installation of such equipment are permitted. For example, if a new furnace obtained on a special form is being installed, the necessary changes in the plumbing system, electric system and the like may be made and if necessary partitions or other enclosures may be put up. On the other hand, if a furnace is obtained without approval by the War Production Board on a special form, an application for permission under L–41 to make the installation is necessary unless the cost of the work plus the cost of other jobs started on the building during the calendar year is within the allowance given under the applicable subparagraph of paragraph (d) of L–41 or unless the installation is permitted under paragraph (e) (1) of L–41.

When equipment is being erected outdoors, foundations may be built and pipes and wiring may be run, where necessary to the installation or operation of the equipment, but no new buildings or additions may be built to shelter the equipment.

If the installation of equipment in an existing building is part of a single construction job, the balance of which requires specific authorization for example, an addition to the building, the application must cover the entire job, including both the installation in the existing building and the construction of the addition. However, if the installation and the new addition are separate jobs, the installation may be made under paragraph (e) (20) and the addition may be applied for separately without reference to the installation.

Direction 15 to CMP Regulation 5 and other regulations and orders give priorities assistance to get installation materials and building materials for such work under certain circumstances. These regulations should be consulted. (Issued May 29, 1945.)

DIRECTION 1: Revoked Nov. 1, 1943.
DIRECTION 2: Revoked May 29, 1945.

DIRECTION 3

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

(a) Blanket authorizations will be issued only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) Applications for blanket authorization may be made on Form WPB–617. Separate applications must be made for each "unit" as defined in paragraph (d) (2) of L–41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to Form WPB–617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made. (Issued May 29, 1945.)

DIRECTION 4: Revoked May 29, 1945.
DIRECTION 5: Printed separately.

[F. R. Doc. 45-10150; Filed, June 11, 1945; 11:21 a. m.]

PART 1075—CONSTRUCTION

[L–41, Direction 5, as Amended June 11, 1945]

CONSTRUCTION PROJECTS FOR CIVILIAN PRODUCTION OR SERVICES

The following amended direction is issued pursuant to L–41:

(a) *General policy.* Applications for permission under L–41 to do construction may now be filed and may be approved when the construction meets the requirements stated in paragraph (b), (c), (d), or (e) below. However, no application will be approved where the construction will interfere with war production or more essential war-supporting activities.

(b) *Authorization without priorities assistance.* When the requirements stated in paragraph (c), (d), or (e) below are met, the WPB may grant an AA–3 rating and a firm allotment for the construction. Projects which do not completely meet these requirements, or for which materials, equipment, and other resources required are on hand or available without priorities assistance, may be authorized without priorities assistance. However, such projects will not be approved unless there is reason to believe that the project can be completed without supplementary requests for priority assistance on bottleneck items, as the WPB does not propose to give such assistance, and as materials incorporated in a project which cannot be finished are wasted.

(c) *Additions to or alteration of existing facilities to make civilian products.* Priorities assistance may be granted for construction in the form of an addition to or the alteration of existing facilities which are necessary to enable the applicant to begin or resume production of a civilian product where:

(1) Postponement of construction would result in unduly delaying the beginning or resuming of production, and

(2) The construction is a relatively minor expansion of the applicant's facilities which are to be used in the production for which the expansion is requested, and

(3) The construction is no more than is needed for production at the minimum economic rate, and

(4) The construction is not for replacement or improvement of existing facilities which are adequate though less efficient.

(d) *Facilities for production of bottleneck materials or components.* Priorities assistance may be granted for construction, either in the form of additions to or alterations of existing facilities or in the form of new facilities, where necessary to enable the applicant to produce or increase his production of a material or component used in other industries, where:

(1) Postponement of construction would result in unduly delaying production of the materials or components when they are needed for other manufacturing operations, and

(2) Lack of the materials or components would seriously retard other manufacturing operations, and

(3) A shortage of the materials or components for other manufacturing operations is threatened when other materials and components needed for the operations will be available.

(e) *Facilities for needed civilian production or services.* Priorities assistance may also be given for construction either in the form of additions or alterations or of new facilities where needed for the production of civilian goods or carrying on civilian services where:

(1) Postponement of construction would result in unduly delaying the production or service, and

(2) The production of the product has been permitted throughout the war for general civilian use, and

(3) (i) The product is an essential item serving basic needs of the population, or

(ii) The service is an essential requirement of the community or will contribute substantially to the national economy, and

(4) There is now a shortage of the product or service for civilian use and a continued shortage is expected.

(f) *Applications.* Applications for construction under this direction should be filed on Form WPB–617 in the regular manner. The application should refer to the paragraph of the direction under which the application is filed, and a complete statement should be given regarding each point set forth in that paragraph.

Issued this 11th day of June 1945.

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

[F. R. Doc. 45–10151; Filed, June 11, 1945; 11:21 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U–3 as Amended June 9, 1945]

PREFERENCE RATING ORDER (MRO) FOR TELEPHONE INDUSTRY

Section 4501.6 Utilities Order U–3 is amended to read as follows:

(a) Definitions.
(b) CMP allotment symbol and preference ratings.
(c) Use of material obtained under this order.
(d) Authority to begin construction.
(e) Restrictions on inventory.
(f) Exemptions.
(g) Sales of material.
(h) Records and reports.
(i) Applicability of regulations.
(j) Violations.
(k) Communications.

§ 4501.6 *Utilities Order U–3*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative, or other division or agency thereof, to the extent engaged in rendering telephone communication service to the public (and such telegraph and teletypewriter service as may also be conducted by him) within, to, or from the United States, its territories, or possessions. Public law enforcement agencies and public fire protection agencies are excluded from this definition for the purpose of this order.

"Operator" also includes any persons operating a rural cooperative or mutually-owned telephone system. It further includes persons owning either a telephone or a telephone system which is connected to a telephone system rendering service to the public, so long as they do not generally use an MRO order other than Order U–3. Those who generally use another MRO order for their business operations, as, for example, railroads using Order P–142 or a manufacturer using CMP Reg. 5, are excluded from this definition.

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

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(4) "Operating supplies" means any material essential to the operator's business and used for purposes other than maintenance and repair.

(5) Without regard to accounting practices, "Operator's inventory" means the aggregate of material currently owned by an operator and not incorporated into plant or in the process of being consumed, exclusive of:

(i) At the operator's option, the dollar value of material offered for sale and listed by categories in column (b) of Form WPB–1127 for the third quarter of 1944.

(ii) Material for use on a project approved by the War Production Board on Form WPB–2774 or any alternative form, or segregated for use on construction jobs permitted by this Order.

(iii) Poles, crossarms, insulators and non-metallic conduit, furniture and fixtures; office machinery; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(b) *CMP allotment symbol and preference ratings.* (1) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating of AA–1 for deliveries of material for maintenance, repair and operating supplies, except for:

(i) Telephone sets;

(ii) Material for the construction of a building;

(iii) Material for a construction project other than a building where the total cost of material is more than $25,000 or the cost of material obtained under this order is more than $2,500.

(2) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating AA–3 for deliveries of:

(i) Telephone sets;

(ii) Material for a construction project other than a building where the total cost of material is not more than $25,000 and the cost of material obtained under this order is more than $2,500.

(3) No preference rating or allotment symbol is assigned for deliveries of materials for construction of a building.

(4) An operator may apply and a supplier may extend the CMP allotment symbol or ratings in the manner provided in Priorities Regulation 3 and CMP Regulation 3, by placing on his delivery order substantially the certification set forth below in paragraph (b) (5).

(5) Utilities maintenance, repair and operating supplies certification.

CMP allotment symbol U–9, preference rating ——. The undersigned operator certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders and under all provisions of Utilities Orders U–2 and U–3, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any CMP allotment symbol or rating which the undersigned has placed on this order.

(c) *Use of material obtained under this order.* (1) Material obtained under this order may be used by an operator only within the limitations of Order U–2.

(2) Material costing not more than $50 obtained under this order on AA–1 rating or U–9 allotment symbol, may be used on any construction project permitted under this order, or authorized on Form WPB–2774 or alternative form, even though the project has been assigned a lower rating or different symbol or is unrated.

(3) Material obtained under this order which is in inventory may be used on any permitted construction project, even though the project is assigned a different allotment symbol or a lower rating either by this order or by the War Production Board on Form WPB–2774, or any alternative form. However, material so used may only be replaced in inventory by use of the different allotment symbol or the lower preference rating authorized by this order or by the War Production Board on Form WPB–2774 or alternative form.

(4) An operator, who does not furnish telephone service to the public, whose "operator's inventory" at the end of 1942 or whose use of material during 1942 did not exceed $10,000 may not, in any single case, use material obtained under this order costing more than $500 for operating supplies.

(5) No operator shall subdivide a single order, job, or project to qualify it under the dollar limitations of this Order U–3.

(6) Material obtained under this order may be used for maintenance and repair, including maintenance and repair of buildings, without regard to dollar limitations on the use of material for operating supplies.

(7) The dollar limits of this order shall not prevent the use of material on hand to meet temporary traffic or emergency requirements, but where the dollar limits are exceeded the material must be returned to inventory or to its original location in plant within thirty days, unless application has been made to the War Production Board for authority to continue the use of material.

(d) *Authority to begin construction.* No material may be used in the construction of a building which involves a total cost in material in excess of $25,000, unless the operator has obtained authority to begin construction of the building on Form WPB–2774. No approval is required before beginning construction of telephone, telegraph or teletypewriter plant, other than buildings.

(e) *Restrictions on inventory.* (1) No operator shall accept deliveries of material unless after the delivery his operator's inventory will not exceed a practical working minimum. A practical working minimum shall in no case be greater than 27½% of the dollar value of material used during the calendar year 1940 for all purposes exclusive of the items in paragraph (a) (5) (iii) and materials which were used for building construction. The items in (a) (5) (iii) may be accepted by an operator even if his operator's inventory exceeds 27½% of his 1940 usage of material.

(2) No operator shall accept delivery of a size, type, gauge and length of cable, wire or strand, if the operator's inventory of that size, type, gauge and length is in excess of requirements for the next ninety days. However, if an operator needs some wire, cable or strand, this provision does not forbid purchase of the minimum standard reel-length, even though the operator does not expect to use the whole reel in the next ninety days.

(f) *Exemptions.* Any operator whose operator's inventory did not exceed $25,000 at the end of 1942 is exempt from the inventory restrictions of paragraph (e) (1).

(g) *Sales of material.* Material sold between operators must be sold without a preference rating or CMP allotment symbol.

(h) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Communications Division, Office of War Utilities, as may from time to time be required by the War Production Board.

(i) *Applicability of regulations.* (1) This order and all transactions affected by it, except as expressly provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or 5A shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of these regulations.

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

(k) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C. Ref.: U–3.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45–10128; Filed, June 9, 1945; 4:48 p. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U–4, as Amended June 9, 1945]

PREFERENCE RATING ORDER (MRO) FOR TELEGRAPH INDUSTRY

Section 4501.11 Utilities Order U–4 is amended to read as follows:

§ 4501.11 *Utilities Order U–4*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering wire telegraph, cable or related communications service (exclusive of telegraph and teletypewriter service rendered by operators of telephone communications systems), within, to, or from the United States, its territories or possessions, either private or public in character, which involves the transmission and reception of coded impulse signals in numerical variety not less than twenty-six. "Operator" also includes the same persons to the extent engaged in rendering telephone communication service. Public law enforcement agencies and public fire protection agencies are excluded from this definition for the purpose of this order.

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

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(4) "Operating supplies" means any material essential to the operator's business and used for purposes other than maintenance and repair.

(5) Without regard to accounting practices, "operator's inventory" means the aggregate of material currently owned by an operator and not incorporated into plant or in the process of being consumed, exclusive of:

(i) At the operator's option, the dollar values of material reported for sale by categories in Column (b) of Form WPB–1131 for the third quarter of 1944.

(ii) Material for use on a project approved by the War Production Board on Form WPB–2774 or any alternative form or segregated for use on projects permitted by this order.

(iii) Stocks of lead covered cable or bare line wire maintained by an operator for repair of major breakdowns due to storms, floods, etc., except that the dollar value of such material which may be excluded from inventory may not exceed the dollar value of material reported in Column (c) of Form WPB–1131 for the third quarter 1944.

(iv) Poles, crossarms, insulators and non-metallic conduit, furniture and fixtures; clothing (uniforms, etc.); printing, stationery and office supplies; house service supplies and coal and petroleum products.

(v) Ocean cable, grapnel rope and buoy rope.

(b) *CMP Allotment Symbol and Preference Ratings.* (1) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating of AA–1 for deliveries of material for maintenance, repair and operating supplies, except for:

(i) Telephone sets;

(ii) Material for the construction of a building;

(iii) Material for a construction project other than a building where the total cost of material is more than $25,000 or the cost of material obtained under this order is more than $2,500.

(2) An operator is authorized to use the CMP allotment symbol U–9 and is assigned the preference rating AA–3 for deliveries of:

(i) Telephone sets;

(ii) Material for a construction project other than a building where the total cost of material is not more than $25,000 and the cost of material obtained under this order is more than $2,500.

(3) No allotment symbol or preference rating is assigned for deliveries of materials for construction of a building.

(4) An operator may apply and a supplier may extend the CMP allotment symbol or ratings in the manner provided in Priorities Regulation 3 and CMP Regulation 3, by placing on his delivery order substantially the certification set forth below in paragraph (b) (5).

(5) Utilities maintenance, repair and operating supplies certification.

CMP allotment symbol U-9, preference rating —. The undersigned operator certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, and under all provisions of Utilities Order U-4, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any CMP allotment symbol or rating which the undersigned has placed on this order.

(c) *Use of material obtained under this order.* (1) Material obtained under this order may be used for an operator's telephone operations only within the limitations of Order U-2.

(2) Material costing not more than $50 obtained under this order on the U-9 allotment symbol or AA-1 rating, may be used on any construction project permitted under this order, or authorized on Form WPB-2774 or any alternative form, even though the project has been assigned a different symbol, a lower rating or is unrated.

(3) Material obtained under this order which is in inventory may be used on any permitted construction project, even though the project is assigned a different allotment symbol or a lower rating either by this order or by the War Production Board on Form WPB-2774, or any alternative form. However, material so used may only be replaced in inventory by use of the different allotment symbol or the lower preference rating authorized by this order or by the War Production Board on Form WPB-2774 or alternative form.

(4) No operator shall subdivide a single order, job, or project to qualify it under the dollar limitations of Order U-4.

(5) Material obtained under this order may be used for maintenance and repair including the maintenance and repair of buildings without regard to dollar limitations on the use of material for operating supplies.

(6) The dollar limits of this order shall not prevent the use of material on hand to meet temporary traffic or emergency requirements, but where the dollar limits are exceeded the material must be returned to inventory or to its original location in plant within thirty days, unless application has been made to the War Production Board for authority to continue the use of material.

(d) *Authority to begin construction.* No material may be used in the construction of a building which involves a total cost of material in excess of $25,000, unless the operator has obtained authority to begin construction of the building on Form WPB-2774. No approval is required before beginning construction of telegraph or telephone plant, other than buildings.

(e) *Restrictions on inventory.* (1) No operator shall accept deliveries of material unless after the delivery his operator's inventory will not exceed a practical working minimum. A practical working minimum shall in no case be greater than 27½% of the dollar value of material used during the calendar year 1940 for all purposes exclusive of the items in paragraph (a) (5) (iv) and materials which were used for building construction. The items in (a) (5) (iv) may be accepted by an operator even if his operator's inventory exceeds 27½% of his 1940 usage of material.

(2) No operator shall accept delivery of a size, type, gauge and length of cable, wire or strand, if the operator's inventory of that size, type, gauge and length is in excess of requirements for the next ninety days. However, if an operator needs some wire, cable or strand, this provision does not forbid him to accept the minimum standard reel-length, even though the operator does not expect to use the whole reel in the next ninety days. Nor does this provision forbid him to accept ocean cable approved under paragraph (f) below.

(f) *Restrictions on purchases.* No operator shall use the allotment number assigned by this order to obtain ocean cable. An operator who needs ocean cable should apply to the Office of War Utilities on Form WPB-2774.

(g) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Communications Division, Office of War Utilities, as may from time to time be required by the War Production Board; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Applicability of regulations.* (1) This order and all transactions affected by it, except as expressly provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or 5A shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of these regulations.

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

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C. Ref. U-4.

Issued this 9th day of June 1945.

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

[F. R. Doc. 45-10129; Filed, June 9, 1945; 4:48 p. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3,[1] Amdt. 19]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Second Revised Ration Order 3 is amended in the following respects:

1. Section 2.2 (b) is amended by adding after the second sentence the following: "If a spare stamp 13 from the War Ration Book Four of any member of the family unit covered by the application is missing from such ration book and cannot be attached to the application, the applicant shall attach a statement to the application giving the circumstances under which spare stamp 13 was detached from such ration book and shall present to the Board the War Ration Book Four from which the spare stamp 13 is missing."

2. Section 2.2 (c) is amended by adding at the end thereof the following: "The Board may grant the application even if a spare stamp 13 for each person covered by the application is not attached thereto, if the War Ration Book Four in lieu thereof is submitted with the application and the Board finds that the spare stamp 13 is missing and that no home canning application has been made by or for the person who claims that spare stamp 13 is missing from his ration book."

This amendment shall become effective June 15, 1945.

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

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10153; Filed, June 11, 1945; 11:49 a. m.]

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[1] 9 F.R. 13992, 14642, 15048; 10 F.R. 201, 412, 1143, 1537, 2144, 2581, 2874, 3223, 4105, 4715.

PART 1340—FUEL

[MPR 88, Amdt. 27]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

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

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.14 (v) is added to read as follows:

(v) "Blending naphtha" means a petroleum naphtha sold for use as a blending agent to produce gasoline or for direct use as a substitute for gasoline.

2. Section 2.4 (c) is added to read as follows:

(c) *In the San Diego Tank Wagon Area and nearby tank wagon areas—Maximum tank wagon prices of P. S. 100 fuel oil.* Within the reference seller's free delivery limits in the tank wagon areas listed below, maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, shall be as follows:

Tank wagon areas	For deliveries of less than 75 gallons	For deliveries of 75 gallons or more
San Diego	8	7
Palm City	8	7
La Mesa	8	7
Solano Beach	8¼	7¼
Ocean Side	8¼	7¼
Escondido	8¼	7¼
Fall Brook	8¼	7¼
Ramona	8½	7½

In any of the above tank wagon areas, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941, posted tank wagon prices.

3. Section 2.4 (d) is added to read as follows:

(d) *In the Grass Valley Tank Wagon area—Maximum tank wagon prices of P. S. 100 fuel oil and P. S. 200 fuel oil.* Within the reference seller's free delivery limits of the tank wagon area listed below, maximum tank wagon prices (in cents per gallon) for P. S. 100 fuel oil, also known as stove oil, and P. S. 200 fuel oil, also known as furnace oil, shall be as follows:

Tank wagon area	For deliveries of less than 40 gallons		For deliveries of 40 gallons or more	
	P. S. 100	P. S. 200	P. S. 100	P. S. 200
Grass Valley	11	10	9	8

In the above tank wagon area, at any point outside the free delivery limits, a seller may add the increase for the particular point specified in the reference seller's pamphlet of its October 14, 1941 posted tank wagon prices.

4. Section 2.11 (b) (2) (i) is amended by inserting the words "and at bulk plants serving the said city" between the words "East St. Louis" and "the".

5. Section 2.23 (a) (2) (i) is amended by inserting the words "and at bulk plants serving the said city" between the words "St. Louis" and "the".

6. The first sentence of footnote 6, section 3.4, is amended to read as follows: This price shall not be applicable on sales to tank wagon resellers when shipment is made to St. Louis, Missouri, East St. Louis, Illinois, or bulk plants serving either of such cities.

7. Section 4.34 (a) (3) is added to read as follows:

(3) *Aviation gasoline.* Maximum prices of aviation gasoline in bulk lots f. o. b. refineries in the State of Oklahoma, loaded into tank cars, motor transports and pipe lines shall be as follows:

Grade	To class 1 purchasers (cents per gallon)	To class 2 purchasers (cents per gallon)	To class 3 purchasers (cents per gallon)
62-65 Octane ASTM aviation gasoline	7.375	7.50	7.75
73 Octane ASTM aviation gasoline	7.625	7.75	8.00
80 Octane ASTM aviation gasoline	7.875	8.25	8.50

"Class 1 purchasers" are refiners, the United States Government or any agency thereof, and buyers purchasing for ultimate shipment to Petroleum Administration for War District No. 1.

"Class 2 purchasers" are resellers (except airport dealers) not included in Class 1.

"Class 3 purchasers" are airport dealers and consumers not included in Class 1.

8. Section 5.1 (e) (4) is added to read as follows:

(4) *Diesel fuels and tractor fuels.* In the above states (except in the Southern Peninsula of Michigan and in the Metropolitan Chicago area, as said area is defined in section 5.1 (e) (1) (iii) above), a supplier's maximum delivered-at-destination tank car prices for diesel fuels and tractor fuels, delivered in tank cars or motor transports, of the grades hereinafter referred to shall be as set forth below, except that the sum of .125¢ per gallon may be added by an eligible marketer.

(i) *Tank wagon resellers; contract buyers.* If on October 1, 1941 there was a written contract in effect extending over a period of not less than one year for deliveries by a supplier to a tank wagon reseller, then the particular supplier's maximum delivered-at-destination price to such reseller shall be determined in accordance with the provisions of section 5.2 and Article VI, or shall be established pursuant to section 8.3.

(ii) *Consumers and tank wagon resellers.* If (i) is inapplicable, any supplier's maximum delivered-at-destination price (exclusive of any applicable taxes incident to the sale but not the transportation of such products) for a particular grade of one of the products listed below shall be the applicable rail rate of transportation for the product as of October 1, 1941 from Tulsa, Oklahoma to the particular destination, plus the amount designated below for the particular grade:

DIESEL FUELS [1]

Grade:	Cents per gallon to be added
Diesel Index 56 and above or 50 cetane and above	4.125
Diesel Index 45–55	4.00
Diesel Index 44 and below	3.625

[1] These maximum prices apply only to fuels sold for use in diesel engines.

TRACTOR FUELS [2]

Grade:	Cents per gallon to be added
Gasoline type (volatile)	5.00
Distillate type (non-volatile) 40 octane ASTM and above	5.00
Distillate type (non-volatile) 30–39 octane ASTM	4.625

[2] For grades of tractor fuel other than those listed, maximum prices shall be established pursuant to section 8.3 of this regulation.

9. Section 5.1 (h) is added to read as follows:

(h) *At any shipping or delivery point—Blending naphtha—*(1) *At any shipping point.* A seller's maximum price (or prices) f. o. b. any shipping point for blending naphtha loaded into tank cars or transport trucks shall be the same as his maximum price (or prices) for automotive gasoline of the same ASTM octane number. If, in the case of sales of automotive gasoline f. o. b. a particular shipping point, price distinctions, dependent on ultimate destination or the seller's customary pricing practice, are required by the regulation, the same price distinctions shall be required on sales of blending naphtha f. o. b. the same shipping point.

(2) *At any delivery point.* A seller's maximum delivered-at-destination tank car price for any blending naphtha delivered in tank cars, transport trucks shall be the sum of his maximum shipping point price to the same purchaser, as determined under subparagraph (1) above or as established under section 8.3, plus the cost of transportation [1] to the particular destination.

10. Section 6.2 (d) is amended to read as follows:

(d) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.—*(1) *On delivered-at-destination sales at the tank car level to certain tank wagon resellers.* If, for the sale of a particular grade of kerosene or fuel oil, there was a contract in effect on October 1, 1941 between a supplier and a tank wagon reseller; and if such contract provided for varying the

[1] On deliveries in Petroleum Administration for War District No. 1 the cost of transportation means the net cost after allowing for that portion of the transportation cost which is compensated for by the Defense Supplies Corporation.

supplier's price to the reseller on the basis of the tank wagon price at the delivery point; and if the maximum tank wagon price at such delivery point is increased by the provisions of either section 7.4 or Article II, then the supplier's maximum price at the particular delivery point to the particular reseller shall be as determined below or as determined under section 5.2, whichever price shall be higher. In computing, as set forth below, the supplier's maximum price, the maximum tank wagon price used in any computation therein shall be regarded as .3 of a cent less than the actual maximum price of the tank wagon reseller.

(a) If the maximum tank wagon price at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(b) If the maximum tank wagon price at the delivery point is increased, toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of kerosene or fuel oil by a supplier to a tank wagon reseller; and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article II, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller. The tank wagon price to be used by the Administrator in any determination hereunder shall be .3 of a cent less than the actual maximum price of the tank wagon reseller.

11. Section 6.5 (c) is amended to read as follows:

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin*—(1) *On delivered-at-destination sales at the tank car level to certain tank wagon or service station resellers.* If, for the sale of a particular grade of gasoline there was a contract in effect on October 1, 1941 between a supplier and either a tank wagon or service station reseller; and if such contract provided for varying the supplier's price to the reseller on the basis of the tank wagon price at the delivery point; and if the maximum tank wagon price at such delivery point is increased by the provisions of either section 7.4 or Article IV, then the supplier's maximum price at the particular delivery point to the particular reseller shall be as determined below or as determined under section 5.2, whichever price shall be higher.

(a) If the maximum tank wagon price at the delivery point is increased to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier may charge the reseller the highest price that he could have charged him under the terms of the contract on October 1, 1941 had the tank wagon price at the delivery point then been normal.

(b) If the maximum tank wagon price at the delivery point is increased toward but not to the normal tank wagon price posted for such point by the reference seller on October 1, 1941, then the supplier's maximum price shall be a price which is equal to the adjusted maximum tank wagon price less the margin which would have been provided on October 1, 1941 by the terms of the contract had the tank wagon price at the delivery point then been normal.

(2) *On f. o. b. shipping point sales to certain tank wagon or service station resellers.* If on October 1, 1941 there was a contract in effect for the sale of a particular grade of gasoline by a supplier to a tank wagon or service station reseller; and if such contract provided for varying the supplier's f. o. b. shipping point price on the basis of the tank wagon price at a stipulated point; and if the maximum tank wagon price at such point is increased by section 7.4 or Article IV, then, by application in writing to the Administrator, the supplier may apply for a written order increasing his maximum price, as determined under section 5.2, to the particular reseller.

12. In section 6.4 (a) (1) (i), the figure "50" is amended to read "45".

13. Section 7.4 (a) is amended to read as follows:

(a) *When use of reference seller's maximum tank wagon price is required.* Except as provided in paragraph (b) below, a seller's maximum tank wagon price for a particular grade of gasoline, stove and lamp naphtha, kerosene, range, stove or heater, oil, distillate fuel oil, diesel fuel or tractor fuel,[1] at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either (1) the reference tank wagon seller's normal price, as posted on October 1, 1941 for the same point, plus, in the case of tank wagon deliveries in rationed areas of any of the above products which are rationed, the sum of .3 of a cent per gallon or (2) said reference seller's maximum tank wagon price for such product at the same point, as determined under section 5.2 and Article VI, plus .7 of a cent per gallon, whichever results in the lower price.[2]

If the reference seller has no maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined or established under other provisions of this regulation.

14. Section 7.5 (a) is amended by substituting for the phrase "73 Octane ASTM aviation gasoline" the phrase "80 and 73 Octane ASTM aviation gasoline".

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9979; Filed, June 8, 1945; 1:25 p. m.]

[1] For the purposes of section 7.4 distillate type (non-volatile) tractor fuels of 40 octane ASTM and above and of 30-39 octane ASTM are to be considered the same grade of tractor fuel.

PART 1340—FUEL

[MPR 121, Amdt. 32]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

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

Maximum Price Regulation No. 121 is amended in the following respects:

1. Section 1340.247a (d) is amended to read as follows:

(d) In connection with any application for adjustment filed under the provisions of this section, the applicant shall submit in duplicate detailed statements of cost and realization for the last calendar or fiscal year preceding the date of filing and for the current year to date. The applicant may also be required to submit such additional information as may be requested by the Office of Price Administration to enable it to give proper consideration of its application.

2. In § 1340.249 (d) (1) (iii) the proviso is amended to read as follows:

Provided, however, a Producer's maximum price need not be decreased if he incurs a decrease in the cost of solid fuel by reason of using, at the request of the Solid Fuels Administrator for War, Pennsylvania Anthracite as a substitute for a portion of the bituminous coal formerly used in the manufacture of briquettes or packaged fuel.

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9980; Filed, June 8, 1945; 1:25 p. m.]

[2] For deliveries of 100 gallons and over of Stanolind High Speed diesel fuel or any diesel fuel of the same grade, deduct 1 cent per gallon.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569, Amdt. 2]

MAXIMUM PRICES FOR USED MOTORCYCLES

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

Maximum Price Regulation 569 is amended in the following respects:

1. Subparagraph (3) of section 2 (a) is redesignated subparagraph (4) and is amended to read as follows:

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section.

2. A new subparagraph (3) is added to section 2 (a) to read as follows:

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward, pursuant to section 5 (c), because of his refusal to make the repairs or replacements required under his warranty.

3. The following undesignated paragraphs are added to section 5 (c):

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is conditioned on the used motorcycle being in good operating condition as defined in section 7 (b). If a dealer sells at the warranted maximum price a used motorcycle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the non-warranted maximum price).

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used motorcycle shall be the maximum price for the used motorcycle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced. For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used motorcycle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

4. Section 7 is amended to read as follows:

SEC. 7. *Warranted used motorcycle*—(a) *Definition.* A warranted used motorcycle is a used motorcycle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 16 (b) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used motorcycles, it shall be a used motorcycle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 16 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used motorcycle is in good operating condition when its functional parts, and those of its non-functional parts which are customarily attached to a motorcycle, are in a condition that will permit the used motorcycle to be driven safely and efficiently.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used motorcycle_____
Date of delivery_____
Serial number_____
Total selling price $_____

_____
Name of purchaser

_____
Address

Model_____
Speedometer reading_____
Motor number_____

_____
Signature of dealer making sale, or name of dealer and signature of authorized agent.

_____
Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used motorcycle shall be part of the same document that contains the "Dealer's Warranty" for such a used motorcycle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under that warranty.

_____
Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

_____
Service Supplier's Address

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used motorcycle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

5. Section 11 is amended to read as follows:

SEC. 11. *Certificate of transfer and purchaser's statement that must be completed for a sale of a used motorcycle.* Every person when he sells a used motorcycle covered by this regulation shall prepare a certificate of transfer, Appendix C, in accordance with the instructions in that appendix, sign the certificate and give it to the purchaser.

When a dealer or other person generally engaged in the business of selling used motorcycles is the purchaser, he shall sign the purchaser's certification on the reverse side of the certificate and turn the certificate in to his local War Price and Rationing Board. The only action a purchaser who is not a person generally engaged in the business of selling used motorcycles takes with respect to the certificate is to turn it in to his local War Price and Rationing Board. However, every purchaser who is not a dealer or other person generally engaged in the business of selling used motorcycles shall complete a purchaser's statement which he shall also turn in to his local War Price and Rationing Board. This purchaser's statement is set out in Appendix D of this regulation. Where the purchaser is not a dealer or other person generally engaged in the business of selling used motocycles, he shall turn in the certificate of transfer and the purchaser's statement to his local War Price and Rational Board on or before the date he applies to that Board for a gasoline ration for the used motorcycle he has purchased. Where the purchaser is a dealer, or other person generally engaged in the business of selling used motorcycles, he shall turn in the certificate of transfer to his local War

Price and Rationing Board not later than 5 days from the date he purchases the used motorcycle. For the purpose of this section a trade-in of a used motorcycle is a sale, and the person trading in the used motorcycle must take the steps required of sellers by this section, and the person accepting the used motorcycle traded in must take steps required of purchasers by this section. Copies of the certificate of transfer may be obtained from sellers generally engaged in the business of selling used motorcycles or from local War Price and Rationing Boards. The purchaser's statement will be obtained by the purchaser from his local War Price and Rationing Board when he submits the certificate of transfer to that Board.

6. Section 12 is amended to read as follows:

SEC. 12. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used motorcycles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used motorcycle he has acquired for resale:

(1) A complete description of the used motorcycle including make, model year, serial number, motor number and type;

(2) The name and address of the person from whom he acquired the used motorcycle;

(3) The price he paid for the used motorcycle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used motorcycle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used motorcycle;

(6) The price he charged the purchaser for the used motorcycle excluding taxes and finance charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used motorcycle at a price higher than the as-is price.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used motorcycles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

7. Section 13 is amended to read as follows:

SEC. 13. *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the used motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used motorcycle where the finder's fee or other compensation plus the purchase price for the used motorcycle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used motorcycles and an employee of the type of employee generally considered by the motorcycle trade to be a used motorcycle salesman.

8. Paragraphs (a) and (b) of Appendix B are amended by changing the listing of model years for each model which reads "1942, 1943, 1944" to read "1942, 1943, 1944, 1945."

9. A new Appendix C is added to the regulation to read as follows:

APPENDIX C

OPA Form 694—2427 Form Approved Budget Bureau No. 08-R1397

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

CERTIFICATE OF TRANSFER OF USED MOTORCYCLES

Under the provisions of
Maximum Price Regulation No. 569
Maximum Prices for Used Motorcycles

The seller is to prepare and sign this certificate and give it to the purchaser.

Where the purchaser is a dealer, or other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board not later than 5 days after he purchases the used motorcycle.

Where the purchaser is neither a dealer nor other seller generally engaged in the business of selling used motorcyles, he must present this certificate to his local War Price and Rationing Board on or before the date he applies for a gasoline ration for the used motorcycle he purchased.

The information required under "Description of Motorcycle" shall be supplied insofar as possible from the vehicle registration card.

Do Not Write In Space Within Heavy Lines

BOARD ACTION

Board No.	Date
City and postal zone	State

Board recommendation:

Sign Here _____
(Signature of Board Member)

DISTRICT OFFICE ACTION

Reviewed by _____

Remarks _____

Name of purchaser	
Address—number and street	
City and postal zone No.	State
Name of seller	
Dealer authorization No. (if any)	
Address—number and street	
City and postal zone No.	State

To be filled in by seller

Description of motorcycle	
Make	Year
Model	
Serial No.	Motor No.

Price calculation

1	Base price of motorcycle as listed in Appendix B of MPR 569	$
2	Is motorcycle equipped with side car? Yes ☐ No ☐	$
3	Maximum price for motorcycle without dealer warranty: (Total of 1 and 2.)	$
4	Maximum price for motorcycle if sold with dealer warranty.	$
5	Federal, State, and local taxes which may be collected by seller	$
6	Actual sales price for motorcycle including taxes	$
	State or Territory in which motorcycle was last registered or titled by the owner.	$

Is the seller a dealer?
Yes ☐
No ☐

If you are a dealer selling with a warranty, did you deliver to the purchaser a copy of the warranty?

Yes ☐ No ☐

WARNING

Any misrepresentation on this certificate may be cause for $10,000 fine or 10 years imprisonment, or both.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569, Amdt. 2]

MAXIMUM PRICES FOR USED MOTORCYCLES

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

Maximum Price Regulation 569 is amended in the following respects:

1. Subparagraph (3) of section 2 (a) is redesignated subparagraph (4) and is amended to read as follows:

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section.

2. A new subparagraph (3) is added to section 2 (a) to read as follows:

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward, pursuant to section 5 (c), because of his refusal to make the repairs or replacements required under his warranty.

3. The following undesignated paragraphs are added to section 5 (c):

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is conditioned on the used motorcycle being in good operating condition as defined in section 7 (b). If a dealer sells at the warranted maximum price a used motorcycle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the non-warranted maximum price).

The inclusion in the maximum price of an additional amount when a used motorcycle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used motorcycle shall be the maximum price for the used motorcycle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced. For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used motorcycle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

4. Section 7 is amended to read as follows:

SEC. 7. *Warranted used motorcycle*—(a) *Definition.* A warranted used motorcycle is a used motorcycle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 16 (b) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used motorcycles, it shall be a used motorcycle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 16 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used motorcycle is in good operating condition when its functional parts, and those of its non-functional parts which are customarily attached to a motorcycle, are in a condition that will permit the used motorcycle to be driven safely and efficiently.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used motorcycle_____
Date of delivery_____
Serial number_____
Total selling price $_____

_____
Name of purchaser

_____
Address

Model_____
Speedometer reading_____
Motor number_____

_____
Signature of dealer making sale, or name of dealer and signature of authorized agent.

_____
Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used motorcycle shall be part of the same document that contains the "Dealer's Warranty" for such a used motorcycle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under that warranty.

_____
Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

_____
Service Supplier's Address

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used motorcycle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

5. Section 11 is amended to read as follows:

SEC. 11. *Certificate of transfer and purchaser's statement that must be completed for a sale of a used motorcycle.* Every person when he sells a used motorcycle covered by this regulation shall prepare a certificate of transfer, Appendix C, in accordance with the instructions in that appendix, sign the certificate and give it to the purchaser.

When a dealer or other person generally engaged in the business of selling used motorcycles is the purchaser, he shall sign the purchaser's certification on the reverse side of the certificate and turn the certificate in to his local War Price and Rationing Board. The only action a purchaser who is not a person generally engaged in the business of selling used motorcycles takes with respect to the certificate is to turn it in to his local War Price and Rationing Board. However, every purchaser who is not a dealer or other person generally engaged in the business of selling used motorcycles shall complete a purchaser's statement which he shall also turn in to his local War Price and Rationing Board. This purchaser's statement is set out in Appendix D of this regulation. Where the purchaser is not a dealer or other person generally engaged in the business of selling used motocycles, he shall turn in the certificate of transfer and the purchaser's statement to his local War Price and Rational Board on or before the date he applies to that Board for a gasoline ration for the used motorcycle he has purchased. Where the purchaser is a dealer, or other person generally engaged in the business of selling used motorcycles, he shall turn in the certificate of transfer to his local War

Price and Rationing Board not later than 5 days from the date he purchases the used motorcycle. For the purpose of this section a trade-in of a used motorcycle is a sale, and the person trading in the used motorcycle must take the steps required of sellers by this section, and the person accepting the used motorcycle traded in must take steps required of purchasers by this section. Copies of the certificate of transfer may be obtained from sellers generally engaged in the business of selling used motorcycles or from local War Price and Rationing Boards. The purchaser's statement will be obtained by the purchaser from his local War Price and Rationing Board when he submits the certificate of transfer to that Board.

6. Section 12 is amended to read as follows:

SEC. 12. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used motorcycles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used motorcycle he has acquired for resale:

(1) A complete description of the used motorcycle including make, model year, serial number, motor number and type;

(2) The name and address of the person from whom he acquired the used motorcycle;

(3) The price he paid for the used motorcycle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used motorcycle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used motorcycle;

(6) The price he charged the purchaser for the used motorcycle excluding taxes and finance charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used motorcycle at a price higher than the as-is price.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used motorcycles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

7. Section 13 is amended to read as follows:

SEC. 13. *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the used motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used motorcycle where the finder's fee or other compensation plus the purchase price for the used motorcycle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used motorcycles and an employee of the type of employee generally considered by the motorcycle trade to be a used motorcycle salesman.

8. Paragraphs (a) and (b) of Appendix B are amended by changing the listing of model years for each model which reads "1942, 1943, 1944" to read "1942, 1943, 1944, 1945."

9. A new Appendix C is added to the regulation to read as follows:

APPENDIX C

OPA Form 694—2427 Form Approved Budget Bureau No. 08–R1397

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

CERTIFICATE OF TRANSFER OF USED MOTORCYCLES

Under the provisions of
Maximum Price Regulation No. 569
Maximum Prices for Used Motorcycles

The seller is to prepare and sign this certificate and give it to the purchaser.

Where the purchaser is a dealer, or other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board not later than 5 days after he purchases the used motorcycle.

Where the purchaser is neither a dealer nor other seller generally engaged in the business of selling used motorcycles, he must present this certificate to his local War Price and Rationing Board on or before the date he applies for a gasoline ration for the used motorcycle he purchased.

The information required under "Description of Motorcycle" shall be supplied insofar as possible from the vehicle registration card.

Do Not Write In Space Within Heavy Lines

BOARD ACTION

Board No.	Date
City and postal zone	State

Board recommendation:

Sign Here.....
(Signature of Board Member)

DISTRICT OFFICE ACTION

Reviewed by.....

Remarks .....

Name of purchaser

Address—number and street

City and postal zone No. | State

Name of seller

Dealer authorization No. (if any)

Address—number and street

City and postal zone No. | State

To be filled in by seller

Description of motorcycle

Make | Year

Model

Serial No. | Motor No.

Price calculation

1	Base price of motorcycle as listed in Appendix B of MPR 569	$
2	Is motorcycle equipped with side car? Yes ☐ No ☐	$
3	Maximum price for motorcycle without dealer warranty: (Total of 1 and 2.)	$
4	Maximum price for motorcycle if sold with dealer warranty.	$
5	Federal, State, and local taxes which may be collected by seller	$
6	Actual sales price for motorcycle including taxes	$
	State or Territory in which motorcycle was last registered or titled by the owner.	$

Is the seller a dealer?
Yes ☐
No ☐

If you are a dealer selling with a warranty, did you deliver to the purchaser a copy of the warranty?

Yes ☐ No ☐

WARNING

Any misrepresentation on this certificate may be cause for $10,000 fine or 10 years imprisonment, or both.

Certification of Seller

The undersigned hereby certifies that he has complied with the requirements of Maximum Price Regulation No. 569, Maximum Prices for Used Motorcycles, and that the actual sale price of the motorcycle is not more than the maximum selling price as established by Maximum Price Regulation No. 569, and further certifies that no payment directly or indirectly was or will be made in addition to the actual sale price of the motorcycle as shown on this certificate.

Sign Here .....
(Signature of seller) (Date)

If buyer is a dealer, or other seller generally engaged in the business of selling used motorcycles, complete Purchaser's Certification on reverse side.

To be signed by purchaser who is a dealer, or other person generally engaged in the business of selling used motorcycles

PURCHASER'S CERTIFICATION

The undersigned hereby certifies that he has complied with the requirements of Maximum Price Regulation 569, Maximum Prices for Used Motorcycles, and that the actual sales price of the used motorcycle is not more than the actual sales price shown on the face of this certificate, and further certifies that no payment directly or indirectly was or will be paid in addition to the actual sales price of the used motorcycle.

Sign Here .....
(Purchaser or authorized agent)
Date .....

OPA ceiling prices protect both the buyer and the seller—help fight inflation

Consult ceiling price list at your local War Price and Ration Board

Report overcharges to the price panel of your local board

OPA Form 694—

10. A new Appendix D is added to the regulation to read as follows:

APPENDIX D

OPA Form 694-2428 ..... (Form Approved Budget Bureau No. 08-R1399)

This form may be reproduced only by authorization of the Office of Price Administration

Purchaser's statement regarding his purchase of a used motorcycle

To be completed by every purchaser except a dealer under Section 16 (b) of Maximum Price Regulation 569 or other person generally engaged in the business of selling used motorcycles.

Help OPA help you

If the used motorcycle was not purchased in the course of trade or business you did not incur any liability by paying more than the permitted maximum price. Moreover, you may obtain a refund of as much as three times the amount of the overcharge. Your local War Price and Rationing Board will tell you how this may be done. If any of the statements on the Certificate of Transfer are not true or correct, inform your local War Price and Rationing Board of the untrue or incorrect statements.

If you purchased a warranted motorcycle did the dealer give you a written warranty? Yes ☐ No ☐

Name of purchaser

Address—number and street

City and postal zone No. | State

Purchaser's statement

The undersigned submits the following information regarding his purchase of a used motorcycle.

Description of motorcycle

Make | Year

Model | Serial No. | Motor No.

Name of seller

Address—number and street

City and State

Date of purchase | Price paid (less finance charges)

Sign Here .....
(Signature of purchaser)

See reverse side

NOTICE

THIS STATEMENT IS FOR YOUR PROTECTION, READ IT CAREFULLY

This person who sold you the motorcycle is in violation of Maximum Price Regulation 569 if:

1. He required you to pay any money or to give him any other consideration, not shown on the Certificate of Transfer.
2. He required you to pay for the used motorcycle on time when you offered to pay cash.
3. He charged you excessive time payments so that the excess charge for time payments plus the purchase price exceeds the maximum price.
4. He required you to trade in a vehicle to obtain the motorcycle you purchased.
5. He did not give you a reasonable trade-in allowance on your old vehicle.
6. He required you to purchase another commodity in order to obtain the motorcycle you purchased.
7. He required you to purchase extra equipment and the amount you paid him for this equipment is not shown on the Certificate of Transfer.
8. He required you to pay full maximum price when standard equipment was missing from the motorcycle.

Your War Price and Rationing Board is here to assist you. Tell it about anything the seller did which you believe is not in accordance with the regulation.

Help OPA help you

This amendment shall be effective this 13th day of June 1945.

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

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9933; Filed, June 8, 1945; 1:29 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[1] Amdt. 8]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

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

Revised Maximum Price Regulation 341 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) On and after August 16, 1943, regardless of any contract or other obligation, except as provided in paragraphs (b), (c) and (d):

(1) No person shall sell or deliver any used vehicle at a price higher than the maximum price permitted by this regulation; and

(2) No person in the course of trade or business shall buy or receive a used vehicle at a price higher than the maximum price permitted by this regulation, but if he, the purchaser, has received from the seller a statement that the price charged does not exceed the maximum price, and he has no knowledge to the contrary, he shall be deemed to have complied with this subparagraph; and

(3) No dealer shall retain payment in excess of the adjusted maximum price where the maximum price has been adjusted downward pursuant to section 5 (b), because of his refusal to make the repairs or replacements required under his warranty; and

(4) No person shall agree, offer or attempt to do any of the acts prescribed in subparagraphs (1), (2) and (3) of this section:

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

(b) Multiply such "base price" by the percentage in section 7 (a) applicable to the model year of the vehicle and the condition in which it is sold ("as is" or "warranted"). Before the percentage applicable to a "warranted" vehicle can be used the vehicle must be in the condition required by section 8, the warranty in that section must be furnished in writing to the purchaser, and the sale must be to a purchaser other than a person generally engaged in the business of selling used vehicles.

The inclusion in the maximum price of an additional amount when a used vehicle is warranted is conditioned on the used vehicle being in good operating condition as defined in section 8 (b). If a dealer sells at the warranted maximum price a used vehicle not in good operating condition he makes an overcharge in excess of the permitted maximum price (the as-is maximum price).

The inclusion in the maximum price of an additional amount when a used vehicle is warranted is also conditioned upon the making of repairs or replacements in accordance with the dealer's warranty. If the dealer refuses to make these repairs or replacements, the maximum price for the used vehicle shall be the maximum price for the used vehicle when warranted reduced by 50% of the amount the purchaser would have to pay for the repairing or replacement which the dealer should have made under his warranty, and the dealer shall refund the amount of that reduction to the buyer. Refusal to refund that amount will constitute an overcharge in excess of the maximum price. If upon the dealer's refusal to make repairs or replacements in accordance with his warranty, the purchaser has such work done by another before receiving a refund from the dealer, the actual cost of such work shall be considered the amount by which the maximum price is reduced.

[1] 8 F.R. 11175, 17036, 17414; 9 F.R. 3847, 4396, 7009, 10641.

For the purposes of this section, failure to make repairs or replacements required by the warranty within a reasonable time from the date the used vehicle is delivered to the place of business of the dealer shall constitute a refusal to make such repairs or replacements regardless of the reasons why they are not made.

3. Section 8 is amended to read as follows:

SEC. 8. *Warranted used vehicle*—(a) *Definition.* A warranted used vehicle is a used vehicle:

(1) Which is in good operating condition as defined in paragraph (b); and

(2) For which a dealer (as defined in section 18 (b)) furnishes in writing to the purchaser at the time of sale the warranty in paragraph (c); and

(3) In the case of a dealer who does not have a shop and equipment adequate for repairing or reconditioning used vehicles, it shall be a used vehicle which, in addition to satisfying the conditions in (1) and (2), is one for which the service supplier that makes the repairs or replacements for the dealer in accordance with section 18 (b) guarantees in writing the making of the repairs or replacements the dealer is obligated to make under his warranty. The guaranty shall be made in the manner stated in paragraph (d).

(b) *Good operating condition.* A used vehicle is in good operating condition when its functional parts, and those of its non-functional parts which are customarily attached to a used vehicle, are in a condition that will permit the used vehicle to be driven safely and efficiently. Functional parts include, but are not limited to: the chassis, motor, clutch, transmission, drive shaft, differential, steering mechanism, front axle, rear axle, brakes, battery and lighting system.

(c) *Dealer's warranty.* The warranty a dealer shall furnish in writing to a purchaser at the time of sale is:

DEALER'S WARRANTY

The used vehicle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Make of used vehicle _____
Date of delivery _____
Serial or motor number _____
Total selling price $_____
Model _____
Speedometer reading _____

_____
Name of Purchaser

_____
Address

_____
Signature of Dealer making sale, or name of Dealer and signature of authorized agent.

_____
Dealer's Address

(d) *Service supplier's guaranty.* The guaranty which a service supplier shall furnish in connection with the sale of a warranted used vehicle shall be part of the same document that contains the "Dealer's Warranty" for such a used vehicle, and shall be stated in that document immediately below the address of the dealer given in that warranty. The service supplier's guaranty is as follows:

The undersigned service supplier guarantees the making of the repairs or replacements which the dealer furnishing the above warranty is required to make under that warranty.

_____
Signature of Service Supplier who will perform reconditioning or repairing under the warranty, or name of such person and signature of authorized agent.

_____
Service Supplier's Address.

(e) *Additional warranties by dealer.* A dealer may extend to the purchaser warranties in addition to those provided in the warranty stated in paragraph (c) but this shall be done in warranties separate and in addition to the warranty provided in paragraph (c), and the maximum price established by section 5 shall not be increased thereby.

(f) *Purchaser's customary legal remedies for dealer's failure to perform obligations of warranty or service supplier's failure to perform obligations of his guaranty.* Nothing in this regulation restricts the legal remedies available to a purchaser of a used vehicle under the applicable state law for the breach either of a dealer's warranty or a service supplier's guaranty.

4. Section 11 is amended to read as follows:

SEC. 11 *Evasion.* It shall be a violation of this regulation to charge a price above the applicable maximum price in connection with any sale of a used vehicle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, but not exclusively, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of the vehicle, to make payment over a period of time; to require him to finance the purchaser through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other vehicle, product or commodity. Where there is an exchange, transfer or trade-in, in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the vehicle, product or commodity, exchanged, transferred, or traded in, which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the vehicle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this regulation to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States Government.

It shall also be a violation for any person to charge, pay or receive a finder's fee or other compensation in connection with the procurement of a used vehicle where the finder's fee or other compensation plus the purchase price for the used vehicle exceeds the permitted maximum price, except that this prohibition shall not apply to the case of a bona fide employer-employee relationship between a seller generally engaged in the business of selling used vehicles and an employee of the type of employee generally considered by the automotive trade to be a used vehicle salesman.

5. Section 14 is amended to read as follows:

SEC. 14. *Records and reports*—(a) *Records.* Every person generally engaged in the business of selling used vehicles shall, so long as this regulation remains in effect, keep and make available for examination by the Office of Price Administration the following information in regard to every used vehicle he has acquired for resale:

(1) A complete description of the used vehicle including make, model year, serial number, motor number, body type and carrying capacity;

(2) The name and address of the person from whom he acquired the used vehicle;

(3) The price he paid for the used vehicle either on an outright basis or on a trade-in;

(4) The cost of repairs and replacements made in the used vehicle and a description of the repairs and replacements made;

(5) The name and address of the person to whom he sold the used vehicle;

(6) The price he charged the purchaser for the used vehicle excluding taxes and finances charges;

(7) The amount he charged the purchaser to cover taxes and the taxes for which the amount was charged;

(8) The amount he charged the purchaser for financing the sale on an instalment basis, if any;

(9) A copy of the warranty he furnished the purchaser if he sold the used vehicle at a price higher than the as-is price. Other sellers of used vehicles shall keep and make available for examination by the Office of Price Administration records customarily kept in connection with the sale of a used vehicle.

(b) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used vehicles, shall keep such records in addition to those required by paragraph (a), and file such reports, as the Office of Price Administration may from time to time require. Such records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

6. Section 18 (a) is amended to read as follows:

(a) "As-is" refers to a used vehicle for which the highest price that may be charged is the base price permitted by section 6 multiplied by the applicable as-is percentage in section 7.

This amendment shall become effective June 13, 1945.

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

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9982; Filed, June 8, 1945; 1:25 p. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 7]

WIDE MOUTH GLASS CONTAINERS

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

Maximum Price Regulation 382 is amended in the following respects:

1. Section 1.10 (e) is revoked.

2. A new section 3.5 is added to read as follows:

SEC. 3.5. *Modification of maximum prices on shipments into the Western Area by manufacturers located in the Eastern Area*—(a) *Purpose of this section.* It is the purpose of this section to provide for the modification of maximum prices of certain commodities covered by Maximum Price Regulation 382, of manufacturers located in the Eastern Area as defined in section 2.1, whether or not they have manufacturing facilities in the Western Area, as defined in section 3.1, on shipments into the Western Area only.

(b) *Maximum prices.* Regardless of any other section of this regulation, the maximum prices for sales by any manufacturer located in the Eastern Area on shipments into the Western Area of wide mouth glass containers covered by this regulation shall be the higher of the following:

(1) The maximum base price for the commodity when sold within Zone 1 of the Eastern Area as set forth in section 5.1 plus the lowest applicable freight rate to the purchaser's destination in the Western Area, less 35¢ cwt., or

(2) The maximum base price for the commodity when sold in the Western Area as set forth in section 5.2.

(c) *Applicable period of this section.* The provisions of this section shall be applicable only on sales made prior to August 1, 1945.

(d) *Reports required.* Any manufacturer modifying his maximum prices in accordance with section 3.5 (b) (1) shall submit a report to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., on the 15th day of each month containing the following information for each shipment made during the previous calendar month:

(1) The name and address of the purchaser.

(2) The location of the factory from which the shipment was made.

(3) A description of the commodities shipped together with the quantities thereof.

(4) A statement setting forth the modified maximum prices showing how they were determined.

(5) A statement from the purchaser, submitted by the manufacturer, that the excess permitted under this section 3.5 over the applicable maximum base price set forth in section 5.2 will not be passed on to purchasers in the first sale of any commodity as packaged in the containers, and that the increase in the maximum price will not be made the basis of an application to the Office of Price Administration by the seller of such commodity to increase his maximum price. This statement need not be submitted monthly. However, one such statement must be submitted to cover all purchases made in accordance with section 5.3 at the time the first shipment is made to the purchaser.

(6) A statement that the maximum prices as modified have been computed in accordance with section 4.8, in that the industry price differentials, whether published or unpublished which were or would have been allowed in the Eastern Area by that manufacturer on August 1, 1941, to purchasers who resell these containers as such, have been maintained.

(e) *When modified maximum prices may be revised.* The maximum prices determined under the provisions of this section 3.5 may at any time after receipt of the report required in (d) be revised by the Price Administrator.

This amendment shall become effective June 15, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10083; Filed, June 9, 1945; 11:37 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 2]

MILAGE RATIONING; GASOLINE REGULATIONS

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

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.8112 (b) is amended by substituting for the first sentence the following sentence: "Every consumer who has in his possession or control any Class B-6 or Class C-6 coupons which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such rations or, upon good cause shown to any Board.

2. Section 1394.8153 (a) (6) (ii), is amended by inserting after the expression "Class B-5 coupons" the expression "issued on Form OPA R-527G".

3. Section 1394.8153 (a) (6) (iii) is amended by inserting after the expression "Class C-5 coupons" the expression "issued on Form OPA R-528G".

4. Section 1394.8153 (a) (6) (iv) is amended to read as follows:

(iv) Class D coupons which are not serially numbered issued on Forms R-529, R-529A or R-529B.

5. Section 1394.8153 (b) (4) (i) is amended by inserting after the expression "Class E-1 coupons" the expression "issued on Form OPA R-530C".

6. Section 1394.8153 (b) (4) (ii) is amended by inserting after the expression "Class R-1 coupons" the expression "issued on Form OPA R531C".

7. A new § 1394.8153 (a) (7) is added to read as follows:

(7) On and after July 1, 1945 no transfer may be made in exchange for any Class B-6 or Class C-6 coupons issued on Form OPA R-527H or R-528H.

8. Section 1394.820b (a) (23) is amended to read as follows:

(23) After April 20, 1945, any Class D coupon which is not serially numbered, issued on Forms OPA R-529, R-529A or R-529B or Class B-5 or C-5 coupons issued on Forms OPA R-527G or R528G, or Class E-1 or R-1 coupons issued on Forms OPA R-530C or R-531C.

9. Section 1394.8206b (a) (25) is added to read as follows:

(25) After July 20, 1945, any Class B-6 or Class C-6 coupons issued on Forms OPA R-527H or R-528H.

10. Section 1394.8207 (d) is amended by substituting for the expression "or (22)" the expression "(22), or (23)".

11. Section 1394.8207 (f) is revoked because the present effect of this paragraph has been incorporated in § 1394.8207 (d).

12. A new § 1394.8207 (f) is added to read as follows:

(f) On and after July 11, 1945, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline in exchange for any Class B-6 or Class C-6 coupons issued on Forms OPA R-527H or R-528H.

13. Section 1394.8215 (f) is revoked and a new § 1394.8215 (f) is added to read as follows:

(f) (1) Immediately upon the close of business on June 30, 1945, each dealer who has in his possession or control Class B-6 or Class C-6 coupons which he acquired before July 1, 1945, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (Form OPA R-120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before July 10, 1945, each

dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After July 10, 1945, no distributor shall accept from any dealer or distributor any Class B–6 or Class C–6 coupons, nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before July 20, 1945, each distributor shall deposit in appropriate bank accounts maintained by him any such coupons received by him in exchange for any lawful transfers of gasoline made on or before July 10, 1945.

This amendment shall become effective June 12, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong., Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1G, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9976; Filed, June 8, 1945; 1:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 3]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7602 (e) is revoked.

2. Section 1394.7653 (d) (2) is amended to read as follows:

(2) In respect to a basic ration for a motorcycle issued for use after June 10, 1945, the Board shall issue twenty coupons in strip form bearing consecutive serial numbers and accompanied by an identification folder marked "Basic" and bearing "December 22, 1945" as the expiration date. However, if such ration is issued after June 10, 1945, the Board shall reduce such number of coupons by one coupon for each full ten days which have elapsed after June 10, 1945.

3. Section 1394.7701 (c) is revoked.

4. Section 1394.7704 (b) (1) is amended to read as follows:

(1) No Board shall allow mileage in excess of 650 miles per month unless the mileage in excess of such maximum is defined as preferred mileage under the provisions of § 1394.7706, or is additional mileage allowed pursuant to § 1394.7707, or is defined as semi-preferred mileage under the provisions of § 1394.7708.

5. Section 1394.7705 (a) (1) is amended to read as follows:

(1) In the case of a passenger automobile for which application for a supplemental ration is made, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 650 miles per month or less: Class B coupons in the number specified in Table I for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 650 miles per month: Class C coupons in the number specified in Table II for the mileage allowed.

6. Section 1394.7705 (a) (2) is revoked.

7. Section 1394.7705 (a) (3) is revoked.

8. Section 1394.7705 (a) (4) is redesignated subparagraph (2) of paragraph (a) of that section; the subparagraph is amended to read as follows:

(2) In the case of a motorcycle the Board shall issue Class D coupons in strip form bearing serial numbers in consecutive order and issued in connection with a folder (to be marked "supplemental") containing the number of coupons specified in Table III to provide the mileage allowed by the Board.

TABLE I—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION

For passenger automobiles with an allowed mileage of 650 miles per month or less.

(For motorcycles, use Table III)

Miles per month:	*"B" coupons for 3 months*
1–25	1
26–50	2
51–75	3
76–100	4
101–125	5
126–150	6
151–175	7
176–200	8
201–225	9
226–250	10
251–275	11
276–300	12
301–325	13
326–350	14
351–375	15
376–400	16
401–425	17
426–450	18
451–475	19
476–500	20
501–525	21
526–550	22
551–575	23
576–600	24
601–625	25
626–650	26

TABLE II—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION

For passenger automobiles with an allowed mileage of more than 650 miles per month.

(For motorcycles, use Table III)

Miles per month:	*"C" coupons for 3 months*
651–675	27
676–700	28
701–725	29
726–750	30
751–775	31
776–800	32
801–825	33
826–850	34
851–875	35
876–900	36
901–925	37
926–950	38
951–975	39
976–1000	40
1001–1025	41
1026–1050	42
1051–1075	43
1076–1100	44

TABLE II—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION—Con.

Miles per month—Con.	*"C" coupons for 3 months*
1101–1125	45
1126–1150	46
1151–1175	47
1176–1200	48
1201–1225	49
1226–1250	50
1251–1275	51
1276–1300	52

NOTE: In the event the allowed mileage exceeds 1300 miles, one additional coupon shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1300 miles.

TABLE III—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION FOR MOTORCYCLES

All allowed mileage in excess of 650 miles per month must be preferred mileage, semi-preferred mileage or mileage allowed under § 1394.7707.

Miles per month:	*"D" coupons for 3 months*
Up to 20	1
21–40	2
41–60	3
61–80	4
81–100	5
101–120	6
121–140	7
141–160	8
161–180	9
181–200	10
201–220	11
221–240	12
241–260	13
261–280	14
281–300	15
301–320	16
321–340	17
341–360	18
361–380	19
381–400	20
401–420	21
421–440	22
441–460	23
461–480	24
481–500	25
501–520	26
521–540	27
541–560	28
561–580	29
581–600	30
601–620	31
621–640	32
641–660	33
661–680	34
681–700	35
701–720	36
721–740	37
741–760	38
761–780	39
781–800	40
801–820	41
821–840	42
841–860	43
861–880	44
881–900	45
901–920	46
921–940	47
941–960	48
961–980	49
981–1,000	50
1,001–1,020	51
1,021–1,040	52
1,041–1,060	53

NOTE: In the event the allowed mileage exceeds 1,060 miles, one additional coupon shall be allowed for each 20 miles, or fraction thereof, of allowed mileage in excess of 1,060 miles.

9. Section 1394.7706 (x) (8) (ii) is amended to read as follows:

(ii) No mileage in excess of the general limitation of an average of 650 miles per month for non-preferred occupational mileage shall be allowed under

this subparagraph (8) unless excess mileage is for travel on which the applicant is exclusively engaged in the performance of his duties as such member, and such excess mileage for such purpose shall not exceed an average of 360 miles per month for any one vehicle or for any such member.

10. Section 1394.7707 (a) is amended to read as follows:

(a) In any case where the applicant or person entitled to the use of a vehicle requires mileage under any of the circumstances described in subparagraph (1) of this paragraph, and the driving to be performed in such circumstances is not preferred mileage, the Board, upon approval of the District Director, may allow such mileage, to the extent required for such driving. If any mileage is allowed pursuant to this section, no mileage shall be allowed for driving in course of work, unless the driving in the course of work consists of preferred mileage as defined in § 1394.7706 (or semi-preferred mileage as defined in § 1394.7708).

(1) Where the applicant or person entitled to the use of the vehicle requires more than 650 miles per month for driving between home and a fixed place or places of work, or between fixed places of work in connection with his principal occupation.

11. Section 1394.7708 (c) is amended to read as follows:

(c) No mileage may be allowed under this section for driving between home and a fixed place or places of work or between fixed places of work. Such mileage in excess of an average of 650 miles per month is additional mileage and may be allowed only in accordance with § 1394.7706 or § 1394.7707.

12. In § 1394.7751 (b) the first sentence is amended to read: Official or fleet rations shall be issued in Class B, C, or D coupons in the number specified in the tables set forth in § 1394.7705 (according to the type of coupon) necessary to provide the mileage allowed by the Board.

13. Section 1394.7754 (b) is amended to read as follows:

(b) Subject to the provisions of paragraph (a) of this section, the Board shall allow the average occupational mileage per month determined by it to be required for driving within the continental United States during the three month period specified in § 1394.7753 and shall issue a ration in accordance with the provisions of § 1394.7755 to provide such mileage. However, no Board may allow an average mileage for any one vehicle or an average mileage per vehicle for any group of vehicles in excess of 650 miles per month unless the mileage in excess of such amount is defined as preferred mileage under the provision of § 1394.7706 or as semi-preferred mileage under the provisions of § 1394.7708.

14. Section 1394.7755 (a) (1) is amended to read as follows:

(1) In the case of passenger automobiles for which application is made for official or fleet rations, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 650 miles per month or less: Class B coupons in the number specified in Table I in § 1394.7705 (a) (2) for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 650 miles per month: Class C coupons in the number specified in Table II in § 1394.7705 (a) (2) for the mileage allowed.

15. Section 1394.7755 (a) (2) is revoked.

16. Section 1394.7755 (a) (3) is revoked.

17. Section 1394.7755 (a) (4) is redesignated § 1394.7755 (a) (2) and amended to read as follows:

(2) In the case of a motorcycle the Board shall issue Class D coupons in strip form bearing serial numbers in consecutive order and issued in connection with a folder (to be marked "Fleet" if issued for use with a fleet motorcycle and "Official" if issued for use with an official motorcycle) containing the number of coupons specified in Table III in § 1394.7705 (a) (2) to provide the mileage allowed by the Board. The Board shall note the date of issuance on such folder as the date on which the coupons become valid, and an earliest renewal date three months from the date of issuance.

18. In § 1394.7851 (b) (2) (ii) (*a*) the third sentence is amended to read "No ration shall be issued, under this subdivision, for use by the principal campaign manager which will allow an average mileage in excess of 650 miles per month." and subdivisions 1, 2 and 3 are deleted. The final sentence beginning "The total mileage . . ." remains unaltered.

19. Section 1394.7851 (b) (2) (xii) is amended to read as follows:

(xii) To operate such vehicle (not including a vehicle operated on behalf of a day nursery or pre-school nursery) for the purpose of transporting one or more children to and from a day nursery or pre-school nursery. No ration shall be issued under this subdivision which will allow an average mileage in excess of 650 miles per month.

20. Section 1394.8052 (a) (2) is amended to read as follows:

(2) A reduction in the unit value of Class B or C coupons, by reason of which the holder of the ration cannot perform the driving essential to carry on his occupation, or, in the case of a special ration, he cannot perform the purpose for which it was issued.

21. In § 1394.8052 (c) the last sentence is amended to read as follows: "However, the Board may grant a ration to compensate for mileage lost by reason of a reduction in the unit value of Class B or C coupons only if it finds that the applicant still requires the mileage lost by reason of such reduction."

22. Section 1394.8052 (d) is amended to read as follows:

(d) No further supplemental, official or fleet ration, or ration issued pursuant to §1394.7757 for use with a motor vehicle operated on dealer plates or pursuant to § 1394.7758 for use with a leased vehicle shall be granted, pursuant to this section, which would permit the applicant to exceed the maximum limitations on non-preferred or semi-preferred mileage in effect during the valid period of his current ration or in effect on the date of issuance of such further ration. No further non-highway ration shall be granted which would permit the applicant to exceed the maximum limitations on the amount of gasoline allowable for use with a boat for non-occupational purposes.

23. Section 1394.8053 (b) (2) is amended to read as follows:

(2) If such current ration is a supplemental ration based, in whole or in part, upon an allowed mileage of more than 400 miles per month for travel between home and a fixed place or places of work, or between fixed places of work and there is no adequate alternative means of transportation for such travel. However, in such case the further ration shall be issued only to adjust that portion of the allowed mileage which is used for driving between home and a fixed place or places of work, or between fixed places of work and for which there is no adequate alternative means of transportation.

24. Section 1394.8056 is added to read as follows:

§ 1394.8056 *Special rules governing further rations based on increase in general limitation on non-preferred mileage effective June 11, 1945*—(a) *General.* On June 11, 1945, the general limitations on non-preferred mileage (the so-called "B" ceiling) are raised in three gasoline rationing areas and equalized at 650 miles per month throughout the country. This means that a person holding an occupational ration issued at the "B" ceiling (that is, a ration based on an allowed occupational mileage of 400 miles per month in Area A, 475 miles per month in Area B or 325 miles per month in the gasoline shortage area) can get a further or additional ration for use before the end of his current ration period if he really needs more occupational mileage than he was allowed under his current ration. He cannot get more mileage than he needs nor can he get an allowance of non-preferred mileage greater than the new "B" ceiling of 650 miles per month. This section governs the application for and issuance of a further passenger automobile ration to a person who holds a current ration issued for a three month period at the old "B" ceiling and is entitled under the new "B" ceiling to a new average monthly mileage not greater than 650 miles per month.

(Other applications for further rations by applicants who do not come within the class of persons described above are governed by the provisions of § 1394.8052 through § 1394.8054.)

(b) *Application.* The application for a further ration under this section must be made in the same manner as the application for the current ration.

(c) *Allowance of mileage.* If the Board determines that the applicant re-

quires more non-preferred occupational mileage than the mileage allowed under the current ration, and that he has satisfied all of the requirements of this order with respect to the allowance of the ration for which he has applied, it shall determine the average monthly mileage required by the applicant and allowable to him under this order during the three month period following the date of his application. (This determination is made in the same manner as in the case of a renewal of the ration. The non-preferred mileage allowed shall not exceed an average of 650 miles per month; and the sum of the monthly average semi-preferred mileage, if any, and the monthly average non-preferred mileage shall not exceed 825 miles per month.)

(d) *Computing the ration.* When the Board has determined and allowed the mileage under paragraph (c) of this section it shall compute the amount of the further ration as follows:

(1) The Board shall determine the number of days remaining in the applicant's current ration between the date of application for the further ration and the earliest renewal date of the current ration. (The number of days so determined shall never exceed ninety days.)

(2) The Board shall then ascertain from Table A, B, or C, whichever is appropriate, the number of coupons specified for the newly allowed average monthly mileage during the number of days remaining in his current ration determined pursuant to subparagraph (1). This represents the number of coupons to be issued to the applicant in addition to his current ration for use during the remainder of his current ration period.

If the number of days determined under subparagraph (1) of this paragraph (d) is more than thirty days, the Board will issue the number of coupons ascertained from Table A, B or C in accordance with paragraph (e) of this section.

If the number of days determined under subparagraph (1) of this paragraph (d) is thirty days or less, the Board will refer to Table I in § 1394.7705 (a) (2) and ascertain the number of coupons specified for a three month period for the new average monthly mileage allowed and will add this number to the number of coupons ascertained from Table A, B or C and will issue the total number in accordance with paragraph (e) of this section.

(e) *Issuance.* The Board shall issue to the applicant Class B coupons, in the number determined pursuant to paragraph (d) of this section. The coupons shall be issued in strip form bearing consecutive serial numbers, and be accompanied by an identification folder. The folder shall bear the usual information and an earliest renewal date. If the further ration covers only the period between the date of application and the earliest renewal date of the applicant's current ration, the earliest renewal date of the further ration shall be the same as that of the current ration. If the further ration covers a three month period beyond the earliest renewal date of the applicant's current ration, its earliest renewal date shall be a date three months later than the earliest renewal date of the current ration.

(f) *Current rations remain valid.* If any applicant receives a further ration under the provisions of this section, any remaining portion of his current ration shall be deemed to be a portion of his further ration.

TABLE A—AREA A

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRNET RATION PERIOD

[For use in Area A]

Average monthly mileage allowed on new application	Number of days applicant applied in advance of earliest renewal date																		
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91
	Number of additional coupons to be issued																		
401-425	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1
426-450	0	0	0	0	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2
451-475	0	0	0	1	1	1	1	1	1	2	2	2	2	2	2	3	3	3	3
476-500	0	0	1	1	1	1	2	2	2	2	2	3	3	3	3	3	4	4	4
501-525	0	1	1	1	1	2	2	2	2	3	3	3	4	4	4	4	5	5	5
526-550	0	1	1	1	2	2	2	3	3	3	4	4	4	5	5	5	6	6	6
551-575	0	1	1	2	2	2	3	3	3	4	4	5	5	5	6	6	6	7	7
576-600	0	1	1	2	2	3	3	3	4	4	5	5	6	6	7	7	7	8	8
601-625	0	1	1	2	2	3	3	4	4	5	5	6	6	7	7	8	8	9	9
626-650	1	1	2	2	3	3	4	4	5	5	6	7	7	8	8	9	9	10	10

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

TABLE B—AREA B

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRENT RATION PERIOD

(For use in Area B)

Average monthly mileage allowed on new application	Number of days applicant applied in advance of earliest renewal date																		
	1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91
	Number of additional coupons to be issued																		
476-500	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1
501-525	0	0	0	0	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2
526-550	0	0	0	1	1	1	1	1	1	2	2	2	2	2	2	3	3	3	3
551-575	0	0	1	1	1	1	2	2	2	2	2	3	3	3	3	4	4	4	4
576-600	0	1	1	1	1	2	2	2	2	3	3	3	4	4	4	4	5	5	5
601-625	0	1	1	1	2	2	2	3	3	3	4	4	4	5	5	5	6	6	6
626-650	0	1	1	2	2	2	3	3	3	4	4	5	5	5	6	6	6	7	7

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

TABLE C—GASOLINE SHORTAGE AREA

TABLE FOR DETERMINING NUMBER OF ADDITIONAL COUPONS TO BE ISSUED APPLICANT FOR REMAINDER OF HIS CURRENT RATION PERIOD

Average monthly mileage allowed on new application	Number of days applicant applies in advance of earliest renewal date												
	1-7	8-14	15-21	22-28	29-35	36-42	43-49	50-56	57-63	64-70	71-77	78-84	85-91
	Number of additional coupons to be issued												
326-350	0	0	0	0	0	0	1	1	1	1	1	1	1
351-375	0	0	0	1	1	1	1	1	1	2	2	2	2
376-400	0	0	1	1	1	1	2	2	2	2	3	3	3
401-425	0	1	1	1	2	2	2	2	3	3	3	4	4
426-450	0	1	1	2	2	2	3	3	3	4	4	5	5
451-475	0	1	1	2	2	3	3	4	4	5	5	6	6
476-500	1	1	2	2	3	3	4	4	5	5	6	6	7
501-525	1	1	2	2	3	4	4	5	6	6	7	7	8
526-550	1	1	2	3	3	4	5	6	6	7	8	8	9
551-575	1	2	2	3	4	5	5	6	7	8	8	9	10
576-600	1	2	3	3	4	5	6	7	8	8	9	10	11
601-625	1	2	3	4	5	6	6	7	8	9	10	11	12
626-650	1	2	3	4	5	6	7	8	9	10	11	12	13

Find column heading at top of table representing number of days applicant applies in advance of earliest renewal date. Go down this column until you meet horizontal line representing average monthly mileage allowed on basis of new application. The resulting figure is the number of additional coupons to be issued for remainder of current ration period.

25. The introductory text of § 1394.8153 (a) (3) is amended to read as follows:

Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book or folder presented. This rule, however, is subject to the following two exceptions:

26. Section 1394.8153 (a) (3) (i) is revoked.

27. Section 1394.8153 (a) (3) (ii) and (iii) are redesignated § 1394.8153 (a) (3) (i) and (ii) respectively.

28. Section 1394.8165 is revoked.

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

This amendment shall become effective June 11, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9978; Filed, June 8, 1945; 1:24 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 1 to Supp. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

Supplement No. 1 to Revised Ration Order 5C is amended in the following respects:

Section 1394.8401 (a) (1) is amended to read as follows:

(1) Four gallons of gasoline with respect to Class A coupons which bear the numerals 13, 14 or 15; six gallons of gasoline with respect to Class A coupons which bear the numeral 16 or higher.

This amendment to Supplement No. 1 to Revised Ration Order 5C shall become effective June 11, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong., Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9977; Filed, June 8, 1945; 1:24 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 395, Amdt. 1]

KEROSENE IN VIRGIN ISLANDS

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

Revised Maximum Price Regulation 395 is amended in the following respects:

Section 48 is added to read as follows:

SEC. 48. *Maximum retail prices for kerosene imported in returnable steel drums sold or delivered in the Virgin Islands of the United States*—(a) *Definitions.* When used in the section 48, the term:

(1) "Gallon" means a container of 4 liquid quarts or 128 fluid ounces.

(2) "$\frac{1}{5}$ Quart" means a container of 25.6 fluid ounces or $\frac{1}{5}$ of a gallon.

(b) *Maximum prices.* The maximum retail prices for kerosene sold or delivered in the Virgin Islands of the United States shall be the pertinent prices set forth in Table XXXVIII.

TABLE XXXVIII—MAXIMUM RETAIL PRICES FOR KEROSENE

Commodity	Unit	Island of St. Croix	Island of St. Thomas	Island of St. John
Kerosene	1 gallon	$0.23	$0.23	$0.25
	$\frac{1}{5}$ quart	.05	.05	.06

This amendment shall become effective June 13, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9981; Filed, June 8, 1945; 1:25 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 110, Amdt. 1]

MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR GREY AND CERTAIN FINISHED RAYON AND OTHER SYNTHETIC WOVEN FABRICS

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

Supplementary Order No. 110 is amended in the following respects:

1. In Section 10 (a) (1) the date June 11, 1945 is amended to read June 30, 1945.

2. In section 10 (a) (2) the date June 30, 1945 is amended to read July 21, 1945.

3. In section 10 (a) (4) the phrase "the OPA District Office with which he filed his original base period report" is amended to read "the Office of Price Administration, Washington 25, D. C."

4. In section 10 (c) the phrase "his OPA District Office" is amended to read "the Office of Price Administration, Washington 25, D. C."

5. In section 11 (a) (1) the date July 1, 1945 is amended to read July 22, 1945.

This amendment shall become effective June 9, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10087; Filed, June 9, 1945; 11:38 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 105]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 5 is amended in the following respects:

1. Sections 5.7 and 5.8 are revoked.

2. Section 13.3 (d) (3) is deleted.

3. Section 13.3 (f) is amended to read as follows:

(f) At the end of the first thirty days, he shall report to the Board on OPA Form R-1307 (Revised), the information called for by Part II of that form. The Board shall then compute a base for meal services for each rationed food in the following way:

(1) The number of meals actually served is multiplied by the result, arrived at in (d) (1) for each rationed food;

(2) His use of each rationed food is determined;

(3) The lower of the figures in (1) and (2) is his base for meal services.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10090; Filed, June 9, 1945; 11:39 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 9 to Supp. 1[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement No. 1 to General Ration Order 5 is amended in the following respects:

1. Section 1305.203 (b) is amended to read as follows:

(b) Allowance per person for Group II users for the July-August 1945 and subsequent allotment periods.

Rationed food:	*Allowance per person*
Processed foods	0.7 point.
Sugar	0.03 pound.

2. Section 1305.203 (c) is amended to read as follows:

(c) Allowance per person under Article XXVI for the July-August 1945 and subsequent allotment periods.

Rationed food:	*Allowance per person*
Processed foods	0.6 point.
Sugar	0.015 pound.
Food covered by Revised Ration Order 16	0.64 point.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10091; Filed, June 9, 1945; 11:39 a. m.]

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[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15400, 16767, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486.

[2] 8 F.R. 2597, 4840, 5529, 7601, 14154.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 2 to Supp. 2[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Section 1305.205 (c) is amended to read as follows:

(c) The allowance per person for Group II users for the July-August 1945 and subsequent allotment periods for foods covered by Revised Ration Order 16 shall be 0.7.

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 10092; Filed, June 9, 1945; 11:39 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[3] Amdt. 5 to Supp. 3[4]]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement 3 to General Ration Order 5 is amended in the following respects:

1. Section 1305.216 (b) is amended to read as follows:

(b) December use factors (for determining percentage reduction of December use of rationed foods) for meal services.

Class of foods	December use factor (percent)	
	Group III, IV, or V user	Group VI user
Sugar		
1. For institutional users whose baking percentage is less than 40% in December 1942.		
(a) If month used in determining the base was after April 1942	*Percent* 100	*Percent* 100
(b) If month used in determining the base was April 1942 or earlier	60	60
2. For institutional users whose baking percentage is 40% or more in December 1942.		
(a) If month used in determining the base under this order was after April 1942	120	120
(b) If month used was April 1942 or earlier	72	72
Processed foods		
1. If month used in determining the base was February 1943 or earlier	70	100
2. If month used in determining the base was after February 1943	100	100
Foods covered by Ration Order 16		
1. If month used in determining the base was March 1943 or earlier	60	100
2. If month used in determining the base was after March 1943	100	100

[1] 8 F.R. 1092, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15182, 16727, 17486, 9 F.R. 401, 455, 692, 1810, 2287, 2789, 3030, 3240, 3704, 3577, 4647, 5232, 5664, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 12121, 12449, 12919.

[2] 8 F.R. 2195, 2348.

[3] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 17483, 14472, 15488, 16787; 9 F.R. 801, 455, 692, 1810, 2212, 2287, 2252, 2476.

[4] 9 F.R. 2019.

2. Section 1305.216 (c) is amended to read as follows:

(c) *Allowance per person.* (1) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is less than forty percent (40%) in December 1942, apply the following allowances per person:

Class of food	*Allowance per person*
Sugar	0.015 pound.
Processed foods:	
1. If the user himself baked less than 80% of the pies served.	0.6 point.
2. If he baked 80% or more of the pies served.	0.7 point.
Foods covered by Ration Order 16.	0.64 point.

(2) Institutional users whose baking percentage of baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) is forty percent (40%) or more in December 1942, apply the following allowance per person:

Class of food	*Allowance per person*
Sugar:	
1. If baking percentage was less than 75%.	0.022 pound.
2. If baking percentage was 75% or more.	0.03 pound.
Processed foods:	
1. If the user himself baked less than 80% of the pies served.	0.6 point.
2. If he baked 80% or more of the pies served.	0.7 point.
Foods covered by Ration Order 16.	0.7 point

NOTE: For the purposes of determining the percentage of baked products baked by institutional users, Form R-1307 Supplement contains the question: "Of the total number of each of the following baked products that you SERVED in December 1942 what percentage of each did you BUY?" This question is intended for the purpose of determining the amount of baked goods which the institutional user himself baked on the assumption that all baked products served which he did not buy were products which he baked. For example, if an institutional user reported that he bought 35% of the baked products which he served, it is taken to indicate that he baked the remaining 65%.

In determining an institutional user's baking percentages, the percentage that he himself baked of the total number of the items that he served in each of the six (6) categories listed in the parentheses is to be found; those percentages are added; the sum is divided by six (6); the result is considered to be his baking percentage. (If he did not serve any item in a category, the percentage that he baked for that category is zero.)

3. Section 1305.216 (d) is amended to read as follows:

(d) December use factors for services of refreshments only:

Class of foods	*Refreshment December use factor (Percent)*
Sugar:	
1. If month used in determining the base under this Order was after April 1942	80
2. If month used in determining the base was April 1942 or earlier	43
Processed foods:	
1. If month used in determining the base was February 1943 or earlier	70
2. If month used in determining the base was after February 1943	100
Food covered by Ration Order 16:	
1. If month used in determining the base was March 1943 or earlier	60
2. If month used in determining the base was after March 1943	100

This amendment shall become effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10093; Filed, June 9, 1945; 11:39 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-1,[1] Amdt. 1]

INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

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

Maximum Price Regulation 535-1 is hereby amended in the following respects:

1. A new undesignated paragraph is added to section 11 (n) (3) which reads as follows:

Buying plants whose March 1943 delivered-to-the-mill by truck price is the same as the f. o. b. cars price may apply in writing to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for an adjustment in their delivered-to-the-mill by truck price.

The application must state:

(a) The requested price.

(b) That the requested price will not be used to obtain an increase in the end product ceiling price.

(c) Why the requested price is necessary and how the applicant arrived at the price.

(d) That the requested price will not be used to divert wood away from competing buyers.

The Administrator may grant the application wholly or in part, if in his judgment the adjustment will place the buyer's purchasing price in line with other prices established in this zone of the regulation.

2. A new paragraph (4) is added to section 11 (m), to read as follows:

(4) *Banking addition.* For storing at a rail siding at buyer's request, and subsequent loading at seller's expense, an addition of 80 cents per cord may be made to the f. o. b. rail car maximum price.

This amendment shall become effective June 15, 1945.

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

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10085; Filed, June 9, 1945; 11:37 a. m.]

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[1] 9 F. R. 5306.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-5,[1] Amdt. 1]

CHESTNUT CORDWOOD

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

Maximum Price Regulation 535-5 is amended in the following respects:

1. In section 10, Table 2 is amended to read as follows:

TABLE 2

$10.50 per unit of 160 cubic feet delivered to the mill by truck, or at rail or water loading point; either loaded on cars or barge or vessel, or piled on the ground at the buyer's option.

Where a rail loading point is abolished by reason of abandonment of the railroad, the same point may be used as a truck loading point and the price for delivery to rail loading point may be paid for wood either piled on the ground or loaded on the buyer's trucks, at the buyer's option.

2. In section 10, the first sentence in Table 3 is amended to read as follows:

$10.50 per unit of 160 cubic feet at rail or water loading point; either loaded on cars or barge or vessel; or piled on the ground at the buyer's option.

This amendment shall become effective June 15, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10109; Filed, June 9, 1945; 11:37 a. m.]

PART 1340—FUEL

[RMPR 436, Amdt. 15]

CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

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

Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 10 (n) is amended by adding subparagraph (20) to read as follows:

(20) *Luby Field.* On and after June 1, 1945, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Luby field, Nueces County, Texas, shall be $1.40 per barrel with a 2-cent per degree differential for lower gravities down to 98 cents for below 20°.

2. Section 10 (o) is amended by adding subparagraph (5) to read as follows:

(5) *Badger Basin, Bailey Dome, Cole Creek, Crooks Gap, Elk Basin, Grass Creek, Rock Creek.* On and after June 1, 1945, the maximum price at the receiving tank for sweet crude petroleum of 40° API gravity and above produced in the Bailey Dome and Rock Creek fields, Carbon County, the Badger Basin and Elk Basin fields in Park County, the Grass Creek field in Hot Springs County, the Cole Creek field, Natrona County and the Crooks Gap field in Fremont County, Wyoming, shall be $1.25 per barrel with a 2-cent per degree differential for lower gravity crudes.

This amendment shall become effective June 14, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10084; Filed, June 9, 1945; 11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 2 to Supp. 1]

COTTONSEED PRODUCTS

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

Supplement No. 1 to Food Products Regulation No. 3 is amended in the following respect:

Section 6 (a) (1) (i) is amended to read as follows:

(i) *For the following points of production.*

Point of production	Oil cake		Oil meal [1]		Sized cake [1]		Pellets [1]	
	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cottonseed
Mississippi	$44.25	$37.25	$45.00	$38.00	$46.00	$39.00	$47.25	$40.25
Tennessee	44.75	37.75	45.50	38.50	46.50	39.50	47.75	40.75
East Arkansas [2]	44.75	37.75	45.50	38.50	46.50	39.50	47.75	40.75
West Arkansas [3]	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Missouri	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Illinois	45.50	38.50	46.25	39.25	47.25	40.25	48.50	41.50
Louisiana	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Oklahoma	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
El Paso, Texas	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
All other points in Texas	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
Alabama	45.25	38.25	46.00	39.00	47.00	40.00	48.25	41.25
Georgia	45.75	38.75	46.50	39.50	47.50	40.50	48.75	41.75
Florida	45.75	38.75	46.50	39.50	47.50	40.50	48.75	41.75
South Carolina	46.25	39.25	47.00	40.00	48.00	41.00	49.25	42.25
North Carolina	46.75	39.35	47.50	40.50	48.50	41.50	49.75	42.75
New Mexico	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
Arizona	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25
California	47.25	40.25	48.00	41.00	49.00	42.00	50.25	43.25

[1] If oil meal, sized cake or pellets are produced by the processor from slab cake which he purchased, the base price is increased by 50 cents per ton, to which may be added the transportation cost, if any, from the point of production of the slab cake to the point of production of the oil meal, sized cake or pellets.

[2] Eastern Arkansas consists of the following counties in Arkansas: Arkansas, Clay, Craighead, Crittenden, Jackson, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis and Woodruff.

[3] West Arkansas consists of all points in Arkansas not included in East Arkansas.

This amendment shall become effective June 14, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10086; Filed, June 9, 1945; 11:38 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148, Amdt. 27]

DRESSED HOGS AND WHOLESALE PORK CUTS

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

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Paragraph (c) to § 1364.23 is added to read as follows:

(c) *"Group I ship chandler" adjustments affecting pork.* (1) Notwithstanding the pricing provisions of Schedule III (e) of § 1364.35 pertaining to maximum prices for wholesale pork cuts sold to ship operators by licensed ship suppliers, the Price Administrator at Washington, D. C., may, by order, adjust the licensed ship supplier's selling addition established in Schedule III (e) (5) of § 1364.35 for any "Group I ship chandler" (defined in § 1364.32 (a) (26) (i)) who shows:

(i) That in the period covering the entire calendar or fiscal year of 1944, whichever period is used by the applicant for filing Federal Income Tax returns, at least 85% of his total dollar volume of sales consisted of sales of food items;

(ii) That during his most recent 3 month fiscal or calendar accounting period, his total dollar volume derived from the sale of all his products, including but not limited to food items, exceeded his total cost of products sold during such period, adjusted for inventory changes, by an amount which was less than 12½%; and

(iii) That no adequate alternative exists to the price adjustment, such as a reduction of other operating costs.

(2) Any applicant requesting a price adjustment under this paragraph (c) shall file a written application with the Price Administrator, at Washington, D. C., in which he shall certify that he is a "Group I ship chandler", as defined in § 1364.32 (a) (26) (i) of this regulation, that he meets the requirements of subdivisions (1) (i) through (iii) above, and sets forth:

(i) His annual total dollar volume as computed in accordance with the pro-

[1] 9 F.R. 5249, 10579.

visions of § 1364.32 (a) (26) (iii) of this regulation;

(ii) His total dollar volume derived from the sale of food items only during the same period, covered by subdivision (i) above;

(iii) The total cost of all products purchased by him (adjusted for inventory changes) during the three consecutive months specified in subdivision (i) (ii) above, and his total dollar volume derived from sales of such products during the same period, setting forth the total dollar volume of sales of (*a*) all products, including foods, (*b*) foods, including all meats, (*c*) beef and veal, and (*d*) pork; and the total pounds of beef and veal, and pork, separately stated, sold during the same period.

In addition to the foregoing, each application shall be accompanied by a letter signed by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, certifying that the applicant is a "Group I ship chandler" as defined in § 1364.32 (a) (26) (i) herein.

(3) Upon receipt of an application satisfying the requirements of subparagraph (c) (2) hereof, the Price Administrator may, subject to such terms and conditions as he may deem necessary, adjust the selling addition established in Schedule III (e) (5) of § 1364.35 for sales by a licensed ship supplier to such an extent as to increase the applicant's gross operating margin percentage-wise to 12½% over cost of products sold, except that in no case shall an adjustment be granted in excess of 50 cents per cwt.

(4) If during any 3 consecutive calendar or fiscal months following the granting of an adjustment pursuant to this paragraph (c), the applicant's dollar volume sales of food items fall below 85% of his total dollar volume of sales of all products sold during such 3 month period the adjustment granted shall be deemed null and void thereafter. If during any three month calendar or fiscal perior or a fiscal or calendar year closing after the granting of an adjustment pursuant to this paragraph (c), the applicant's gross operating margin is more than 12½% of cost of products sold, the adjustment granted under this paragraph (c) shall be subject to revocation or modification.

(5) For purposes of convenience an application filed under this section may be combined with a similar application filed under the provision of Revised Maximum Price Regulation No. 169.

2. Subparagraph (26) of § 1364.32 (a) is added to read as follows:

(26) (i) A "Group I ship chandler" means a licensed ship supplier (as defined in § 1364.32 (a) (19)) (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or in substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish, and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (iii) below).

(ii) A "Group II ship chandler" means a licensed ship supplier as defined in § 1364.32 (a) (19) who has met all the requirements of subdivision (i) hereof for a Group I ship chandler except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein, and setting forth in addition his annual total dollar volume of sales. The selling addition provided in Schedule III (e) (8) of § 1364.35 for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(iii) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he used for filing his Federal Income Tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal Income Tax return shall be used to obtain the dollar volume of sales. (*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed his "annual total dollar volume." (*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three month period and multiplying it by 4. The result will be his "annual total dollar volume."

3. Subparagraph (5) of Schedule III (e) of § 1364.35 is amended to read as follows:

(5) To a ship operator by a licensed ship supplier other than a slaughterer or other than a "Group II ship chandler."—$2.00.

4. Subparagraph (8) of Schedule III (e) of § 1364.35 is added to read as follows:

(8) To a ship operator by a "Group II ship chandler—$3.00.

This amendment shall become effective June 9, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10080; Filed, June 9, 1945; 11:36 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389, Amdt. 19]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

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

Maximum Price Regulation No. 389 is amended in the following respects:

1. Subdivisions (i), (ii) and (v) of section 12 (c) (1) are amended, and subdivisions (vii) and (viii) of section 12 (c) (1) are added, respectively, to read as follows:

(i) On sales to wholesalers, peddler-truck sellers, hotel supply houses, ship chandlers, and sales to Great Lakes marine suppliers for resale to operators of lake vessels—$0.50.

(ii) On sales, other than peddler-truck sales, to retailers and purveyors of meals other than ship operators, by sellers other than hotel supply houses—$1.50.

(v) On sales to purveyors of meals, including ship operators, by hotel supply houses—$2.75.

(vii) On sales to ship operators by Group II ship chandlers—$3.00.

(viii) On sales, other than peddler-truck sales, to ship operators by sellers other than hotel supply houses and other than Group II ship chandlers—$1.50.

2. Subparagraph (2) of section 12 (c) is amended by changing the last sentence thereof to read as follows: "A store means a restaurant, hotel, retail store, a wholesaler's, hotel supply houses, ship chandler's or Great Lakes marine supplier's warehouse, or the place where actual physical possession of the product is taken by a government agency."

3. Subdivisions (i), (ii) and (iii) of section 12 (c) (4) is amended to read as follows:

(i) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid a charge under subdivision (i) of section 12 (c) (1), he may, upon resale, add $0.50 per hundred-weight to the base price.

(ii) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid any charge under subparagraph (2) of section 12 (c), he may, upon resale, add the amount of such charge to the base price: *Provided*, That in no event may the total of all charges for local delivery exceed $0.50 per hundred-weight. For the purposes of this subdivision (ii) of section 12 (c) (4) launch deliveries, as provided for in subdivision (iv) of this section 12 (c) (4) shall not be deemed local deliveries.

(iii) If a hotel supply house, wholesaler, peddler truck seller, ship chandler or Great Lakes marine supplier has paid any transportation charge to a common carrier under section 2 (c) (1) (ii) (*d*), he may, upon resale, add the amount of such charge to the base price.

4. Paragraph (a) of section 13 is amended by the addition of definitions for "licensed ship supplier", "ship operator" and "ship chandler", respectively to read as follows:

"Licensed ship supplier" means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended (issued October 8, 1943) to sell and or deliver meats and other food products to ship operators.

"Ship operator" means any person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

"Ship chandler". (i) A "Group I ship chandler" means a licensed ship supplier as defined elsewhere in this section 13 (a), (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or in substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish, and (*d*) whose "annual total dollar volume" of sales is $500,000.00, or more. (The term "annual total dollar volume" is explained in subdivision (iii) below).

(ii) A "Group II ship chandler" means a licensed ship supplier as defined elsewhere in this section 13 (a), who has met all the requirements of subdivision (i) hereof for a "Group I ship chandler" except that his "annual total dollar volume" of sales shall be less than $500,000.00, and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein, and setting forth in addition his annual total dollar volume of sales. The selling addition provided in section 12 (c) (1) (vii) for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(iii) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he used for filing his Federal Income Tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal Income Tax return shall be used to obtain the dollar volume of sales; (*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed his "annual total dollar volume;" (*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three-month period and multiplying it by 4. The result will be his "annual total dollar volume."

This amendment shall become effective June 9, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10091; Filed, June 9, 1945; 11:36 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 4]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Revised Ration Order 5C is amended in the following respect:

Section 1394.7706 (n) (7) is added to read as follows:

(7) By a person skilled in the use of hydrocyanic fumigants for travel to Army or Navy establishments or facilities, in response to prior calls of such establishments or facilities, for the purpose of giving expert advice and training to members of the armed forces in the safe use and application of hydrocyanic fumigants.

This amendment shall become effective June 13, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10088; Filed, June 9, 1945; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 5]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Revised Ration Order 5C is amended in the following respects:

1. Section 1394.7706 (q) (8) is added to read as follows:

(8) By a person, regularly employed on a full time basis by an insurance or adjustment company, for necessary travel to, from, within or between farms for the purpose of inspecting growing farm crops damaged by hail, wind or other storms if the inspection is necessary for the adjusting and settling of insurance claims based on such damage, and for necessary travel to a storm area and return for the purpose of making such inspections at farms. However, no mileage may be allowed under this subparagraph to a person while engaged in any activity other than storm damage adjustment work. No ration may be issued unless the applicant submits a statement from the insurance or adjustment company setting forth the following information:

(i) That the person for whom the application is made is a regular full-time employee of such company principally assigned to storm damage adjustment work; and

(ii) An estimate of the mileage needed for travel to storm areas and farms for making such inspections.

2. Section 1394.7706 (q) (9) is added to read as follows:

(9) By a person highly skilled in inspecting, grading and classifying commodities, for necessary travel from place to place to buy commodities for the account of establishments or facilities listed in § 1394.7706 or construction jobs which will be such essential establishments or facilities when completed. Use of the commodities must be necessary to the operation or functioning, as that phrase is explained in § 1394.7706, of such essential establishments or facilities, or to completion of such construction jobs. No mileage may be allowed under this subparagraph for use by a person who is compensated by any person from whom he buys, and no mileage may be allowed to a person for use while engaged in sales promotion activities at the same time he is engaged in buying.

3. Section 1394.7706 (u) is amended by inserting after the phrase "By a full-time social worker employed" the words "and compensated".

4. Section 1394.7708 (a) (2) is revoked.

5. Section 1394.7708 (a) (1) (iv) is amended by substituting for the present parenthetical phrase after the words "construction job" the following phrase: (but excluding a person while engaged in settling property insurance damages or losses to growing farm crops caused by hail, wind, or other storms or in super-

vising the salvage of such crops, or a person who engages in selling insurance).

6. Section 1394.7851 (b) (2) (xiii) is added to read as follows:

(xiii) By a person, temporarily employed by an insurance or adjustment company, for necessary travel to, from, within or between farms for the purpose of inspecting growing crops damaged by hail, wind or other storms if the inspection is necessary for the adjusting and settling of insurance claims based on such damage. However, no mileage may be allowed under this subdivision to a person while engaged in any activity other than storm damage adjustment work. A ration may be issued under this subdivision only for necessary travel after specific storms and shall be made valid only for the period needed for carrying on such inspections of crop damage caused by such storms. No ration shall be issued unless the applicant submits a statement from the insurance or adjustment company, setting forth the following information:

(*a*) That the person for whom the application is made is temporarily employed by such company for storm damage adjustment work;

(*b*) An estimate of the mileage needed for travel to farms for making such inspections; and

(*c*) The area to be traveled and the approximate time to be required for such inspection work.

7. Section 1394.7853 (e) is added to read as follows:

(e) *Temporary duty orders for rehabilitation, recuperation and recovery.* The provisions of this section shall also apply to a member of the armed forces of the United States returned from a foreign theatre of operations who is assigned to temporary duty for rehabilitation, recuperation and recovery, under an order issued at a reception center. Such an applicant shall present to the Board, instead of a leave or furlough authorization, such a temporary duty order containing the words "for rehabilitation, recuperation and recovery." All other provisions with relation to application and limitations on issuance remain the same as in the case of furlough or leave. The Board shall note on such order the time and amount of the ration allowed.

This amendment shall become effective June 9, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W.P.B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

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

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10089; Filed, June 9, 1945; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 52]

MEAT, FATS, FISH AND CHEESES

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

Section 7.19 is added to read as follows:

SEC. 7.19 *Restriction on acquisition of canned milk.* (a) An industrial user, beginning June 10, 1945, may not acquire "canned milk", as defined in section 27.1. However, an industrial user may apply, on OPA Form R-315, to the Board (or District Office) with which he is registered, for permission to acquire canned milk if fluid milk or other adequate substitutes are unavailable in the area and he needs canned milk because he is unable to obtain fluid milk or other adequate substitutes. The application must show the products in which he will use canned milk, the amount he needs to acquire during the quarterly period, and state that he is unable to obtain fluid milk or other adequate substitutes. If the Board (or District Office) finds that fluid milk is unavailable in the area and that the applicant needs canned milk to produce his products and that no other adequate substitutes are available, it may grant him permission to acquire canned milk in such quantities as it shall determine he needs.

This amendment shall become effective at 12:01 a. m. June 10, 1945.

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

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10126; Filed, June 9, 1945; 4:14 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 106]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 15.7 is added to read as follows:

SEC. 15.7 *Restriction on acquisition of canned milk.* (a) An institutional user, other than a Group I, V and VI user, beginning June 10, 1945, may not acquire "canned milk", as defined in section 27.1 of Revised Ration Order 16, unless he is an institutional user entitled to allotments under sections 7.9 or 31.1, or he is applying for a special allotment under section 27.2. However, an institutional user may apply to the Board on OPA Form R-315 for permission to acquire canned milk if fluid milk or other adequate substitutes are not available in an area, and he needs canned milk because he is unable to obtain fluid milk or other adequate substitutes. The application must state the amount he needs to acquire in the allotment period, and that he is unable to obtain fluid milk or other adequate substitutes. The Board shall send the application to the District Office. If the District Office finds that fluid milk or other substitutes are unavailable in the area and that the applicant needs canned milk because fluid milk or other adequate substitutes are unavailable in that area, it may grant him permission to acquire canned milk in such quantities as it shall determine he needs.

This amendment shall become effective at 12:01 a. m. June 10, 1945.

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

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10125; Filed, June 9, 1945; 4:14 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 12,[1] Amdt. 8]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED, OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

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

Procedural Regulation No. 12 is amended in the following respects:

1. Section 1300.953 (b) is amended to read as follows:

(b) A ration book is not mutilated merely because a stamp for which a validation period has not yet been designated is accidentally or mistakenly detached and an application for replacement of such book cannot be made. However, if a validation period is subsequently designated for that stamp, the book shall then be deemed to be mutilated and application for its replacement may be made. An application for replacement of War Ration Book Four, however, may not be filed if spare stamp 13, designated for use in connection with application for home canning sugar, is the only stamp which has been accidentally or mistakenly detached from such book.

2. Section 1300.956 (b) is amended to read as follows:

(b) If a War Ration Book Three or a War Ration Book Four is being replaced because of the loss, theft, destruction or

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[1] 10 F.R. 2521, 2875, 3223, 3556, 3549.

[2] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

[1] 8 F.R. 3171, 6543, 11688, 14737, 15461; 9 F.R. 6108, 14536.

wrongful withholding of the original ration book, the Board, before issuing the new ration book, shall remove all expired stamps and all valid stamps except the valid stamps which it finds were in the book at the time of the loss, theft, destruction or wrongful withholding. However, in no event shall the newly issued ration book contain more valid stamps than the last stamp (or series of stamps) which became valid on or before the book is issued.

This amendment shall become effective June 15, 1945.

Issued this 11th day of June, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10164; Filed, June 11, 1945; 11:48 a. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 138]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 138 to Maximum Price Regulation No. 120 is hereby corrected as follows:

1. In the table of maximum prices in § 1340.225 (b) (2), the maximum prices "615" for Size Group No. 23 in Production Groups 1, 2, 3, 6, 7, 8 and 9 are deleted.

2. In the specific description of Size Group No. 11 in § 1340.225 (b) (3) the word "and" appearing after the words "bottom size larger" and before the size "⅞" is deleted and the word "than" is inserted.

3. In the table of production group and mine index numbers of solid shot mines in § 1340.225 (b) (5) (i) the following corrections are made:

a. In Production Group No. 2B, the mine index number "45" is inserted before the mine index number "104", and "168" is inserted after "104" and before "179".

b. In Production Group No. 5B, the mine index number "607" is inserted after "603" and before "611"; the word "and" after "611" and before "1011" is deleted and "and 1043" is inserted after "1011".

c. In Production Group 8B, the mine index number "627" following mine index number "533" is deleted and the mine index number "624" is inserted.

d. In Production Group 10B, the word "and" before the mine index number "316" is deleted and the word and mine index number "and 330" are inserted after "316".

4. In the table of production group and mine index numbers of strip mines in § 1340.225 (b) (5) (i) the following corrections are made:

a. In Production Group No. 5 the word "and" is inserted before the number "1033", and the word and mine index number "and 1043" appearing after "1033" are deleted.

This correction to Amendment No. 138 shall become effective June 16, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10155; Filed, June 11, 1945; 11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296, Amdt. 8]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

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

Revised Maximum Price Regulation 296 is amended in the following respects:

1. Paragraph (b) of section 10 is deleted in its entirety.

2. Section 18 is added to read as follows:

SEC. 18. *Sales made under conditions of uncertainty in respect to continuation of the flour production payments program.* (1) Whenever uncertainties in respect to the continuation of the flour production payments program create risks which make it unfair to require or to expect the miller to sell flour for future delivery at the maximum price that may be in effect at the time of delivery, the miller may contract to sell and the purchaser may contract to buy at a price no higher than the maximum price in effect on the date of the contract of sale and they may include in such contract a provision to the effect that if, at the time of delivery, the flour production payments program has been modified or eliminated, the purchaser may pay and the miller may receive the amount agreed upon in the contract of sale (not exceeding the applicable maximum price on the date of the contract of sale) plus an amount equal to any decrease in flour production payments applicable to the flour sold resulting from such modification or elimination.

(2) Any miller, holding a contract with a purchaser pursuant to the provisions of subparagraph (1) above, may subcontract with another miller for the production and delivery of the whole or any portion of the flour covered by such contract. Such subcontract may include a provision similar to the one set forth in subparagraph (1) above to cover any such decrease.

(3) On resale of any flour for which more than the maximum price otherwise applicable has been paid pursuant to the provisions of subparagraph (1) above, such excess payment may be added to the maximum price otherwise applicable on such resale: *Provided*, That this subparagraph (3) shall have no application, if prior to the resale of such flour, the regulation is amended so that the maximum price in effect at the time of such resale will reflect to such seller his increased cost of such flour.

This amendment shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10124; Filed, June 9, 1945; 4:15 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 582,[1] Amdt. 2]

HAY

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

Maximum Price Regulation 582 is amended in the following respects:

1. The definition "carload lot" in section 3 is amended to read as follows:

"Carload lot" means either a lot of hay of 20,000 pounds or more or a lot of hay of any quantity when shipped in a mixed or pool car.

2. A new paragraph (e) is added to section 10 to read as follows:

(e) When the producer sells the hay in any other manner, his maximum price shall be the appropriate base price plus his transportation cost.

3. The following sentence is added at the end of the first paragraph of section 11: "The seller may also add the premiums set forth in section 9 for official grade or baling in the case of any lot of hay which has been officially graded or baled when such premium has not been included in his supplier's maximum price."

This amendment shall become effective June 16, 1945.

Issued the 11th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 2, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10163; Filed, June 11, 1945; 11:50 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341,[2] Amdt. 9]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

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

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[1] 10 F.R. 3090.

[2] 8 F.R. 11175, 17036, 17414; 9 F.R. 3347, 4396, 7009, 10641, 15059; 10 F.R. 5457.

Revised Maximum Price Regulation 341 is amended in the following respects:

1. Section 18 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used vehicle defined in section 8 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph (2) or (5) below.

(1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694–2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix E of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area, he shall file one application for the group of businesses in that area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if;

(*a*) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used vehicles; and

(*b*) The applicant has a place for selling and displaying used vehicles; and

(*c*) The applicant has a shop and equipment for reconditioning and repairing which in general are adequate for placing used vehicles in good operating condition as defined in section 8 (b) and for fulfilling the terms of the warranty in section 8 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used vehicles to purchasers, is one of the reasons why such facilities are not adequate); but

(*d*) In the case of an applicant who does not have the facilities described in (*c*) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has adequate reconditioning and repairing facilities described in (*c*) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used vehicle in good operating condition as defined in section 8 (b) or to fulfill the terms of the warranty in section 8 (c); but

(*e*) Notwithstanding the requirements in (*a*) to (*d*) inclusive, an application for authorization of an owner and operator of any number of commercial motor vehicles shall be granted if such an applicant has an established place of business and a shop and equipment which in general are adequate for the repairing and reconditioning of used vehicles to place them in good operating condition as defined in section 8 (b) and for fulfilling the terms of the warranty in section 8 (c).

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization and the reasons for such action at least ten days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(*a*) Any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(*b*) Any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(*c*) A person authorized to sell as a dealer does not comply with the provisions of the regulation which permit the charging of a price higher than the maximum as-is price; or

(*d*) Reconditioning and repairing facilities are beyond a reasonable distance from the dealer's place of delivery of used vehicles.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used vehicles whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694–2350 set out in Appendix F, and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed to the appropriate district office bearing a postmark dated within the 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60-day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of person whose dealer authorization has been revoked*—(*a*) *Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than as-is maximum prices unless he is specifically authorized by order to charge maximum warranted prices for warranted used vehicles defined in section 8.

(*b*) *Person whose dealer authorization has been revoked by District Director of appropriate district office.* No person whose dealer authorization has been revoked shall charge prices higher than as-is maximum prices unless he is specifically authorized by order to resume charging warranted maximum prices for warranted used vehicles defined in section 8.

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant, or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific

statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order of denial is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismisss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorization to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 18 (b) prior to its amendment by Amendment 9 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. Appendix B is amended by inserting in the block designated for name of seller and directly under the phrase "Name of seller" the phrase "Dealer authorization No. (if any)."

3. A new Appendix E [1] is added.

4. A new Appendix F [1] is added.

This amendment shall be effective August 1, 1945.

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.

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10157; Filed, June 11, 1945; 11:47 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 540,[2] Amdt. 7]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

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

Maximum Price Regulation 540 is amended in the following respects:

1. Section 15 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used car defined in section 7 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph (2) or (5) below.

(1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694-2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix J of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area he shall file one application for the group of businesses in that area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if:

(*a*) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used cars; and

(*b*) The applicant has a place for selling and displaying used cars; and

(*c*) The applicant has a shop and equipment for reconditioning and repairing which in general are adequate for placing used cars in good operating condition as defined in section 7 (b) and for fulfilling the terms of the warranty in section 7 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used cars to purchasers, is one of the reasons why such facilities are not adequate); but

(*d*) In the case of an applicant who does not have the facilities described in (*c*) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has the adequate reconditioning and repairing facilities described in (*c*) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used car in good operating condition as defined in section 7 (b) or to fulfill the terms of the warranty in section 7 (c);

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization and the reasons for such action at least 10 days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(*a*) Any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(*b*) Any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(*c*) A person authorized to sell as a dealer does not comply with the provisions of the regulation which permit a markup of the base price plus Appendix D equipment allowances by 25% or $100, whichever is higher; or

(*d*) Reconditioning and repairing facilities are beyond a reasonable distance from the dealer's place of delivery of used cars.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used cars whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694-2350 set out in Appendix K, and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed

[1] Filed as part of the original document.
[2] 10 F.R. 1383, 1911, 5037.

to the appropriate district office bearing a postmark dated within 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60 day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of person whose dealer authorization has been revoked—(a) Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than base prices determined in accordance with section 6 plus permissible equipment allowances in Appendix D unless he is specifically authorized by order to charge maximum warranted prices in section 5 for warranted used cars defined in section 7.

(b) *Person whose dealer authorization has been revoked by District Director of appropriate district office.* No person whose dealer authorization has been revoked shall charge prices higher than base prices determined in accordance with section 6 plus permissible equipment allowances in Appendix D unless he is specifically authorized by order to resume charging warranted maximum prices in section 5 for warranted used cars defined in section 7.

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismiss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorizations to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 15 (b) prior to its amendment by Amendment 7 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. A new Appendix J [1] is added.

3. A new Appendix K [1] is added.

This amendment shall be effective August 1, 1945.

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

Forms printed in the Federal Register are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10160; Filed, June 11, 1945; 11:48 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 569,[1] Amdt. 3]

MAXIMUM PRICES FOR USED MOTORCYCLES

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

Maximum Price Regulation 569 is amended in the following respects:

1. Section 16 (b) is amended to read as follows:

(b) "Dealer" is a person who has received an order from the Office of Price Administration authorizing him to charge for a warranted used motorcycle defined in section 7 a warranted maximum price permitted by section 5, and whose authorization has not been revoked in accordance with paragraph 2 or 5 below. (1) *Application for dealer authorization*—(i) *Preparation of application form.* A person who seeks authorization to act as a dealer must request this authorization from the Office of Price Administration on OPA Form No. 694-2163, "Application for Authorization to Act as a Dealer in Automotive and Related Vehicles." This form is Appendix E of the regulation. The form will be acceptable as an application only when the information the form requests is inserted in, or attached to, the form, and it is signed by the applicant or his authorized representative.

(ii) *Place of filing.* The application must be filed in the district office of the Office of Price Administration having jurisdiction of the area in which the place of business of the applicant is located. If applicant has a place of business in more than one district office area a separate application must be filed for each place of business with the district office having jurisdiction over the area in which the place of business is located. If the applicant has more than one place of business within one district office area, he shall file one application for the group of businesses in the area.

(iii) *Investigation of application.* Upon receipt of an application for dealer authorization, the authorized district office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information, as may be necessary to the disposition of the application.

(iv) *Disposition of application for dealer authorization by District Director.* The District Director of the district office having jurisdiction over the area in which the applicant's place of business is located shall either grant or deny by order an application for dealer authorization. The requirements that must be present before the grant shall be made are contained in (v) below. If they are not all present the application shall be denied.

(v) *Requirements for grant of application by District Director.* An application for authorization to sell as a dealer shall be granted if:

(a) The applicant is generally engaged in the business of acquiring for sale, selling, displaying, repairing and reconditioning used motorcycles; and

(b) The applicant has a place for selling and displaying used motorcycles; and

(c) The applicant has a shop and equipment for repairing and reconditioning which in general are adequate for placing used motorcycles in good operating condition as defined in section 7 (b) and for fulfilling the terms of the warranty in section 7 (c). (The location of the shop and equipment beyond a reasonable distance from the place of delivery of used motorcycles to purchasers, is one of the reasons why such facilities are not adequate); but

(d) In the case of an applicant who does not have the facilities described in (c) above, as a substitute for them, he may have a working arrangement, evidenced by a written contract, with a service supplier, who has adequate repairing and reconditioning facilities described in (c) above, whereby the service supplier will perform the reconditioning and make the replacements the applicant, as a dealer, is required to make to place a used motorcycle in good operating condition as defined in section 7 (b) or to fulfill the terms of the warranty in section 7 (c).

(vi) *Publicizing of dealer authorization.* Every person who receives an order authorizing him to sell as a dealer shall place this order in a conspicuous place in his place of business. Such a person shall also state on every Certificate of Transfer he prepares in accordance with the regulation the dealer authorization number which he shall receive in the dealer authorization order.

(2) *Revocation of dealer authorization*—(i) *General.* The District Director of a district office having jurisdiction over the area in which a dealer's place of business is located may by order revoke a dealer's authorization for the reasons stated in (ii) below. However, no order of revocation shall be effective unless the dealer against whom the order is directed was notified by registered mail or by personal service of the District Director's intention to revoke the authorization

[1] Filed as part of the original document.

[1] 10 F.R. 2658.

and the reasons for such action at least ten days prior to the issuance date of the revocation order, and had a reasonable opportunity prior to the issuance of the order to present information either orally or in writing to the District Director, or a responsible official in the district office designated by the District Director, to show that the authorization should not be revoked.

(ii) *Basis for revocation of dealer authorization.* An order granting a dealer authorization may be revoked if the District Director finds from substantial evidence that:

(*a*) When any one of the requirements in (b) (1) (v) was not in existence at the time the applicant filed his application although he represented in his application that the requirement was in existence; or

(*b*) When any one of the requirements in (b) (1) (v) is not in existence after the date of filing of the application; or

(*c*) When a person authorized to sell as a dealer does not comply with the provisions of the regulation which permit a markup of the base price and the allowance of $75 for side car, if any; or

(*d*) When repairing and reconditioning facilities are beyond a reasonable distance from the dealer's place of delivery of used motorcycles.

(3) *Request for review*—(i) *General.* Any person generally engaged in the business of selling used motorcycles whose application for dealer authorization has been denied, or whose dealer authorization has been revoked, by an authorized District Director of a district office may file with that district office a request for review by the Regional Administrator for the region in which the district office is located. The request for review shall be made on OPA Form 694–2350 set out in Appendix F and shall be filed not later than 60 days after the date on which the order of denial or revocation was mailed. Requests for review shall be deemed filed on the date received by the district office. However, requests for review addressed to the appropriate district office bearing a postmark dated within the 60 days after the date the order of denial or revocation was mailed which are received after the expiration of the 60 day period shall be considered filed within that period.

(ii) *Action on review.* After due consideration, the Regional Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation issued by the District Director. The person whose application has been reviewed or the person who has had the revocation of his dealer authorization reviewed, shall be informed by order of the action taken.

(iii) *Maximum prices of applicant for dealer authorization or of persons whose dealer authorization has been revoked*—(*a*) *Applicant for dealer authorization.* No applicant for dealer authorization shall charge prices higher than base prices in Appendix B plus the allowance of $75 for side car, if any, unless he is specifically authorized by order to charge maximum warranted prices in section 5 for warranted used motorcycles defined in section (7).

(*b*) *Person whose dealer authorization has been revoked by District Director of appropriate district office.* No person whose dealer authorization has been revoked shall charge prices higher than base prices in Appendix B plus allowance of $75 for side car, if any, unless he is specifically authorized by order to resume charging warranted maximum prices for warranted used motorcycles defined in section (7).

(4) *Protest of denial of application for dealer authorization or of revocation of dealer authorization.* When on request for review, the Regional Administrator issues an order denying an application for dealer authorization, or affirming a revocation of a dealer authorization, the applicant, or the person whose dealer authorization has been revoked, whichever the case may be, may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1. There is no specific statutory limit of time within which protests must be filed. However, if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where an order is issued denying an application for dealer authorization or revoking a dealer authorization ordinarily there will be no reason why a protest cannot be filed promptly after the order of denial is issued. Accordingly, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismiss the protest unless special circumstances are shown which justify the delay.

(5) *Revocation of authorization to sell as dealers in effect prior to August 1, 1945.* Any and all authorizations to sell as dealers which were granted under section 16 (b) prior to its amendment by Amendment 3 either by the wording of that section alone or by its wording and a special authorization issued by the Office of Price Administration are revoked as of August 1, 1945.

2. A new Appendix E [1] is added.

3. A new Appendix F [1] is added.

This amendment shall be effective August 1, 1945.

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.

Forms printed in the Federal Register are for information only, and do not follow the exact format prescribed by the issuing agency.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10161; Filed, June 11, 1945; 11:49 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE TRANSPORTATION

[MPR 569,[2] Amdt. 4]

MAXIMUM PRICES FOR USED MOTORCYCLES

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

Maximum Price Regulation 569 is amended in the following respects:

The effective date provision of Amendment 2 to Maximum Price Regulation 569 is amended to read as follows:

This amendment shall become effective June 13, 1945, except as to section 11 and Appendices C and D it shall become effective July 10, 1945.

This amendment shall be effective June 13, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10123; Filed, June 9, 1945; 4:14 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 55]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

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

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.401 (c) is amended to read as follows:

(c) *Maximum prices for custom slaughtering of cattle or calves.* (1) On and after June 15, 1945, regardless of any contract, agreement, or other obligation, no person shall custom slaughter cattle or calves as a service for the owner of such cattle or calves and no person in the course of trade or business shall cause cattle or calves to be custom slaughtered at a price higher than the maximum price permitted by paragraph (c) (2) hereof, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The term "custom slaughter" or "custom slaughtering" wherever used in this paragraph (c) means the performance of an act or series of acts rendered, otherwise than as employee, in connection with the killing of cattle or calves for the owner thereof. The rental, leasing, sub-leasing, assignment or otherwise transferring of a packing or slaughtering plant or slaughtering facilities to the owner of cattle or calves killed in such plant or facilities shall be deemed an evasion of this paragraph (c) and is prohibited, unless such rental, lease, sublease, assignment or transfer is made to such owner as an individual corporation, partnership or agency of the United States government and (i) covers a definite, full-time and continuous period of not less than six months without the privilege of interim cancellation, (ii) is for a specified consideration notwithstanding the number or volume of cattle or calves slaughtered in such plant or facilities by the owner thereof, and (iii)

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[1] Filed as part of the original document.

[2] 9 F.R. 14294; 10 F.R. 2658.

grants full, complete and exclusive use and control of such plant or facilities to the owner of the cattle or calves other than the usual rights of inspection by the lessor.

(2) The maximum amount which may be charged or received by any person for the custom slaughtering of cattle or calves shall be determined as follows:

(i) If the packing or slaughtering plant at which the slaughtering service is performed is equipped with facilities for the commercial rendering of waste fats into tallows and greases, the custom slaughterer shall assume ownership of all edible and inedible by-products, including the hide (except in the case of calves, dressed, hide on) derived from the cattle or calves custom slaughtered by him and shall remit to the owner thereof, whichever is appropriate of the following amounts:

(All amounts are on dollars per cwt., dressed carcass, hot weight basis.)

Cattle	Grades	Weight classifications		
		Under 451 pounds	451 to 650 pounds	651 pounds up
(a) Steers, heifers, cows, stags and bulls.	Choice or AA, Good or A, Commercial or B and Utility or C.	$1.50	$1.90	$2.10
(b) Steers, heifers, cows and stags	Cutter and Canner or D	1.25	1.65	1.85
(c) Bulls (bologna)	Cutter and Canner or D	1.00	1.40	1.60

Calves		153 pounds and under	154 to 275 pounds
(d) Calves (hide off)	All grades	$3.60	$3.10
(e) Calves (hide on)	All grades	1.00	1.00

(ii) If the custom slaughterer is not subject to the provisions of subdivision (i) hereof, he shall assume ownership of all edible and inedible by-products, including the hide (except in the case of calves, dressed, hide on) derived from the cattle or calves custom slaughtered by him and shall remit to the owner thereof, whichever is appropriate of the following amounts:

(All amounts are on dollars per cwt., dressed carcass, hot weight basis.)

Cattle	Grades	Weight classifications		
		Under 451 pounds	451 to 650 pounds	651 pounds up
(a) Steers, heifers, cows, stags and bulls.	Choice or AA, Good or A, Commercial or B and Utility or C.	$0.85	$1.25	$1.45
(b) Steers, heifers, cows and stags	Cutter and Canner or D	.65	1.00	1.25
(c) Bulls (bologna)	Cutter and Canner or D	.50	.85	1.10

Calves		153 pounds and under	154 to 275 pounds
(d) Calves (hide off)	All grades	$3.05	$2.55
(e) Calves (hide on)	All grades	.50	.50

(3) On or after June 15, 1945, each person performing custom slaughtering of cattle and/or calves pursuant to this paragraph (c) shall keep for inspection by representatives of the Office of Price Administration, complete and accurate records for each transaction showing the name and address of the person for whom the custom slaughtering is performed, the date the service was performed, the total number and dressed (hot) weights of carcasses by grades, separately itemized for each class of cattle or calves and each carcass weight classification specified herein, and the amount remitted to the owner thereof pursuant to this paragraph (c).

2. Section 1364.405 (e) (2) (v) is added to read as follows:

(v) *Unreasonably low yield.* If the applicant obtains an unreasonably low yield in the production of frozen boneless beef (Army specifications) his higher direct labor costs due to such low yield shall be adjusted downward accordingly.

3. Section 1364.405 (f) is amended to read as follows:

(f) *Special adjustments affecting frozen boneless beef (Army specifications).* (1) Any person other than a slaughterer whose boning plant is located in Zone 1, 2, 8, 9 or 10 who shows by records covering his production of frozen boneless beef (Army specifications) during a sixty-day period that his gross margin, as determined herein, during such period was less than $0.75 per cwt. on a boneless basis, may apply for an adjustment of his applicable maximum f. o. b. boning plant price established in § 1364.452 (m) of this regulation. The sixty-day period shall cover an operating period ending not more than two weeks prior to the date of the filing of the application. As used herein the term "slaughterer" means a person who owns or controls in whole or in substantial part a slaughtering plant or facilities, or who is owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities.

(2) Any application filed pursuant to this paragraph (f) shall be made on Form No. 636–2454, a copy of which is contained in § 1364.533 (Appendix H) of this regulation, and shall be accompanied by duplicate copies of Form No. 636–590 (Revised) (see § 1364.531 Appendix F for a copy) giving the information requested therein in Tables A, B and C relating to direct labor costs. The application shall be filed in duplicate with the appropriate regional office of the Office of Price Administration. The Regional Administrator shall, within 21 days after receipt of the application, issue an order either denying the application or granting it in whole or in part.

(3) If the amount of the gross margin per cwt. determined in Item 5 of the application (Form No. 636–2454) and as adjusted pursuant to subparagraph (f) (6) is less than $0.75 per cwt., an adjustment shall be granted in an amount sufficient to increase the gross margin up to $0.75 per cwt., except that in no event shall the amount of the adjustment exceed $1.50 per cwt.

(4) Any adjustment granted to an applicant under § 1364.405 (e), or under § 1364.405 (f) as it existed prior to June 9, 1945, shall be revoked as of the issuance of an order granting an adjustment to such applicant pursuant to this paragraph (f). Any order issued pursuant to this paragraph (f) shall be for a period of 90 days, but the Regional Administrator may amend or revoke the order if he deems such action necessary.

(5) Within 30 days of the expiration date of any order issued pursuant to this paragraph (f), the applicant, if he desires a further adjustment shall file another application in duplicate on Form No. 636–2454 in which he shall submit data covering a sixty-day period, or in the event that 60 days have not elapsed since the last adjustment was granted, for the period between the date on which the last adjustment was granted and 3 days prior to the filing of the application. In determining the amount of such further adjustment, the Regional Administrator shall be guided by the adjustment instructions provided in paragraph (f) (3) hereof.

(6) Notwithstanding any other provision of this paragraph (f) the appropriate Regional Administrator shall:

(i) in the event that the cost of packaging materials exceeds $0.75 per cwt. (boneless beef basis), adjust downward such cost to that amount, and

(ii) in the event that the reported labor cost exceeds the amount which may properly be considered under the provisions of § 1364.405 (e), adjust downward the labor cost in the manner prescribed therein.

(7) Any adjustment granted under this paragraph (f) shall be conditioned upon the keeping by the applicant of records covering his current operations, showing all the basic data required in the application form. These records shall be available for inspection by representatives of the Office of Price Administration.

(8) Following the issuance of an order pursuant to this paragraph (f), the Regional Administrator shall forward to the Administrator at Washington, D. C., for review, a copy of the application together with a copy of the order and such other data as were considered in connection with the application. After review, the Regional Administrator shall modify or revoke the order if the Admin-

istrator deems such modification or revocation appropriate. However, the provisions of the Regional Administrator's order shall remain in full force and effect until such time as they are modified or revoked.

4. Section 1364.405 (h) is added to read as follows:

(h) *"Group I ship chandler" adjustments affecting fabricated beef cuts and veal carcasses (War Shipping Administration specifications).* (1) Notwithstanding the pricing provisions of § 1364.452 (o) (1) (iii) and § 1364.467 (n) (1) (ii), pertaining to maximum prices for fabricated beef cuts and veal carcasses (War Shipping Administration specifications), the Price Administrator at Washington, D. C., may, by order, adjust the applicable zone prices established in § 1364.452 (o) (6) for beef and § 1364.467 (n) (6) for veal, for any "Group I ship chandler" (defined in § 1364.452 (o) (9) (iv)) who shows:

(i) That in the period covering the entire calendar or fiscal year of 1944, whichever period is used by the applicant for filing his Federal Income Tax return, at least 85% of his total dollar volume of sales consisted of sales of food items,

(ii) That during his most recent 3 month fiscal or calendar accounting period, his total dollar volume derived from the sale of all his products, including but not limited to food items, exceeding his total cost of products sold during such period (adjusted for inventory changes) by an amount which was less than 12½%, and

(iii) That no adequate alternative exists to the price adjustment, such as a reduction of other operating costs.

(2) Any applicant requesting a price adjustment under this paragraph (h) shall file a written application with the Price Administrator at Washington, D. C., in which he shall certify that he is a "Group I ship chandler" as defined in § 1364.452 (o) (9) (iv) of this regulation, that he meets the requirements of subparagraphs (1) (i) through (iii) above, and sets forth:

(i) His "annual total dollar volume" as computed in accordance with the provisions of § 1364.452 (o) (9) (vi) of this regulation.

(ii) His total dollar volume derived from the sale of food items only during the same period covered by subdivision (i) above,

(iii) The total cost of all products purchased by him (adjusted for inventory changes) during the three consecutive months specified in subparagraph (1) (ii) above, and his total dollar volume derived from sales of such products during the same period, setting forth the total dollar volume of sales of (*a*) all products, including foods, (*b*) foods, including all meats, (*c*) beef and veal, and (*d*) pork; and the total pounds of beef and veal, and pork, separately stated, sold during the same period.

In addition to the foregoing, each application shall be accompanied by a letter signed by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, certifying that the applicant is a "Group I ship chandler" as defined in § 1364.452 (o) (9) (iv) herein.

(3) Upon receipt of an application satisfying the requirements of paragraph (h) (2) hereof, the Price Administrator may, subject to such terms and conditions as he may deem necessary, adjust the maximum prices established for fabricated beef cuts and veal carcasses (War Shipping Administration specifications) for sales by the applicant to such an extent as to increase the applicant's gross operating margin percentage-wise to 12½% over cost of products sold, except that in no case shall an adjustment be granted in excess of 75 cents per hundredweight.

(4) If during any 3 consecutive calendar or fiscal months following the granting of an adjustment pursuant to this paragraph (h), the applicant's dollar volume sales of food items fall below 85% of his total dollar volume of sales of all products sold during such 3 months period, the adjustment granted shall be deemed null and void thereafter. If during any 3 month calendar or fiscal period or a fiscal or calendar year closing after the granting of an adjustment pursuant to this paragraph (h), the applicant's gross operating margin is more than 12½% of cost of products sold, the adjustment granted under this paragraph (h) shall be subject to revocation or modification.

(5) For purposes of convenience, an application filed under this § 1364.405 (h) may be combined with a similar application filed under the provisions of Revised Maximum Price Regulation No. 148.

5. A footnote reference 8 is added to appear after the words "licensed ship supplier" in item (vii) below Column I in the table of § 1364.452 (o) (6) and a footnote 8 is added to read as follows:

[8] A "Group II ship chandler" (defined in § 1364.452 (o) (9) (v)) may add $2.50 per cwt. to the table price, unless the meats were obtained from the "stockpile", in which case the "Group II ship chandler" may add $3.00 per cwt. to the table price.

6. Section 1364.452 (o) (9) is amended by the addition of subdivisions (iv), (v) and (vi) to read as follows:

(iv) A "Group I ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish; and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (vi) below.)

(v) A "Group II ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof who has met all the requirements of subdivision (iv) hereof for a "Group I ship chandler," except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein and setting forth in addition his annual total dollar volume of sales. The addition of $2.50 per cwt. or $3.00 per cwt., as the case may be, provided in the table of § 1364.452 (o) (6), (beef), and § 1364.467 (n) (6), (veal), for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(vi) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he uses for filing his Federal income tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal income tax return shall be used to obtain the dollar volume of sales.

(*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed to be his "annual total dollar volume."

(*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler." However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three-month period and multiplying it by 4. The result will be his "annual total dollar volume."

7. A footnote reference 6 is added to appear after the words "licensed ship supplier" in Item (vii) below Column I in the table of § 1364.467 (n) (6) and a footnote 6 is added to read as follows:

[6] A "Group II ship chandler" (defined in § 1364.467 (n) (9) (v)) may add $2.50 per cwt. to the table price, unless the meats were obtained from the "Stockpile," in which case the "Group II ship chandler" may add $3.00 per cwt. to the table price.

8. Section 1364.467 (n) (9) is amended by the addition of subdivisions (iv), (v) and (vi) to read as follows:

(iv) A "Group I ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof (*a*) who does not engage in the fabrication of meats of any kind and who does not own or control in whole or substantial part any slaughtering plant or facilities and who is not owned or controlled in whole or substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities; (*b*) who has been allotted a ship store's quota under War Food Order No. 74 covering the sale of each of the following products in addition to meats: butter, cheese, canned fruit and fruit juices, and canned vegetables and vegetable juices; (*c*) who is currently engaged in the business of selling a complete line of foods and other products to ship operators, including but not limited to meats, poultry, butter, cheese, eggs, fluid milk, canned goods, dry groceries, fresh fruits and vegetables and fresh or frozen fish; and (*d*) whose "annual total dollar volume" of sales is $500,000.00 or more. (The term "annual total dollar volume" is explained in subdivision (vi) below.)

(v) A "Group II ship chandler" means a licensed ship supplier as defined in subdivision (ii) hereof who has met all the requirements of subdivision (iv) hereof for a "Group I ship chandler", except that his "annual total dollar volume" of sales shall be less than $500,000.00 and who has filed a statement with the appropriate regional office of the Office of Price Administration, signed by him and approved by the appropriate district food control representative of the War Shipping Administration located in the City of New York, New Orleans or San Francisco, as the case may be, setting forth that he meets each of the requirements of a "Group II ship chandler" as defined herein and setting forth in addition his annual total dollar volume of sales. The addition of $2.50 per cwt, or $3.00 per cwt., as the case may be, provided in the table of § 1364.452 (o) (6), (beef), and § 1364.467 (n) (6), (veal), for a "Group II ship chandler" shall not be taken until this statement has been filed as provided herein.

(vi) (*a*) The term "annual total dollar volume" means the total dollar volume of sales made by a ship chandler during the calendar or fiscal year 1944, whichever he uses for filing his Federal income tax return. All sales, whether of food or not, as shown on the books shall be used. The ship chandler's Federal income tax return shall be used to obtain the dollar volume of sales.

(*b*) If the ship chandler was engaged in business during only a part of the fiscal or calendar year of 1944, he shall divide his total dollar volume of sales from the time he began operations up to and including June 8, 1945, by the number of weeks he was in business. This will represent the weekly average dollar volume of sales. This figure shall be multiplied by 52 and the result shall be deemed to be his "annual total dollar volume".

(*c*) If the ship chandler started business after June 8, 1945, he shall be deemed to be a "Group II ship chandler". However, after he has been in operation for 3 months, he shall determine again what class he is in by taking his total dollar volume of sales for the three month period and multiplying it by 4. The result will be his "annual total dollar volume".

9. The effective date of Amendment No. 54 to Revised Maximum Price Regulation No. 169 is changed from June 1, 1945, to June 14, 1945, with respect to § 1364.401 (c). To incorporate the change, the editorial note appearing after § 1364.401 (c) in the compilation to Revised Maximum Price Regulation No. 169, including Amendments 1–54, is amended to read as follows:

[Paragraph (c) (formerly (d), amended by Am. 3, 8 F.R. 491, effective 1–16–43; redesignated (d) and amended by Am. 4, 8 F.R. 4097, effective 4–3–43; Am. 6 F.R. 4844, effective 4–14–43; Am. 25, 8 F.R. 11298, effective 7–16–43; redesignated (c) and proviso amended by Am. 54, effective 6–14–45]

10. Section 1364.533 Appendix H is added to read as follows:

§ 1364.533 *Appendix H.*

OPA FORM 636-2454 (6-45) — Bureau of Budget Approval No. 08-R1413

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICE OF FROZEN BONELESS BEEF

(ARMY SPECIFICATIONS)

Pursuant to RMPR 169, § 1364.405 (f)

Name of firm

Address of plant for which adjustment is sought

Addresses of other plants at which applicant is producing frozen boneless beef (Army specifications)

Period covered by this application

From ..... 194... to ..... 194..

1	a. Amount of adjustment granted under § 1364.405 (e).	$.....per cwt.	b. Amount of adjustment granted under § 1364.405 (f).	$.....per cwt.

2. Total receipts from sales of frozen boneless beef (Army specifications) and by-products

a Receipts from sales or transfer value of frozen boneless beef (Army specifications)

	Grade	Pounds	Sales value
1			$
2			
3			
4			
5	Total—All grades		

b Receipts from sales or transfer value of by-products.

	By-product	Pounds	Sales value
1	Bones		
2	Fat		
3	Kidneys		
4	Trimmings		
5	Total		

c Total sales (sum of items 2a (5) and 2b (5)).

3. Total direct expenses incurred in connection with production of frozen boneless beef (Army specifications)

a	Cost of carcass beef:		
1	Invoice cost of beef	Wt..... .....lbs.	$
2	Freight and icing		
3	Local delivery		
4	Handling expense		
5	Total		
b	Cost of packaging materials:		
1	Boxes	No. of boxes	$
2	Straps and seals		
3	Wrapping paper		
4	Total		
c	Freezer Costs:		
1	Cartage to freezer		$
2	Freezer		
3	Total		
d	Direct labor		
e	Total direct expenses (Sum of items 3a(5), 3b(4), 3c(3) and 3d)		

4. Gross margin (item 2c minus item 3c)

5. Gross margin per cwt. (Divide item 4 by item 2a(5) and multiply by 100)

A false certification is a criminal offense.

I certify that the information contained herein is true and correct.

Sign here.....

(Name of Company Official) (Title) (Date)

EXPLANATORY NOTES

1. *General use of Form.* This form must be submitted in duplicate to the appropriate regional OPA office. Copies of the form may be obtained from any regional office, or if no copies of the form are available, they may be reproduced by the applicant. All information requested in the form must be given. Duplicate copies of OPA Form No. 636–590 (Revised) must be submitted with this application.

2. *Period covered by the application.* The period covered by the application must be a full 60 day period ending within two weeks of the filing of the application, except that if 60 days have not elapsed since the last adjustment was granted, the application shall cover the period from the date the last adjustment was granted up to the third day prior to the filing of this application.

3. *Adjustments granted under § 1364.405, paragraphs (c) and (f). (Item 1).* If the applicant received an adjustment under § 1364.405 (e) for excessive direct labor cost, the amount of such adjustment should be entered in Item 1a. If there was one adjustment under this section during part of the period covered by the application and another adjustment during the remainder of the period covered by the application, a statement should be attached to the application showing the dates during which each adjustment was in effect. If the applicant received an adjustment under § 1364.405 (f), the amount of such adjustment should be entered in Item 1b. Enter the word "none" in Item 1a or 1b if no adjustment has been granted.

4. *Receipts from sales of frozen boneless beef (Army specifications) and from sale of by-products. (Item 2).* Enter separately in Item 2a the total weight of each type and grade of frozen boneless beef (Army specifications) produced during the period and delivered to the freezer and the total sales value of each type and grade. For example, choice grade boneless carcass beef should be listed separately from choice grade boneless hindquarter beef. To determine the sales value of each type and grade of beef, multiply the total weight of each type and grade by the current ceiling price for that type and grade specified in Section 1364.452 (m). In figuring sales value, do not include the adjustments, if any, granted under § 1364.405 (e) or § 1364.405 (f).

Enter separately in Item 2b the total weight of each type of by-product derived from the production of frozen boneless beef (Army specifications) during the period and the sales value of each of such by-products. The sales value of each of the by-products shall be obtained from the sale invoices if the by-products were sold. If the by-products were utilized by the applicant, the sales value shall be figured by using OPA ceiling prices.

5. *Total direct expense. (Item 3).* Enter in Item 3a 1 the total weight of beef (carcasses and/or hindquarters) used during the period in the production of frozen boneless beef (Army specifications) and the actual invoice cost of such beef.

Enter in Item 3a 2 freight and icing charges actually paid to the common carrier which delivered the meat or to the seller for the initial icing of cars.

Enter in Item 3a 3 the total amount paid to sellers for local delivery.

Enter in Item 3a 4 the following expenses, if incurred: the cost of delivery of beef from the seller's plant to the applicant's boning plant, if the applicant used his own trucks and personnel to make such delivery, but in no event may such cost exceed the local delivery charge which the seller could have made. Handling expense may also include the expense incurred in bringing the carcass beef and/or hindquarters from the railroad car or motor truck into the applicant's boning plant.

Enter in Item 3b 1 the total number of boxes used during the period and the total cost of such boxes. The cost shall include the delivered cost of the boxes and the cost of the stitching wire or staples used in assembling the boxes. Boxing costs shall not include labor charges for assembling, stenciling or otherwise handling the boxes.

Enter in Item 3b 2 the total cost of the straps and seals used during the period. This amount may not include the wages paid to employees for putting straps on the boxes. If the strapping is done on a contract basis, an apportionment must be made between material and labor costs.

Enter in Item 3b 3 the cost of wrapping paper used during the period.

Enter in Item 3c 1 the cost of carting the frozen boneless beef (Army specifications) to the freezer. If the cartage is performed by commercial dray companies, the actual amount paid such companies may be included. If the applicant uses its own trucks and personnel for cartage, the wages paid the personnel and a fair rental value of the trucks may be included but in no event may such charges exceed 10 cents per hundredweight.

Enter in Item 3c 2 the total freezer charges for the frozen boneless beef (Army specifications) delivered to the freezer during the period. Where the freezing is done in commercial freezers, the entry shall be the charges made for freezing the first month's storage. If the freezing is done in the applicant's own freezer, the actual cost of such freezing may be entered, but in no event may such cost exceed commercial rates.

Enter in Item 3d total direct labor costs incurred in production of frozen boneless beef (Army specifications) during the period. This amount may include only wages paid to weighers, breakers, boners, trimmers, luggers, packers, strappers, grinders, box makers, porters and utility men in the boning room and other personnel in the boning room who are directly connected with the boning operations. This amount may not include wages or salaries paid to men on delivery trucks, supervisors or non-working foremen, office help or officers or executives.

6. *Gross margin. (Items 4 and 5.)* Obtain the entry for Item 4 by subtracting Item 3e from Item 2c. To obtain the entry for Item 5, divide the entry in Item 4 by the total number of pounds shown in Item 2a 5 and multiply by 100. If the entry in Item 3e exceeds the entry in Item 2c, the entries in Items 4 and 5 should be shown by a red figure or preceded by a minus sign (−).

7. *Certification.* The form shall not be submitted to the OPA until it has been properly certified by a responsible official of the company who shall have affixed his signature, official title, and the date in the spaces provided therefor.

This amendment shall become effective on June 9, 1945, except that the provisions of § 1364.401 (c) shall become effective on June 15, 1945.

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

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10082; Filed, June 9, 1945; 11:36 a. m.]

PART 1389—APPAREL

[MPR 578,[1] Amdt. 4]

MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

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

Maximum Price Regulation 578 is amended in the following respects:

1. Section 2 (b) (1) is amended to read as follows:

(1) *Group I, garments formerly covered by the General Maximum Price Regulation.*[2] Group I consists of garments which were covered by the General Maximum Price Regulation prior to issuance of this regulation. For these garments the maximum prices shall be determined under the provisions of the General Maximum Price Regulation.

2. Section 2 (b) (4) is amended to read as follows:

(4) *Group IV, garments formerly covered by Revised Maximum Price Regulation 287.*[3] Group IV consists of garments which were covered by Revised Maximum Price Regulation 287 prior to issuance of this regulation. For these garments the maximum prices shall be determined under the provisions of Revised Maximum Price Regulation 287, except that a manufacturer or manufacturing-retailer of such garments may add to his direct cost of each garment under that regulation, the direct labor cost incurred in attaching labels as provided in section 6 (d) of this regulation.

This amendment shall become effective June 25, 1945. However, any manufacturer or manufacturing-retailer may begin to operate under this amendment on or after June 11, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–10162; Filed, June 11, 1945; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[4] Incl. Amdts. 1–100]

SHOES

This compilation of Ration Order 17 includes Amendment 100, effective June 15, 1945. Text added by Amendment 100 is underscored. Deletions are indicated by note.

Shoes were put under rationing control on February 7, 1943. This was done to protect then existing inventories and to prevent depletion of retail stocks. It was apparent that with heavy military demands on leather supply, civilian production under wartime conditions could not possibly keep up with demand.

[1] 10 F.R. 2388, 2756, 3052, 5794.
[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.
[3] 8 F.R. 9122, 10001, 10304; 9 F.R. 974, 12590.
[4] 8 F.R. 15839.

Retail inventories have decreased from 237 million on April 10, 1943, to 151 million on January 1, 1945. Total sales in 1944 were 307 million pairs against a production of 257 million pairs. The best available estimate of rationed shoe production for civilians for 1945 is approximately 235 million pairs. With the high purchasing power existing in the country today and civilian production of shoes limited because of military demands, it is evident that a severe shortage of shoes would exist if consumer buying were not controlled through rationing.

The civilian supply of leather continues to be very low, and it is impossible to forecast when the time will come that rationing of shoes will no longer be necessary.

From time to time it has been necessary to amend the original ration order for purposes of making it more workable and to take care of needs of consumers and the trade. Since the ration order was issued Stamps No. 17 and 18 in War Ration Book One have been used for shoes, but have since been invalidated. Stamps No. 1, 2 and 3 in War Ration Book Three were validated on November 1, 1943, May 1, 1944, and November 1, 1944, respectively, and these stamps are still valid.

[Preamble amended by Am. 46, 8 F.R. 15839, effective 11–24–43 and Am. 98, 10 F.R. 6453, effective 6–4–45]

§ 1404.101 *Rationing of shoes.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order 9125 issued by the President on April 7, 1942, by Directive 1 and Supplementary Directive 1-T of the War Production Board, issued January 24, 1942, and February 7, 1943, respectively, this Ration Order 17 (Shoes) which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—HOW CONSUMERS BUY SHOES

Sec.

ARTICLE II—HOW THIS ORDER AFFECTS THE TRADE

Sec.

ARTICLE III—GENERAL PROVISIONS

Other Transfers Permitted

Prohibited Acts Relating to Shoes and Certificates

Appeals and Suspension Orders

Scope of Ration Order No. 17

Definitions

APPENDIX A

AUTHORITY: § 1404.101 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supplementary Directive No. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719.

ARTICLE I—HOW CONSUMERS BUY SHOES

(This part tells all one must know to get shoes for use)

SECTION 1.1 *Buyer must give up evidence of his right to buy shoes.* A person who wants to buy or otherwise acquire shoes for use may do so if he first gives the seller or other person making the transfer valid shoe ration currency. The ration currency used by a consumer may be a "war ration shoe stamp," a "special shoe stamp," or a "certificate." Ration currency may be used only to get shoes for the person for whom it was issued, except that a war ration stamp issued to a member of a family may be used to get shoes for any member of his family. Ration currency may be used during the time and in the way this order permits but not otherwise. A stamp having an expiration date and sent by a consumer to an establishment with a mail order is considered used within its valid period, if the envelope in which it is enclosed is postmarked within the time it is valid for consumer use. (Some words are used in this order with a special meaning. Examples are "acquire", "transfer", "person", "family", and "stamp". These terms are fully explained in section 3.13.)

[Section 1.1 amended by Am. 21, 8 F.R. 8064, effective 6–11–43 and Am. 74, 9 F.R. 10589, effective 9–2–44]

SEC. 1.2 *How war ration stamp is used.* (a) Everyone who has a valid war ration book may use each shoe stamp in it to get one pair of shoes. Section 1.16 tells what war ration stamps are for shoes and when they may be used. The stamp must be torn out of the war ration book in the presence of the supplier or his employee or a person making the delivery for him either when the shoes are ordered or when they are delivered. If the war ration stamp is removed in any other manner or at any other time it is void. However, when a consumer orders shoes by mail and he or his agent does not personally select or receive the shoes at his supplier's place of business, the consumer may tear out the stamp and send it by mail with his order but the supplier may not deliver the shoes until he has received the stamp.

[Paragraph (a) amended by Am. 31, 8 F.R. 11445, effective 8–16–43, Am. 37, 8 F.R. 12548, effective 9–15–43 and Am. 46, 8 F.R. 15839, effective 11–24–43]

(b) Any consumer who has inadvertently detached a shoe stamp from his War Ration Book or who did so without knowing this action rendered the stamp void for over-the-counter transfers, may surrender it to the Board during the time it is valid for shoes and the Board may issue him a special shoe stamp in exchange. The Board shall write on the stamp the serial number of the War Ration Book from which the stamp has been detached.

[Paragraph (b) added by Am. 37, 8 F.R. 12548, effective 9–15–43; amended by Am. 44, 8 F.R. 15181, effective 11–9–43; and Am. 74, 9 F.R. 10589, effective 9–2–44]

SEC. 1.3 *War ration book turned over to boarding house may be returned to get shoes.* A person who has turned his war ration book over to a boarding house, hospital, or a similar institution when required by any ration order may get it back to use it to get shoes if the institu-

tion does not furnish his shoes. However, he must return it promptly.

[Sec. 1.3 amended by Am. 37, 8 F.R. 12548, effective 9–15–43 and Am. 93, 10 F.R. 2757, effective 3–16–45]

SEC. 1.4 *Consumers may get special ration in certain cases.* (a) *Consumers not eligible for War Ration Books may get special shoe stamps.* (1) Any individual consumer who is in the United States and who does not have and is not eligible for a War Ration Book 3, and who is not eligible for shoe rations under the next paragraph or under section 1.14 may obtain a special shoe stamp, on written application to a District Office or to a Board designated by the District Office. However, a resident of an institution of involuntary confinement may not apply if shoes are furnished him by the institution, and no consumer may apply under this section if he has made a previous application, or has obtained a special shoe stamp, since the last war ration shoe stamp became valid. The applicant shall appear in person and a separate application shall be made for each applicant, except that an application may be made by an agent for any or all eligible consumers who are confined in an institution of involuntary confinement within the United States. The application need not be in any prescribed form, but shall contain all information needed to establish the eligibility of each applicant.

[Subparagraph (1) amended by Am. 73, 9 F.R. 9901, effective 8–18–44]

(2) In issuing a stamp under this paragraph, the District Office or Board shall write on it the words "No Book".

[Subparagraph (2) amended by Am. 74, 9 F.R. 10589, effective 9–2–44]

(b) *Certain residents of Mexico may get special shoe stamps.* (1) Any person who resides in Baja California, Mexico, within 90 kilometers of the border between Mexico and the United States, or in any other part of Mexico, within 20 kilometers of the border, may apply for a special stamp to acquire shoes in the United States, if he meets the need requirements of section 1.5. The application shall be made by the applicant, or a duly authorized agent, on OPA Form R–1714, to the Board whose office is nearest his customary point of entry into the United States. One application form shall be filed for each applicant. The application must contain or be accompanied by all information needed to establish the applicant's eligibility. The applicant and the agent, if any, must appear before the Board in person. However, the Board may excuse the applicant's appearance if it finds that this requirement would cause him undue hardship. The application shall be accompanied by a currently valid "immigration document" for the applicant or one on which he is regularly listed or shall contain information necessary to show why he does not have, or is not listed on, such a document. If an "immigration document" is presented, it shall be returned by the Board to the applicant or his agent after the Board has examined it.

(2) If the application is accompanied by the required "immigration document", the Board may issue to the applicant one special shoe stamp (OPA Form R–1708A), if he meets the need requirements of section 1.5 and satisfies the other requirements of subparagraph (1). However, the Board may not issue to the applicant more than one special shoe stamp in any period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. If a second special shoe stamp is applied for in that period, the Board shall forward the application to the District Office together with the Board's recommendations and a statement that the required "immigration document" has been submitted.

(3) If the application is not accompanied by the required "immigration document", the Board shall not grant the application, but shall forward it to the District Office, together with the Board's recommendations.

(4) If the District Office finds with respect to an application forwarded to it under subparagraph (2) or (3) that the applicant satisfies the need requirements of section 1.5 and the provisions of subparagraph (1) and that he has a currently valid "immigration document" or is regularly listed on one, or that he is not entitled to have or be listed on one, the District Office shall approve the application and return it to the Board with instructions to issue the stamp. If the applicant is not entitled to have, or be listed on, an "immigration document", the District Office shall also instruct the Board to insert the word "waived" on the stamp.

(5) The Board shall insert on each stamp issued under this paragraph the word "Mexico", the date on which the stamp expires (which shall be 30 days from the date of issuance) and the serial number of the "immigration document", if any. The Board shall mark on the "immigration document" the letter "S" and the date of issuance of the stamp.

[Paragraph (b) amended by Am. 62, 9 F.R. 6233, effective 7–1–44]

(c) *Special shoe stamps may be issued for prisoners of war and internees outside the United States.* (1) The nearest relative or other agent of a United States citizen or member of the armed services of the United States who is interned in a foreign country, or held as a prisoner of war by an enemy nation, may obtain a special shoe stamp from his Board to permit him to buy shoes to send to the internee, or prisoner of war.

(2) The stamp may be obtained on written application to the Board, accompanied by a document showing that the person for whom the application is made is interned or held as a prisoner of war by a foreign country. If a stamp is issued on the application, the Board shall so indicate on the document supporting the application unless it is retained with the application. The Board should write on each stamp issued the words "No Book."

[Subparagraph (2) amended and (3) revoked by Am. 74, 9 F.R. 10589, effective 9–2–44]

(d) *Stamps issued to imported laborers.* (1) Any person who is or has been brought into the continental United States by a federal government agency who has not been issued a War Ration Book 3 or who has surrendered it in accordance with General Ration Order 12[2] shall be eligible for one special shoe stamp in each period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. A special shoe stamp shall be issued to each such person by the federal government agency or employer contracting for such services, or by a local Board or other office of the Office of Price Administration, upon the authorization and instructions of the National office of the Office of Price Administration. The person authorized to issue a stamp under this paragraph shall write on it the words "No Book".

[Paragraph (d) added by Am. 72, 9 F.R. 9355, effective 8–5–44 and amended by Am. 74, 9 F.R. 10589, effective 9–2–44]

[Sec. 1.4 amended by Am. 1, 8 F.R. 2040, effective 2–13–43; Am. 37, 8 F.R. 12548, effective 9–15–43 and Am. 44, 8 F.R. 15181, effective 11–9–43]

SEC. 1.4a [Revoked].

[Sec. 1.4a added by Am. 8, 8 F.R. 3948, effective 3–29–43, amended by Am. 37, 8 F.R. 12548, effective 9–15–43 and revoked by Am. 44, 8 F.R. 15181, effective 11–9–43]

SEC. 1.4b [Revoked].

[Sec. 1.4b added by Am. 13, 8 F.R. 5567, effective 4–26–43, amended by Am. 36, 8 F.R. 12547, effective 9–15–43, Am. 41, 8 F.R. 14580, effective 10–30–43 and revoked by Am. 44, 8 F.R. 15181, effective 11–9–43]

SEC. 1.4c [Revoked].

[Sec. 1.4c added by Am. 26, 8 F.R. 9422, effective 7–8–43 and revoked by Am. 44, 8 F.R. 15181, effective 11–9–43]

SEC. 1.5 *How to get extra shoes for one's own use.* (a) Any person residing in the United States for a period of sixty days or more, or who is in the United States in connection with work related to the war, who needs extra shoes may get a special shoe stamp to permit him to get the extra shoes he needs. He should apply to the War Price and Rationing Board serving the area in which he lives, on OPA Form R–1703. A person who needs safety shoes may apply on Form R–1712. If it is impracticable for him to apply at the proper Board, any Board may, in its discretion, accept and act on his application. In cases of emergency where an applicant has immediate need for shoes, and it is impractical for him to apply at a local Board, any District Office may issue him the

[2] 8 F.R. 7453, 11514, 17183; 9 F.R. 6504, 9355, 10706, 11760.

necessary stamps. He may mail or bring his application to the Board or may have someone else do so for him. In most cases, the applicant must sign the application himself, but if he is a minor, is legally incompetent, or is physically unable to sign it himself someone else may sign it as his agent. The Board may require the applicant to appear before it to give more information before acting on the application and may deny an application of a person who has acquired or transferred shoes in violation of this order. A separate application shall be made for each applicant except that one application may be made by an agent for any or all eligible consumers who are confined in a state or federal institution or any institution of involuntary confinement within the United States. Such a multiple application may be filed with the District Office and need not be on any prescribed form, but shall contain all information needed to establish the eligibility of each applicant.

[Paragraph (a) amended by Am. 37, 8 F.R. 12548, effective 9–15–43; Am. 44, 8 F.R. 15181, effective 11–9–43; Am. 59, 9 F.R. 5254, effective 5–20–44; Am. 63, 9 F.R. 6647, effective 6–19–44 and Am. 97, 10 F.R. 5994, effective 5–28–45]

(b) Except for some special reason, everyone will be given the right to buy all the shoes he needs for ordinary wear by using the stamps in his war ration book. Therefore, a person does not have "need" for extra shoes: (1) if the kind of shoes he wants are non-rationed or are furnished him by his employer or by an institution; or (2) if he has two or more pairs of wearable (or repairable) shoes of the kind wanted or which he could use for the same purpose; or (3) if he wants them simply for recreational or non-professional gymnasium use, sportswear or to maintain his personal appearance; or (4) if he already has valid shoe ration currency, or he can obtain a war ration stamp from a member of his family, which he could use to get the shoes he wants. The Board or District Office may also find that "need" does not exist if it would not be a hardship for the applicant to wait until his next shoe stamp is valid to get the shoes he wants or if he can get a certificate under section 1.14. However, an applicant applying for safety shoes required to protect his health or safety because of the conditions under which he works, may be found to have "need" for them even though a member of his family has a War Ration Shoe Stamp which the applicant could use.

[Paragraph (b) amended by Am. 5, 8 F.R. 3371, effective 3–24–43; Am. 46, 8 F.R. 15839, effective 11–24–43; Am. 59, 9 F.R. 5254, effective 5–20–44 and Am. 93, 10 F.R. 2757, effective 3–16–45]

(c) If the applicant's occupation requires him to be away from home for a long period of time, in a locality where he has no access to establishments selling shoes, or in a foreign country, the Board or District Office may issue him special shoe stamps to permit him to buy the number of pairs he will need during such time. The Board or District Office will take into account any stamps he has but not those of other members of his family.

[Paragraph (c) added by Am. 44 and amended by Am. 59, 9 F.R. 5254, effective 5–20–44 and former (c) redesignated (d) by Am. 44]

(d) If a special shoe stamp is issued, the Board or District Office shall write on it the serial number of the applicant's War Ration Book 3 or, if he has none, the words "No Book". However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the Board may write the name of the applicant on the stamp in place of the serial number of the Book. If the application is for a stamp to secure safety shoes the words "Safety Shoes" shall be written on the stamp. If a Board desires to specify the use to which a stamp may be put when secured for shoes other than safety shoes, it shall write on the stamp the words "Men's Use", "Women's Use", or in the case of a stamp issued to a child under 14 years of age, the words, "Children's Use".

[Paragraph (d), formerly (c) amended by Am. 36, 8 F.R. 12547, effective 9–15–43; Am. 44, 8 F.R. 15181, effective 11–9–43; Am. 59, 9 F.R. 5254, effective 5–20–44; Am. 73, 9 F.R. 9901, effective 8–18–44; Am. 74, 9 F.R. 10589, effective 9–2–44 and Am. 79, 9 F.R. 12039, effective 10–6–44]

(e) No applicant may receive a stamp under this section if he is entitled to but has not received a stamp under section 1.4, or a War Ration Book 3. A stamp may not be issued under this section to a person entitled to apply for replacement of a War Ration Book 3 under Procedural Regulation No. 12 unless the applicant will suffer undue hardship if he is forced to wait for shoes until his War Ration Book is replaced or unless he has been denied replacement of the Book by the Board. When the Board subsequently issues a War Ration Book 3 to a person who has received a stamp under this paragraph, it shall remove from the War Ration Book one currently valid shoe stamp for each stamp so issued. (However, this requirement shall be deemed satisfied if all currently valid shoe stamps have been removed under this paragraph and Procedural Regulation No. 12.)

[Paragraph (e) added by Am. 78, 9 F.R. 11763, effective 9–29–44]

SEC. 1.6 *How special shoe stamp is used.* A consumer who gets a special shoe stamp in a way permitted by this order may use it to get one pair of shoes, but where the use to which the stamp may be put is specified on the stamp, it is not valid for any other use. Before using the stamp the consumer must write on it the serial number of his War Ration Book 3 or, if he has none, the words "No Book", unless the serial number of his war ration book or the words "No Book" or the name of the consumer is already written on the stamp. If a serial number is written on a stamp the consumer must show his war ration book having the same serial number to the person to whom he gives the stamp, except when he sends it with a mail order. A special shoe stamp which is not marked "Mexico" is valid for consumer use at any time regardless of date of issuance. A special shoe stamp marked "Mexico" is valid for consumer use for thirty days after the date of issue.

[Sec. 1.6 amended by Am. 36, 8 F.R. 12547, effective 9–15–43; Am. 44, 8 F.R. 15181, effective 11–9–43; Am. 73, 9 F.R. 9901, effective 8–18–44; Am. 74, 9 F.R. 10589, effective 9–2–44 and Am. 93, 10 F.R. 2757, effective 3–16–45]

SEC. 1.7 *Employers, institutions, and recreational facilities.* (a) *Employers and institutions may get shoes.* (1) Any employer who furnishes his employees with special shoes necessary for the performance of their jobs; any educational institution that furnishes its students with shoes of a special type required for athletic activities (including physical training); or any correctional or charitable institution that furnishes shoes to its residents may get a ration check or special shoe stamps to acquire the number of pairs of shoes it needs for that purpose. To get the ration check or special shoe stamps, the employer or institution should apply (on OPA Form R–1702) to the District Office for the area where the institution, or the employer's principal business office is located. In emergencies, however, any District Office may accept and act on the application. The applicant shall furnish all the information called for by the form prescribed or needed to establish the eligibility and need for the number of pairs applied for. If a special shoe stamp is issued, the District Office will write on it the words "No Book".

[Subparagraph (1), formerly paragraph (a) amended by Am. 15, 8 F.R. 6046, effective 5–7–43; Am. 39, 8 F.R. 13301, effective 10–2–43; Am. 44, 8 F.R. 15181, effective 11–9–43; Am. 58, 9 F.R. 4391, effective 4–27–44; Am. 74, 9 F.R. 10589, effective 9–2–44 and Am. 93, 10 F.R. 2757, effective 3–16–45]

[Section heading added; former section heading designated as paragraph (a), and former (a), (b), (c), and (d) redesignated as subparagraphs (1), (2), (3), and (4) by Am. 44, 8 F.R. 15181, effective 11–9–43]

(2) An employer or educational institution may get a ration check or special shoe stamps for not more than the number of pairs of shoes needed to give it a total supply of wearable shoes of the kind desired (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to one pair for each employee or student to be supplied, plus a reserve of 50 percent.

[Subparagraph (2), formerly paragraph (b) amended by Am. 6, 8 F.R. 3853, effective 4–2–43; Am. 15, 8 F.R. 6046, effective 5–7–43; Am. 44, 8 F.R. 15181, effective 11–9–43 and Am. 93, 10 F.R. 2757, effective 3–16–45]

(3) A charitable or correctional institution may get a ration check or special shoe stamps under this section for not more than the number of pairs of shoes needed of the kind applied for or a kind

that could be used for the same purpose to give it a total supply of wearable shoes (including any already owned, whether in use or not, that are wearable or that can be repaired) equal to two pairs of shoes for each resident to be supplied, plus a reserve of 50 percent.

[Subparagraph (3), formerly paragraph (c) amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 15, 8 F.R. 6046, effective 5-7-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(4) An employer or institution that gets shoes under this section or section 3.6 may let its employees, students, or residents, as the case may be, use the shoes but it must keep title to them. However, if a resident of a charitable or correctional institution leaves the institution, it may give him the shoes he has been wearing to take with him and, if it is the custom of the institution, it may give him a new pair of discharge shoes. Upon the termination of an employee's contract of employment and after collecting ration currency from the employee, an employer may, without registering as an establishment, transfer to the employee the shoes he has been wearing. It shall surrender all ration currency so received to the District Office within five days.

[Subparagraph (4), formerly paragraph (d) amended by Am. 15, 8 F.R. 6046, effective 5-7-43; Am. 59, 9 F.R. 5254, effective 5-20-44 and Am. 75, 9 F.R. 10984, effective 9-9-44]

(5) An institution receiving ration currency under this paragraph may, with the approval of the Office that supplies the ration currency, open a shoe ration bank account. An institution that has opened an account under the authority of this section may use ration checks to acquire shoes and may also continue to receive and use special shoe stamps to acquire shoes if it so desires.

[Subparagraph (5) added by Am. 50, 9 F.R. 573, effective 1-17-44]

(6) A department of a State Government may apply to the District Office for the area where the State Capital is located for all shoe stamps or a ration check needed to acquire shoes to be furnished to residents of any eligible institution for which the department procures shoes. One application may be made for all such institutions but in such case, a list shall be attached to the application showing the number of residents who are furnished shoes by each institution for which application is made and the number of pairs of shoes owned by that institution. If application is made for an institution in this manner, it shall not make application to any other District Office. Any shoes which a state institution has in stock may be transferred to another state institution without the collection of ration currency and without registering the institutions as establishments if shoes are procured for the institutions by the same department of the State.

[Subparagraph (6) added by Am. 58, 9 F.R. 4391, effective 4-27-44; amended by Am. 93, 10 F.R. 2757; effective 3-16-45]

(b) *Employer may get stamps for safety shoes.* (1) Any employer having employees who require safety shoes for the protection of their health or safety may make application to, and upon approval obtain from, the District Office the number of special shoe stamps necessary to allow the acquisition by his employees of a two months' supply of safety shoes. However, the District Director may refuse such application if he determines that the plant is adequately served by a Plant Area Board. The employer shall apply in writing and shall furnish to the District Office all information necessary to show his eligibility and the number of stamps required during the two month period.

[Subparagraph (1), formerly paragraph (a) of Sec. 1.7a, amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 87, 10 F.R. 521, effective 1-16-45]

(2) Any employer acquiring stamps under this section shall appoint some person or committee to issue the stamps to his employees and shall notify the District Office of the appointment and obtain its approval of the appointment. The person or committee so appointed shall have no connection with the sale of safety shoes and the place at which stamps are issued may not be in the same part of the plant as a location where safety shoes are sold. When a stamp is issued to an employee by such person (or committee), he shall write on it the words "Safety shoes", and the number of the employee's War Ration Book 3 or, if the employee does not have a War Ration Book 3, he shall write on it the words, "No book." However, in cases of emergency where the applicant has immediate need for safety shoes to continue his work and does not have his Book with him, the person (or committee) may write the name of the applicant on the stamp in place of the serial number of the Book. A stamp may be issued only to an employee who has filled out an application under section 1.5 and who meets the need requirements of section 1.5. These individual applications shall be filed by the employer with the District Office when he makes his next application under this section. Application may be made by the employer before he has exhausted his supply of stamps but he must state in his application the number of stamps he has on hand and the number of individual applications he is forwarding.

[Subparagraph (2), formerly paragraph (b) of Sec. 1.7a, amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 73, 9 F.R. 9901, effective 8-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 79, 9 F.R. 12039, effective 10-6-44]

[Former paragraph (c) of Sec. 1.7a revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

[Paragraph (b), formerly Sec. 1.7a, added by Am. 7, 8 F.R. 4129, effective 4-5-43 and redesignated paragraph (b) of Sec. 1.7 by Am. 44]

(c) *Operators of recreational facilities may obtain athletic shoes for rental.* (1) Any person operating a bowling alley open to the general public or operated primarily for use by members of the armed services may obtain a ration check in an amount sufficient to enable him to have in stock, for loan or rental to his patrons, ten pairs of bowling shoes per alley for the first four alleys and seven pairs of bowling shoes per alley for every alley above four.

(2) A person operating any other recreational facility open to the general public or operated primarily for use by members of the armed services may obtain a ration check to acquire the number of pairs of athletic shoes of a particular type needed to maintain the supply of such shoes which he had on February 7, 1943 for loan or rental to his patrons.

(3) Application should be made (on OPA Form R-1702) to the District Office for the area in which the shoes are to be used and should contain all information needed to establish eligibility under subparagraph (1) or (2) above and the number of pairs for which he is eligible. Shoes acquired under this paragraph and shoes held for loan or rental on February 7, 1943, may be loaned or rented without collecting ration currency. However, they may not be loaned or rented to any person for use off the applicant's premises nor for a period longer than twelve hours at a time to the same person. The applicant must keep title to the shoes and they may not be transferred as "used" shoes under section 1.13.

[Paragraph (c), formerly Sec. 1.7b, added by Am. 24, 8 F.R. 9062, effective 7-7-43; redesignated paragraph (c) of Sec. 1.7 by Am. 44. Former paragraphs (a), (b) and (c) redesignated subparagraphs (1), (2) and (3); amended by Am. 93, 10 F.R. 2757, effective 3-16-45)]

(d) *Employers and institutions may dispose of shoes.* (1) If an employer or institution discontinues furnishing shoes to its employees, residents or students, or if it has worn shoes which can no longer be used by its employees, students or residents for the purposes for which it furnishes shoes to them it may make application to the District Office to transfer such worn shoes ration-free, without registering as an establishment. The application shall state the number of employees, students or residents who are furnished shoes, the number of pairs of shoes acquired since February 7, 1943, the condition of the shoes sought to be transferred ration-free and the reasons why they can no longer be used or that the employer or institution is no longer furnishing shoes. If the District Office is satisfied that the worn shoes sought to be transferred ration-free cannot be worn by the applicant's employees, students, or residents for the purposes for which it furnishes shoes to them, or that it has in fact discontinued the furnishing of shoes to its employees, students or residents, it shall issue to the applicant a written authorization to transfer such shoes as non-rationed without registering as an establishment. However,

such shoes may not be transferred as non-rationed if the price charged for them is more than fifty percent of the price paid for them by the applicant. For the purposes of this subparagraph, "price paid" means the invoice price paid by the employer or institution, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(2) If an employer or institution has odd lot shoes on hand which it desires to transfer or if it discontinues furnishing shoes to its employees, students or residents and desires to transfer its stock of new shoes, it may make application to the District Office for permission to transfer such shoes without registering as an establishment. The application shall state the number of shoes on hand, and in the case of odd lot shoes sought to be transferred, their size and type. If the District Office is satisfied that the applicant is in fact discontinuing the furnishing of shoes for the use of its employees, students or residents, or that the shoes it desires to transfer cannot be used by its employees, students or residents, the District Office shall send the applicant a written authorization to transfer the shoes for ration currency, without registering as an establishment. The applicant shall surrender all ration currency so received to the District Office within five days.

(3) If an employer or institution desires to resume the furnishing of shoes to its employees, students or residents, after having discontinued this practice in accordance with the provisions of subparagraph (1) or (2) above, it may apply to the District Office for stamps or a ration check. The District Office may grant the application only if it determines that there has been a substantial change in circumstances (other than the disposition of shoes under subparagraphs (1) or (2)) leading to the decision by the employer or institution to resume furnishing shoes for the use of its employees, students or residents.

[Paragraph (d) added by Am. 75, 9 F.R. 10984, effective 9-9-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(e) *American National Red Cross may get special shoe stamps.* (1) The National Office of the American Red Cross may make application to, and upon approval obtain from, the National Office of the Office of Price Administration, the number of special shoe stamps necessary to allow it to issue the necessary number of shoe stamps to its employees assigned to overseas service during a two-month period. The National Red Cross shall apply in writing and shall furnish information necessary to show the number of stamps required during the two-month period.

(2) The American National Red Cross shall appoint some person to issue the stamps to its employees who are given overseas assignments. When a stamp is issued to a Red Cross employee by such person, he shall write on it the number of the employee's War Ration Book Three or if the employee does not have a War Ration Book Three, he shall write on it the words, "No Book." A stamp may be issued only to an employee who has been given an overseas assignment, who has filled out an application under Sec. 1.5 and who meets the need requirements of Sec. 1.5. These individual applications shall be filed by the National Red Cross with the National Office of the Office of Price Administration when it makes its next application under this section. Application may be made by the American National Red Cross before it has exhausted its supply of stamps but it must state in its application the number of stamps it has on hand and the number of individual applications it is forwarding.

[Paragraph (e) added by Am. 97, 10 F.R. 5994 effective 5-28-45]

SEC. 1.8 *How certificates may be used.* A member of the armed services who receives a certificate (OPA Form R-1705B) in a way permitted by this order, may use it at any time to get one pair of shoes regardless of the date on which it was issued. It may be used by consumers only by or for the member of the armed service to whom it was issued. If it is sent by a consumer with a mail order, the shoes may be delivered only to the name and address written on the certificate.

[Sec. 1.8 amended by Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 57, 9 F.R. 3944, effective 4-15-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.9 [Revoked.]

[Sec. 1.9 revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 1.10 *Consumer may exchange new shoes and may get Special Shoe Stamp to replace defective shoes.* (a) Any consumer may return new shoes (including infants' shoes in sizes 0-4 returned after May 1, 1945) to the establishment from which he got them and with the latter's consent may get another pair in exchange or may get back a special shoe stamp if the establishment accepts the shoes returned and also refunds the full purchase price. New shoes (other than infants' shoes in sizes 0-4) which were non-rationed when transferred but which have been given a ration status since the time of purchase may be returned to the establishment from which they were purchased but may not be accepted on their return in exchange for rationed shoes without the surrender of ration currency. Neither may an establishment give a special shoe stamp on the return of shoes (other than infants' shoes in sizes 0-4) non-rationed when transferred, but which have a rationed status at the time of their return.

[Section heading amended by Am. 6, 8 F.R. 3853, effective 4-2-43. Paragraph (a) amended by Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43 and Am. 97, 10 F.R. 5994, effective 5-28-45]

(b) A consumer may get a special shoe stamp from the Board to replace defective shoes if (1) he surrendered ration currency for them; (2) the establishment from which he got them accepts their return within sixty days from the date of purchase and does not return them to the consumer; and (3) they are defective because of workmanship or material and cannot reasonably be repaired. The applicant must present to the Board a statement signed by the establishment stating, (1) that the shoes are defective because of workmanship or material and cannot reasonably be repaired; (2) that if the Board desires, the shoes may be examined by it before it acts on the application; and (3) giving the date the shoes were bought, the date returned and the nature of the defect.

[Paragraph (b) added by Am. 6, 8 F.R. 3853, effective 4-2-43; amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 59, 9 F.R. 5254, effective 5-20-44]

(c) [Revoked]

[Paragraph (c) added by Am. 44, 8 F.R. 15181, effective 11-9-43 and revoked by Am. 74, 9 F.R. 10589, effective 9-2-44]

SEC. 1.11 *District Office may issue ration currency to welfare agency.* To avoid hardship caused by flood, tornado, or other public disaster, a District Office or the National Office may issue ration currency to the American Red Cross (or any of its branches) or other recognized welfare agency (on written application made on OPA Form R-1702) to permit it to acquire shoes for free distribution to persons who lose their shoes in the catastrophe. Shoes acquired by the welfare agency with ration currency so issued may be transferred to anyone having need for them as a result of a catastrophe, without getting ration currency for them.

[Sec. 1.11 amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.12 *Anyone may acquire used shoes.* Anyone may acquire used shoes without giving up ration currency. However, shoes returned for exchange under section 1.10 (a) and shoes acquired for wear-testing or as samples may not be transferred or acquired as used shoes. Shoes acquired by employers and institutions under section 1.7 (a) may be transferred or acquired as used shoes only in accordance with the provisions of section 1.7 (d). (The term "used" is explained in section 3.13.)

[Sec. 1.12 amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 31, 8 F.R. 11445, effective 8-16-43; and Am. 37 8 F.R. 12548, effective 9-15-43 and Am. 75, 9 F.R. 10984, effective 9-9-44]

SEC. 1.13 *Anyone may acquire non-rationed shoes.* Anyone may acquire, without giving up a stamp or other ration currency, shoes that have been marked non-rationed as allowed under section 2.11 of this order.

SEC. 1.14 *Members of Armed Services and of Maritime Service, and civilians required to wear regulation army uniform overseas, may acquire shoes.* (a) Any member of the armed services of the United Nations may acquire shoes furnished or sold him by a branch of the armed services of the United States, without surrendering ration currency. Any person with a civilian status who is given an overseas assignment in work supervised by the United States Govern-

ment and who is required to wear a regulation army uniform may acquire Government Issue shoes from a Quartermaster Sales Store of the United States Army, without surrendering ration currency, on presentation of his official government travel orders.

[Paragraph (a) amended by Am. 1, 8 F.R. 2040, effective 2-13-43 and Am. 65, 9 F.R. 7080, effective 6-30-44. Section heading amended by Am. 17, 8 F.R. 6687, effective 5-25-43 and Am. 65]

(b) Any member of the armed services of the United States who wants shoes that he cannot get from his branch of the armed services and who does not have a war ration shoe stamp may get certificates for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of his branch of the armed services. Any member of the armed services of other United Nations residing within the United States, who does not have a war ration shoe stamp may get certificates for the shoes he needs from any authorized issuing officer of the armed services of the United States, or from an authorized issuing officer designated by the armed service of which he is a member and approved by a branch of the armed services of the United States. Supplies of certificates for this purpose may be furnished to an armed service of another nation by the branch of the armed service of the United States approving the appointment of the issuing officer.

[Paragraph (b) amended by Am. 12, 8 F.R. 5679, effective 5-5-43; Am. 50, 9 F.R. 573, effective 1-17-44 and Am. 53, 9 F.R. 2656, effective 3-11-44]

(c) Any branch of the armed services of the United Nations may get a ration check from any District Office to acquire the shoes it needs for members of its armed services within the United States and may furnish or sell shoes to any member of the armed services of the United Nations without collecting ration currency.

[Paragraph (c) added by Am. 3, 8 F.R. 2943, effective 3-13-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Any member of the Merchant Marine Cadet Corps or of the United States Maritime Service stationed ashore or on a training ship who does not have a valid war ration shoe stamp and who is not furnished shoes by the War Shipping Administration may get certificates (OPA Form R-1705B) for the shoes he needs. Certificates for this purpose may be issued by an authorized officer of the training organization of the War Shipping Administration.

[Paragraph (d) added by Am. 17, 8 F.R. 6687, effective 5-25-43]

(e) The officer in charge of athletic activities for any post, camp or station of the armed services of the United Nations may acquire a ration check for the number of pairs of athletic shoes needed for the carrying on of athletic activities at the camp, post or station. Application for the ration check shall be made to the nearest District Office on OPA Form R-1702. The District Office on approving the application shall issue a ration check for the number of pairs of athletic shoes needed.

[Paragraph (e) added by Am. 70, 9 F.R. 8931, effective 7-28-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 1.15 *Erasures, changes, and mutilation invalidates stamps and certificates.* Any omission, erasure, or change on a special shoe stamp or a shoe purchase certificate makes it void. A stamp that has been torn or mutilated is valid only if more than one half of it remains intact when presented, and, in the case of a special shoe stamp, only if it shows the serial number of the holder's War Ration Book or the words "No Book" or the name of the holder. A certificate that is torn shall be valid only if the remaining portion can be read and shows the date, the number of pairs for which it is good, the name of the holder, and the signature of the issuing officer.

[Sec. 1.15 amended by Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 73, 9 F.R. 9901, effective 8-18-44 and Am. 74, 9 F.R. 10589, effective 9-2-44]

SEC. 1.16 *What war ration stamps are for shoes.* The following schedule shows what stamps are evidence of a right to acquire shoes and the time they are valid.

War ration book No.	Stamp number	Valid period (for men's, women's, and children's shoes)
One	17	First Tuesday after effective date of order to June 15, 1943, inclusive.
One	18	June 16, 1943, to April 30, 1944, inclusive.
Three	Airplane 1	Nov. 1, 1943, to date to be announced by the Office of Price Administration.
Three	Airplane 2	May 1, 1944, to date to be announced by the Office of Price Administration.
Three	Airplane 3	Nov. 1, 1944, to date to be announced by the Office of Price Administration.

[Sec. 1.16 amended by Am. 21, 8 F.R. 8064, effective 6-11-43; Am. 40, 8 F.R. 13128, effective 9-27-43; Am. 56, 9 F.R. 3340, effective 3-30-44; Am. 58, 9 F.R. 4391, effective 4-27-44 and Am. 81, 9 F.R. 12812, effective 10-27-44]

SEC. 1.17 *Gifts of shoes by consumers.* (a) An individual who has acquired shoes as a consumer, either with a war ration shoe stamp or as an import from outside the continental United States, may give the shoes to another consumer, ration-free, if no consideration is received.

[Sec. 1.17 added by Am. 47, 8 F.R. 16605, effective 12-8-43]

ARTICLE II—HOW THIS ORDER AFFECTS THE TRADE

(This part should be read by everyone who deals in shoes)

SEC. 2.1 [Revoked].

[Sec. 2.1 revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 2.2 [Revoked].

[Sec. 2.2 revoked by Am. 37]

SEC. 2.3 *Establishments must file inventory.* (a) No establishment may acquire or transfer shoes unless it has registered by filing an original inventory of its supply of shoes and ration currency in the manner required by this Order. If the establishment was in business on April 10, 1943, the inventory shall be taken and filed as of that date, on OPA Form R-1701. New establishments must file their original inventory as of the date and in the form required by the Office of Price Administration.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

(b) Each distributing establishment filing an original inventory after November 23, 1943 shall file it with its District Office. Each manufacturing establishment filing an original inventory after June 4, 1945 shall file it with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York.

[Paragraph (b) amended by Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 98, 10 F.R. 6453, effective 6-4-45]

(c) Where an inventory filed by a distributing establishment is found to be erroneous, the distributing establishment shall promptly file with the District Office a corrected inventory on the proper OPA Form, together with a copy of the incorrect inventory. If rationed shoes were omitted from the first inventory (OPA Form R-1701) the District Office shall issue to the establishment a ration check for the difference between the shoe purchase allowance received and the amount to which it was entitled, but only if the corrected inventory is filed with the District Office before May 15, 1945. If the number of pairs of shoes in the corrected inventory is less than in the original inventory, the establishment shall surrender to the District Office ration currency in an amount equal to the difference between the shoe purchase allowance it received and the amount to which it was entitled. Where an inventory filed by a manufacturing establishment is found to be erroneous, the establishment shall promptly file with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, a corrected inventory on the proper OPA Form, together with a copy of the incorrect inventory.

[Paragraph (c) added by Am. 16, 8 F.R. 6046, effective 5-10-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 98, 10 F.R. 6453, effective 6-4-45]

(d) Each establishment shall file the second inventory with the OPA Inventory and Control Branch, Empire State Building, New York 1, New York, on or before October 10, 1943. The inventory shall be taken as of the close of business on September 30, 1943 and all information required by the form (OPA Form R-1701A) must be furnished.

[Paragraph (d) added by Am. 38, 8 F.R. 12515, effective 9-10-43; amended by Am. 98]

(e) Each establishment shall file the third inventory with the Inventory and Control Branch of the Office of Price Administration, Empire State Building, New York 1, New York, on or before Au-

gust 5, 1944. (An inventory shall be deemed "filed" on time if the envelope in which it is enclosed is postmarked not later than midnite, August 5, 1944.) The inventory shall be taken as of the close of business on July 31, 1944, and all information required by the form (OPA Form R-1701B) must be furnished.

[Paragraph (e) added by Am. 68, 9 F.R. 8339, effective 7-25-44]

SEC. 2.4. *What establishments must open ration bank accounts.* (a) Every establishment having access to ration banking facilities must open a ration bank account on or after April 12, 1943 if it has a dollar checking account in any bank. No other establishment may open a shoe ration account except that:

(1) An establishment owned by a government agency may open a shoe ration account even though it does not have a dollar checking account;

(2) A person owning one establishment having a dollar checking account in any bank may open shoe ration accounts for other establishments owned by him even though he does not maintain a separate checking account for each establishment.

(b) [Revoked].

[Paragraph (b) revoked by Am. 93, 10 F.R. 2757, effective 3-16-45]

[Sec. 2.4 amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

SEC. 2.5 *How to open a shoe ration bank account.* (a) A separate account must be opened for each establishment even though two or more are owned by the same person. However, a person selling or storing shoes at two or more locations in the same city or community, that are not parts of a manufacturing establishment, may open a joint ration bank account for two or more of them. (Such locations served by a joint ration bank account are treated for all the purposes of this order just as if they were parts of a single establishment.) There may be two or more establishments at the same location if separate records and inventories are kept.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) To open a ration bank account, a person or establishment must comply with the procedure set forth in Revised General Ration Order 3A and shall present to the bank at which the account is to be opened a written statement from the District Office authorizing the opening of the account.

[Paragraph (b) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 94, 10 F.R. 3014 effective 3-24-45]

Sec. 2.6 *Distributors may get initial allowance and registration number.* (a) A distributing establishment that was in business on April 10, 1943, and has not previously received a shoe purchase allowance may be permitted by the District Office to file a late inventory and receive a shoe purchase allowance, in the form of a ration check, equal to 50 percent of the number of pairs of rationed shoes properly included in the establishment's inventory.

(b) An establishment which is not eligible for a shoe ration bank account may obtain a registration number from its District Office upon complying with the provisions of this order with respect to filing inventory. (An establisment which does not have an account may acquire shoes only if it has a registration number.)

[Sec. 2.6 amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 46, 8 F.R. 15839, effective 11-24-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 2.7 *Establishments may deal in shoes.* (a) *Transfer must be made for ration currency.* An establisment may acquire shoes only if its supplier has first received from it valid shoe ration currency in an amount equal to the number of pairs of shoes acquired. An establishment may transfer shoes to a consumer or to another establishment if it first gets ration currency from him. If an establishment requests the return of ration currency it forwarded to a supplier, against which shoes have not been shipped, the supplier shall return the currency to the establishment. Shoes may be returned by an establishment to the establishment from which they were acquired without the surrender of ration currency in advance, if a proper ration credit is given to the establishment returning them. Where the use to which a special shoe stamp may be put is specified on the stamp, it shall not be valid for any other use by the consumer. Only ration checks drawn on the account of the purchaser may be used as ration currency for transfers between establishments except as permitted under section 2.8.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 11, 8 F.R. 5678, effective 5-5-43; Am. 18, 8 F.R. 7198, effective 6-2-43; Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 90, 10 F.R. 1649, effective 2-7-45; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 94, 10 F.R. 3014, effective 3-24-45]

(b) *Transfers by chain establishments.* A central office of a chain store organization acting as supplier for a branch establishment, shall not notify another supplier to deliver shoes to the branch establishment unless the establishment has on deposit with the central office ration currency in a net amount at least equal to the total number of pairs of shoes noticed to be delivered to the establishment. A distributing establishment of a chain transferring shoes to another distributing establishment in the same chain may treat the transaction as a transfer to the central office supplier and a subsequent transfer from the central office to the transferee establishment, if all provisions of this order are complied with in the same manner as if the shoes were returned to the central office and transferred from the central office to the transferee establishment.

[New paragraph (b) added by Am. 96, 10 F.R. 5324, effective 5-11-45, former (b) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 14, 8 F.R. 5756, effective 5-1-43; Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 50, 9 F.R. 573, effective 1-17-44; revoked by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) *Sign prohibiting acceptance of loose stamps must be displayed.* On and after September 1, 1943, every establishment selling shoes at retail in over-the-counter transactions must keep a notice posted in a conspicuous manner at each place where shoes are sold directly to consumers, containing substantially the following statement: "Rationing regulations prohibit this store from accepting loose war ration stamps for shoes selected or delivered at the store."

[Paragraph (c) added by Am. 31, 8 F.R. 11445, effective 8-16-43]

(d) *Layaways, special orders, and will calls.* Shoes for which ration currency must be collected may be placed or held on special order, will call, or layaway only if ration currency will be received for them within 30 days after the shoes are available for delivery to the consumer. In any case the currency must be received before the shoes are delivered.

[Paragraph (d) added by Am. 46, 8 F.R. 15839, effective 11-24-43]

(e) [Revoked].

[Paragraph (e) added by Am. 62, 9 F.R. 6233, effective 7-1-44 and revoked by Am. 99, 10 F.R. 6008, effective 5-23-45]

(f) Special shoe stamps issued to residents of Mexico and accepted by an establishment located in an area under the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be further negotiable by the establishment. The establishment may apply to the Board on OPA Form R-1704 for replacement of all such valid stamps that are received by the establishment in accordance with the provisions of this order. A special shoe stamp marked "Mexico" must be surrendered by any establishment described above to the Board within 30 days after the expiration date appearing on the stamp. The Board shall request the District Office to, and the District Office shall, issue a ration check for the number of such valid stamps surrendered, which were received by the establishment in accordance with the provisions of this order.

[Paragraph (f) added by Am. 62, 9 F.R. 6233, effective 7-1-44; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(g) Nothing in this order shall be construed to prohibit the surrender of ration currency, in exchange for a transfer of shoes, subsequent to the time at which ration currency is required to be surrendered. However, such late surrender shall not relieve the transferor or the transferee of the consequences of the failure to receive or surrender ration currency at the time required.

[Paragraph (g) added by Am. 69, 9 F.R. 8340, effective 7-25-44]

SEC. 2.8 *Distributors having no ration bank account use ration currency.* (a) Any distributor who has received a reg-

istration number from the District Office may replenish his stock by sending to his supplier his registration number together with stamps, certificates and ration checks he has received, for the number of pairs of shoes ordered. He may present ration currency received by him to the District Office and receive in exchange ration checks in such denominations as he desires, equal in total to the ration currency surrendered.

War ration shoe stamps may be forwarded to a supplier only within twenty days after their expiration for consumer use or to the District Office within the time they are valid for deposit as provided in the next section.

An establishment forwarding a certificate to a supplier or to the District Office must endorse its name on the reverse side. Distributors who do not have a ration bank account are not required to surrender ration currency to their suppliers in the manner prescribed in General Ration Order 7.

[Paragraph (a) amended by Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) No establishment may transfer rationed shoes to an establishment which does not have an account unless the transferee has furnished its registration number with its order.

[SEC. 2.8 amended by Am. 9, 8 F.R. 4716, effective 4-8-43 and Am. 46, 8 F.R. 15839, effective 11-24-43]

SEC. 2.9 *How to deposit ration currency.* (a) *Time for depositing is limited.* A war ration shoe stamp may not be deposited to an establishment's account later than thirty days after its expiration for consumer use. A ration check may be deposited at any time. A certificate (OPA Form 1705B), regardless of when issued, may be deposited at any time and shall be valid for consumer use at any time after its date of issue. (This includes certificates that had expired before April 15, 1944.) A special shoe stamp may be deposited at any time. However, a special shoe stamp marked "Mexico" and received by an establishment within the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be valid for deposit.

[Paragraph (a) amended by Am. 9, 8 F.R. 4716, effective 4-8-43; Am. 13, 8 F.R. 5567, effective 4-26-43; Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 57, 9 F.R. 3944, effective 4-15-44; Am. 62, 9 F.R. 6233, effective 7-1-44; Am. 74, 9 F.R. 10589, effective 9-2-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) *Endorsement.* Before depositing a ration check or certificate the establishment should endorse it.

(c) *Manner of deposit.* All ration currency shall be deposited in the manner prescribed in General Ration Order 7.[3]

[Paragraph (c) added by Am. 55, 9 F.R. 2829, effective 3-18-44; amended by Am. 62, 9 F.R. 6233, effective 7-1-44 and Am. 74, 9 F.R. 10589, effective 9-2-44. Former (c) revoked by Am. 44, 8 F.R. 15181, effective 11-9-43]

SEC. 2.10 *Refunds to consumers and to other establishments.* (a) An establishment that is unable to fill a consumer's order for which it has received valid ration currency, and an establishment making a refund for returned shoes as permitted by section 1.10 (a), must return to the consumer a special shoe stamp as a refund for the currency or shoes received. War ration shoe stamps may not be used for refund purposes. Where an establishment is able to fill a consumer's order, but does not do so, it may return a special shoe stamp to the consumer if it has received valid ration currency for the order. The establishment may get special shoe stamps for this purpose from its Board, in exchange for a ration check drawn to the account of the Office of Price Administration or in exchange for valid shoe stamps or certificates received from customers.

[Paragraph (a) amended by Am. 6, 8 F.R. 3853, effective 4-2-43; Am. 35, 8 F.R. 12180, effective 9-7-43; Am. 36, 8 F.R. 12547, effective 9-15-43; Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 44, 8 F.R. 15181, effective 11-9-43; Am. 66, 9 F.R. 7773, effective 7-15-44 and Am. 74, 9 F.R. 10589, effective 9-2-44]

(b) An establishment that does not fill an order from another establishment for which it has received valid ration currency, may return as a refund a ration check drawn on its own account for the amount of such ration currency received in excess of the number of pairs of rationed shoes, if any, which it has transferred against such ration currency. If the establishment making the refund does not have an account it may return any valid ration currency in lieu of a ration check.

[Paragraph (b) added by Am. 35, 8 F.R. 12160, effective 9-7-43]

SEC. 2.11 *Shoes which are non-rationed.* (a) Shoes of the following types are non-rationed:

[Section heading amended by Am. 100, effective 6-15-45]

[Paragraph (a) amended by Am. 43, 8 F.R. 15194, effective 11-8-43]

(1) Imported huaraches and imported huarache oxfords, released by the Collector of Customs before June 1, 1943.

[Subparagraph (1) amended by Am. 28, 8 F.R. 9884, effective 7-15-43]

(2) Shoes completed, packaged, and shipped from a factory in the United States before April 16, 1943, or imported before that date of the following kinds, except that shoes which did not fall within the specifications of this paragraph at the time they were shipped from a factory in the United States or imported, may not be marked or transferred as non-rationed even though their design or heel height has been altered to meet the following classifications:

[Subparagraph (2) amended by Am. 10, 8 F.R. 5589, effective 5-3-43 and Am. 76, 9 F.R. 10985, effective 9-5-44]

(i) Ski and skate shoes;

(ii) Locker sandals and bathing slippers;

(iii) Shoes with a fabric upper and a rubber sole;

(iv) Shoes with a platform and with a heel height of 1⅝ inches or less and whose upper is made wholly of fabric, imitation leather, sheepskin, cape, or a combination of these materials;

(v) Shoes with a platform and an open back, and with a heel height of 1⅝ inches or less, whose upper is made of kipskin or kipsides, wholly or in combination with fabric, imitation leather, sheepskin, or cape;

(vi) Shoes with a wedge heel of 1⅝ inches or less in height whose upper is made wholly of patent leather, and which have a platform and an open back;

(vii) Shoes with a heel height of 1⅝ inches or less whose upper is made wholly of imitation leather;

(viii) Shoes (sandals), other than imported huaraches, with a heel height of 1⅛ inches or less with an open back;

[Subparagraph (viii) amended by Am. 5, 8 F.R. 3371, effective 3-24-43]

(ix) Shoes which have rubber or leather in the sole only as hinges, tabs, heel inserts or other non-skid or soundproofing features covering not more than 25 percent of the area of the bottom of the sole. (Any material may be used in other parts of the shoe.)

[Subparagraph (ix) added by Am. 5, 8 F.R. 3371, effective 3-24-43]

(3) Shoes completed, packaged, and shipped from a factory in the United States before August 16, 1943, or imported before that date made wholly of materials other than leather (which may however use leather as top lifts) and the sole of which is of one of the following constructions:

(i) A sole made principally of rope, fabric or fiber in which rubber is used primarily as a binder; (ii) a sole made principally of wood, in which rubber is used only as toe or heel inserts, or both, covering not more than 25 percent of the area of the bottom of the sole.

[Subparagraph (3) added by Am. 25, 8 F.R. 9062, effective 7-7-43; amended by Am. 28, 8 F.R. 9884, effective 7-15-43 and Am. 76, 9 F.R. 10985, effective 9-5-44]

(4) [Revoked]

[Subparagraph (4) added by Am. 32, 8 F.R. 11515, effective 8-18-43; amended by Am. 42, 8 F.R. 15194, effective 11-8-43; Am. 76, 9 F.R. 10985, effective 9-5-44 and revoked by Am. 77, 9 F.R. 11638, effective 9-25-44]

(5) Unassembled moccasins or moccasin kits made for use in handicraft activities if manufactured in the United States before August 31, 1943, or imported before that date.

[Subparagraph (5) added by Am. 33, 8 F.R. 12026, effective 8-31-43; amended by Am. 39, 8 F.R. 13301, effective 10-2-43 and Am. 76]

(6) [Revoked]

(7) [Revoked]

[Subparagraphs (6) and (7) added by Am. 42, 8 F.R. 15194, effective 11-8-43; amended by Am. 76 and revoked by Am. 77]

(8) Burial slippers made in the United States or imported.

[3] 8 F.R. 2858, 2997, 4840, 6965, 11738, 16279, 16839; 9 F.R. 2287, 5216, 7704, 9163, 10578, 15047; 10 F.R. 318, 1145.

(9) House slippers made in the United States or imported.

[Subparagraphs (8) and (9) amended by Am. 76, 9 F.R. 10985, effective 9–5–44]

(10) Ballet slippers which were manufactured in the United States before January 1, 1944, or imported before that date, or which, if manufactured in the United States or imported after that date, have no cattle hide leather in the uppers and no cattle hide grain leather in the outsoles (other than heads, bellies, shins or shanks of 5 iron or less).

[Subparagraph (10) amended by Am. 48, 8 F.R. 16996, effective 12–18–43 and Am. 76]

(11) Evening slippers made in the United States before September 5, 1944, or imported before July 7, 1943, which at the time of manufacture were made with uppers principally of gold or silver leather or imitation leather with gold or silver finish.

(12) Baseball, track and football shoes made in the United States or imported.

(13) Men's and women's knee-height riding boots made in the United States before July 7, 1943, or imported before that date (including boots without lacing and with partial lacing but not including full lace boots, or jodhpur or cowboy boots).

[Subparagraphs (11), (12), and (13) amended by Am. 76]

(14) Infants' footwear of size 4 or smaller transferred before May 1, 1945. (All transfers and imports of such footwear on and after this date must be accompanied by the surrender of ration currency.)

[Subparagraph (14) amended by Am. 76 and Am. 95, 10 F.R. 3404, effective 5–1–45]

(15) Shoes constructed to be worn over another shoe, which are shipped from a factory in the United States before July 15, 1944 or imported before that date.

[Subparagraph (15) amended by Am. 61, 9 F.R. 5805, effective 6–3–44 and Am. 76]

(16) Shoes manufactured in the United States or imported which contain no leather except: (i) as hinges, tabs, heel inserts, top lifts, or other non-skid or sound-proofing features covering an area not more than 25% of the area of the bottom of the sole, or (ii) as leather dust derived directly from a permitted manufacturing process or from a waste product resulting from such a manufacturing process.

[Subparagraph (16) amended by Am. 76 and Am. 77]

[Subparagraphs (8) through (16) added by Am. 46, 8 F.R. 15839, effective 11–24–43]

(17) Women's and misses' evening slippers manufactured in the United States before December 18, 1943 or imported before that date, which at the time of manufacture were made with trimming of gold or silver leather or imitation leather with gold or silver finish, or which were made with uppers principally of one or a combination of the following materials: metallic mesh, metallic fabric, brocade, satin, crepe, moire, faille, or any material with sequin or rhinestone applique.

(18) Men's patent leather shoes made in the United States before September 5, 1944, or imported before that date.

[Paragraphs (17) and (18) added by Am. 48, 8 F.R. 16996, effective 12–18–43 and amended by Am. 76]

(19) Shoes manufactured in the United States or imported which contain no leather other than shearling.

[Subparagraph (19) added by Am. 61, 9 F.R. 5805, effective 6–3–44; amended by Am. 76 and Am. 77]

(20) Shoes made in the United States before November 6, 1944, or imported before that date, with a non-leather outsole, and with a fabric upper which uses leather only for reinforcement purposes.

[Subparagraph (20) added by Am. 82, 9 F.R. 13134, effective 11–6–44]

(21) Shoes made with a non-leather outersole, midsole and innersole and which contain no leather in the upper other than bacon-rind pigskin if shipped from the factory after November 30, 1944. For the purposes of this paragraph the term "bacon-rind pigskin leather" includes leather made from ham-rind pigskin.

[Subparagraph (21) added by Am. 85, 9 F.R. 14017, effective 12–1–44]

(22) Shoes made with a non-leather outersole, midsole and innersole and which contain no leather in the upper other than pig strips which were processed as upper leather before January 16, 1945.

[Subparagraph (22) added by Am. 87, 10 F.R. 521, effective 1–16–45]

(23) Kits containing partially assembled or unassembled pieces of leather for the construction of footwear, shipped from a factory in the United States before June 16, 1945.

[Subparagraph (23) added by Am. 97, 10 F.R. 5994, effective 5–28–45]

(b) No one may receive or pay ration currency (or offer to receive or pay ration currency) for non-rationed shoes or return them or accept their return (or offer to return or accept their return) in exchange for a pair of rationed shoes or a stamp pursuant to section 1.10.

[Paragraph (b) amended by Am. 43, 8 F.R. 15194, effective 11–8–43; Am. 49, 9 F.R. 92, effective 1–17–44; and Am. 100, effective 6–15–45]

(c) [Revoked].

[Paragraph (c) added by Am. 4, 8, F.R. 3315, effective 3–18–43; and revoked by Am. 100, effective 6–15–45]

(d) [Revoked].

[Paragraph (d) added by Am. 4, 8 F.R. 3315, effective 3–18–43; amended by Am. 22, 8 F.R. 8357, effective 6–22–43; and revoked by Am. 100, effective 6–15–45]

(e) [Revoked].

[Paragraph (e) added by Am. 27, 8 F.R. 9567, effective 7–19–43; revoked by Am. 46, 8 F.R. 15839, effective 11–14–43.]

(f) [Revoked].

[Paragraph (f) added by Am. 27, 8 F.R. 9567, effective 7–19–43; amended by Am. 29, 8 F.R. 10269, effective 7–19–43; Am. 46, 8 F.R. 15839, effective 11–24–43 and revoked by Am. 100, effective 6–15–45]

(g) [Revoked].

[Paragraph (g), formerly Sec. 2.11a added by Am. 34, 8 F.R. 12137, effective 9–6–43; redesignated paragraph (g) of Sec. 2.11 and amended by Am. 43, 8 F.R. 15194, effective 11–8–43; Am. 61, 9 F.R. 5805, effective 6–3–44; Am. 86, 9 F.R. 14497, effective 12–15–44; and revoked by Am. 100, effective 6–15–45]

(h) [Revoked].

[Paragraph (h) added by Am. 49, 9 F.R. 92, effective 1–17–44; amended by Am. 51, 9 F.R. 764, effective 1–19–44; and revoked by Am. 100, effective 6–15–45]

(i) [Revoked].

[Paragraph (i) added by Am. 54, 9 F.R. 2947, effective 3–20–44; and revoked by Am. 100, effective 6–15–45]

(j) [Revoked].

[Paragraph (j) added by Am. 64, 9 F.R. 6455, effective 6–15–44; and revoked by Am. 100, effective 6–15–45]

(k) [Revoked].

[Paragraph (k) added by Am. 67, 9 F.R. 8254, effective 7–24–44; and revoked by Am. 100, effective 6–15–45]

(l) [Revoked].

[Paragraph (l) added by Am. 88, 10 F.R. 1103, effective 2–5–45; amended by Am. 90, 10 F.R. 2014, effective 2–16–45; Am. 91, 10 F.R. 1739, effective 2–10–45; Am. 92, 10 F.R. 2014, effective 2–16–45; and revoked by Am. 100, effective 6–15–45]

(m) [Revoked].

[Paragraph (m) added by Am. 88, 10 F.R. 1103, effective 2–5–45; and revoked by Am. 100, effective 6–15–45]

[Sec. 2.11 amended by Am. 2, 8 F.R. 2487, effective 2–25–43 and as otherwise noted]

SEC. 2.12 *Shoes may be used for wear-testing or as samples.* (a) A manufacturer may use shoes for wear-testing them and for this purpose may let its employees or others use them without getting ration currency.

(b) An establishment may use shoes as samples and for this purpose may furnish single shoes (not a pair) to salesmen or to other establishments, without getting ration currency.

(c) An establishment furnishing new shoes to another under this section must keep title to the shoes unless ration currency is received for them or they are permitted to be sold as "non-rationed" shoes under the above section. They may not be considered to be "used" shoes. Separate records must be kept of all shoes used or transferred under this section.

SEC. 2.13 *Establishments must keep records; accountability.* (a) (1) Every establishment shall furnish an invoice to each person (other than an individual consumer) to whom it makes a transfer of shoes. The invoice must contain the date of transfer, the number of pairs transferred, and the name and address of the persons (or establishments) by whom and to whom the transfer is made. Separate invoices shall be furnished for rationed shoes and non-rationed footwear. Each invoice shall be plainly marked with the word "rationed" or "non-rationed." In the case of a transfer of rationed shoes permitted by sec-

tions 3.5 or 3.6, for which ration currency is not received, the word "exempt" shall be written on the invoice.

[Above paragraph amended by Am. 20, 8 F.R. 8061, effective 6-16-43; Am. 50, 9 F.R. 573, effective 1-17-44; Am. 79, 9 F.R. 12039, effective 10-6-44; Am. 95, 10 F.R. 3404, effective 5-1-45; redesignated (a) (1), new (2) added by Am. 85, 9 F.R. 14017, effective 12-1-44. Headnote amended by Am. 53, 9 F.R. 2656, effective 3-11-44]

(2) Any person who transfers bacon-rind pigskin leather to a manufacturing establishment shall furnish, and such establishment shall obtain an invoice containing the date of transfer, the amount of leather transferred, a statement that the leather is "bacon-rind pigskin leather", and the name and address of the persons (or establishments) by whom and to whom the transfer is made. Also, a manufacturing establishment that has in stock or in transit to it on December 1, 1944, bacon-rind pigskin leather shall take an inventory of the amount in square feet of such leather that it has in stock and in transit to it on that date. For the purposes of this paragraph the term "bacon-rind pigskin leather" includes leather made from ham-rind pigskin.

(3) Each supplier shall on or before June 16, 1945 send a written notice to each establishment having any ration currency on deposit with it, showing the net amount of such currency on deposit with it as of the close of business on May 31, 1945 and, if a ration check or shoes were received from the establishment on or after May 1, 1945 and before June 1, 1945, a statement showing the date and amount of the last ration currency payment received by it and the date and number of pairs of shoes last returned to it by the establishment, in this period. Each supplier shall also keep records showing the amounts of ration currency received from (and shoes returned by) each establishment, the number of pairs of shoes sent (and amounts of ration currency returned) to each establishment and stating the net amount of ration currency each establishment has on deposit with it as of the close of business on May 31, 1945, and showing at least monthly balances thereafter. (The following is an example of the manner in which records may be kept to satisfy the above requirements:

(i) Set up a separate account for each establishment to which shoes are supplied.

(ii) Enter as credits in this account the net amount of ration currency an establishment has on deposit at the close of business on May 31, 1945; the amount of each ration check (or other currency) received from the establishment after that date and the amounts of ration currency equivalent to the number of pairs of shoes returned by the establishment after that date.

(iii) Enter as debits in this account the amount of ration currency equivalent to the number of pairs of shoes transferred to the establishment after May 31, 1945 and the amount of ration currency returned to the establishment after that date.

(iv) Subtract debit items from the currency balance in the account, at least monthly.

(v) Add credit items to the currency balance in the account, at least monthly.)

(4) The central office of a chain store organization that acts as supplier for the establishments in the chain must satisfy the requirements of subparagraph (3). The records required by section 2.13 (b) (11), other than deposit slips and notices of errors in deposit slips, may be kept at a central office acting as a supplier provided all the conditions of this subparagraph (4) are satisfied:

(i) The establishment must notify the District Office in writing that all checks on its account are drawn by the central office and that the central office supplies all its shoes.

(ii) The central office must notify the establishment in writing on or before June 16, 1945, of the check book balance of the establishment's ration bank account as of the close of business on May 31, 1945.

(iii) For the purposes of subparagraphs (3) and (5) the amount of ration currency in the establishment's account and all future deposits in that account shall be treated by the establishment as deposits with the central office. However, the central office may not treat deposits in the establishment's account as currency on deposit with it until it has been transferred to the ration bank account of the central office.

(5) Each establishment shall keep records showing the number of pairs of shoes (and amounts of ration currency) received from each supplier, the amounts of ration currency (and number of pairs of shoes, if any) sent to each supplier and stating the net amount of ration currency it has on deposit with each supplier as of the close of business on May 31, 1945 and showing at least monthly balances thereafter. (The following is an example of the manner in which records may be kept to satisfy the above requirements:

(i) Set up a separate account for each supplier from whom shoes are received.

(ii) Enter as a charge against the supplier the net amount of ration currency on deposit with the supplier as of the close of business on May 31, 1945. (The establishment should add to the ration deposit figure furnished by the supplier any ration currency forwarded and shoes returned to the supplier before June 1, 1945 but which were not included in such figure.) Also enter as a charge against the supplier the amount of ration currency forwarded to the supplier after May 31, 1945 and the number of pairs of shoes returned to the supplier after that date.

(iii) Enter as credits in favor of the supplier in this account the amounts of ration currency equal to the number of pairs of shoes received from the supplier after May 31, 1945 (except shoes invoiced to the establishment before June 1, 1945 but received on or after that date) and the amount of ration currency returned by the supplier on or after that date (except the amount of a ration check dated before June 1, 1945 but received on or after that date).

(iv) Add debit items to the currency balance in the account, at least monthly.

(v) Subtract credit items from the currency balance in the account, at least monthly.)

[Subparagraphs (iv) and (v) amended by Am. 98, 10 F.R. 6453, effective 6-4-45]

[Subparagraphs (3), (4) and (5) added by Am. 96, 10 F.R. 5324, effective 5-11-45]

(b) Each establishment must keep the following records until further notice by amendment to the order:

[Above paragraph amended by Am. 90, 10 F.R. 1649, effective 2-7-45]

(1) All invoices received for shoes acquired, and also in the case of a manufacturing establishment, all invoices received for the acquisition of bacon-rind pigskin leather pursuant to section 2.13 (a) (2);

[Subparagraph (1) amended by Am. 85, 9 F.R. 14017, effective 12-1-44]

(2) Copies of all invoices furnished by it pursuant to the above paragraph;

(3) Records of any new shoes acquired for which invoices were not received containing the same information as is called for by the above paragraph;

(4) The number of pairs of new shoes transferred to consumers, to other establishments, and to any person from whom ration currency is not required.

[Subparagraph (4) amended by Am. 27, 8 F.R. 9567, effective 7-19-43; Am. 43, 8 F.R. 15194, effective 11-8-43 and Am. 98, 10 F.R. 6453, effective 6-4-45]

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

[Subparagraph (5) amended by Am. 11, 8 F.R. 5678, effective 5-5-43 and Am. 38, 8 F.R. 12515, effective 9-10-43]

(6) [Revoked]

[Subparagraph (6) revoked by Am. 98]

(7) Copies of any reports of shoe production or transfers, made to the Office of Price Administration or any other Government agency;

(8) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event, showing the date and amount of each increase or decrease of its inventory resulting from an adjustment of its inventory, or a loan, or advance of ration currency granted by the District Office, or from the repayment of a loan or advance, pursuant to section 2.17;

(9) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event showing:

(i) In the case of a release of shoes from rationing by order of the Office of Price Administration, a list of the type and number of pairs so released which the establishment had in inventory, or in transit to it, or in storage for it at a place other than an establishment, at the time of such release.

(ii) In case non-rationed shoes are given a rationed status by order of the Office of Price Administration, a list of the type and number of pairs given a

rationed status, which the establishment had in inventory or in transit to it, or in storage for it at a place other than an establishment, at the time of the change in rationed status and the number of pairs of such shoes (other than infants' shoes in sizes 0–4) transferred as non-rationed and returned to the establishment under section 1.10, after the shoes have been given a rationed status.

[Subparagraph (ii) added by Am. 95, 10 F.R. 3404, effective 5–1–45; amended by Am. 97, 10 F.R. 5994, effective 5–28–45]

[Subparagraphs (8) and (9) added by Am. 25, 8 F.R. 9062, effective 7–7–43]

(10) In the case of a manufacturing establishment, a record of its inventory of bacon-rind pigskin leather taken as of December 1, 1944 in accordance with section 2.13 (a) (2).

[Subparagraph (10) added by Am. 85, 9 F.R. 14017, effective 12–1–44]

(11) Deposit slips, notices of errors in deposit slips, statements of account received by him, cancelled checks returned to him, all stubs from which checks have been detached or other record used in place of stubs. (These records, other than deposit slips and notices of errors in deposit slips, may be kept at the central office of a chain organization, under the circumstances set forth in section 2.13 (a) (4).)

(12) Written notices received from suppliers showing the net amount of ration currency on deposit with them as of the close of business on May 31, 1945, and in the case of a chain establishment whose central office draws ration checks on its ration bank account, the written notice from the central office showing the check book balance in its ration bank account as of the close of business on May 31, 1945.

[Subparagraphs (11) and (12) added by Am. 96, 10 F.R. 5324, effective 5–11–45]

(c) All records required to be kept shall be kept at the place where the establishment is located and shall be made available for inspection by an authorized representative of the Office of Price Administration. However, a manufacturing establishment shall keep such records at the office where it prepares its monthly report as required by section 2.14. Where two or more locations at which shoes are sold or stored constitute a single distributing establishment, the records may be kept at any of such locations.

[Paragraph (c) amended by Am. 71, 9 F.R. 9355, effective 8–5–44; Am. 93, 10 F.R. 2757, effective 3–16–45 and Am. 96, 10 F.R. 5324, effective 5–11–45]

(d) Every establishment shall be accountable for all ration currency received by it. The amount of ration currency an establishment has on hand or on deposit at a bank or which it has forwarded to a supplier plus the number of pairs of shoes it has in inventory shall at all times be equal to but not in excess of its inventory responsibility as established by OPA Form R–1701 or R–1701 (Revised), as adjusted by the records showing increases or decreases in inventory responsibility required by paragraph (b) above, except to the extent it can account for such excesses or deficits by reason of conditions which are not due to its violation of other provisions of this Order.

[Paragraph (d) added by Am. 53, 9 F.R. 2656, effective 3–11–44]

(e) The term "invoice" as used in this section includes any written evidence of transfer furnished by a supplier.

[Paragraph (e) added by Am. 79, 9 F.R. 12039, effective 10–6–44]

SEC. 2.14 *Manufacturer's report; acquisition of shoes by manufacturers*—(a) *Acquisition of shoes by manufacturer.* A manufacturer may acquire shoes from another person or establishment and for this purpose may use any ration currency on deposit in his ration bank account or, if he is not a depositor, any ration currency which he has on hand.

(b) *Who must file reports and forms to be used.* Each manufacturer shall file on or before the 10th day of each month, a report for each of his manufacturing establishments (including in the same report all factories, warehouses, storage places, salesrooms and distributing agencies) whose inventories were included in the same inventory, OPA Form R–1701, filed pursuant to Ration Order 17. Manufacturers who receive Form M68A shall file their reports on such form with the Bureau of the Census. All other manufacturers shall file their reports on OPA Form R–1707 with the Inventory and Control Branch, Empire State Building, New York City.

(c) *What shall be reported.* The manufacturer shall furnish all information required by the form or by the accompanying instructions. A manufacturer shall in his report for the calendar month of April 1945 add to the number of pairs of rationed shoes on hand at the close of the reporting period, the number of pairs of infants' shoes in sizes 0 to 4 which are in inventory, or in transit to him, or in storage for him as of the close of business on April 30, 1945. His normal closing inventory for April and the number of pairs of shoes so added to his April closing inventory shall be shown as separate items.

He shall also show as an addition to his closing inventory, the number of pairs of shoes (other than infants' shoes in sizes 0–4) transferred as non-rationed and returned to him by a consumer during the reported period under section 1.10, after the shoes have been given a rationed status.

[Paragraph (c) amended by Am. 95, 10 F.R. 3404, effective 5–1–45 and Am. 97, 10 F.R. 5994, effective 5–28–45]

(d) *Surrender of currency to the Office of Price Administration.* There shall be attached to each report the manufacturer's certified ration check drawn to the account of the Office of Price Administration for the net number of pairs of rationed shoes of its own manufacture which it transferred during the period for which the report is made, to persons or establishments required to surrender ration currency. If during this period, he transferred "purchased shoes" under section 3.5 or 3.6 or without receiving ration currency because the "purchased shoes" were released from rationing, he shall deduct the number so transferred from the amount of the check. A manufacturer may not use for the purpose of payment of ration currency to the Office of Price Administration, ration currency received for shoes which he had not transferred by the end of the reporting period. If a manufacturer is unable to send a ration check for the full amount required, because of loss or destruction of ration currency, use of ration currency (over and above the amount received against which shoes have not been transferred) for the acquisition of "purchased shoes" or for other reasons, he shall submit a ration check for the amount of ration currency available which he is permitted to use. In such case he shall attach to his report an explanation of the deficiency. If a manufacturer receives ration currency for an item represented in a prior deficiency, he shall include the amount so received in the ration check sent with his next report and attach a statement designating the deficiency which is being liquidated. (If a manuturer is not eligible for a ration bank account, he may send ration currency other than a ration check.)

[Sec. 2.14 amended by Am. 89, 10 F.R. 1649, effective 2–9–45]

SEC. 2.15 *Replacement certificates may be issued to distributors.* (a) Any registered distributing establishment whose ration currency has been destroyed, damaged, lost, stolen or paid to the Collector of Customs for non-rationed shoes, or whose shoes have been (1) taken from him by judicial process, or the enforcement of a security interest, (2) exported to a foreign country or to a territory or possession of the United States (other than the District of Columbia) or delivered as slop-chest supplies, ships' stores, or to Ships' Service Stores Afloat, pursuant to section 3.5, or transferred to or for the account of an exempt person or agency designated in section 3.6, without getting ration currency, (3) damaged, destroyed, lost or stolen, or (4) released from rationing under section 2.11 (a) (7) after the establishment paid ration currency for them, may get a ration check to replace the ration currency or shoes, as the case may be. Application for the replacement currency should be made to the District Office (on OPA Form R–1704) and should show the facts necessary to establish the eligibility for the replacement currency, including all information required by the form prescribed. In the case of an application for currency to replace shoes which have been exported, there shall be attached to the application, a shipper's export declaration certified by the Collector of Customs or ocean bill of lading signed by the steamship company, or if the shoes were mailed, a certificate of mailing certified by a postal employee, covering the shoes which were exported. However, if the shoes are being exported to a member of the foreign service of the United States, through the Department of State, a receipt of the mail room of the Department

of State may be accepted as proof of export.

[Paragraph (a) amended by Am. 26, 8 F.R. 9422, effective 7-8-43; Am. 42, 8 F.R. 15194, effective 11-8-43; Am. 50, 9 F.R. 573, effective 1-17-44; Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 76, 9 F.R. 10985, effective 9-5-44; Am. 80, 9 F.R. 12271, effective 10-13-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) If an establishment should recover shoes or ration currency for which replacement currency has been issued under this section it shall within five days deliver to the District Office ration currency of a kind prescribed by the Office of Price Administration for the number of pairs of shoes, or the amount of the ration currency, so recovered. Any establishment which has invalid certificates (OPA Form R-1705A), which were received in exchange for shoes, or which were received in accordance with this order, may have them replaced by the District Office with a ration check, if the application is filed with the District Office before May 23, 1945.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 94, 10 F.R. 3014, effective 3-24-45]

SEC. 2.16 *New businesses may get inventory allowance.* Any new distributing establishment, opened in good faith after the time set for filing inventories, may get a shoe purchase allowance in the form of a ration check for the number of pairs of shoes it needs to service its expected customers. (Except for some unusual reason, the establishment will not be allowed an inventory of more than its expected sales for six months.) Application should be made (on OPA Form R-1704) to the District Office serving the area in which the establishment is or will be located and should contain all information required by the form or necessary to establish the number of pairs of shoes it needs. The District Office may issue a ration check to the applicant on such terms as it may prescribe and permit him to open an account. The District Office may require the applicant to make subsequent reports to it of his actual sales and may adjust his inventory accordingly by giving him a ration check for additional shoes or requiring him to surrender ration currency for any stock above his needs.

[Sec. 2.16 amended by Am. 46, 8 F.R. 15839, effective 11-24-43; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 98, 10 F.R. 6453, effective 6-4-45]

SEC. 2.17 *Establishments may get increased inventory.* (a) Any distributing establishment may apply for an adjustment of its inventory allowance. However, an establishment may not make a second application within six months except with the approval of the District Office. Application should be made (on OPA Form R-1704) to the District Office serving the area in which the establishment is located and should contain all facts necessary to establish its need for extra shoes. In all cases the applicant shall submit with its application a copy of its original inventory (Form R-1701) and a statement showing the number of pairs of rationed shoes, if any, transferred by it to other establishments owned by the same person during the period from February 7 to April 10, 1943.

[Paragraph (a) amended by Am. 98]

(b) The District Office may issue a ration check to a distributing establishment for the extra shoes it needs if (1) it is unable to service its customers because its stock of shoes was greatly below normal when it filed its inventory, (2) the volume of its normal sales to other persons during the period since April 10, 1943, has increased to the extent that it cannot service its normal share of the customer demand in its area, or (3) its supply of ration currency is not sufficient to allow it to continue its normal business.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) In addition to or in lieu of an adjustment granted under the above paragraph, an establishment may be granted a temporary loan of ration currency when needed to enable it to pay ration debts incurred for shoes acquired during the period from February 7 to April 10, 1943, or to acquire a necessary working inventory where a substantial part of its inventory of rationed shoes consists of slow-moving merchandise, or in other cases authorized by the National Office. Also, an establishment may be granted an advance of ration currency to enable it to acquire shoes for export or transfer to an exempt person or agency, or to replenish a supply of shoes segregated for export or transfer to an exempt person or agency. Any ration currency issued pursuant to this paragraph shall be repaid to the District Office within the period specified by the District Office and in any event within six months from the date the currency is issued. The establishment may not deliver ration currency to any supplier after such period until it has repaid the ration currency loaned or advanced to it by the District Office. In the case of an advance granted to enable an establishment to acquire shoes for lawful export or for lawful transfer to an exempt person or agency, for which ration currency is not received, the amount of the advance shall be deemed to be repaid to the extent of the number of pairs so exported or transferred upon the making of a full report thereof to the District Office and the approval of the report.

(d) The District Office may require any establishment receiving ration currency under this section to make subsequent reports to it concerning its transfers, receipts, or inventory of shoes and may adjust the applicant's inventory by requiring him to surrender ration currency for any supply of shoes or ration currency above his needs.

(e) The District Office may deny any application by a person who has violated any provision of this order. The granting of any application under this section shall not be deemed to condone any violation of this order nor to waive the right to impose sanctions for such a violation.

[Sec. 2.17 amended by Am. 23, 8 F.R. 8601, effective 6-21-43]

SEC. 2.18 *Establishments must mark certain shoes.* (a) (1) Manufacturers shall mark on one shoe of each pair of the types specified in section 2.11 (a) (2) which is completed, packaged, or shipped from the factory after April 15, 1943, and on one shoe of each pair of the types specified in section 2.11 (a) (3) which is completed, packaged, or shipped from the factory after August 15, 1943, the month and year in which the shoe is packaged.

(2) Manufacturers shall mark on one shoe of each pair of women's plastic or fibre box toe safety shoes which is shipped from the factory after May 15, 1944, and on one shoe of each pair of the type specified in section 2.11 (a) (15) (unless it contains no leather other than shearling) which is shipped from the factory after July 14, 1944, the month and year in which the shoe is shipped.

(3) A manufacturing establishment shall mark on one shoe of each pair of the type specified in section 2.11 (a) (21) and (22) the word "non-rationed" and the War Production Board quota number assigned to that manufacturer for the purchase of leather before the shoes are shipped from the factory.

[Subparagraph (3) amended by Am. 87, 10 F.R. 521, effective 1-16-45]

(4) The mark may be on either the right or the left shoe but the marking in this respect must be uniform. The mark on shoes marked in accordance with subparagraph (1) and (2) above shall be embossed or indented in the shank of the outersole or written or marked by indelible contrasting colors on the inside quarter before the shoe is packaged. The mark on shoes marked in accordance with subparagraph (3) above shall be embossed, indented or marked by indelible contrasting colors on the heel seat or sock lining of the shoe.

[Paragraph (a) amended by Am. 11, 8 F.R. 5678, effective 5-5-43, Am. 25, 8 F.R. 9062, effective 7-7-43; Am. 46, 8 F.R. 15839 effective 11-24-43; Am. 60, 9 F.R. 5254, effective 5-16-44; Am. 61, 9 F.R. 5805, effective 6-3-44 and Am. 85, 9 F.R. 14017, effective 12-1-44]

(b) Any establishment importing huaraches released by the Collector of Customs after May 31, 1943, shall, before transfer and within ten days of their receipt by the establishment, plainly mark on each shoe by indelible contrasting color, the month and year in which it was released by the Collector of Customs.

(c) Shoes marked in the manner required by this section shall be deemed to be rationed shoes, regardless of the date on which they were imported, packaged, or shipped.

(d) This section does not apply to shoes which are non-rationed under the provisions of section 2.11 other than section 2.11 (a) (1), (2), (3), (15), (21) and (22).

[Paragraph (d) added by Am. 46, 8 F.R. 15839, effective 11-24-43; amended by Am. 98, 10 F.R. 6453, effective 6-4-45]

[Sec. 2.18 added by Am. 2, 8 F.R. 2487, effective 2-25-43]

SEC. 2.19 *Shoes may be acquired for testing.* Any person who requires shoes for testing may apply to the Office of

Price Administration, Washington, D. C., for the number of pairs of shoes needed. In a proper case, a ration check or special shoe stamps may be issued to acquire shoes for this purpose, upon such conditions as the Office of Price Administration may prescribe.

[Sec. 2.19 added by Am. 3, 8 F.R. 2943, effective 3-13-43; amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

SEC. 2.20 *Transfers to and by the Procurement Division of the Treasury Department.* (a) Ration currency need not be collected when shoes are transferred by an agency of the United States Government to the Procurement Division of the Treasury Department if the shoes are acquired by the Procurement Division for transfer.

(b) The Procurement Division of the Treasury Department may dispose of the shoes in the same way that a distributor is permitted by this order to transfer shoes. (However, for that purpose, the Procurement Division need not register as a distributor.) Not later than the twentieth day following the month in which any transfer is made, the Procurement Division shall account to the "Washington Office" of the Office of Price Administration for ration currency covering the number of pairs of shoes transferred.

[Sec. 2.20 added by Am. 52, 9 F.R. 2232, effective 2-29-44. Former sec. 2.20 added by Am. 4, 8 F.R. 3315, effective 3-18-43 and revoked by Am. 45, 8 F.R. 15784 effective 1123-43]

SEC. 2.21 *Ration bank accounts shall be opened by District Offices and the National Office.* (a) Each District Office and the National Office shall open before December 1, 1944 a shoe ration bank account. After November 30, 1944 it shall issue a ration check whenever this Order permits the issuance of ration currency, except in cases where the issuance of special shoe stamps is permitted. No certificate (OPA Form R-1705A) shall be valid after January 31, 1945 regardless of date of issuance.

[Paragraph (a) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(b) The shoe ration bank account opened by the National Office shall receive periodic credits through credit memoranda issued by the National Office as authorized by General Ration Order 3A.[1] At the time a shoe ration bank account is opened by a District Office and on the first day of each month thereafter, the District Office shall draw a ration credit draft on the shoe ration bank account of the National Office in the amount of shoe ration currency which it estimates will be needed for the monthly period. Such ration credit drafts and all ration checks received by a District Office shall be endorsed by the District Office and deposited in its ration bank account. When the credit in the ration bank account of a District Office will not be sufficient to cover its needs for the monthly period, it may draw a supplemental ration credit draft for the additional amount needed and deposit it to its account.

[Sec. 2.21 added by Am. 84, 9 F.R. 13992, effective 11-27-44]

SEC. 2.22 *Rationed shoes which may be transferred without ration currency on certain conditions*—(a) *General* The shoes covered by this section remain under rationing control. Therefore, this section does not permit a person to receive, acquire, transfer, or otherwise deal in these shoes if he is prohibited, by an order issued under Procedural Regulation No. 4, from doing any of these things with respect to rationed shoes or shoes covered by Ration Order 17. Persons not so prohibited may deal in those shoes, without the surrender or collection of ration currency, in the manner and upon the conditions specified in this section. If shoes have been transferred without ration currency in accordance with the provisions of this section no one may return them or accept their return (or offer to return or accept their return) in exchange for a pair of rationed shoes or a stamp pursuant to section 1.10.

(b) *Damaged shoe release.* (1) Any person or establishment entitled to transfer shoes which have been damaged by fire, water, steam, or a similar accidental cause to the extent that they cannot reasonably be sold for ration currency may be authorized by the District Office to transfer them without ration currency. Application for the authority shall be made by letter, giving all facts available to show the time, place, manner, and extent of the damage. If the applicant is an establishment, the application shall be made to the District Office for the area where the establishment is located; otherwise, to the District Office for the area where the damaged shoes are located. The applicant shall be required to furnish two copies of a list of the shoes to be marked non-rationed prepared as directed by the District Office. The approval of the application shall be in writing, and one copy of the approval shall be retained by the applicant.

(2) Shoes permitted to be transferred without ration currency on the authority of this paragraph shall be marked with the word "non-rationed" and a code number to be assigned by the District Office. The mark shall be written or stamped on one shoe of each pair or on a sticker affixed to the shoe, before the shoes are transferred. When the official sticker (OPA Form R-1711) is available it shall be used and the mark shall be made on it.

(c) *Single and obsolete shoe release.* Any establishment or person having single shoes that cannot be mated, or obsolete shoes which cannot reasonably be sold for ration currency, may be authorized by the District Office to transfer them without ration currency, in accordance with the following provisions:

(1) For the purpose of this section, "obsolete shoes" include only shoes which (i) have deteriorated substantially as a result of age; or (ii) are of an outmoded last or design.

(2) Application to transfer the shoes without ration currency shall be made to the District Office for the area where the establishment is located or, in the case of a person other than an establishment, to the District Office where the shoes are located. Only one application may be made unless the District Office, in its discretion, otherwise permits. The application need not be made on any prescribed form but shall contain, or be accompanied by, the following:

(i) Two copies of a list of the shoes proposed to be transferred without ration currency, with detailed information concerning the color, materials, age, and condition, and any additional pertinent facts which the District Office may require;

(ii) With respect to single shoes, a statement that they cannot be mated.

(3) The District Office, if it approves the application in whole or in part shall indicate its approval in writing and shall attach thereto a copy of the list of shoes submitted by the applicant, on which it shall indicate the specific shoes authorized to be transferred without ration currency. The District Office shall issue to the applicant official Non-Rationed stickers (OPA Form R-1711) equal to the number of pairs, plus the number of single shoes, permitted to be transferred without ration currency. If Form R-1711 is not available, OPA Form R-123 may be used, with the words "Non-Rationed Shoes" printed on it. The District Office (or the applicant if required by the District Office) shall write or print on each such sticker the word "Obsolete" or, in the case of single shoes, the word "Mismate" and a code number assigned by the District Office. However, if the shoes are to be transferred for salvage purposes to a specified person engaged in the business of repairing or making shoes, or to a shoe findings distributor or a dealer in scrap materials, the District Office may authorize the transfer of the shoes without ration currency without requiring them to be marked.

(4) Before any of such shoes may be transferred or offered for sale without ration currency except for salvage purposes pursuant to written authorization of the District Office, the applicant shall attach to one shoe of each pair and, in the case of single shoes that cannot be mated, to each single shoe, an official

[1] 8 F.R. 11669, 13738; 10 F.R. 619.

non-rationed sticker supplied by the District Office. Such sticker may be affixed only to shoes specifically permitted by the District Office to be transferred without ration currency.

(5) These shoes may be transferred without ration currency only if sold at a price not in excess of $1.00 a pair (or 50 cents for a single shoe). If the shoes are sold by any establishment or person at a price in excess of $1.00 a pair (or 50 cents for a single shoe) he must collect ration currency and turn in the currency to the District Office within five days after the transfer.

(6) Shoes acquired by a person for salvage purposes, pursuant to a specific authorization of a District Office, may not be transferred thereafter as complete shoes, but the parts of the shoes may be used for the repair of or manufacture of other shoes or may be transferred to other persons for such purpose.

(d) *Old releases.* Shoes may be transferred without ration currency if they are transferred in accordance with former section 2.11 (f), (h) and (k), now appearing in Appendix A.

[Sec. 2.22 added by Am. 100, effective 6-15-45]

ARTICLE III—GENERAL PROVISIONS

(This part should be referred to when special problems arise)

Other Transfers Permitted

SEC. 3.1 *Transfers to carriers, warehouses, and repair shops permitted.* Shoes may be transferred to or from a carrier or a public warehouse in connection with their shipment or storage, and to or from a shoe repair shop in connection with their repair, without the giving up of ration currency. (This does not permit a transfer of title to the shoes in violation of other provisions of this order.)

SEC. 3.2 *Transfer of damaged, lost, or stolen shoes permitted.* (a) Shoes that have been substantially destroyed so as to be no longer usable as shoes may be transferred to anyone without getting ration currency.

(b) A person whose shoes have been lost or stolen may get them back without giving up ration currency. If a distributor has received replacement currency for them, he must send ration currency (of a type to be prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.

[Paragraph (b) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(c) Shoes that have been damaged but which are still usable as shoes and undamaged shoes mingled therewith, shoes that were stolen, and shoes in imminent danger of being damaged or stolen may be acquired without the surrender of ration currency, for the purpose of transfer only, by: (1) Persons lawfully engaging in the insurance business and common or contract carriers in connection with the right of subrogation or by virtue of the payment by them of a claim for damage to or loss of the shoes; and (2) persons performing public fire or safety functions, warehousemen, or persons engaged primarily in the business of adjusting losses and selling or reconditioning and selling damaged commodities, who take possession of or receive them on the occurrence or imminence of casualties.

(d) A transfer of the shoes by any person included in paragraph (c) of this section may be made without the surrender of ration currency to another person so included, or to the owner, or to the person from whose lawful custody the shoes were taken. All other transfers of the shoes (if new) must be made in exchange for ration currency, except as otherwise permitted under section 2.11 for non-rationed shoes. Any ration currency so received must be surrendered to a District Office within five days.

[Paragraph (d) amended by Am. 4, 8 F.R. 3315, effective 3-18-43]

SEC. 3.3 *Transfer by operation of law or for security purposes permitted.* (a) Any person may acquire shoes or a lien thereon, without giving up ration currency, for permissible transfer only, if the shoes are acquired or the lien is created through judicial process, operation of law, or through an order issued by a court of competent jurisdiction. (A State or the United States or any agency of a State or the United States may do so through the enforcement of statutory rights against the shoes.)

(b) A lien may be created on shoes for security purposes, without the surrender of ration currency, in favor of: (1) A State or the United States or any agency or political subdivision of a State or the United States; (2) any person licensed by a State or the United States to engage in the business of making loans upon collateral; and (3) any person if the lien is or is to be on all or substantially all of the shoes owned by an establishment or on all or substantially all of the business assets of an employer-consumer.

(c) Shoes or any interest in shoes acquired pursuant to this section may be returned to the person from whom acquired, or a lien on shoes may be released, without the surrender of ration currency. (If a distributor has received replacement currency for them, he must send ration currency (of a type prescribed by the Office of Price Administration) to the District Office for the number of pairs of shoes returned.)

[Paragraph (c) amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Any person holding a lien on shoes or a security interest in shoes permitted by this section or created before this order became effective may enforce the security interest or lien in the manner provided by applicable laws.

(e) New shoes acquired by a person under this section (except when returned to a person who had owned them for use) may not be used by him and may be transferred only in exchange for ration currency. Any ration currency so received must be surrendered to a District Office within five days.

SEC. 3.4 *Shoes may be imported.* (a) New shoes may be brought into the continental United States (the forty-eight States and the District of Columbia) from an outside point if they are delivered to the Collector of Customs at the point of entry. They may be delivered to him without getting ration currency.

(b) The Collector may release the shoes without getting ration currency if the shoes (1) were imported by one of the exempt agencies referred to in section 3.6; (2) were imported as a part of the personal effects of a consumer who had not been in the continental United States during the previous 30 days; (3) were not made in the continental United States, are not imported for sale, and not more than two pairs of shoes are released to the same person in one transaction; (4) are non-rationed shoes under section 2.11; (5) were imported by representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937; (6) were imported by or consigned or addressed to members of the armed services of the United Nations, other than those of the United States, who are on duty within the United States if the shoes are intended for their personal or official use; or (7) are consigned or addressed to enemy prisoners of war or civilian internees or detainees in the United States, for their personal use.

[Subparagraph (3) added by Am. 47, 8 F.R. 16605, effective 12-3-43]

[Subparagraph (4) added by Am. 76, 9 F.R. 10985, effective 9-5-44]

[Paragraph (b) amended by Am. 2, 8 F.R. 2487, effective 2-25-43, Am. 12, 8 F.R. 5679, effective 5-5-43; original subparagraphs (3) and (4) revoked by Am. 46, 8 F.R. 15839, effective 11-24-43]

(c) In all other cases the Collector may return or otherwise transfer the shoes if he first gets valid ration currency for the number of pairs of new shoes so transferred. A shoe distributor who desires to get new shoes from the Collector under this paragraph must give him a ration check drawn to the account of the Office of Price Administration. (A ration check may be secured for this purpose from the District Office on such terms as it may provide as to the giving up of other ration currency.)

[Paragraph (c) amended by Am. 66, 9 F.R. 7773, effective 7-15-44 and Am. 93, 10 F.R. 2757, effective 3-16-45]

(d) Ration currency received by the Collector of Customs shall be delivered, at least once each calendar month, to the District Office for the area in which the ration currency is received.

SEC. 3.5 *How shoes may be exported.* (a) Any person may export shoes without receiving ration currency in the following cases, and in accordance with the following provisions:

(1) Shoes may be shipped to a territory, possession, or dependency of the United States (other than the District of Columbia) or transferred to Ship's Service Stores Afloat, or to any person as slopchest supplies or ships' stores for use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or

intercoastal trade, without prior consent from any person or agency.

(2) Shoes may be exported to any foreign country, other than Canada, under an individual, special program or special project license issued by the Foreign Economic Administration.

[Subparagraph (2) amended by Am. 37, 8 F.R. 12548, effective 9-15-43; Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(3) Shoes having a declared value of $25 or more may be exported to Canada under a purchase order approved by the Canadian Administrator of Wholesale Trade. Shoes having a declared value of less than $25 may be exported to Canada by a registered establishment without prior approval if the shoes are exported by mail, parcel post, express, or other common carrier or are shoes exported through the Department of State.

[Subparagraph (3) amended by Am. 99, 10 F.R. 6008, effective 5-23-45]

(4) Shoes may be sent to any Army or Fleet Post Office address or to the address of any representative of the United States residing in a foreign country, by a registered establishment, without prior approval from any person or agency.

[Subparagraph (4) amended by Am. 80, 9 F.R. 12271, effective 10-13-44; Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(b) Shoes acquired by an exempt person or agency in a way permitted by section 3.6, may be exported without further approval.

[Paragraph (b) amended by Am. 90, 10 F.R. 1649, effective 2-7-45 and Am. 99, 10 F.R. 6008, effective 5-23-45]

(c) Nothing in this section shall be deemed to authorize any export of shoes to be made in violation of any other applicable law or regulation.

[Sec. 3.5 amended by Am. 11, 8 F.R. 5678, effective 5-5-43 and Am. 26, 8 F.R. 9422, effective 7-8-43]

SEC. 3.6 *Shoes may be transferred to exempt persons.* (a) Any person may transfer shoes to any of the exempt agencies or persons or for the account of any of the government agencies listed in the next paragraph, without getting ration currency.

(b) The exempt agencies and persons to which this section applies are:

(1) The Army and Navy of the United States;

(2) U. S. Maritime Commission;

(3) The Panama Canal;

(4) The Coast and Geodetic Survey;

(5) Civil Aeronautics Authority;

(6) National Advisory Commission for Aeronautics;

(7) The Office of Scientific Research and Development;

(8) The Office of Lend Lease Administration;

(9) The War Shipping Administration;

(10) Any agency of the United States to the extent it acquires shoes for export to and use in a foreign country or a Territory, Possession, or Dependency of the United States (other than the District of Columbia).

(11) [Revoked]

[Subparagraph (11) amended by Am. 11, 8 F.R. 5678, effective 5-5-43; Am. 26, 8 F.R. 9422, effective 7-8-43; Am. 37, 8 F.R. 12548, effective 9-15-43, and revoked by Am. 55, 9 F.R. 2829, effective 3-18-44]

(c) A person who acquires shoes under this section "for the account of" one of the above exempt government agencies without giving up ration currency (for example, a contractor who has a war contract with an exempt government agency) must give his supplier a written signed statement that the shoes to be acquired will become the property of the exempt government agency and that it will keep title to them, and a copy of his war contract or other proof to support the statement. (For rules governing the use and disposition of shoes acquired under this section by an employer or institution, see section 1.7.)

[Paragraph (c) amended by Am. 75, 9 F.R. 10964, effective 9-9-44]

SEC. 3.7 *Closing and transfer of businesses and institutions*—(a) *Closing of establishments.* Whenever an establishment is closed, the owner or his representative shall report that fact to the District Office within five days and furnish a statement of the amount of ration currency, if any, owed to or by the establishment, with the name and address of each person or establishment to or from whom the ration currency is due. He shall also surrender to the District Office, with the report, all ration currency on hand, including a ration check drawn to the account of the Office of Price Administration for the net balance of its shoe ration bank account. Any ration currency owed to the establishment by another shall thereafter be deemed to be owed to the District Office. However, the District Office may require the owner of the establishment to collect all ration currency owed to it and pay all ration currency it owes to other persons or establishments.

[Paragraph (a) amended by Am. 66, 9 F.R. 7773, effective 7-15-44]

(b) *Transfer of establishments.* When substantially all the stock of shoes of an establishment is to be transferred to another person or establishment (other than by operation of law or judicial process) the parties shall notify the District Office, in advance, of the details of the proposed transfer; and the person or establishment acquiring the shoes must pay ration currency to the District Office for all rationed shoes to be acquired. (Sections 2.16 and 2.17 permit a new or existing establishment to get ration currency to acquire a stock of shoes.) However, if the shoes are acquired by a person who will operate the business, or liquidate it, at the same location, the District Office may waive the payment of ration currency, and may also permit him to get the establishment's ration currency, instead of issuing him a shoe purchase allowance as a new establishment under section 2.16. In such a case the new owner shall file an inventory for the business as a new establishment and open an account, or obtain a registration number if he is not eligible for an account. A person making a transfer under this paragraph and ceasing to deal in rationed shoes at the same location shall comply with the provisions of the preceding paragraph.

(c) *Moving of establishment.* If a person moves his establishment to a new location, that moving is treated as a transfer subject to the previous paragraph, except where both the old and the new locations are in the same District Office area and the establishment is not merged or consolidated with another establishment. In the latter case the owner of the establishment must notify the District Office of the new address, within five days after the establishment is moved.

(d) *Transfer of institutions and businesses.* Any person who buys (or otherwise acquires) substantially all the assets of an institution or business, other than an establishment, may acquire any shoes included among the assets without giving up ration currency. He may furnish the shoes to the students or residents of the institution, or to the employees of the business, as the case may be, if he keeps title to them. If any rationed shoes so acquired are transferred in any other manner, ration currency must first be obtained, and such ration currency must be surrendered to the District Office within five days.

(e) *Closing of institutions or businesses.* If an institution or business, other than an establishment, is closed it may transfer ration-free any shoes which have been worn. It may transfer new shoes if it gets ration currency.

The currency received must be surrendered to the District Office within five days.

[Sec. 3.7 amended by Am. 45, 8 F.R. 15784, effective 11-23-43]

Prohibited Acts Relating to Shoes and Certificates

SEC. 3.8 *Transfer of shoes is prohibited.* (a) No person shall transfer or acquire shoes (or offer to do so) except in accordance with this order.

(b) [Revoked]

[Paragraph (b) revoked by Am. 95, 10 F.R. 3404, effective 5-1-45]

[Sec. 3.8 amended by Am. 10, 8 F.R. 5589, effective 5-3-43]

SEC. 3.9 *Other prohibitions*—(a) *Evidences generally not transferable.* No person shall use, possess without authority, or transfer a stamp, certificate, or ration check except as permitted in this order.

[Paragraph (a) amended by Am. 46, 8 F.R. 15839, effective 11-24-43]

(b) *Other prohibitions in General Ration Order 8.*[6] General Ration Order 8 contains provisions, applicable to this and all other ration orders, which prohibit, among other matters:

(1) Making false or misleading statements in a ration document or to the Office of Price Administration;

(2) Altering, defacing, mutilating, or destroying a ration document;

(3) Forging or counterfeiting a ration document;

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[6] 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878, 7419; 10 F.R. 860.

(4) Acquiring, using, transferring or possessing a forged, counterfeited, altered, defaced, or mutilated ration document;

(5) Wrongfully withholding a ration document;

(6) Transferring a rationed commodity in exchange for an invalid or improperly acquired ration document;

(7) [Revoked]

[Subparagraph (7) revoked by Am. 87, 10 F.R. 521, effective 1-16-45]

(8) Bribing, hindering, or interfering with rationing officials;

(9) Attempting to do any act in violation of a ration order, directly or indirectly, or to aid or encourage another to do so.

[Sec. 3.9a added by Am. 31, 8 F.R. 11445, effective 8-16-43; redesignated Sec. 3.9 (b) by Am. 46, 8 F.R. 15839, effective 11-24-43]

Appeals and Suspension Orders

SEC. 3.10 *Persons affected may appeal.* Any person directly affected by the action of a Board, District Director, or Regional Administrator taken with respect to any matter before him under this order may appeal from the action in the way permitted by Procedural Regulation No. 9.[1] (Uniform Appeals Procedure).

[Sec. 3.10 amended by Am. 37, 8 F.R. 12548, effective 9-15-43]

SEC. 3.11 *Violators may lose right to rationed products.* Any person who violates this order may, by administrative suspension order, be prohibited from acquiring or transferring new shoes or other rationed products for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote national security.

Scope of Ration Order No. 17

SEC. 3.12 *Where this order applies.* Ration Order No. 17 shall apply within the 48 States of the United States and the District of Columbia.

Definitions

SEC. 3.13 *Terms explained.* (a) When used in this order the term:

"Account" means the shoe ration bank account opened for an establishment at a bank pursuant to this order.

"Acquire" means to accept a transfer.

"Bank" means the bank at which the shoe ration bank account of an establishment is opened.

"Board" means a war price and rationing board or the war price and rationing board having jurisdiction over a certain person or establishment, as the language indicates. The term also includes the war plant area boards authorized to act on applications under this order.

"Certificate" means a shoe purchase certificate (OPA Form 1705B).

[Above definition amended by Am. 37, 8 F.R. 12548, effective 9-15-43 and Am. 93, 10 F.R. 2757, effective 3-16-45]

"Convert to use" means to use shoes held for some purpose other than use, whether or not there is a change of ownership or possession.

"Consumer" means any individual acquiring or seeking to acquire shoes for personal use, or an employer or institution acquiring or seeking to acquire shoes for the use of its employees, students, residents, or members.

"Distributing establishment" means a business, other than a manufacturing establishment or public warehouse, conducted at a certain location from which rationed shoes are sold or at which rationed shoes are stored or the business of a central office of a chain store organization which acts as supplier for a branch establishment with respect to shoes delivered directly to the establishment by another supplier or the business of any person accepting a transfer or making a transfer of shoes in connection with the exporting of shoes for commercial purposes. Where a person does not sell or store shoes at any fixed location, his operations as a whole are regarded as a single establishment. (This may be true, for example, in the case of some exporters or auctioneers.) In such cases, his principal place of business, or if he has no place of business, then, his home, is considered as the location of the establishment. Where one person owns two or more locations at which he sells or stores shoes in the same city or community all such locations served by the same ration bank account are treated as one establishment.

[Above definition amended by Am. 55, 9 F.R. 2829, effective 3-18-44; Am. 93, 10 F.R. 2757, effective 3-16-45 and Am. 96, 10 F.R. 5324, effective 5-11-45]

"Distributor" means any person operating a distributing establishment.

"District Office" means a District Office of the Office of Price Administration, or the District Office of the Office of Price Administration having jurisdiction over a certain person or establishment, as the language indicates.

[Above definition amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

"Establishment" means a manufacturing or distributing establishment, or both, as the language indicates.

"Family" means a group of two or more persons living in the same household who are related by blood, marriage, or adoption.

"House slippers" means any footwear constructed exclusively for indoor or house wear other than athletic, sport, or gymnasium use. However, the term does not include footwear made with any cattle hide leather in the upper, or with cattle hide grain leather outsoles (other than heads, bellies, shins, and shanks), if such footwear was shipped from the factory in the United States after August 31, 1943, or imported into the United States after August 31, 1943. Neither does the term include footwear having a leather outsole heavier than five iron, or footwear having leather outsoles and raised or flat seam moccasin type vamps (or genuine moccasins utilizing leather outsoles) manufactured in the United States after December 31, 1944 or imported after that date.

[Above definition added by Am. 30, 8 F.R. 10762, effective 8-7-43; amended by Am. 32, 8 F.R. 11515, effective 8-18-43; Am. 49, 8 F.R. 16996, effective 12-18-43; Am. 77, 9 F.R. 11638, effective 9-25-44; Am. 79, 9 F.R. 12039, effective 10-6-44; Am. 83, 9 F.R. 10762, effective 11-1-44, amended by Am. 93, 10 F.R. 2757, effective 3-16-45]

"Immigration document" means a Border Crossing Identification Card or Passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens for entry into Mexico.

[Above definition added by Am. 62, 9 F.R. 6233, effective 7-1-44]

"Manufacturing establishment" means a business manufacturing, processing, or assembling shoes. All factories, warehouses, storage places, salesrooms, and distributing agencies owned by one person may constitute one manufacturing establishment. However, if more than 50% of the dollar value of the shoes transferred by the warehouse, storage place, salesroom, or distributing agency is to consumers it may not be considered a part of a manufacturing establishment.

"Manufacturer" means any person operating a manufacturing establishment.

[Above definition amended by Am. 89, 10 F.R. 1649, effective 2-9-45]

"New", as applied to shoes, means any shoes other than "used" shoes.

"Person" includes an individual, institution, corporation, partnership, association, business trust, or any organized group or enterprise, and includes the United States or any agency thereof and any government or any political subdivision or agency thereof.

"Purchased shoes" means shoes acquired by a manufacturer from other persons or establishments in a transaction separate from the return of shoes by customers in the ordinary course of business.

[Above definition added by Am. 89, 10 F.R. 1649, effective 2-9-45]

"Ration currency" means the evidence of authority to acquire shoes and includes war ration stamps, special shoe stamps, shoe purchase certificates, and shoe ration checks.

[Above definition amended by Am. 37, 8 F.R. 12548, effective 9-15-43]

"Rubber." [Revoked]

[Above definition added by Am. 25, 8 F.R. 9062, effective 7-7-43 and revoked by Am. 77, 9 F.R. 11638, effective 9-25-44]

"Rubber sole." [Revoked]

[Above definition added by Am. 46, 8 F.R. 15839, effective 11-24-43 and revoked by Am. 77]

"Safety shoes" means protective occupational shoes incorporating one or more of the following safety features: (1) steel toe box, (2) electrical con-

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2595, 2911, 4350, 4929, [illegible]1, 11480, 11806, 12482, 14211; 9 F.R. 1594, [illegible]39, 10491.

ductivity, (3) electrical resistance, (4) nonsparking, (5) molders' (Congress type) protection, (6) plastic or fibre toe box for use in women's safety shoes only, if designed to furnish the same type of protection as a steel toe box. (Women's shoes made with a plastic or fiber box toe may be considered safety shoes only if shipped from the factory before May 16, 1944.) The term "safety shoes" also includes genuine logger boots with calks.

[Above definition added by Am. 5, 8 F.R. 3371, effective 3-24-43; amended by Am. 19, 8 F.R. 7261, effective 6-3-43; Am. 53, 9 F.R. 2656, effective 3-11-44; Am. 60, 9 F.R. 5254, effective 5-16-44, and Am. 87, 10 F.R. 521, effective 1-16-45]

"Shoes" means any footwear made in whole or in part of leather, or kits containing partially assembled or unassembled pieces of leather for the construction of shoes.

[Above definition amended by Am. 2, 8 F.R. 2487, effective 2-25-43; Am. 11, 8 F.R. 5673, effective 5-5-43; Am. 25, 8 F.R. 9062, effective 7-7-43; Am. 30, 8 F.R. 10762, effective 8-7-43; Am. 32, 8 F.R. 11515, effective 8-18-43; Am. 46, 8 F.R. 15339, effective 11-24-43; Am. 77, 9 F.R. 11638, effective 9-25-44, and Am. 97, 10 F.R. 5994, effective 5-28-45]

"Shoes of its own manufacture" means all shoes manufactured by the establishment except "purchased shoes", as defined above.

[Above definition added by Am. 89, 10 F.R. 1649, effective 2-9-45]

"Stamp" means a war ration stamp contained in a war ration book and designated for shoes or a special shoe stamp, or both, as the language indicates.

"Supplier" means any person supplying shoes to an establishment. A central office of a chain is also considered the supplier of a branch establishment as to shoes treated by the central office as transferred by it to the branch establishment, even though the shoes are delivered by another supplier directly to the branch establishment.

[Above definition added by Am. 96, 10 F.R. 5324, effective 5-11-45]

"Temporary shoe purchase certificate." [Revoked.]

[Above definition revoked by Am. 37, 8 F.R. 12548, effective 9-15-43]

"Transfer" means convert to use, sell, lease, lend, trade, exchange, give, ship, deliver, physically transfer to another in any manner, or make any transaction involving a change in possession, right, title, or interest; when used as a noun the term means a conversion to use, sale, lease, loan, trade, gift, exchange, shipment, delivery, physical transfer to another in any manner, and any transaction involving a change in possession, right, title, or interest. Shoes are also transferred to a commercial exporter at the time they are shipped or sent by the supplier on the exporter's order.

[Above definition amended by Am. 55, 9 F.R. 2829, effective 3-18-44]

"Used", as applied to shoes, means any shoes that have been used as footwear to the extent that they cannot be sold as new.

[Above definition amended by Am. 1, 8 F.R. 2040, effective 2-13-43]

(b) Words of the masculine gender shall also denote the feminine and neuter genders; words of the singular shall also denote the plural; and vice versa.

(c) When any right or duty is conferred or imposed upon an establishment by this order, the right or duty must be deemed to be conferred or imposed upon the owner of the establishment.

(d) Whenever the term "shoes" is used in this order, it refers to rationed shoes unless the context of the language used indicates otherwise.

[Paragraph (d) added by Am. 76, 9 F.R. 10995, effective 9-5-44]

APPENDIX A

Provisions of Ration Order No. 17 (now primarily of historical interest) relating to the transfer of certain shoes without ration currency upon specified conditions.

(1) *First odd lot release.* (Former section 2.11 (f)) Any establishment whose sales of shoes to consumers for ration currency during the period from February 7, 1943 to April 10, 1943, inclusive, were less than its other transfers of rationed shoes during that period or were principally by mail order, may transfer shoes without ration currency pursuant to the following provisions:

(i) Application shall be made in writing to the District Office for permission to transfer shoes without ration currency. Only one application may be made for an establishment, and no application may be filed after November 30, 1943.

(ii) The application need not be in any prescribed form but the applicant shall furnish a copy of its inventory Form R-1701 as of April 10, 1943; a statement of the number of pairs of shoes in each class which it desires to transfer without ration currency under this paragraph; and all other information needed to establish its eligibility.

(iii) Such transfers, in any of the following classes, shall not exceed the applicable stated percentage of the number of pairs of shoes within the same class which the establishment had in its inventory on April 10, 1943 (as reported on OPA Form R-1701) reduced by the number of pairs of shoes within that class which the establishment had in its inventory as rationed shoes at the close of business on July 6, 1943 and which were released from rationing on July 7, 1943 by section 2.11 (a) (3) or as baseball, track, or football shoes, riding boots, or gold or silver evening slippers:

	Percent
Class I—Men's dress shoes, men's work shoes, youths' and boys' shoes	1
Class II—Women's shoes	4
Class III—Misses', Children's and Infants' shoes	2
Class IV—All other rationed footwear	2

(iv) The District Office, if satisfied that the establishment is eligible, shall issue to it the number of non-rationed stickers, Form R-1711, requested, but not more than the maximum number of pairs of shoes within each class permitted to be transferred by the applicant without ration currency. If Form R-1711 is not available, Form R-123 may be used with the words "non-rationed shoes" printed, stamped, or written on it. The District Office (or the applicant if required by the District Office) shall write on each sticker the class number for which the sticker may be used, the letters "O. L.", and a code number assigned by the District Office. Such stickers shall be fixed to one shoe of each pair before the shoes are offered for sale or transferred without ration currency. A sticker may be affixed only to a shoe of the same class as that designated on the sticker.

(v) Shoes marked in accordance with this paragraph may be transferred without ration currency by and to any person at any time on or after July 19, 1943.

(vi) The price at which such shoes may be sold to any buyer by the establishment securing the permission to transfer them without ration currency may not exceed the price paid for the shoes by the owner of the establishment or, if such price cannot be ascertained or the shoes were made by the owner of the establishment, a price twenty-five per cent below the establishment's regular selling price for the shoes on July 1, 1943 to a buyer of the same class. If such shoes are transferred directly or indirectly to another establishment owned by the same person, the sale price of the shoes by the establishment acquiring them without ration currency shall not exceed ten per cent markup on the sale price permitted to be charged by the establishment marking the shoes as non-rationed.

(vii) When such shoes are offered for sale in any notice or advertisement, they shall be referred to as "OPA Odd Lot Release."

(viii) The owner of an establishment securing non-rationed stickers under this paragraph may use them on shoes located at another establishment owned by him. This may be done without physical delivery of the shoes if all provisions of this order are complied with in the same manner as if the shoes were first delivered to the establishments securing the stickers.

(2) *Women's low-priced shoe release.* (Former section 2.11 (h)) Any establishment which has filed an inventory Form R-1701A, as required by section 2.3 (d), may transfer without ration currency a limited quantity of women's shoes, in accordance with the following provisions:

(i) During the period from January 17 to February 5, 1944, inclusive, an establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers without ration currency any women's shoes located at the establishment on January 16, 1944 if the price charged does not exceed $3.00 per pair and the total number of pairs so transferred without ration currency does not exceed 15 percent of the number of pairs of women's shoes in its inventory on September 30, 1943 as reported on OPA Form R-1701A (line 4).

(ii) In the case of any other eligible establishment desiring to transfer women's shoes under this paragraph, the establishment must apply to its District Office for non-rationed stickers. The application must be filed, or placed in the mail, on or before January 29, 1944. The application need not be on any prescribed form, but must be ac-

companied by a copy of its inventory form R–1701A and must contain a statement of the number of pairs of women's shoes in its inventory January 16, 1944 which it desires to transfer without ration currency under this paragraph. The District Office, if satisfied that the applicant is eligible and that the application is made in good faith, shall issue to it a supply of official non-rationed stickers (OPA Form R–1711, or OPA Form R–123 with the words "Non-Rationed Shoes" printed on it) not in excess of 15 percent of the number of pairs of women's shoes the establishment had in its inventory on September 30, 1943, as reported on OPA Form R–1701A (line 4). Before transferring any shoes without ration currency under this subparagraph the establishment must affix one of such stickers to each pair of shoes and the establishment shall write or print on each sticker the words "Frozen Stock" and a code number assigned by the District Office. The stickers may be affixed only to women's shoes which were physically located at the establishment on January 16, 1944. Any unused stickers must be returned to the District Office within 30 days after their receipt by the establishment.

(iii) Shoes marked in accordance with subparagraph (ii) above may be transferred without ration currency by the applicant, and all other persons unless they are sold at a price in excess of $3.00 per pair. Any establishment or person selling such shoes at a price in excess of $3.00 per pair must collect ration currency for them and surrender the currency to the District Office within five days.

(iv) When such shoes are offered for sale in any notice or advertisement, they shall be referred to as "OPA Release—Women's Low-Priced Shoes".

(v) Each establishment shall keep a record, in the manner required by Section 2.13 (b) (9), showing the amount of the reduction of its rationed shoe inventory resulting from the transfer of shoes without ration currency under this paragraph.

(3) *Children's shoe release.* (Former section 2.11 (i)) Any establishment may transfer without ration currency children's shoes in the following sizes, which were manufactured in the United States before March 16, 1944, or imported before March 16, 1944, and which will not sell for ration currency, in accordance with the following provisions:

(i) *Retailers.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, other than one whose transfers are made principally on mail orders, may transfer to consumers without ration currency, children's shoes of sizes 8½ to 12, inclusive, little boys' shoes of sizes 12½ to 3, inclusive, and misses' shoes sizes 12½ to 3, inclusive, if the price charged to the consumer does not exceed $1.60 a pair. Shoes so transferred shall be marked with the date of the transfer and the word "Released." The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil after the sale to the consumer but before they are removed from the establishment.

(ii) *Mail order houses.* During the period from May 1 to May 20, 1944, inclusive, any establishment whose transfers are made principally on mail orders may transfer to consumers without ration currency, children's shoes in the sizes specified in subparagraph (i) above, if the price charged for them does not exceed $1.60 a pair. Such shoes may be transferred without ration currency to other establishments during the period from March 20 to April 29, 1944, inclusive, if the price charged for them does not exceed $1.10 a pair. One shoe of each pair transferred to consumers shall be marked or stamped with the date of transfer and the word "Released." The mark shall be made with ink, indelible stamp or indelible pencil, after the sale to the consumer but before they are removed from the establishment. If the shoes are being transferred to other establishments, they shall not be marked.

(iii) *Wholesalers and manufacturers.* During the period from March 20 to April 29, 1944, inclusive, any other eligible establishment may transfer without ration currency to other establishments, children's shoes in the sizes specified in subparagraph (i) above, if the price charged for them does not exceed $1.10 a pair.

(iv) *Advertisement.* When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release—Children's low-priced shoes. Ration-free from May 1 through May 20, 1944."

(v) *"Price charged" explained.* For the purpose of this section "price charged to an establishment" means the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(vi) *Records to be kept.* Each establishment shall keep a record, in the manner required by section 2.13 (b) (9), showing the number of pairs of shoes transferred without ration currency under this paragraph; and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(4) *Second odd lot release.* (Former section 2.11 (j).)

(i) *Transfers to establishments.* During the period from June 15, 1944 to July 15, 1944, inclusive, any establishment may transfer without ration currency, to any other establishment not to exceed, in any class listed below, the applicable stated percentage of the number of pairs of shoes which it had in its inventory on September 30, 1943, in such class (as reported on Form R–1701A).

	Percent
Class I—Men's dress and work shoes	3
Class II—Youths' and boys' shoes (sizes 1 to 6)	3
Class III—Women's shoes	5

The sale price of each pair so transferred may not exceed a price 25 percent below the lowest price at which such shoes were offered on June 1, 1944 to persons other than consumers.

(ii) *Transfers to consumers.* (a) During the period from July 10, 1944 to July 29, 1944, inclusive, any establishment whose transfers of shoes are made principally to consumers, may transfer to consumers without ration currency, shoes which it acquired from another establishment pursuant to subparagraph (i) above. The sale price of each pair so transferred may not exceed a price 25 per cent above the price paid by the owner of the establishment for such shoes.

(b) During the period from July 10, 1944 to July 29, 1944, inclusive, an establishment whose sales of shoes are made principally to consumers may also transfer to consumers without ration currency, in each class listed in subparagraph (i) above, the applicable stated percentage (set forth in subparagraph (i)) of the number of pairs of shoes it had in its inventory on September 30, 1943 in such class (as reported on Form R–1701A). However, in computing the number of pairs of shoes in each class that may be transferred without ration currency under this subparagraph, an establishment must deduct the number of pairs of shoes in each class that it transferred or transfers to another establishment pursuant to subparagraph (i) above. The sale price of each pair of shoes so transferred may not exceed a price 25 per cent below the establishment's regular retail price for the shoes on June 1, 1944.

(c) Shoes transferred to consumers in accordance with this subparagraph shall be marked with the date of transfer and the words "Odd Lot", after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(d) When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Odd Lot Release, Ration-free, July 10, 1944 through July 29, 1944."

(iii) For the purposes of this paragraph, "price paid" by an establishment means the invoice price paid by the owner of the establishment, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(iv) Each establishment shall keep a record in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes transferred without ration currency under this paragraph and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(5) *Factory damaged shoe release.* (Former section 2.11 (k)) Any establishment may be authorized to transfer without ration currency, men's and women's factory damaged shoes which cannot reasonably be sold for ration currency, in accordance with the following provisions:

(i) For the purposes of this paragraph, a factory damaged shoe is a shoe damaged in the process of manufacturing to such an extent that the imperfection or damage substantially decreases the value of the shoe, the damage being due to defective machinery, poor workmanship or use of imperfect materials, and the imperfection or damage being visible before the shoes are or were first transferred by the manufacturer. (However, if shoes were damaged because of the use of imperfect materials and the damage due to such imperfect materials substantially de-

creases the value of the shoes and is or was plainly visible at the time the shoes are or were returned to the manufacturer, or inspected by the District Office, they may be included as factory damaged shoes.)

(ii) Application to transfer shoes without ration currency under this paragraph, shall be made to the District Office for the area where the establishment is located. No application shall be acted upon by the District Office before August 5, 1944. No application may be made after August 31, 1944. Only one application may be made unless the District Office in its discretion otherwise permits. The application need not be made on any prescribed form but shall contain or be accompanied by two copies of a list of the shoes proposed to be transferred without ration currency, showing the number of pairs of shoes of each type (as set forth on OPA Form R-1701 or OPA Form R-1701A) sought to be transferred without ration currency. Only factory damaged shoes which the establishment has in its inventory on the date of the application may be included in the application. Establishments, other than manufacturing establishments, may include in the application only shoes which were invoiced as factory damaged shoes unless the shoes are damaged because of the use of imperfect materials and are inspected by the District Office. Before the District Office approves an application, it may inspect any shoes included therein to determine whether or not they are "factory damaged shoes" within the meaning of subparagraph (i) above.

(iii) The District Office, if it approves the application in whole or in part shall indicate its approval in writing and shall attach thereto a copy of the list of shoes submitted by the applicant, on which it shall indicate the number of pairs of shoes authorized to be transferred without ration currency. The District Office shall issue to the applicant official non-rationed stickers (OPA Form R-1711 or R-123 with the words "Non-Rationed" printed on it) equal to the number of pairs of shoes permitted to be transferred without ration currency. Before transferring any shoes without ration currency under this subparagraph, the establishment must attach one of such stickers to the inside of the left shoe of each pair of shoes and the establishment shall write or print on each sticker the words "Factory Damaged", or the letters "F. D.", and a code number assigned by the District Office.

(iv) Any establishment may transfer without ration currency to any other establishment factory damaged shoes that are marked in accordance with subparagraph (iii) above, if the price charged does not exceed $1.20 per pair. Any establishment whose sales of shoes are made principally to consumers may transfer such shoes to consumers without ration currency, if the price charged does not exceed $1.80 per pair. Any establishment selling such shoes at a price in excess of these limitations must collect ration currency for them and surrender the currency to the District Office within five days.

(v) When such shoes are offered for sale to consumers in any notice or advertisement, they shall be referred to as "OPA Release—Factory Damaged Shoes."

(vi) For the purposes of this paragraph the price charged to an establishment is the invoice price less any separable transportation expense (a charge for freight or postage which is stated separately on the invoice but which is part of the invoice price). In determining the price charged, a cash or trade discount may not be deducted from the invoice price.

(vii) Each establishment shall keep a record, in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes in its inventory which were released under this paragraph, and the number of pairs of shoes released or acquired without ration currency under this paragraph which later could not be transferred without ration currency because the stickers were detached or because the shoes were sold at a price in excess of the price limitations of this paragraph.

(6) *Third odd lot release.* (Former section 2.11 (1)) (a) *Transfers to establishments.* (i) During the period from February 5, 1945 to February 24, 1945, inclusive, any establishment whose transfers of shoes are made principally to other establishments or any establishment whose transfers of shoes are made principally on mail order may transfer without ration currency to any other establishment, not to exceed in any class listed below, the applicable percentage of the number of pairs of shoes which it had in its inventory on July 31, 1944, in such class (as reported on Form R-1701B).

Class I—Men's dress and work shoes	3%
Class II—Women's shoes	5%

Any establishment transferred to a new owner under Sec. 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in subparagraph (i) using as the base to which the percentage applies the number of pairs of shoes its transferor had in inventory on July 31, 1944 (as reported on Form R-1701B). The price of each pair so transferred between establishments not owned by the same person may not exceed a price 25% below the lowest price at which shoes were sold by the transferor on February 1, 1945 (or if there was no sale of such shoes on February 1, 1945, the closest date thereto) to persons other than consumers. If there is no established price for such shoes to persons other than consumers, they may be transferred at a price not to exceed 10% above the price paid by the owner of the establishment for such shoes. An establishment may transfer shoes under this subparagraph to another establishment owned by the same person only if the price to consumers for such shoes will not exceed a price 33⅓% above the lowest price paid by the owner of the establishment for such shoes.

(ii) Shoes acquired without ration currency under this subparagraph by any establishment whose transfers of shoes are made principally to other establishments may be transferred without ration currency to another establishment without relation to the percentage specified in subparagraph (i) of this paragraph. The price of each pair so transferred between establishments not owned by the same person may not exceed a price 10% above the price paid by the owner of the transferor establishment for such shoes.

(iii) Each establishment shall, when transferring shoes without ration currency under this subparagraph, state on each invoice furnished pursuant to section 2.13 the price per pair and in total of all shoes included in the invoice. Where shoes are transferred between establishments owned by the same person, the invoice shall state the price at which such shoes are to be sold to consumers.

(b) *Transfers to consumers.* (i) During the period from February 19, 1945 to March 10, 1945, inclusive, an establishment whose sales of shoes are made principally to consumers may transfer to consumers without ration currency in each class listed in paragraph (a) above the applicable stated percentage of the number of pairs of shoes it had in its inventory on July 31, 1944, in such class (as reported on Form R-1701B). Any establishment transferred to a new owner under section 3.7 (b) after July 31, 1944 may transfer shoes under the conditions stated in this subparagraph, using as the base to which the percentage applies the number of pairs of shoes in that class in the inventory of the old owner on July 31, 1944 (as reported on OPA Form R-1701B).

(ii) Any establishment whose transfers of shoes are made principally to consumers may transfer to consumers without ration currency during the period from February 19, 1945 to March 10, 1945, inclusive, shoes which it acquired from another establishment pursuant to paragraph (a). The number of pairs of shoes so transferred need not be deducted by the establishment from the number of pairs of shoes permitted to be transferred without ration currency under subparagraph (i) of this paragraph.

(iii) The sale price of each pair of shoes transferred under subdivision (i) of this paragraph may not exceed a price 25% below the establishment's regular price to consumers for such shoes on February 1, 1945. If the price of shoes had been permanently reduced before February 1, 1945, the reduced price is the regular price to consumers for the purpose of this subparagraph. If the shoes were on special sale on February 1, 1945, the regular price to the consumer for these shoes is the last price at which they were sold immediately preceding the special sale. The sale price of shoes transferred under subparagraph (ii) of this paragraph may not exceed a price 33⅓% above the price paid by the owner of the establishment for such shoes.

(iv) Shoes transferred to consumers in accordance with this subparagraph shall be marked with the words "Release No. 88" after the sale to the consumer but before they are removed from the establishment. The mark shall be written or stamped on one shoe of each pair with ink, indelible stamp or indelible pencil.

(v) When such shoes are offered for sale to consumers in any advertisement or notice, they shall be referred to as "OPA Odd Lot Release. Ration-free from February 19, 1945 to March 10, 1945, inclusive."

(c) *Definition of price.* For the purpose of this paragraph the term "price" shall mean the invoice price less any trade or cash discount but plus any separable transportation expense (a charge for freight or postage which is not included in the invoice price). However, the term "price" when

used in relation to the amount which may be charged to a consumer means the amount actually charged less any local sales tax.

(d) *Records and reports.* Each establishment shall keep a record in the manner required by section 2.13 (b) (9) showing the number of pairs of shoes transferred without ration currency under this paragraph and the number of pairs of shoes acquired by the establishment without ration currency under this paragraph.

(e) *Surrender of ration currency.* If shoes acquired without ration currency under subparagraph (a) are sold by an establishment to a consumer at a price in excess of 33⅓% above the price paid by the owner of the establishment for such shoes, it shall collect ration currency and surrender it to the District Office within five days after the transfer.

[Appendix A added by Am. 100, effective 6-15-45]

Effective Dates

This Ration Order No. 17 shall become effective at 3:00 p. m. February 7, 1943.

[Ration Order 17 originally issued February 7, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

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

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10154; Filed, June 11, 1945; 11:47 a. m.]

PART 1426—PRIMARY FOREST PRODUCTS

[MPR 535-2,[1] Amdt. 3]

LAKE STATES CORDWOOD

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

Maximum Price Regulation No. 535-2 is hereby amended in the following respects:

Section 3 is amended to read as follows:

SEC. 3. *Items not listed.* The maximum price for Lake States cordwood items or grades not listed in the regulation may be determined by applying to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The application must contain:

(a) The name and address of the buyer.

(b) The end product to be manufactured.

(c) The species to be purchased.

(d) Grade specifications:

(1) Minimum diameter

(2) Specified lengths

(3) Specifications with respect to defects, crook, percent of heartwood, etc.

(e) The unit of measure to be used in scaling.

(f) The requested price:

(1) Roadside

(2) F. O. B. cars at rail siding

(3) Delivered to the mill by truck.

(g) Method of computing requested price.

(h) A statement from the buyer that the requested price can be paid under the end product dollars and cents ceiling in effect on the date of application, or if his end-product ceiling is based upon a formula that he will continue to base such ceiling upon the formula in effect on the date of the application.

(i) A statement from the buyer why he believes that the requested price will not be out of line with the maximum prices established in this regulation.

The Administrator may approve the application wholly or in part if, in his judgment, the requested price is reasonable (based upon prices expected to be paid and their relationship to prices for items specifically priced in this regulation), and the granting of the application will not contravene the intent and purposes of the Emergency Price Control Act of 1942, as amended.

Maximum prices previously established under the regulation at the September–October 1942 level shall continue in effect for a period of thirty days from June 16, 1945, unless maximum prices are sooner approved under this section.

This amendment shall become effective June 16, 1945.

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

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10159; Filed, June 11, 1945; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 55]

HAND LAUNDRIES IN THE MILWAUKEE, WIS. AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 55 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 55 is hereby issued.

§ 1499.696 *Hand laundries in the Milwaukee Area*—(a) *Maximum Prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in the Milwaukee area are hereby modified and henceforth shall be the prices set forth in Appendix A. Lower prices than those established by this regulation may be charged.

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

"Hand Laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 8 or less employees.

"Milwaukee area" means the corporate limits of the county of Milwaukee in the state of Wisconsin.

"Shirts" as used in Appendix A means all shirts except the following: Shirts made of silk, wool, gabardine, rayon and other artificial fibers; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the Office of Price Administration in accordance with section 14 of RMPR 165. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A.

(c) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry subject to it shall post on its premises in a place and a manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(d) *Elimination of individual adjustments.* Section 16 of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation; furthermore, any adjustment in prices heretofore granted to any establishment is hereby revoked as to the services listed in Appendix A.

(e) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

APPENDIX A

Shirts	$0.16
Collars	.05
Undershirts	.08
Shorts	.08
Socks	.05
Pajamas	.20
Handkerchiefs	.03
Hand towels	.03
Bath towels	.05
Pillow cases	.05
Sheets	.15
Union suits (cotton)	.15
Union suits (wool)	.20
Trousers and slacks	.35
Overall jackets	.25
Overall pants	.25
Overalls	.30
Coveralls	.45
Nurses' uniforms	.45
Shop aprons	.15

This supplementary service regulation shall become effective June 16, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10156; Filed, June 11, 1945; 11:49 a. m.]

[1] 9 F.R. 5246, 7574, 14836.

Chapter XIII—Petroleum Administration for War

[Petroleum Dir. 72, as amended June 12, 1945]

PART 1530—MARKETING ROAD OIL

PROHIBITION OF DELIVERY AND USE OF ROAD OIL

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage of petroleum for defense, for private account and for export; and the following directive is deemed necessary for the prosecution of the war and to provide adequate supplies of petroleum for military and other essential uses.

§ 1530.1 *Petroleum Directive 72, as amended June 12, 1945*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Road oil" means crude petroleum or any product derived therefrom (except medium curing cutback asphalt, or flux oil when used exclusively for fluxing natural rock or native asphalt, or when mixed with powdered asphalt for the purpose of preparing plant-mixed paving mixtures) which, upon distillation to 680 degrees Fahrenheit, will yield a residue having a penetration greater than 350 at 77 degrees, 100 grams, 5 seconds.

(b) *Delivery and use of road oil prohibited.* (1) No person shall deliver or accept delivery of road oil for use as a paving material or as a dust palliative on roads or any other surfaces.

(2) No person shall use road oil as a paving material or a dust palliative on roads or any other surfaces, and no person shall deliver or otherwise supply, directly or indirectly, any road oil which he knows or has reason to believe is intended for such uses.

(c) *Communications.* All communications concerning this directive shall, unless otherwise directed, be addressed to: The Director of Distribution and Marketing, Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: PD 72.

(d) *Area of applicability.* This directive shall apply to the continental United States.

(e) *Date of applicability.* Within the States of Washington, Oregon, California, Nevada and Arizona the provisions of this directive shall be applicable upon date of issuance. In all other States and in the District of Columbia the delivery of road oil shall be permitted for a period of ten (10) days after the date of issuance of this Directive, and the use of road oil shall be permitted for a period of twenty (20) days after such issuance date.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3667)

Issued June 12, 1945.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 45-10165; Filed, June 11, 1945; 12:00 m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 6, Amdt. 1]

PART 8306—SALE OF GOVERNMENT-OWNED PLANT EQUIPMENT IN CONTRACTORS' PLANTS

Surplus Property Board Regulation No. 6, May 21, 1945, entitled "Sale of Government-Owned Plant Equipment in Contractor's Plants," (10 F.R. 6309) is hereby amended by adding at the end of § 8306.2 the following paragraph:

Nothing herein shall be construed to authorize the disposal of any plant equipment used or intended to be used for or in connection with the production of alumina or the manufacture, processing, or fabrication of aluminum unless such disposal is first approved in writing by the Board.

This amendment shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

JUNE 7, 1945.

[F. R. Doc. 45-10112; Filed, June 9, 1945; 3:18 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SACRAMENTO AND SAN JOAQUIN RIVERS, KNIGHTS LANDING, CALIF.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the regulations governing operation of the State highway bridges across the Sacramento and San Joaquin Rivers at Knights Landing and Mossdale, California, are hereby amended as follows:

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connecting bays and river systems tributary thereto.* * * *

(b) *Special regulations.* * * *

(4) *Sacramento River.* * * *

BELOW CHICO LANDING

* * * * *

Highway Bridge at Knights Landing. Between the hours of 8:00 a. m. and 5:00 p. m. daily and during such periods when in the opinion of the District Engineer an emergency exists which requires a draw tender in constant attendance, this bridge shall upon proper signal, be opened promptly for the passage of any vessel or vessels or other water craft not able to pass underneath.

Prompt opening of this bridge upon proper signal shall be made at all times during a hauling season which requires twenty (20) or more passages through this bridge in any 30-day period, provided 15 days' written notice of the contemplated traffic is given to the Highway Maintenance Superintendent at Woodland by the operators of the hauling vessels.

Between the hours of 5:00 p. m. and 8:00 a. m. daily during the periods not specified above, opening of the bridge may be assured only after previously notifying before 4:00 p. m. either the Highway Maintenance Superintendent at Woodland or the bridge tender on duty. When previous notice, including the time of intended passage is given, the bridge shall be opened upon proper signal as promptly as possible. Vessels making trips through this bridge without proper notification as specified above, will be delayed until the bridge tender is contacted and notified of the desired opening. Every reasonable means, however, shall be used by the bridge owners to expedite openings at all times. A sign showing where and how the bridge owners' representatives may be reached shall be posted in a conspicuous place on each side of the bridge.

* * * * *

(5) *San Joaquin River below Paradise Dam, Middle River, Burns Cut-Off and Potato Slough.* * * *

Highway (Mossdale) Bridge. Between the hours of 8:00 a. m. and 5:00 p. m. daily, the Mossdale Highway Bridge (crossing the San Joaquin River between the Southern Pacific Railroad and the Western Pacific Railroad bridges) shall, upon proper signal, be opened promptly for the passage of any vessel or vessels or other water craft not able to pass underneath.

Between the hours of 5:00 p. m. and 8:00 a. m. daily, opening of the bridge may be assured only after previously notifying before 4:00 p. m. either the Highway Maintenance Superintendent's office at Stockton or the bridge tender on duty. When previous notice, including the time of intended passage, is given, the bridge shall be opened upon proper signal as promptly as possible. Vessels making trips through this bridge without proper notification as specified above, will be delayed until the bridge tender is contacted and notified of the desired opening. Every reasonable means, however, shall be used by the bridge owners to expedite openings at all times. A sign showing where and how the bridge owners' representatives specified above may be reached shall be posted in a conspicuous place on each side of the bridge.

(Sec. 5, 28 Stat. 362; 33 U.S.C. 499) [Regs. 4 June 1945 (CE 823 (Sacramento River-Knights Landing, Calif-Mile 89.8)-SPEWR)]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 45-10067; Filed, June 9, 1945; 11:21 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 21—BOARDS FOR THE REVIEW OF DISCHARGES AND DISMISSALS OF FORMER PERSONNEL OF THE NAVY, MARINE CORPS AND COAST GUARD

ESTABLISHMENT AND PROCEDURE

Pursuant to the authority vested in the Secretary of the Navy by the act of

June 22, 1944 (58 Stat. 284), the following regulations to govern the review, under the authority of subject act, of discharges and dismissals of former personnel of the Navy, Marine Corps and Coast Guard (9 F.R. 11805) are revised to read as follows:

Sec.
21.1 General provisions; jurisdiction.
21.2 Procedure.
21.3 Action by the Board.
21.4 Review by the Secretary of the Navy.
21.5 The Panel.
21.6 The Board.
21.7 Representatives.
21.8 Correspondence; addressing of requests.

AUTHORITY: §§ 21.1 to 21.8, inclusive, issued under 58 Stat. 284.

§ 21.1 *General provisions; jurisdiction.* (a) In accordance with the Secretary of the Navy's precept of July 22, 1944, the Navy Department Board of Review, Discharges and Dismissals, hereinafter known as the Board, has been established within the Navy Department to review, upon its own motion, or upon request by or on behalf of the individual former officer or enlisted man or woman, or if deceased, by the surviving spouse, next of kin or legal representative concerned, or if incompetent, by the guardian, the type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal of former members of the naval service, except a discharge or dismissal by reason of the sentence of a general court-martial. This jurisdiction is construed to include every separation from the naval service, irrespective of the manner evidenced or brought about, except separations by reason of the sentence of a general court-martial.

(b) The scope of the review shall be to determine whether, under reasonable standards of naval law and discipline, the type and nature of the discharge or dismissal should be changed, corrected or modified, and, if so, to decide what change, correction or modification should be made.

(c) The Board has no authority to revoke any discharge or dismissal, to reinstate any person in the military service subsequent to his discharge or dismissal, or to recall any person to active duty.

§ 21.2 *Procedure*—(a) *Request for review.* (1) The petitioner should submit a written request for a review to the Board, with the certificate of discharge or dismissal in question, if available, and such other statements or affidavits as he desires to present.

(2) The request should state in brief: (i) The type of discharge or dismissal received; (ii) the full name, former rank or rating and the service or file number of the person whose discharge or dismissal is in question; (iii) the place to which any notices in connection with the review may be sent; (iv) the basis of the claim for review; (v) what action is desired of the Board; and (vi) whether the petitioner desires the review on basis of petition and accompanying papers or whether he desires to appear in person before the Board and/or be represented by counsel. (If counsel is desired, the petitioner should designate such counsel by name.)

(3) When the request for review is submitted by a surviving spouse, next of kin, legal representative or guardian, satisfactory evidence of the required relationship must be submitted.

(4) No request for review of a discharge or dismissal shall be valid unless filed within fifteen years after such discharge or dismissal or within fifteen years from June 22, 1944, whichever be the later.

(b) *Review on own motion.* (1) The Board shall not conduct a review on its own motion without first transmitting a written notice to the person concerned or, if such person is deceased, to his surviving spouse, next of kin, legal representative or guardian, by registered mail, return receipt requested.

(2) Such notice shall state that a review of the type and nature of this discharge or dismissal is to be held by the Board, and shall advise the addressee of his right to appear before the Board, in person or by counsel, and to present evidence before the Board in the manner herein prescribed.

(c) *Methods of presenting case.* (1) The petitioner may present his case:

(i) By letter with certificate of discharge or dismissal, if available and affidavits.

((ii) In person, with or without counsel.

(iii) By counsel.

(2) Upon application in person at the office of the Board of Review, the Board may furnish to a petitioner or his counsel such information from the official records pertaining to a discharge or dismissal as may be necessary in order to permit of a fair and impartial review. However, classified matter of the Navy Department will not be disclosed or made available to the applicant or his counsel. When it is necessary in the interests of justice to acquaint the applicant with the substance of such matter, the Board will obtain and make available to the petitioner or his counsel such summary of the classified matter as may be in the judgment of the Board relevant to the case and as will not be incompatible with the public interest.

(d) *Counsel.* The term "counsel," as used herein, shall include members of the bar in good standing and accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936 (Public Law 844, 74th Congress).

(e) *Witnesses.* (1) The Board shall require that all testimony be given under oath or by affirmation.

(2) Witnesses shall be subject to examination and/or cross-examination as appropriate, by the Members of the Board, the petitioner, his counsel, or by the Government Representative.

(3) The testimony of witnesses may be presented either in person or by affidavits.

(f) *Expenses.* No expense of any nature whatsoever incurred by the petitioner, his counsel, his witnesses, or by any other person on his behalf, shall be paid by the Government.

(g) *Notice of hearing.* The Board shall give a petitioner at least thirty days' written notice of the time and the place of the hearing. Such time shall be computed from the time of mailing of the notice. The petitioner may waive such time limit and an earlier hearing date may be set by the Secretary of the Panel.

(h) *Continuances.* A continuance may be granted by the Board on its own motion, or at the request of the petitioner or Government Representative, when such continuance appears necessary in order to insure a full and fair hearing.

(i) *Failure of petitioner to appear.* A petitioner who requests a hearing and who, after being duly notified of the time and place of hearing, fails to appear at the appointed time, either in person or by counsel, thereby waives his right to be present and cannot thereafter take exception to the findings or conclusions arrived at in his absence.

(j) *Evidence.* (1) The Board, in its review, shall consider as evidence all available records of the Navy Department, the Marine Corps or the Coast Guard, together with such evidence as may be submitted by the petitioner and/or his counsel. Whenever, during a review, it appears to the Board's satisfaction that the facts have not been fully and fairly disclosed in the records of the Navy Department and in the testimony and other evidence before the Board, the Board may obtain such further evidence as it may consider essential to a fair and impartial understanding of the facts.

(2) The Board shall not be restricted by legal rules of evidence.

(k) *Records.* Records of the Board shall be open to the Veterans' Administration.

(l) *Withdrawal.* The Board may, at its discretion and for good cause shown, permit the petitioner to withdraw his request for review without prejudice at any time before the Board begins its deliberations.

§ 21.3 *Action by the Board*—(a) *Deliberations.* (1) After a full and fair review of the evidence, the Board shall deliberate in closed session, and shall be governed in its action by the vote of a majority of the Board.

(2) No persons other than members of the Board shall be present at or participate in its deliberations.

(3) Members not concurring may file a minority report.

(4) The findings, conclusions, decision and order shall be signed by the concurring majority members.

(5) In its deliberations a Board shall be guided by the following principles:

(i) Relevant and material facts concerning the petitioner found by a general or summary court martial, or by a court of inquiry or board of investigation where petitioner was in the status of a defendant or interested party, as approved by the reviewing authorities, shall be presumed by the Board as established facts in the absence of manifest error.

(ii) Relevant and material facts stated in a specification to which the petitioner pleaded guilty before a general or summary court martial, or where upon being confronted by such a speci-

fication the petitioner elected to resign for the good of the service or to accept a discharge to escape trial by a general court martial, shall be presumed by the Board as established facts, in the absence of manifest error, or unless the petitioner shall show to the Board's satisfaction, or it shall otherwise appear, that arbitrary or coercive action was taken against him at the time which was not apparent to the reviewing authority from the face of the record.

(iii) A document evidencing separation from the naval service relates only to such naval service. Accordingly, the evidence to be considered will be restricted to that covering relevant and material facts concerning petitioner's naval service, or his character, conduct, physical condition, or other material matter at the time of his entry into the naval service, during such naval service or at the time of separation therefrom (which appear in available records of the Navy Department and in testimony and other evidence before the Board).

(iv) In order to warrant a change, correction or modification of the original document evidencing separation from the naval service, it is incumbent on the petitioner to show to the satisfaction of the Board, or it must otherwise satisfactorily appear, that the original document was improperly or inequitably issued under standards of naval law and discipline existing at the time of such original separation, or under such standards differing therefrom in the petitioner's favor which subsequent to his separation were made retroactive specifically to separations of the type and character had by the petitioner. The standards of naval law and discipline herein contemplated are those standards stated in statutes, regulations, bureau manuals, directives of the Navy Department and other appropriate authority, together with interpretations thereof by the courts, the Attorney General, and of the Judge Advocate General of the Navy.

(b) *Findings of facts.* The Board shall make findings of facts in each case which shall include the following:

(1) Type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal which was issued to the person concerned upon separation from the naval service.

(2) Authority under which discharge or dismissal was issued.

(3) Circumstances surrounding the discharge or dismissal as found by the Board to be established from all the evidence considered. This includes material and relevant facts showing in what specific particulars the original discharge or dismissal certificate was or was not proper or equitable under standards of naval law and discipline applicable to the case as defined in § 21.3 (a) (5) (iv).

(4) Conduct and character of petitioner during the entire period of his naval service in the enlistment or other service period which was terminated by the discharge or dismissal under consideration.

(5) Such other facts as may be disclosed that are necessary and pertinent to the issue in any particular case.

(c) *Conclusion.* The Board, on the basis of its findings, shall prepare conclusions which shall state (1) whether or not any change, correction, or modification should be made in the type or character of the discharge or dismissal given, (2) where pertinent, the particular change, correction or modification that should be made, and (3) the reasons why a change, correction or modification should or should not be made. This should not include comments on the actions of others in the naval service. Where such comment is warranted, it should be made the subject of an official communication entirely independent of petitioner's case.

(d) *Decision.* The Board shall next record its decision. The nature of any change, correction or modification to a certificate of discharge or dismissal shall be specified with particularity. The type and character of document evidencing discharge, dismissal, or other separation which may be adjudged shall be that form of separation certificate in use at the time of petitioner's separation from the naval service which the petitioner would have received had he been given a proper form of separation certificate at that time.

(e) *Order.* A written order based on the decision shall be prepared for transmittal to the Chief of Navy Personnel, the Commandant of the Marine Corps or the Commandant, U. S. Coast Guard, as appropriate.

(f) *Record of proceedings.* (1) When the Board has concluded its proceedings, the Secretary of the Panel shall prepare a complete original record thereof. Such record shall include the request for review, a transcript of the hearing, if any; affidavits, papers and documents considered by the Board; all briefs and written arguments filed in the case; the findings, conclusions, decision and order of the Board; any minority report prepared by dissenting members of the Board, and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record will be authenticated by the Secretary of the Panel as being true and complete.

(2) The record of proceedings of the Board and the action transmitting the record to the Secretary of the Navy for review shall not contain recommendations of any character which relate to matters beyond the scope of the Board's authority. To the extent that such recommendations are warranted, they should be made a matter for separate communication with the departmental agency having cognizance of the subject matter but should not be associated with the records of the petitioner before the Board.

§ 21.4 *Review by the Secretary of the Navy*—(a) *Transmittal of record.* The original record of the proceedings in each case shall be transmitted forthwith by the President of the Board of Review, Discharges and Dismissals, to the Secretary of the Navy for final review.

(b) *Action by the Secretary of the Navy.* (1) The Secretary of the Navy will direct such action in each case as he determines to be appropriate, including the return of the record to the Board for further consideration when deemed necessary.

(2) The procedure of the Board on such further consideration will conform as nearly as practicable to that heretofore prescribed, except that the scope of the action of the Board will be limited to the matters specified by the Secretary of the Navy in the directive ordering such reconsideration.

(3) The Secretary of the Navy, after his final action, will return all records to the Board of Review. After recording the final action in the journal, the Board will notify the petitioner of the action taken in his case, then forward all records to the Chief of Naval Personnel, Commandant of the Marine Corps, or Commandant, U. S. Coast Guard, whichever the case may be, for the following administrative acts:

(i) Carry out the order of the Board of Review in respect to the discharge or dismissal in question.

(ii) Place copies of the Board's order and of the record of proceedings in the service record. A reference shall be made in the copy of the Board's report of all enclosures or exhibits which are to be filed elsewhere.

(iii) Place all records in their proper files for safe custody.

§ 21.5 *The Panel*—(a) *Members.* (1) The Panel shall consist of all members of the several Boards of Review and of all officers detailed to the Office of the Board of Review.

(2) Members of the Panel shall report to and be responsible to the President of the Panel.

(b) *Changes in.* Additions to and other changes in the membership of the Panel shall be made as circumstances warrant, with the approval of the Secretary of the Navy.

(c) *Meetings.* Meetings of the Panel may be called by the President of the Panel. The Panel will meet in Washington at such times and places as designated by the President.

(d) *Administrative regulations.* The Panel shall, from time to time, initiate such changes in the Administrative regulations and procedures as may be deemed advisable, for the approval of the Secretary of the Navy.

(e) *Duties of Panel officers*—(1) *President.* (i) The President of the Panel shall, from time to time, constitute Boards charged with the review functions over discharges and dismissals of Navy, Marine Corps and Coast Guard personnel, as required by section 301 of Public Law 346, 78th Congress.

(ii) He shall designate a Secretary for the Panel, Recorders for each of the several Boards, and the Government and Petitioner's Representatives.

(iii) He shall make provision for close liaison between the Army and Navy to include periodic joint conferences to discuss common problems and to study results of action taken.

(iv) He shall maintain close contact with the Veterans' Administration.

(v) He shall report to and be responsible to the Secretary of the Navy.

(vi) He shall prepare an annual report of the activities of the Panel and of the Boards for submission to the Secretary of the Navy.

(vii) In the absence or incapacity of the President, the next senior member of the Panel will serve as acting President for all purposes.

(2) *Secretary.* (i) The Secretary shall examine requests for review and, when necessary, obtain from the petitioner or from the records of the interested bureau or service, such additional data as may be required to furnish complete information to the Board.

(ii) He shall keep the minutes of the Panel.

(iii) He shall keep a docket of pending petitions, and record of completed reviews.

(iv) He shall assign petitions to appropriate Board for review.

(v) He shall maintain custody of all records and documents transmitted to or filed with the Board.

(vi) He shall perform such other duties as may be prescribed by the President of the Panel.

§ 21.6 *The Board*—(a) *Members.* A Board of Review shall consist of five members and at least three of the five members of each Board should belong to the branch of the naval service (Navy, Marine Corps or Coast Guard) from which the person whose case is being reviewed was discharged or dismissed. In event of the absence or incapacity of the chairman, the next senior member of the Board shall serve as chairman for all purposes. Alternates shall be named for each Board in order to assure full membership at all times.

(b) *Reporter.* The reporter shall record the testimony of witnesses and the proceedings of a board. He shall prepare a written transcript of the proceedings in manner and form as directed by the chairman of the Board.

(c) *Time and place of meetings.* The Boards shall be convened at the call of the President of the Panel and shall recess and adjourn at his order. The Boards shall sit at a time and place to be fixed by the President of the Panel.

(d) *Duties*—(1) *Board.* (i) The Board shall review, on its own motion or upon the request of a former officer or enlisted man or woman or, if deceased, by the surviving spouse, next of kin, legal representative or guardian, the type and nature of the discharge or dismissal in question.

(ii) In the event the petitioner does not appear in person or by counsel, the Board shall review the case on the basis of documentary or oral evidence presented by or on behalf of the petitioner and by the Government Representative.

(iii) In the event the petitioner appears in person or by counsel, the Board shall assemble to hear evidence offered by or on behalf of the petitioner and by the Government Representative. After the conclusion of such hearings, the Board shall, as soon as practicable, arrive at their findings, conclusions and decision. Based thereon, the Board shall prepare its order to the Service concerned.

(2) *Senior member.* The Senior member of a Board shall serve as chairman thereof and shall rule upon matters of evidence and procedure. He may be overruled by a majority vote.

(3) *Recorder.* The Recorder is a member of the Board. He shall:

(i) Carefully summarize the testimony presented at hearings.

(ii) Prepare the findings, conclusions, decision and order of the Board.

(iii) Perform such other duties as may be assigned to him by the President of the Panel.

§ 21.7 *Representatives*—(a) *Government Representative.* When a Government Representative appears and acts as such at a review he may:

(1) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

(2) In cases where the petitioner does not request to be present in person or by counsel, submit pertinent evidence in the Government's behalf in proper documentary form, or orally.

(3) In all cases, when he has knowledge of evidence which would substantiate the petitioner's claim, he shall disclose such evidence to the Board.

(b) *Petitioner's Representative.* In those instances where the petitioner presents his case by letter and affidavits, a member of the Panel, who is not a member of the Board reviewing the case, will be appointed to act as the Petitioner's Representative. The Petitioner's Representative shall:

(1) Submit pertinent evidence in the petitioner's behalf in proper documentary form or orally.

(2) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

§ 21.8 *Correspondence: addressing of requests.* A request for review of a discharge or dismissal with the view of having it changed, corrected or modified should be addressed to:

The Secretary of the Navy
(Board of Review, Discharges and Dismissals)
Navy Department, Washington, D. C.

A request for other purposes, such as permission to reenlist, should be addressed to the appropriate address indicated below, depending on whether the person in question was formerly in the U. S. Navy, U. S. Marine Corps or U. S. Coast Guard:

The Chief of Naval Personnel, Navy Department, Washington, D. C.
The Commandant of the Marine Corps, Washington, D. C., or
The Commandant, U. S. Coast Guard, Washington, D. C.

RALPH A. BARD,
Acting Secretary of the Navy.

[F. R. Doc. 45-10136; Filed, June 11, 1945; 10:07 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, Amdt. 4]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

By virtue of the authority conferred upon me by War Food Order No. 52 (formerly known as Food Directive No. 2 of February 8, 1943, 8 F.R. 1777, as amended on March 16, 1943, 8 F.R. 3280) issued pursuant to Executive Order No. 9280 of December 8, 1942, (7 F.R. 10179), and in order to carry out the purposes of Title III of the Second War Powers Act as amended (50 App. U.S.C. sec. 633) by facilitating the production of an adequate supply of pilchard to meet war and essential civilian needs with a minimum utilization of critical materials and manpower, Order No. 1838 of the Secretary of the Interior (8 F.R. 9233) issued June 30, 1943, as amended (8 F.R. 13517, 9 F.R. 7171, 9 F.R. 9749) is amended and completely revised to read as follows:

§ 401.2 *Coordinated pilchard production plan*—(a) *Jurisdiction.* Control over the activities of pilchard vessels in gainful pursuits on the Pacific Coast of the United States and Alaska and of pilchard plants in the same area through the stage of processing fish, for the purposes herein specified, shall be vested in the Fishery Coordinator and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Statement of policy.* Increased national requirements for food for human consumption, including fish, and especially for proteins and fats, shortage in the supply of such food elements normally secured from other sources, coupled with the limitation of manpower on boats and in plants, shortage of critical materials used in the fishing and fish processing industry, and other war-connected stringencies, have created a condition calling for Government supervision to insure that all pilchard fishing and processing facilities be used with the maximum effectiveness in the production of pilchard and other related fishery commodities and products. It is the purpose and intent of the Fishery Coordinator in administering and enforcing this order to facilitate the maximum production of pilchard and other related fishery commodities and products, especially in the categories most essential to the maintenance of the national war economy, such as canned pilchard for direct human consumption, with also as large an amount of other important products such as fish meal and oil as can be secured without interfering with maximum production in the more essential categories. To this end, the aim will be to insure as nearly as possible a continuous operation at full capacity of all pilchard vessels and of pilchard processing plants, with the least possible use, however, of critical materials and manpower, and with the least possible interference with the economic and industrial freedom of actvity of all persons concerned. In the interest of effective mobilization of material resources necessary to the successful prosecution of the war, it is expected that persons affected by this order will cooperate with the United States Government in the attainment of the objectives which prompt the issuance of this order; among other things, it is expected that those engaged in the industry will make every effort to settle disputes among themselves before the disputes

interfere with maximum production or the other aims of the order.

(c) *Definitions.* For the purpose of interpreting this order and directions, applications, permits and all administrative instruments based upon it:

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

(2) "Pilchard" means raw, unprocessed pilchard (*Sardinia caerulea*), by whatever name known, including sardines.

(3) "Delivery" means the transfer of pilchard to a processing plant, for canning or reduction, to a transporting facility, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, and the fish.

(4) "Port" means a single harbor or group of contiguous or nearly contiguous harbors at which pilchard are landed. San Pedro means the ports of San Pedro, Wilmington and Long Beach. Monterey means the ports of Monterey and Moss Landing. San Francisco means the harbors on San Francisco Bay, and the tributaries thereof. Ports may be added or regrouped in the discretion of the Area Coordinator.

(5) "Registration port" means the port where the permanent document of the vessel issues.

(6) The "home port" of a vessel is the port where the operating owner and the Master and a majority of the crew have all resided a substantial portion of the time since May, 1940, and where the operating owner, the Master, the Fishing Captain, and most members of the crew, have fished for pilchard, each of them during at least half of the period of his pilchard fishing activity in each pilchard season since that date. The Area Coordinator may designate the home port of any vessel for which these criteria are conflicting, if in his opinion there is sufficient consistency among the criterial facts to constitute a basis for such designation.

(7) "Fishing port" means a port from which the vessel operates for the purpose of pilchard fishing.

(8) "Operating owner" means the person (or one of the persons) to whom the vessel is chartered, or if there is no charter, the person who receives (or one of the persons who participates in) the share of the earnings commonly called the "boat's share" as distinct from that of the crew, and distinct from the share paid for use of the net.

(9) "Pilchard vessel" includes any vessel fishing for or delivering pilchard, and also any vessel which has engaged in fishing for pilchard at any time since May, 1940, and also any vessel constructed, remodeled, or converted since that date for fishing for pilchard with any type of gear whether such fishing be intermittent or continuous within the pilchard season, and any vessel constructed, remodeled or converted with the aid of priority assistance secured partly by means of a statement of intent, expressed or implied, to use the boat in pilchard fishing during a part of the year. The provisions of this order and of any direction issued under it shall be applicable to any such vessel regardless of size, except as expressly specified otherwise.

(10) "Pacific Coast" means the coast of Alaska and of the States of Washington, Oregon, and California.

(11) "Fishery Coordinator" means the Secretary of the Interior in the sense in which the Secretary is so designated by Executive Order No. 9204 (7 F.R. 5657).

(12) "Representative" means any person or persons duly designated by the Fishery Coordinator to perform any of the delegable functions authorized by this order.

(13) "Fishery commodities and products" includes any edible or non-edible fish, any form of aquatic animal or plant life, and any other commodity and product, including fats and oils, of marine or fresh water origin, which is within the meaning of the term "food" as defined in section 10 of Executive Order No. 9280 (7 F.R. 10179).

(14) "Pilchard and other related fishery commodities and products" includes, in addition to pilchard and pilchard products, such other fish as are caught with pilchard gear during the pilchard season, and the products of these fish.

(15) "Pilchard season" means the usual sardine or pilchard fishing season, varying in different areas of the Pacific Coast, and in waters off the California coast it means the seasons as set out in section 1065 of the California Fish and Game Code.

(16) Except when the context clearly indicates otherwise each term and phrase has the same meaning as is given to it in War Food Order No. 52 (formerly known as Food Directive No. 2, as amended, 8 F.R. 1777, 3280).

(d) *Catching or delivering pilchard without a permit prohibited.* No person owning or controlling a vessel of 20 register net tons or over shall fish for and deliver pilchard to any cannery, reduction plant, or other establishment at any port on the Pacific Coast of the United States, except as otherwise provided in paragraph (m), unless expressly authorized by a permit issued by the Area Coordinator.

(e) *Clearance of pilchard vessels from ports without a permit prohibited.* Except where there has been an emergency modification of the permit as provided in paragraph (m):

(1) No pilchard vessel of 20 register net tons or over shall be cleared from any port on the Pacific Coast of the United States or Alaska for a fishing voyage of any sort or for a voyage during which it is to be engaged in any gainful pursuit, or enter any port to deliver fish or otherwise to complete such gainful pursuits except in accordance with the terms of a permit issued as set out in this order.

(2) Clearance from a port will not be permitted except when the Master of the vessel shall have such permit in his possession.

(f) *Terms and conditions of permits.* (1) Each permit shall provide specifically the period for which it is issued; the port or ports from which clearance is authorized; and such other reasonable terms and conditions as may be deemed necessary to accomplish the purpose of this order. When a new Master is placed in charge of the vessel, unless the arrangement is temporary for fifteen days or less, the old permit shall be invalid and should be surrendered to the Area Coordinator with an application for immediate issuance of a new permit.

(2) Each permit shall provide that if it shall be ordered suspended (as distinct from revoked) for a violation of this order in the handling of a load of fish, the permittee shall have the option, in lieu of suffering such permit suspension, of paying to the United States Government a sum of money, to be specified in the suspension order, and computed as follows: For each day in the designated suspension period, 50 per cent of the value of fish involved, plus an additional ten per cent of the value for each previous wilful violation of this order by the same person or his representative, whether a penalty has been imposed for such prior violation or not, but disregarding violations prior to July 1, 1944. For the purpose of this clause, infractions during a single trip shall be considered a single violation.

(3) Permits may be amended at any time or new permits issued when deemed necessary by the Area Coordinator to provide an adequate number of fishing vessels at any given port and to assure an even flow of pilchard to canning or reduction plants in order to facilitate the maximum production of pilchard and other related fishery commodities and products commensurate with available manpower and plant facilities.

(4) The terms of a permit may be modified by the Area Coordinator on request of the holder of such permit when conditions are shown to exist which warrant such modification.

(5) Any permit for pilchard fishing may be cancelled by the Area Coordinator if the permittee does not actually start fishing operations thereunder by engaging in one or more pilchard fishing trips within the first five fishing days after the beginning of the pilchard fishing period named therein. A fishing day is a day when a substantial portion of the pilchard fleet in the port in question leaves the port to fish for pilchard.

(6) Whenever the Area Coordinator, after a permit has been issued based upon a home port preference claim, has doubt about the facts upon which the claim is based, he may require a sworn statement as to the facts; and if a sufficient showing is not made within a reasonable time specified in a notice from him to the permittee, the permit so issued may be amended pursuant to subparagraph (3) of this paragraph (f).

(g) *Applications for permits; Master as agent for operating owners.* (1) Applications for permits shall be filed with the Area Coordinator not later than June 1 of each year, except for vessels built or acquired for pilchard fishing during the course of the season, in which case applications shall be filed not less than 10 days prior to the time operation of the vessel is contemplated.

(2) Applications shall contain the following information:

(i) The name of the vessel, the registration port and official number, the name of the operating owner (or if there are several operating owners, the name of the one representing the group in applying for a permit) and the name of the Master of the vessel.

(ii) The permanent residence of the operating owner in whose name as representative of all operating owners the permit is requested to be issued, and of the Master of the vessel, and the date when each such residence was established.

(iii) The fishing ports, during the period since May, 1940, of the Master or such other person as is to be in charge of fishing operations of the vessel as distinct from navigation.

(iv) The port claimed by the applicant as a home port.

(v) The fishing port or ports from which a permit to fish is desired and the period of time during which fishing operations are to be conducted at each of the fishing ports.

(vi) Any other information deemed necessary by the Area Coordinator to accomplish the purposes of this order, including the submission of copies of contracts bearing on the determination of the home port or of the fishing ports or affecting the delivery of pilchard.

(3) The Master of the vessel named in an application for fishing during a particular pilchard, tuna, or other season, shall be deemed the agent of the operating owners for all purposes of administration of this order, including, but not limited to, filing subsequent applications, receiving all communications and service of all notices in any proceedings for violation of the order, waiving notice and hearing in such proceedings. Such agency shall continue until the end of the seasons for all species of fish named in the application, or earlier receipt of notice by the Area Coordinator of designation of another Master for the vessel; such notice shall terminate the permit. The first application for a particular season may be filed by the Master as agent of the operating owners with their consent; and such consent shall be conclusively presumed unless the operating owner named as permittee repudiates the application promptly after learning that it was filed, or that a permit was issued under it, or that the vessel is operating under the permit. The Master of the vessel actually in charge of it, whether named in the application or not, shall also be deemed the agent of the operating owners for the purposes specified.

(h) *Action on applications.* (1) The Area Coordinator shall consider each application on the basis of (i) military and essential civilian requirements for canned sardines, sardine meal and oil; (ii) the necessity of maintaining an even flow of pilchard to available canneries or reduction plants; and (iii) the condition of fishing in the waters adjacent to each port.

(2) So far as is consistent with the factors referred to in subparagraph (1) of this paragraph (h), in acting upon applications preference in assignment to ports shall be given to applicants for home port fishing permits. Whenever the Area Coordinator has doubt as to the facts upon which a home port preference claim is based, he may require that the application be supported by a sworn statement as to the facts. When assignment of vessels to ports other than their home ports is deemed necessary to secure maximum production, or to further the other purposes of this order, it will be given, so far as possible, to vessels which, even without such action would not be operating at their home ports during the period in question.

(3) Permits may be granted on applications filed after the dates specified in paragraph (g) but the rules stated in subparagraph (2) of this paragraph (h) as to the preferential assignment of fishing ports shall not apply to such late applications.

(i) *Individually directed deliveries; new plants; disputes.* (1) The Area Coordinator when it is necessary in his opinion to assure maximum production of all pilchard products, or of the pilchard product deemed most essential, or to assure production of each type of pilchard product in proper proportion to meet the requirements for military and essential civilian supply, or to promote an even flow of the material to canning or reduction plants, or to promote other purposes of this order, may set up a system for distributing in any port, loads of pilchard, mackerel, and any other fish brought into port by pilchard vessels, and direct specifically where and to whom each load shall be delivered. The delivery or the receipt of fish, contrary to such direction shall be a violation of this order.

(2) Whether such a system of directed deliveries has been set up or not, no plant shall receive fish knowing it to have been caught or brought into port in violation of this order or of any permit issued thereunder, except pursuant to a direction from the Area Coordinator, or his representative, given with knowledge of the violation.

(3) When, after the opening of the pilchard season at a particular port and after a system of directed deliveries has been set up there and is operating pursuant hereto for the season, a new plant, whether independently owned or an addition to the facilities of a processor already operating there, is ready to begin operations in the port, application may be made to the Area Coordinator to have a share of the pilchard landings in that port delivered to the new plant, and such application shall be considered and granted or denied on its merits, giving proper weight to all the purposes of this order, including maximum production in the most essential categories to meet the requirements for military and essential civilian supply, and economy in use of manpower and critical material.

(4) The Area Coordinator may refuse or reduce deliveries to any plant the operation of which in his opinion will not further the purposes of this order, if a Government Agency having jurisdiction over the subject has determined that, or has instituted proceedings to determine whether, critical materials or services have been improperly obtained or used in constructing or equipping the plant, preparing it for operation, or placing or keeping it in operation. The phrase "critical materials or services" shall be understood to include any materials or services which, when obtained or used, were subject to restriction, allocation or control by the War Production Board, the War Manpower Commission, or any other Government Agency.

(5) Any person having a substantial interest in the matter may, upon written petition filed with the Area Coordinator, as described in paragraph (p), secure an advance decision as to whether a share of the pilchard landings in a port will be assigned to a proposed plant if and when it is completed. A hearing shall be held upon such petition if deemed necessary by the Area Coordinator. Such a petition may not be filed, however, more than six months before the prospective plant is ready to operate, and the decision shall be ineffective if the plant is not ready to operate within six months after filing, or within such longer time as is specified in the decision itself. Moreover, such decision when given may be otherwise conditioned as the Area Coordinator deems necessary in order to further the purposes of the order.

(6) In the event of any dispute between any person designated to deliver pilchard and the person to whom such delivery is assigned, concerning quantity, quality, payment or other terms of a transaction directed under subparagraph (1) of this paragraph (i), if the Grievance Committee or other conference group established by participants in the industry to settle such disputes in the particular port concerned fails to reach a settlement accepted by both parties, either party may petition the Area Coordinator for exemption from any requirement to deliver pilchard to, or receive pilchard from, the other party. The petition shall set out the facts and shall be served on the other party to the dispute, the respondent, who may serve and file a reply; a hearing shall be held thereon if either party requests it. If in the opinion of the Area Coordinator the facts indicate that the failure to settle the dispute was substantially attributable to respondent's unjustified failure to cooperate reasonably in submitting the dispute for settlement or in carrying out a settlement award, and that such action would further the purposes of this order, he may grant the exemption requested, directing deliveries in that port thereafter so as not to require business transactions between the two parties to the dispute, providing alternative transactions for the petitioner without providing the respondent with alternative transactions to compensate him for transactions lost as the result of such action.

(j) *Designation of particular uses.* The Area Coordinator may direct or prohibit the use of pilchard for canning or for reduction into meal and oil or may direct the use of any specified percentage for each particular purpose or may designate what minimum quantities of canned fish must be packed from the fish dispatched to any specific canning plant, or from any specified portion of such fish

when deemed necessary in order to meet the requirement for military and essential civilian supply.

(k) *Agreements to limit production prohibited.* No contract or agreement, written or verbal, shall be entered into or carried out in whole or in part, and no action shall be taken which directly or indirectly operates to limit the amount of pilchard which may be caught or delivered by any fishing vessel or the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds except as may be ordered by the Area Coordinator. Any limits set by the Area Coordinator may be made applicable to mackerel as well as pilchard and other fish landed by pilchard vessels.

(l) *Records and reports.* (1) All persons engaged in processing pilchard and who are affected by this order shall keep and preserve, for not less than two years, accurate records concerning purchases (including names of sellers and vessels) and production of pilchard and other related fishery commodities and products, and such other material information as may be required by the Area Coordinator.

(2) All records required to be kept by this order or by any order of the Area Coordinator shall be made available for inspection and audit by the Area Coordinator upon request.

(3) The Area Coordinator may require from persons affected by this order daily or other periodic reports with respect to amounts and quality of pilchard and other related fishery commodities and products received, production capacity, quantities of each product produced, and such other material information as may be deemed necessary by the Area Coordinator to carry out the purposes of this order. These record keeping requirements have been approved by the Bureau of the Budget and specific recording and reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget, all pursuant to the Federal Reports Act of 1942.

(4) Any person engaged in processing pilchard or in operation of a pilchard vessel who furnishes false information, through himself or an agent, either orally or in writing, to any representative of the Fishery Coordinator, with respect to any matter within the jurisdiction of this order, shall be guilty of violating this order.

(m) *Modification of permit by radio, etc.* (1) In unusual circumstances, when deemed necessary to meet the exigencies of the occasion, the Area Coordinator may, verbally or by radiotelephone, modify the terms of a permit by change of port for a single trip or otherwise, subject to confirmation in writing within a reasonable period of time thereafter. Any permit modification granted hereunder shall be invalid if the permittee requesting the modification shall deliberately have made a false statement, or failed to make a complete statement, as to the emergency circumstances, including all facts indicating the possibility of meeting the emergency otherwise than by permit modification. Any false or wilfully incomplete statement in requesting such a modification shall be a violation of this order.

(2) Any such emergency modification permitting entry to and delivery of pilchard at a port contrary to the terms of the permit as issued must be secured before the vessel deviates from its course to a permitted port in order to enter another port for delivery of pilchard; after such deviation no action taken by any representative of the Area Coordinator to enable the vessel to discharge its load in the other port shall constitute a modification of the permit or relieve the permittee from responsibility for coming to or delivery at such port contrary to the terms of his permit, unless the action is accompanied by an express provision for such modification and relief.

(n) *Orders and directions.* The Area Coordinator may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be a violation of this order.

(o) *Violation; revocation.* Each permittee shall be responsible for any violation occurring through operation of the vessel under his permit. Any person who violates this order or any order, direction, or prohibition of the Fishery Coordinator, or his representative, or any term or condition of any permit issued by either, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may, by a decision of the Area Coordinator based upon findings of fact made after reasonable notice and hearing, be prohibited from fishing by suspension or revocation of any permit issued, or prohibited from receiving any type of fish for a specified period of time. If the Area Coordinator shall have reasonable grounds to believe that such violation has occurred and if the circumstances are such that he shall deem such action reasonably necessary to carry out the purposes of this order, he may immediately suspend the permit or privilege of receiving fish pending such hearing. In all such remedial proceedings hereunder the Master of the vessel shall be an authorized representative of the operating owners as set out in paragraph (g) (3). Such further action may be taken against the violator as the Fishery Coordinator deems appropriate, including the recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws. If the permit shall be ordered suspended as provided in this paragraph the permittee shall have the option to make the payment described in paragraph (f) (2), in lieu of suffering such suspension; such option shall not be available in lieu of revocation.

(p) *Appeals and petitions for relief.* Any person who finds that compliance with this order imposes an unreasonable burden upon him may petition the Fishery Coordinator for appropriate relief. Any person aggrieved by any action taken by the Area Coordinator, or one of his staff hereunder, or by any direction issued hereunder, or who finds that compliance therewith imposes an unreasonable burden upon him may petition the Area Coordinator for appropriate relief; and after the hearing or other presentation of the matter before the Area Coordinator and his decision, any person affected may appeal from the decision by filing a petition with the Fishery Coordinator. Any petition filed under this paragraph must include a full showing of the pertinent facts, and must be filed in triplicate; and when any petition is filed with the Fishery Coordinator a copy thereof shall be filed at or before that time with the Area Coordinator.

(q) *Surrender of permits; applications; communications.* Permits which have been superseded by amended permits, or which have been revoked, shall be surrendered at once to the Area Coordinator; and all applications, petitions, and communications referred to herein shall, unless otherwise directed, be addressed to and filed with the Area Coordinator, Area II, Office of the Coordinator of Fisheries, 901 Alexander Building, 155 Montgomery Street, San Francisco 4, California.

(r) *Deputy Fishery Coordinator; delegation of authority; designated representative.* For the purposes of this order, the functions, duties and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator. The Area Coordinator in Area II is designated as the representative of the Fishery Coordinator in immediate charge of the administration of this order, is authorized to perform any of the functions of the representative of the Fishery Coordinator hereunder, and is the person referred to whenever the term "Area Coordinator" is used herein. In the performance of these functions the Area Coordinator may designate any members of his staff to carry out any specific functions he may assign to them, and in addition he may delegate specific functions to any member of the staff of the Office of Fishery Coordination or of the Fish and Wildlife Service, with the consent of the superior of such staff member. The Area Coordinator may also designate other Federal officers or employees who are qualified therefor by training or experience to serve as hearing officers with the consent of their superiors in any hearings necessary hereunder.

(s) *Previous orders superseded.* This order shall supersede Conservation Order M–206 as amended September 30, 1942 (7 F.R. 8274), issued by the War Production Board.

(t) *Separability; effective date.* The various clauses and provisions herein are intended to be separable and the invalidity of any one shall not affect any other provision. This order shall become effective immediately.

Issued this 6th day of June 1945.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45 10064; Filed, June 9, 1945; 9:31 a. m.]

Notices

DEPARTMENT OF THE NAVY.

NAVY DEPARTMENT CONTRACTORS

NOTICE REGARDING CLAIMS FOR PATENT INFRINGEMENTS

By letter of January 15, 1945, the Navy Department suggested to contractors the possibility of reducing claims for patent infringement for the use of inventions in the war effort by agreement of such contractors not to assert any claims for patent infringement arising out of the utilization of inventions during the war for governmental purposes. This letter stated that "it is intended that no acceptance of this proposal shall be binding until substantial unanimity of agreement has, in the opinion of the Secretary, been indicated".

The possibility that some contractors may benefit from the generosity of those who have accepted such letter requires me to state that no substantial unanimity has been reached, and that therefore the Navy Department does not consider the acceptances of the letter of January 15, 1945, as binding upon those contractors who have signed acceptances.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-10137; Filed, June 11, 1945; 10:07 a. m.]

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 2047815]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 30, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

6TH P. M.

T. 18 N., R. 86 W., sec. 16, All.
T. 16 N., R. 87 W.,
Sec. 4, Lots 1, 7, 8;
Sec. 5, Lots 2, 7, 8.
T. 18 N., R. 87 W., sec. 16, All.
T. 24 N., R. 87 W., sec. 16, All.
T. 23 N., R. 89 W., sec. 16, N½NE¼.
T. 12 N., R. 91 W., sec. 2, Lot 4.
T. 17 N., R. 91 W., sec. 16, SE¼SW¼.

The above described lands contain 2,269.80 acres.

These lands are a part of Grazing District No. 3, and subject to administration by the Grazing Service.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-10063; Filed, June 9, 1945; 9:31 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Effective upon publication in the FEDERAL REGISTER Rules X, XI and XII of the rules of practice[1] are hereby amended to read as follows:

X. *Exceptions to examiner's report.* (a) Within ten (10) days after service of the examiner's report, any interested party upon whom such report has been served, or the trial attorney for the Government, may file with the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, Washington, D. C. an original and four copies of a statement in writing, setting forth such exceptions to the report or the proceedings (including rulings upon all motions or objections) as he relies upon, together with the original and four copies of any brief he may wish to file in support thereof. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file, within twenty (20) days after service of the report a brief in support thereof.

(b) The statement of exceptions and the briefs filed in support thereof shall set out separately and particularly each exception to the trial examiner's report or rulings, and specific reference shall be made to the pages of the transcript or of the exhibits which are relevant to such exceptions. Consideration of the record on review will be limited to the specific matters raised by the statements of exceptions or briefs filed hereunder. No exception to a finding of fact will be considered by the Administrator unless it is supported by the record references required by this rule.

(c) After the expiration of the time fixed for the filing of exceptions to the examiner's report, the Administrator shall make his decision based on the record of the proceedings, including such exceptions and briefs as may have been filed. The Administrator, on his own motion, may consider any matter raised by the record, may order the reopening of the proceeding before the trial examiner to take further evidence, or may permit or require oral argument before him on any of the issues involved in the proceeding.

XI. *Decision of Administrator.* (a) The Administrator shall issue an order embodying his decision on all issues as to whether respondent has violated the act and the amount of damages due

[1] Not filed with the Division of the Federal Register.

therefor, which shall become final, unless a petition for review is filed under Rule XII, on the expiration of the period provided for the filing of such petition. If the respondent is found guilty of violating the act, the Administrator shall make recommendations to the Secretary in his decision as to whether respondent shall be relieved from the application of the ineligible list provisions of section 3 of the act.

(b) The Decision of the Administrator shall be made part of the record of proceedings, and a copy thereof shall be served in the manner provided for the serving of the examiner's report, upon all parties who were served a copy of the examiner's report, including the respondent or the attorney of record and upon such other parties as the Administrator may direct.

XII. *Review.* (a) Within ten (10) days after service of the Decision of the Administrator any interested party upon whom such decision has been served may file with the Administrator an original and four copies of a petition for review of his decision by the Secretary of Labor which shall set out separately and particularly each error asserted. The request for review and the record will then be certified to the Secretary of Labor.

(b) The petitioner may file a brief (original and four copies) in support of his petition within the period allowed for the filing of the petition. Any interested party upon whom the report has been served, or the trial attorney for the Government, may file within five (5) days after the date upon which the petition is to be filed a brief in support of or in opposition to the Administrator's decision.

(c) The petition and the briefs filed under this rule shall make specific reference to the pages of the transcript or of the exhibits which are relevant to the errors asserted with respect to findings of fact, and objections to such findings which are not so supported will not be considered.

(d) No matter properly subject to objection before the Administrator will be considered by the Secretary unless it shall have been raised before the Administrator or unless there were reasonable grounds for failure so to do; nor will any matter be considered by the Secretary unless included in the assignment of errors. In the discretion of the Secretary, review may be denied if the petition and brief in support thereof fail to show adequate cause for such review.

(e) The order denying review, or the Decision of the Secretary, whichever is entered, will be made a part of the record, and a copy of such order or Decision will be served upon the parties who were served with a copy of the Administrator's decision.

Signed at Washington, D. C., this 6th day of June 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-10130; Filed, June 9, 1945; 2:34 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-561]

THE MANUFACTURERS LIGHT AND HEAT CO.

ORDER FIXING DATE OF HEARING

JUNE 9, 1945.

Upon consideration of the application filed June 6, 1945, by The Manufacturers Light and Heat Company (applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize (1) the operation of an existing connection between Applicant's pipe line and the pipe line of Bessemer Natural Gas Company, where such pipe lines cross at a point located on the Irene Metz farm in North Beaver Township, Lawrence County, Pennsylvania, and (2) the sale of an average of 1,000 mcf of natural gas per month by Applicant to the Bessemer Natural Gas Company; and

It appearing to the Commission that:

(a) On August 4, 1944, Applicant was granted temporary authorization to deliver 60 mcf per day to Bessemer Natural Gas Company for a period not to exceed three months;

(b) On November 4, 1944, Applicant was authorized to continue the delivery of 60 mcf per day to Bessemer Natural Gas Company for a further period of six months;

(c) By letter of April 28, 1945, Applicant was granted permission to continue making such delivery of natural gas to Bessemer Natural Gas Company from May 4, 1945, to November 4, 1945.

The Commission orders that:

A public hearing be held commencing June 14, 1945, at 10 a. m. (e. w. t.) in Court Room No. 4, Sixth Floor, New Federal Building, at Pittsburgh, Pennsylvania, respecting the matters involved and the issues presented in this proceeding.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10131; Filed, June 11, 1945; 9:49 a. m.]

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING DATE OF HEARING

JUNE 8, 1945.

It appearing to the Commission that:

(a) On February 8, 1945, the Commission, upon consideration of the petition of Arkansas Power & Light Company, postponed the public hearing in this matter then set to commence at 10:00 a. m. (e. w. t.) on February 20, 1945, in the Commission's Hearing Room, 1800 Pennsylvania Avenue, NW., Washington, D. C., until May 22, 1945, at the same time and place; on April 24, 1945, the hearing upon this matter was further postponed to June 25, 1945;

(b) Good cause exists for the further postponement of the public hearing in this matter as hereinafter provided;

The Commission orders that:

The public hearing in the above-entitled proceeding, now set to commence on June 25, 1945, be and the same is hereby postponed to commence at 10:00 a. m. (e. w. t.) on September 26, 1945, in the Commission's Hearing Room, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-10132; Filed, June 11, 1945; 9:49 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Rev. S. O. 300, Special Permit 9]

REFRIGERATION OF POTATOES FROM PAHOKIE, FLA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on two refrigerator cars, FGE 18710 and URT 97145, loaded with potatoes, shipped May 18, 1945, by J. H. Barwick, from Pahokie, Florida, to R. H. Dietz Co., Chicago, Illinois (F. E. C.-Sou. Ry.-C. & O.).

The waybills shall show reference to this special permit.

A copy of this special permit has been 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 notice of this permit shall 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 May, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10065; Filed, June 9, 1945; 11:00 a. m.]

[2d Rev. S. O. 300, 2d Amended Gen. Permit 2]

ICING OF POTATOES FROM GEORGIA, SOUTH CAROLINA AND FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 of June 4, 1945 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide initial icing only at the first regular icing station available en route after cars are loaded and billed, on any refrigerator car loaded with potatoes originating at any point in the States of Georgia or South Carolina; and on any refrigerator car loaded

with potatoes originating at any point in the State of Florida, to provide initial icing, and one reicing in transit only at a regular icing station en route.

This general permit shall become effective at 12:01 a. m., June 11, 1945. The icing authorized herein may be accorded only on such refrigerator cars billed on or after that time. This general permit shall expire at 11:59 p. m., July 31, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been 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 notice of this permit shall 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 9th day of June 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-10138; Filed, June 11, 1945; 10:57 a. m.]

[S. O. 313]

UNLOADING OF MANURE AT REDLANDS, CALIF.

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of June, A. D. 1945.

It appearing, that cars PRR 861579 and SP 45617 containing manure at Redlands, California, on the Southern Pacific Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

Manure at Redlands, California, be unloaded. (a) The Southern Pacific Company, its agents or employees, shall unload forthwith cars PRR 861579 and SP 45617 containing manure shipped by Muyres and Dahlanie, now on hand at Redlands, California.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of manure have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-10139; Filed, June 11, 1945; 10:57 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination 17]

RELIABLE MOTOR FREIGHT LINE

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Reliable Motor Freight Line by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of W. G. Burgess, doing business as Reliable Motor Freight Line, 8 No. Greenwood, Tulsa, Oklahoma, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., June 12, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 17."

Issued at Washington, D. C., this 11th day of June, 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-10149; Filed, June 11, 1945; 11:15 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

BRESSLER BROS., INC., AND INTERNATIONAL LADIES GARMENT WORKERS UNION

DIRECTIVE TO WAR PRODUCTION BOARD

In the matter of: Bressler Brothers, Inc. (Atlanta, Georgia), and International Ladies Garment Workers Union, Local No. 122, AFL; WLB Case No. 111-3654-D.

Preliminary statement. The National War Labor Board, pursuant to Executive Order 9370, has reported to the Director of Economic Stabilization that Bressler Brothers, Inc., of Atlanta, Georgia, has failed to comply with a directive order heretofore issued by the Board in final determination of a labor dispute between the company and International Ladies Garment Workers Union, Local No. 122.

The War Labor Board, acting under the provisions of the War Labor Disputes Act of June 25, 1943, in accordance with its regular procedure decided the dispute and provided by appropriate order the wages and hours and other terms and conditions that should govern the relations between the parties. The Company has refused to comply with this order. I hereby find that this refusal threatens to delay and impede the effective prosecution of the war.

In the interest of the war effort, it is imperative that wartime labor disputes of the type involved in this case be resolved through the peaceful procedures established by law. The persistent refusal of this employer to comply with the National War Labor Board's order is disruptive of the government's wartime labor relations program.

I am informed by the Navy Department that it has no direct contracts with this company and that the application of sanctions "would not appear to interfere with the war effort so far as the Navy Department is concerned." The War Department has advised me that action taken pursuant to Executive Order 9370 in this case "would not adversely affect the War Department's program."

Under these circumstances, I find that the allocation to this employer of materials in short supply, or extension of priority assistance to the employer, would delay and impede rather than promote the effective prosecution of the war; and would be contrary to the requirements of the national defense and the public interest.

DIRECTIVE

Therefore, pursuant to the authority vested in me by Executive Order 9370, I hereby direct the War Production Board to deny Bressler Brothers, Inc., of Atlanta, Georgia, its successors and assigns, all applications for priorities assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company.

I further direct the War Production Board to report to me within fourteen days after June 18, 1945, the action taken by it pursuant to this directive.

This directive shall become effective June 18, 1945 and shall remain in effect until such time as the Office of Economic Stabilization informs the War Production Board that the company is in compliance with the National War Labor Board's order.

Effective date: June 18, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 8th day of June 1945.

WILLIAM H. DAVIS,
Director.

[F. R. Doc. 45-10152; Filed, June 11, 1945; 11:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SR 15, Order 44]

NATIONAL SHOE AND LEATHER CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 44 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. National Shoe and Leather Company, Inc.; Docket No. 6064-SR 15.75 (a) (10)-40.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum prices for sales of footwear manufactured by National Shoe and Leather Co., Inc.* (1) The maximum prices at which National Shoe and Leather Co., Inc., of Epping, New Hampshire, may sell and deliver the styles of footwear specified below to wholesalers shall be $1.55 per pair, net. The "OPA Adjustment Charge" shall be, in each case, 5 cents per pair.

Style No.	*Description*
750	Nurses' white elk, rubber sole, leather heel.
385	Old ladies' congress gaiter.
6676	Black kid imitation gypsy oxford.
6676X	White kid imitation gypsy oxford.
6390	Brown kid imitation gypsy oxford, leather heel.
6327	Misses' plain oxford, black kid, imitation tip.
6327X	Misses' plain oxford, white kid, imitation tip.
6622	Black kid gore pump, split vamp, patent tip.
6622X	White kid gore pump, split vamp, white kid tip.
6846	Patent leather tip, black kid oxford.
6846X	White kid tip oxford.
6819	Black kid stetson tie oxford, leather heel.
6819X	White kid stetson tie oxford, leather heel.
6525	Split vamp gypsy, in brown or black kid, patent leather tip.
6525X	White kid split vamp gypsy.
6478	Blue gabardine oxford, blue kid eyelet.
6828	Black kid gore pump.
6828X	White kid gore pump.
6799	Old ladies' bal oxford, black kid.
6110	Black gabardine oxford, patent leather tip, wood heel.
6790	Black kid gore saddle pump.
6790X	White kid gore saddle pump.

(2) *Invoicing of "OPA adjustment charge."* The "OPA adjustment charge" specified in subparagraph (1), above, may be made and collected only if separately stated on the invoice accompanying each sale and delivery.

(3) *Discounts.* Any style of shoe listed in subparagraph (a) (1), above, may be billed at a gross price provided that the net price, after discount, does not exceed the applicable maximum price specified.

(b) *Maximum prices for sales at wholesale.* The maximum price for a sale at wholesale of any style of shoe listed in subparagraph (a) (1), above shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation. The "OPA adjustment charge" specified in subparagraph (a) (1) may not be added to this price. A wholesaler who has not previously established a maximum price for such style of shoe may not, in determining his maximum price therefor, consider the "OPA adjustment charge" specified in subparagraph (a) (1) as a part of his net unit replacement cost for the shoe.

(c) *Notification.* At the time of (or prior to) the first delivery hereafter of each style of shoe listed in subparagraph (a) (1), above, to a purchaser, National Shoe and Leather Co., Inc., shall notify the purchaser in writing of the provisions of paragraph (b), above.

(d) All requests not specifically granted by this Order are denied.

(e) This order may be amended, modified, revised or revoked by the Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10019; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Rev. Order 638]

GEORGE T. WOOD & SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 638 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by George T. Wood & Sons, Inc. High Point, N. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
	Dozen	*Dozen*
Steamer chair	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 12, 1943.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10020; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1414]

J. P. METS AND SONS

APPROVAL OF MAXIMUM PRICES

Order No. 1414 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by J. P. Mets and Sons 1675 Clinton Avenue North, Rochester, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Deck chair	-------	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated March 6, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class

of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This order may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10021; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1527]

C. L. BRADFORD & ASSOCIATES

APPROVAL OF MAXIMUM PRICES

Order No. 1527 under 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by C. L. Bradford & Associates, 222 W. North Bank Drive, Chicago 54, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
Lawn chair	.....	$11.16	$13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated March 4, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10022; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, 2d Rev. Order 1545]

MARTIN LEATHERMAN MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1545 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Martin Leatherman Manufacturing Company, Little Rock, Ark.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by any person
		Dozen	*Dozen*	*Dozen*
Folding canvas chair	1	$8.04	$8.54	$10.05
Folding canvas chair	2	6.68	7.10	8.35

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated April 19, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10023; Filed, June 8, 1945; 4:41 p. m.]

[MPR 188, Rev. Order 1860]

ARKCO SALES CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1860 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Arkco Sales Company, 1110 Woodrow Street, Little Rock, Ark.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by any person
		Dozen	*Dozen*	*Dozen*
Canvas chair	36	$6.68	$7.10	$8
Canvas chair	50	8.04	8.54	10
Rockerless rocker	....	9.54	10.11	11

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated April 8, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10024; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 1979]

GENNETT LUMBER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1979 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Gennett Lumber Company, 52 Page Avenue, Asheville, North Carolina.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
Folding rocker type canvas lawn chair	-------	*Dozen* $11.16	*Dozen* $13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated May 20, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10025; Filed, June 8, 1945; 4:39 p. m.]

[MPR 188, Rev. Order 2079]

J. B. HOLMES

APPROVAL OF MAXIMUM PRICES

Order No. 2079 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by J. B. Holmes, Whitehaven, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
Lawn chair	-------	*Dozen* $10.14	*Dozen* $11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated May 5, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158, of MPR 188; for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10026; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 2367]

NORTH SHORE WOODWORKERS & MANUFACTURERS

APPROVAL OF MAXIMUM PRICES

Order No. 2367 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by North Shore Woodworkers & Manufacturers, 2570 Sheridan Road, Zion, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Folding chair steamer	Finished	*Dozen* $11.16	*Dozen* $13.13
Play pen	----do----	*Each* 3.95	*Each* 4.65
Teeter totter	1200	3.15	3.94
Buzz wagon	-------	1.66	2.07

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty

days, and are for the articles described in the manufacturer's application dated June 26, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10027; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 2381]

L. J. TUCK

APPROVAL OF MAXIMUM PRICES

Order No. 2381 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by L. J. Tuck, 214 Forest Park Court, Pacific Grove, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Steamer chair	.....	*Dozen* $11.16	*Dozen* $13.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 26, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10028; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Rev. Order 3035]

UNION CABINET WORKS

APPROVAL OF MAXIMUM PRICES

Order No. 3035 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Union Cabinet Works, 2008 St. Ferdinand Street, New Orleans, La.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Lawn chair	"Rocka-Rest"	*Dozen* $16.26	*Dozen* $19.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated September 15, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10029; Filed, June 8, 1945; 4:43 p. m.]

[MPR 188, Amdt. 1 to Order 3240]

CABINET SUPPLY

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

The last sentence of paragraph (a) (1) (i) of Order No. 3240 under Maximum Price Regulation No. 188 is amended to read as follows: "These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within twenty days, net thirty days, and are for the articles described in the manufacturer's application dated October 2, 1944.

This amendment shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10030; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, Rev. Order 3434]

ALAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3434 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Alan Furniture Company, 149 Warrington Drive, Rochester 7, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*	*Dozen*
Beach chair	24	$9.54	$10.14	$11.93

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated December 22, 1944.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10031; Filed, June 8, 1945; 4:42 p. m.]

[MPR 188, Rev. Order 3558]

STANTON PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 3558 under § 1499.158 of Maximum Price Regulation No. 188 is revised to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of the Model No. 101-17 Andirons Set manufactured by Stanton Products of 204-09 Jamaica Avenue, Bellaire, Long Island, N. Y.

For all sales and deliveries to retailers by the manufacturer, the maximum price is $4.50 per set.

Retailers making sales of these articles shall determine their maximum prices pursuant to the regulations applicable to their sales. The maximum price established for sales by the manufacturer is for the article described in its application dated February 12, 1945. It applies to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(b) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been established by the Office of Price Administration.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10032; Filed, June 8, 1945; 4:40 p. m.]

[MPR 188, Rev. Order 3706]

LIVON UPHOLSTERING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Livon Upholstering Company, 1920 Lyndale Avenue South, Minneapolis, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer and by persons, other than retailers, who sell from the manufacturer's stock
		Dozen	*Dozen*
2 piece upholstered suite	1	$64.59	$75.77
	2	66.10	77.77
	3	69.94	82.25
	5	78.46	92.31
	7	74.20	87.30
	8	67.14	78.99
	9	82.46	97.01
	11	68.21	80.25
	K-2	92.31	108.60
Upholstered chair	16	28.09	33.05

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

These prices are approved in H grade cover fabric only. For the purpose of determining your maximum prices in other grades of cover fabric the following grade chart shall be used.

Cost of upholstery fabric per yard 54" width, and grade designation

Up to $0.50	A
Over $0.50 to $0.75	B
Over $0.75 to $1.00	C
Over $1.00 to $1.25	D
Over $1.25 to $1.50	E
Over $1.50 to $1.75	F
Over $1.75 to $2.00	G
Over $2.00 to $2.25	H
Over $2.25 to $2.50	I
Over $2.50 to $2.75	J
Over $2.75 to $3.00	K
Over $3.00 to $3.25	L
Over $3.25 to $3.50	M
Over $3.50 to $3.75	N
Over $3.75 to $4.00	O

For sales of the articles when covered with other grades of fabric the maximum prices shall be determined by adding to or deducting from the prices of the articles in H grade of fabric, an amount equal to 28¢ per yard of fabric for each grade of variation from Grade H.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.153 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this

revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 9th day of June 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10033; Filed, June 8, 1945; 4:40 p. m.]

[MPR 220, Order 107]

RUBY PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1315.1558 of Maximum Price Regulation No. 280, it is ordered:

(a) *Applicability.* This order applies to all sales of buna-S rubber bands, packed by the Ruby Products Company, 345 North Water Street, Milwaukee, Wis., in packages containing one-half ounce buna-S rubber bands, each package containing a notation thereon showing that it contains one-half ounce of rubber bands and that the retail price is 10 cents per package.

(b) *Maximum prices.* The maximum price for sales of the commodity described in paragraph (a) shall be:

$1.60 per lb. (32 one-half oz. packages) for sales to dealers.
$0.10 per package for sales at retail.

(c) *Terms.* The cash discount and freight allowance provisions of § 1315.1557d shall apply to sales by Ruby Products Company and by dealers of the commodity covered by this order.

(d) *Notification of maximum prices.* With or prior to the first delivery to a dealer of the commodity priced by this order, the seller shall notify the purchaser in writing of the maximum retail price established by this order for sales at retail. If such purchaser is a wholesaler, such notification shall also give the specific maximum prices for sales to dealers as established by paragraph (b) of this order.

(e) This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10018; Filed, June 8, 1945; 4:43 p. m.]

[MPR 260, Order 1127]

ROMANO & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Romano & Co., 1225 Biscayne Blvd., Miami 36, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Trocadero	Cesares	25	$585.00	75
	Aromosos	25	525.00	70
	Coronas Sublimes	25	368.50	50
	Fancy Tales	25	368.50	50
	Bristol No. 1	25	368.50	50
	Bristol No. 2	25	340.00	47
	Coronas	25	350.00	47
	Coronas Finas	25	261.75	35
	Flechas	25	308.00	39
	Imperiales	25	285.00	38
	Petit Coronas	25	225.00	30
	Perfectos	25	246.50	33
	Belvederes	25	203.50	28
	Selectos de Caro	25	247.50	33
	Presidentes	25	212.50	28
	Trocadero Special	25	195.00	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10034; Filed, June 8, 1945; 4:44 p. m.]

[MFR 260, Order 1128]

MID-CONTINENT EXPORT CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Mid-Continent Export Co., P. O. Box 2646, Tulsa, Okla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Potosi	Faisan	100	$82.50	11
	Palmitas	50	95.00	25
	Brevas Especiales	50	176.00	22
	Panatelas	25	120.00	20
	Petit Perfecto	50	176.00	22
	Club	25	240.00	33
	Coronas Imperiales	25	368.50	50
	Petit Cetros	25	195.00	25
	Tipo Commando	25	180.00	22
	Fumitas Especiales	50	135.00	17
Estrada	Habaneros	50	115.00	15
	Londres	50	145.00	20
	Imperial Londres	50	161.50	25
	Panatelas	50	137.50	17
	Mienelitos	50	169.25	22
	Diplomaticos	25	212.50	28
	Estradas No. 1	25	330.00	44
	Cremas Finas	25	212.50	28
	Estrada No. 3	25	190.00	25
	Havana Club	50	135.00	17
	Rotschilds Selectos	50	161.50	21
	Fancy Coronas	25	200.00	28
	Virginian	50	135.00	18
	Kentucky	50	145.00	20
	Alfonso	50	145.00	20
	Alberto	25	190.00	25
	Tejano	50	145.00	20
	Martini Club	50	190.00	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchas-

ers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10035; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1129]

REX PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Rex Products Co., 46 S.W. First St., Miami 32, Fla., (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
El Premio	Panetelas	50	$154.00	$0.20
	Petit Cetros	25	190.00	.25
	Petit Coronas	25	225.00	.30
	Nacionales	25	249.75	.35
	Coronas	25	330.00	.44
Minerva	Panetelas	50	150.00	.20
	Victorios	50	190.00	.25
	Americans	25	212.25	.28
	Belvederes	25	203.50	.28
	Perfectos	25	225.00	.30
	Coronas	25	385.00	.55
Ellos	Londres	50	161.50	.20
	Petit Cetros	50	154.00	3 for .55
	Cremas	25	176.00	.22
	Coronas	25	176.00	.22
	Cazadores	25	195.00	.25
El Luchador	Panetelas	50	135.00	.18
	Conchas	50	142.00	3 for .55
	Londres	50	154.00	3 for .55
	Cremas	50	190.00	.25
	Coronas	25	275.00	3 for 1.10
	Coronas Grande	25	330.00	.44

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10036; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1130]

LA FAVORITA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Favorita Cigar Factory, 2603 17th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
S. Pitisei	Corona	50	$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10037; Filed, June 8, 1945; 4:45 p. m.]

[MPR 260, Order 1131]

EL FABER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Farber, d/b/a El Faber Cigar Co., 2561 30th St., Sacramento 17, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Faber	Rothschilds	50	$90.00	12
	Magnolia	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10038; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1132]

PATRICK BURNS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Patrick Burns, 407 South Minn. Avenue, St. Peter 5, Minn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
James Allen	5"	50	$32	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10039; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1133]

JOSEPH LACINA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Joseph Lacina, 1716 Bergenline Avenue, Union City, N. J. (hereinafter

called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Beauties	4¾" [1]	50	$75	10

[1] Prices apply only to cigars of the brand and frontmark containing long Puerto Rican fillers.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10040; Filed, June 8, 1945; 4:46 p. m.]

[MPR 260, Order 1134]

ASCHENBACH BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Aschenbach Bros., 2224 N. 15th St., Sheboygan, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
White birch	4¾"	50	$60	2 for 15
Mizola	5"	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10041; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1135]

GARCIA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompany this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Garcia Cigar Factory, 1412½ 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Purd de Sylvia	Londres	50	$56.00	7
Garcia-Cigar	Breva	50	82.50	11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each

brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10042; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1136]

JAMES F. FELTY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) James F. Felty, 1702 South Michigan Avenue, Chicago 28, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Calumet-15	Breva	50	*Per M* $115	*Cents* 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10043; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1137]

INSPIRATION CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Inspiration Cigar Factory, 2128 Main Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Inspiration	Corona	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10044; Filed, June 8, 1945; 4:47 p. m.]

[MPR 260, Order 1138]

CARL K. SHEETZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Carl K. Sheetz, E. High Street, Extended, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Prince of Mecca...	Perfecto.....	50	*Per M* $56	*Cents* 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10045; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1139]

PACKER BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Packer Brothers, 318 W. 47 St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas.....	Corona Junior.	25	$262.50	35
	Corona Extra.	25	426.25	55
	Corona Senior.	25	308.00	39
	Corona Nature.	25	308.00	39
	Pomo Cedro Corona Chica.	50	261.75	35
	Pomo Cedro Corona.	50	385.00	55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10046; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1140]

ARCO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Arco Cigar Company, 1921 12th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia Master...	Sublimes.....	50	*Per M* $93.75	*Cents* 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of

domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10047; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1141]

MANFRED SIMON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Manfred Simon, 1620 14 Ave., Seattle 22, Wash. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
La Noble Habana	Corona	25	330.00	44
	Petit Corona	25	225.00	30
	Perfectos	25	246.25	33
	Noble Corona	25	385.00	55
	Belvederes	50	199.00	28
	Panetelas	50	150.00	20
	Petit Cetros	25	211.75	28
El Matul	Habaneros	25	171.50	22
	Comando-Figura.	50	176.00	22
	Conchita	50	154.00	3 for 55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10048; Filed, June 8, 1945; 4:48 p. m.]

[MPR 260, Order 1142]

CESAR RIVERO MAS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Cesar Rivero Mas, 1613 12 Ave., Tampa, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Jacintico	Londres	50	[illegible]	25
	Coronas	25	[illegible]	38
	Petit Brevas	50	[illegible]	17

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars

of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10049; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1143]

ELUM SALES CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Elum Sales Co., 127 Tremont St. SW., P. O. Box 56, Massillon, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Peril	Selectos	50	$161.50	20
	Petit Coronas	25	212.50	28
	Panetelas	50	135.00	17
	Londres	50	176.00	22
	Coronas	25	249.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10050; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1144]

HUDSON COUNTY TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Hudson County Tobacco Co., 84 Montgomery St., Jersey City, N. J. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Punch	Best Value	50	$190.00	25
	Americans	25	212.50	28
	Perfecto	25	240.00	33
	Petit Coronas	25	261.75	33
	After Dinner	25	297.00	39
	Premiers	25	330.00	44
Mundial	Half Crown	50	190.00	25
	Panetelas	50	150.00	20
Luceros Konukos	Luceros Konukos	50	115.00	15

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10051; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1145]

B. WASSERMAN CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) B. Wasserman Co., 261 Fifth Ave., New York 16, N. Y., (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Particulares	Panetelas	50	$154.00	3 for 55
	Twentys	50	161.50	20
	Cadets	25	176.00	22
	Bankers	25	212.25	28
Bolivar	Magnificos Cello.	25	300.25	39
	Corona Imperiales Cello.	25	425.00	57
Partagas	Corona Chicas	25	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10052; Filed, June 8, 1945; 4:49 p. m.]

[MPR 260, Order 1146]

WM. DEICHES & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Wm. Deiches & Co., Inc., 26 S. Hanover St., Baltimore 1, Md. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$202.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Pomo Cedro Corona Chica	50	261.75	35
	Pomo Cedro Corona	50	385.00	55

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10053; Filed, June 8, 1945; 4:50 p. m.]

[MPR 260, Order 1147]

J. B. ROBINSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) J. B. Robinson, 1387 W. 9th, Cleveland 13, Ohio (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
M. Tapanes	Lcopo	50	$150	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class the purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10054; Filed, June 8, 1945; 4:50 p. m.]

[MPR 260, Order 1148]

ANTONIO GASQUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Antonio Gasquez, 41-38 39th Place, Long Island City 4, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Eulogio Soto	Flor Fina	24	$161.50	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10055; Filed, June 8, 1945; 4:50 p. m.]

[MPR 260, Order 1149]

MIDWOOD TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) M. Lemberg D/B/A Midwood Tobacco Co., 1463 Flatbush Ave., Brooklyn, 10, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Elite	Coronas	25	$345.00	50
	Bates	25	300.00	40
	Alfonsinos	25	280.00	37
	Media Corona	25	253.00	33
	Perfectos	25	246.25	33
	Cigars de Luxe	25	225.00	30
	Petit Cetro	25	212.25	28
	Belvederes	25	203.50	28
	Londres	50	195.00	25
	Symbols	50	195.00	25
	Petit Lirios	50	176.00	22
	Habaneros	50	161.50	20
	Regalia Sports	50	161.50	20
	Panatelas	50	149.00	19
	Royal Palm	50	115.00	15
	Cremo Finos	25	225.00	30
	Pantenitas Herba	100	82.50	11
La Devesa De Murias	Coronas	25	345.00	50
	Petit Coronas	25	253.00	33
	Perfectos	25	246.25	33
	Belvederes	25	203.50	28
	Petit Cetros	25	212.25	28
	Panetelas	50	149.00	3 for 55
	Marconis	25	246.25	33
	Londres	25	206.25	28
	Jockey Club	25	330.00	44
Para Mi	Ideales	25	330.00	44
	Coronas	25	385.00	55
	Nacionales	25	319.00	44
	Media Corona	25	261.75	33
	Perfectos	25	246.50	33
	Londres Imperial	50	206.25	28
	Belvederes	25	203.50	28
	Cometas	50	200.00	28
	Mormandos	50	153.00	22
	Delirios	50	200.00	28
	Perfeccionados	25	203.50	28
	Cadetes	50	140.00	3 for 50
	Panetelas	50	140.00	3 for 50
	Diplomaticos	50	145.00	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of

imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10056; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1150]

MOSS AND LOWENHAUPT CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Moss and Lowenhaupt Cigar Co., 1507 Olive St., St. Louis, Mo. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$262.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Corona Pomo Dero Chica	50	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10057; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1151]

FRED SELIG

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Fred Selig, 1134 S. W. Harrison St., Portland 7, Oreg., P. O. Box 8845 (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Diana	Dianas	50	115	15
	Dianas Esp	50	115	15
	Conchas	50	125	17
	Brevas	50	155	20
	Panetelas	50	150	20
	Londres	50	176	22
	Petit Cetros	50	176	22
	Nacionales	50	190	25

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of im-

ported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10058; Filed, June 8, 1945; 4:51 p. m.]

[MPR 260, Order 1152]

WOODHOUSE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Woodhouse Cigar Co., 37 W. Jefferson, Detroit 26, Mich. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Partagas	Corona Junior	25	$262.50	35
	Corona Extra	25	426.25	55
	Corona Senior	25	308.00	39
	Corona Nature	25	308.00	39
	Corona Pomo Cedro	25	385.00	55
	Corona Chica Pomo Cedro	50	261.75	35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10059; Filed, June 8, 1945; 4:52 p. m.]

[MPR 260, Order 1153]

JOSE GUITIAN CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Jose Guitian Cigar Factory, 3017 Ivy Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Larry	Cadetes	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10060; Filed, June 8, 1945; 4:52 p. m.]

[MPR 260, Order 1154]

INDUSTRIAL SUPPLY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Industrial Supply Co., 140 Riverside Drive, New York 24, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Cafe y	Coronas	25	$225.00	33
	Petit Cetros	25	200.00	25
	½ Coronas	25	200.00	25
	Cremitas	25	169.25	22
	Conchas	50	150.00	3 for 55
	Perlitas	50	135.00	17

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 9, 1945.

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10061; Filed, June 8, 1945; 4:52 p. m.]

[MPR 188, Rev. Order 3500]

HUSKEY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-7727, appearing on page 5475 of the issue for Saturday, May 12, 1945, the following changes are made:

In the table under paragraph (a) (1), the last price in the fourth column, reading "16.51", should read "16.61".

In paragraph (a) (3), the reference to § 1499.156 should read "§ 1499.158".

[Supp. Order 108,[1] Special Order 1]

APPAREL AND APPAREL ACCESSORIES

ADDITIONAL INSTRUCTIONS FOR FINDING MAXIMUM AVERAGE PRICE

An opinion accompanying this Special Order No. 1, under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

SECTION 1. *Purpose of this order.* Under section 3 of SO 108, you find a category's maximum average price by dividing the "total net dollar amount charged" for all items of the category which you delivered as a manufacturer during the applicable base period, by the total number of "units" so delivered. However, due to special circumstances during the base period (such as deliveries of job lots, deliveries of the same items as a manufacturer and as a jobber, etc.), in certain cases you may not be able to find, from your records, the precise totals required under section 3. The purpose of this special order is to provide additional instructions which tell you how to handle such special cases in calculating your maximum average price for a category.

SEC. 2. *Job lots.* If, during the base period for a particular category, you made a delivery of a lot for which your invoice or other records do not show both the number of units of that category in the lot and the total net dollar amount charged for items of that category in the lot, you exclude that delivery in figuring your maximum average price for that category.

You must keep for inspection by the OPA your records of such deliveries excluded under this provision as well as all other records of deliveries made during the base periods. You must attach to each copy of your maximum average price chart, a statement showing the total net dollar amount charged for all of these deliveries combined which you excluded in figuring your maximum average prices. If you have excluded any of these deliveries in figuring your maximum average prices, the OPA may, at any time, revise your maximum average prices downward.

SEC. 3. *Sellers who cannot determine the category in which an item belongs.* This section provides rules for sellers whose base period invoices or other records do not indicate the category to which the item belongs (such as records which do not show the size range or materials from which the items delivered were made).

If you can find from any of your records (e. g. your delivery records for other deliveries of the same style or lot number, your cutting records, other production records, promotional material, specifications, etc.) the category of items you delivered during the base period, you must include those items in figuring your maximum average price for that category.

For example: A glove manufacturer has a record of a delivery of 100 dozen pairs of Style 101 at $20 net per dozen during the base period. The delivery record does not show whether this was a man's, woman's or child's glove or whether it was 100% leather or some other fabric. However, his cutting records of Style 101 show that it was made only in men's sizes. While the cutting records do not show the material, they do contain references to the invoices covering his purchases of the materials of which the glove was made. Examination of these invoices shows that they covered only purchases of leather. Also, a circular which the manufacturer furnished to his salesmen describes Style 101 as being made of leather. These records therefore establish that this delivery of Style 101 was in Category F-25 (men's 100% leather gloves). The manufacturer must therefore include the 100 dozens and the $2,000, in this delivery in figuring his maximum average price for Category F-25.

(a) *Calculation of maximum average prices by exclusion of unidentified deliveries.* If none of your records enable you to determine the category of certain items included in a particular delivery made during the base period, you must exclude that delivery in figuring your maximum average prices. You must also attach to each copy of your maximum average price chart, a statement showing for each delivery you exclude in calculating your maximum average prices (1) the number of units of each item in the delivery, (2) the description shown on your delivery record for each item, and (3) the net amount charged per unit for each item. If you have excluded any unidentified deliveries in figuring your maximum average prices, the OPA may, at any time, revise your maximum average price downward.

For example: A manufacturer has a record of a delivery of 50 misses' dresses of Style 201 at $3.50 less 8/10 EOM each during the base period. His delivery record does not indicate whether these dresses were made of wool, cotton or other fabrics. None of his delivery records for Style 201 shows the fabric of which the dresses were made. His production records (cutting tickets and fabric purchase invoices) show that some dresses in Style 201 were made of rayon fabrics and some were made of cotton fabrics. He therefore cannot determine whether the dresses included in this delivery belonged to Category A-27 (Women's, Misses' and Juniors' Cotton dresses) or to Category A-28 (Women's, Misses' and Juniors' dresses of all other fabrics). He therefore excludes that delivery in figuring his maximum average prices for Categories A-27 and A-28.

(b) *Sellers who delivered all items at the same net price.* If you delivered all of your items at the same net price during the base period, but cannot tell the category of particular deliveries, you must allocate these deliveries among all

[1] 10 F.R. 4336.

the categories which you delivered during the base period, in whatever fashion you choose.

For example: In the base period a manufacturer of misses' dresses made only one price line—$3.50 less 8/10 EOM. Although he manufactured several different styles, and used both cotton and rayon fabrics, his records show that he made each of these styles in both rayon and cotton fabrics. His delivery records describe the items delivered only as "dress" and state the style number. Therefore he cannot tell whether any particular delivery covered a dress in Category A-27 or A-28. However, his records show that all deliveries were made at $3.50 less 8/10 EOM per dress or $3.22 net. He delivered 2,000 units at a total net dollar amount of $6,440 in the base period. He may allocate 1,000 units and $3,220 to each of Categories A-27 and A-28 or 1,500 units and $4,830 to one category and 500 units and $1,610 to the other or he may allocate in any other proportions. In any case his maximum average price for each category is $3.22 net.

(c) *Applications for authorization by sellers who cannot determine the category in which an item belongs.* If you do not choose to figure your maximum average prices by excluding deliveries of items whose categories you cannot determine, you must (except in the case described in (b) above) apply to the OPA under section 9 (b) of SO 108 for an order establishing maximum average prices for the categories to which your records indicate the excluded items might have belonged. In filing this application, you must add to the information required by section 9 (b), a statement listing each delivery of items whose category you cannot determine, and for each delivery (1) the number of units of each item, (2) the description shown on your delivery record for each item, and (3) the net amount charged per unit for each item.

SEC. 4. *Items for which base period records as to deliveries are not obtainable.* If you are unable to make an accurate determination of your maximum average price for one or more categories which you delivered during the base period because your records as to deliveries of some items are missing or unobtainable, you may calculate your maximum average price on the basis of the obtainable records which show your base period deliveries of the remaining items. However, you must attach to your maximum average price chart a statement showing:

(a) The quantity of unobtainable records (for example, if you are figuring your maximum average price on the basis of invoices and your invoices are kept in numerical order, the number of the missing invoices) and,

(b) The approximate total number of units covered by unobtainable records.

The OPA may, at any time, revise downward your maximum average prices for categories for which some of your records are unobtainable.

If you do not choose to calculate your maximum average price for a particular category on the basis of incomplete records or if you have no records at all for the base period, you must apply to your OPA District Office for an authorized maximum average price, as explained in section 9 (b) of SO 108. You must add to the information required by section 9 (b) the information required in (a) and (b) above as to each category for which you are requesting a maximum average price.

SEC. 5. *Sellers who manufactured and jobbed items within the same category.* If, during the base period, you delivered items within the same category as a manufacturer and also as a jobber, and with respect to certain deliveries of items in this category you are unable to determine on the basis of your invoices or other records whether these deliveries were made by you as a manufacturer or as a jobber, you must include all the items making up these deliveries in figuring your maximum average price for that category. Of course, you must not include any deliveries of items which your invoices or other records show were delivered by you as a jobber.

For purposes of this order, "delivery as a jobber" means a delivery of an item to a person other than an individual ultimate consumer by a seller who purchased the item in the same form in which he sold it.

For example: A manufacturer, during the base period, produced women's fabric gloves (Category C-16) to sell at $10 and $15 per dozen and jobbed women's fabric gloves to sell at $15 and $18 per dozen. He cannot tell from his records of his $15 per dozen deliveries, which of them cover the gloves he made and which cover gloves he jobbed. He excludes his $18 deliveries altogether in figuring his maximum average price for Category C-16, since he knows he did not manufacture any of them. He includes all of his $10 deliveries since he knows he made all of those gloves himself, and he includes all his $15 deliveries since he does not know which of these gloves he made and which he bought.

SEC. 6. *Sellers who deliver sets or combinations of which they did not manufacture all component parts*—(a) *Calculation of maximum average prices.* If, during the base period for a category which consists of a set or combination of items, you delivered sets in that category composed of one or more component parts which you manufactured and one or more component parts which you purchased in the same form in which you sold it, and if you cannot, from your invoices or other records determine the net amount charged for the component parts which you manufactured, you must calculate your maximum average price for sets in that category as if you had manufactured all the component parts of the set. That is, you include in the total net dollar amount charged, your total net charge for the set. Of course, if you can determine the net amount charged for each item in the set, which you manufactured, you must figure a maximum average price for the category which includes each of those items, and you must not include this set in calculating a maximum average price for the category which includes the set.

For example: A manufacturer of women's hats bought gloves from another manufacturer and delivered hat and glove sets at a unit price. If he can separate the amount he charged for hats from the total charge for the sets, he includes this amount and the corresponding number of units in Category C-7 in determining his maximum average price for women's and misses' millinery, and does not include these sets in figuring a maximum average price for Category C-23 (Women's and Misses' sets). If he cannot separate the amount charged for the sets, he includes the total amount charged for the sets and the number of units delivered in Category C-23 and figures a maximum average price for sets as if he had been the manufacturer of the entire set.

(b) *Maximum average price limitation.* On and after June 1, 1945, your weighted average price for deliveries in any calendar quarter of a set or combination which you deliver at a unit price and which is composed of one or more component parts which you manufacture and one or more component parts which you purchase in the same form in which you sell it, should not be higher than your maximum average price for the category which includes the set in the period in which that quarter occurs. Thus, if you deliver the set at a unit price and do not make a separate charge for the items in the set which you manufacture, you must figure a weighted average price for the category which includes the set even though you did not manufacture all the items in it and this weighted average price should not exceed your maximum average price for the set.

This special order shall become effective June 9, 1945.

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

Issued this 8th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10017; Filed, June 8, 1945; 4:39 p. m.]

[Order 54 Under 3 (e)]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (e) of the General Maximum Price Regulation; *It is ordered:*

(a) The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers and consumers of various parts and sub-assemblies sold by it for which maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington, D. C.

(b) The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on

file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(c) The maximum prices for sales by dealers to consumers of parts and subassemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(d) The Frigidaire Division, General Motors Corporation, shall notify each of its distributors and dealers, in writing, at or before the issuance of the first invoice after the effective date of this Order, of the maximum prices in dollars-and-cents established for it and shall also inform each distributor and dealer of their dollars-and-cents maximum resale prices.

(e) The Frigidaire Division, General Motors Corporation, shall report the maximum prices in dollars and cents for sales by it to its various classes of customers and dollars and cents resale prices resulting from the application of the formula contained in its letter of March 12, 1945, for each of the items priced by such formula, within 30 days after a maximum price is computed under this Order. Such report shall be submitted to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(f) This order may be amended or revoked by the Price Administrator at any time.

Issued this 9th day of June 1945.

Effective this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10101; Filed, June 9, 1945; 11:40 a. m.]

[SR 15, Amdt. 1 to Order 22]

GRANULATED CHARCOAL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and Appendix A (a) of Maximum Price Regulation No. 431, *It is ordered:*

Order No. 22 under § 1499.75 (a) (18) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended by inserting in the table in paragraph (a) between the listings for "Granulated charcoal in bags, ground and sized (bags included)" and "Standard briquettes in bulk" the following:

Granulated charcoal in bags, ground and sized (bags included), produced by milling lump charcoal or reground granular charcoal	$44

This amendment shall be effective as of May 29, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10095; Filed, June 9, 1945; 11:40 a. m.]

[MPR 120, Amdt. 2 to Order 1289]

CONSOLIDATED FUEL COMPANY, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, Order No. 1289 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. In the table of maximum price exceptions in paragraph (1) the following changes are made:

(a) The symbol "1" appearing before the item "All mines in Tyson and Big Vein seams" is deleted and "1a" is inserted in lieu thereof, and in the above item the word "Strip" is inserted between the words "All" and "Mines".

(b) Between the symbols "1a" and "2" and their respective items, subdistrict numbers, and maximum prices, the symbol "1b", item, subdistrict numbers and maximum prices are inserted as follows:

Mine index No.	Mine name	Subdistrict No.	Rail shipments				
			1	2	3	4	5
1b	All deep mines in Tyson & Big Vein Seams	43 and 44	435	415	415	400	400

Railroad locomotive fuel					Truck shipments					Smithing coal
1	2	3	4	5	1	2	3	4	5	
435	415	415	400	400	435	415	415	400	400	400

2. In the footnotes below the table of maximum price exceptions in paragraph (1) the following changes are made:

(a) The footnote 1 is deleted and in lieu thereof footnote 1a is inserted to read as follows:

1a All strip mines in subdistricts 43 and 44 producing coal in tyson and big vein seams, including new mines for which prices have been established by the OPA, Order Nos. 327 and 1289, as amended; Mine Index Nos. 3382, 3807, 3817, 3818 and 5082.

(b) The footnote 1b is inserted between footnotes 1a and 2 to read as follows:

1b All deep mines in subdistricts 43 and 44 producing coal in Tyson and Big Vein seams, including new mines for which prices have been established by the OPA, Order Nos. 327 and 1289; Mine Index Numbers 52, 77, 84, 85, 94, 108, 109, 110, 111, 112, 113, 175, 177, 215, 254, 305, 397, 500, 515, 516, 517, 535, 632, 642, 679, 691, 692, 799, 865, 866, 897, 929, 965, 1027, 1043, 1071, 1088, 1121, 1182, 1204, 1215, 1304, 1311, 1341, 1358, 1490, 1544, 1615, 1644, 1707, 1710, 1719, 1904, 1908, 2101, 2142, 2166, 2167, 2002, 2248, 2265, 2318, 2731, 2755, 2890, 2953, 3282, 3295, 3307, 3517, 3619, 3667, 3773, 3821, 3983, 5087, and 5165.

This amendment to Order No. 1289 shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10096; Filed, June 9, 1945; 11:40 a. m.]

[RMPR 136, Order 452]

WHEELCO INSTRUMENTS CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 452 under Revised Maximum Price Regulation 136—machines, parts and industrial equipment, Wheelco Instruments Company; Docket No. 6083-136.21-333.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales by Wheelco Instruments Company, Chicago, Illinois, of industrial measuring and control instruments to equipment manufacturers and stocking jobbers shall be determined as follows: The company shall apply the following discounts to the list prices it had in effect on October 1, 1941:

Item	*Percentage discount*
Standard assemblies of indicating pyrometric type temp. controllers:	
Potentiotrols	15
Capacitrols	15
Limitrols	15
Resistance thermotrols	15
Standard assemblies of indicator pyrometers:	
Port. types millivolt	15
Potentiometers	15
Wall and panel types	15
Standard assemblies of combustion safeguards:	
Flameotrols	20
Accessories:	
Rheotrols, imputrols, throttletrols	20
Assembled thermocouples and bulbs	20
Protecting tubes and wells	20
Thermocouple wire, ext. leads, parts	20
Control motors	20
Steel panels and multiple switches	20
Internal replacement parts	20
Electrodes and flame eyes	20
Limit switches and alarm bells	20
Cables	20
Push button switches	20
Relay and transformers	20
Pilot burners	20
Internal replacement parts	20

(b) The maximum prices for sales by resellers of industrial measuring and control instruments manufactured by Wheelco Instruments Company shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted by this order.

(c) Wheelco Instrument Company shall notify each purchaser who purchases industrial measuring and control instruments from Wheelco Instruments Company for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10097; Filed, June 9, 1945; 11:41 a. m.]

[MPR 188, Amdt. 81 to Order A-1]

NARROW MOUTH GLASS CONTAINERS
MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (58) is added to read as follows:

(58) *Modification of maximum prices for certain narrow mouth glass containers*—(i) *Purpose of this paragraph.* It is the purpose of this paragraph to provide for the modification of maximum prices for certain narrow mouth glass containers covered by Maximum Price Regulation 188 of manufacturers located in the Eastern Area (as defined in section 2.1 of Maximum Price Regulation 382) on shipments into the Western Area (as defined in section 3.1 of Maximum Price Regulation 382).

(ii) *Commodities covered by this paragraph.* This paragraph shall apply only to machine made glass bottles, jars or tumblers with a capacity of 140 fluid ounces or less, except ampules or vials made from glass tubing, which are suitable for packing any products.

(iii) *Maximum prices.* The maximum prices for sales by any manufacturer located in the Eastern Area of the commodities described in (ii) on shipments into the Western Area shall be the higher of the following:

(*a*) The maximum price of the commodity as established under Maximum Price Regulation 188 when sold within Zone 1 of the Eastern Area plus the lowest applicable freight rate to the purchaser's destination in the Western Area, less 35¢ per cwt., or

(*b*) The maximum price for the commodity as established under Maximum Price Regulation 188 when sold within the Western Area.

(iv) *Applicable period of this paragraph.* The provisions of this paragraph shall be applicable only on sales made prior to August 1, 1945.

(v) *Definition of areas.* For the purpose of this paragraph the term

(*a*) "Eastern Area" shall include all of the continental United States east of a line determined by the western boundaries of New Mexico and Colorado and by the western boundaries of the Counties of Carbon, Natrona, Washakie and Big Horn in Wyoming and by the southern boundaries of the Counties of Park, Meagher, Judith, Basin, Fergus and Blaine in Montana.

(*b*) "Zone 1 of the Eastern Area" shall include all territory within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, Indiana, Illinois, the District of Columbia, and the Cities of Hannibal and St. Louis in Missouri; the Cities of Davenport, Clinton, Cedar Rapids, Dubuque, Keokuk, Fort Madison and Burlington in Iowa, the Counties of Kenosha, Racine, Waukesha, and Milwaukee in Wisconsin; and in Michigan all territory south of and including the Counties of Muskegon, Kent, Ionia, Clinton, Saginaw, Genesee, Lapeer and St. Clair.

(*c*) "Western Area" shall include the States of California, Arizona, Utah, Nevada, Oregon, Washington, Idaho; and in Montana, all Counties west of and including the Counties of Hill, Chouteau, Cascade, Lewis and Clark, Broadway, and Gallatin; and in Wyoming, all Counties west of and including the Counties of Park, Hot Springs, Fremont and Sweetwater.

(vi) *Reports required.* Any manufacturer modifying his maximum prices in accordance with (iii) (*a*) above shall submit to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., a report on the 15th day of each month containing the following information for each shipment made during the previous calendar month:

1. The name and address of the purchaser.
2. The location of the factory from which shipments were made.
3. A description of the commodities shipped together with the quantities thereof.
4. A statement setting forth the modified maximum prices showing how they were determined.
5. A statement from each purchaser, submitted by the manufacturer, that the excess permitted under this paragraph over the applicable maximum price as established under Maximum Price Regulation 188 will not be passed on to the purchasers in the first sale of any commodity packed in the containers, and that the increase in the maximum price will not be made the basis of an application to the Office of Price Administration by the seller of such commodity to increase his maximum price. This statement need not be submitted monthly. However, one such statement must be submitted to cover all purchases made in accordance with this paragraph at the time the first shipment is made to the purchaser.
6. A statement that the modified maximum prices have been properly computed by maintaining the most favorable price differentials, whether published or unpublished, which were or would have been allowed in the Eastern Area by the manufacturer during March 1942 to purchasers who resell the containers as such.

(vii) *When modified maximum prices may be revised.* The maximum prices determined in accordance with this paragraph may at any time, after receipt of the report required in (vi), be revised by the Price Administrator.

This amendment shall become effective June 15, 1945.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10100; Filed, June 9, 1945; 11:40 a. m.]

[MPR 188, Order 3928]

ICE COOLING APPLIANCE CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. Chicago, Illinois, for sales by any person of the following farm and home freezer manufactured by the Ice Cooling Appliance Corporation shall be:

Item	On sales to distributors	On sales to dealers	On sales to consumers
HL-9 Koldmaster home freezer	$107.50	$129.00	$215.00

(b) On sales by the Ice Cooling Appliance Corporation the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: $4.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum price established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: $4.00.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in

writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum price established by this order for each such seller as well as the maximum price established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Ice Cooling Appliance Corporation shall stencil on the inside of the lid or cover of the farm and home freezer covered by this order, the maximum net price to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price $215

Plus freight and crating as provided in Order No. 3928 under Maximum Price Regulation No. 188.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10096; Filed, June 9, 1945; 11:41 a. m.]

[MPR 188, Order 3929]

GENERAL MOTORS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. Dayton, Ohio, for sales by the Frigidaire Division of the General Motors Corporation to distributors, dealers and consumers of various parts and sub-assemblies manufactured by the company but not previously sold as repair parts and sub-assemblies for which maximum prices have not heretofore been established shall be the prices derived by applying the formula contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(b) The maximum prices for sales by distributors to dealers and consumers of the parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the maximum prices derived from the formula for sales by it to dealers and consumers contained in the March 12, 1945, letter from the company, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(c) The maximum prices for sales by dealers to consumers of parts and sub-assemblies manufactured by the Frigidaire Division, General Motors Corporation, for which maximum prices have not heretofore been established by the company, shall be the prices derived from the formula for sales by it to dealers and consumers contained in its letter of March 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(d) The Frigidaire Division, General Motors Corporation, shall notify each of its distributors and dealers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices in dollars-and-cents established for it and shall also inform each distributor and dealer of their dollars-and-cents maximum resale prices.

(e) The Frigidaire Division, General Motors Corporation, shall report the maximum prices in dollars and cents for sales by it to its various classes of customers and dollars and cents resale prices resulting from the application of the formula contained in its letter of March 12, 1945, for each of the items priced by such formula, within 30 days after a maximum price is computed under this order. Such report shall be submitted to the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C.

(f) This order may be amended or revoked by the Price Administrator at any time.

Issued this 9th day of June 1945.

Effective this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10099; Filed, June 9, 1945; 11:42 a. m.]

[MPR 260, Order 1155]

MANUEL RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Manuel Rodriguez, 318 West Madison St., Chicago 6, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Romo	5″	50	$115	15
Sol Patres	4¾″	50	115	15
Reverente	4⅜″	50	115	15
Hearst Annex	4¾″	50	115	15
Plantes	4⅛″	50	56	7
Manuel Rodriguez.	5″	50	130	3 for 50
Reverente	5″	50	130	3 for 50

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10102; Filed, June 9, 1945; 11:42 a. m.]

[RMPR 369, Order 1]

DRY ROOFING AND FLOORING FELTS

AUTHORIZATION OF MAXIMUM PRICES

Section 10 of Revised Maximum Price Regulation 369 provides that the Office of Price Administration may, when a request for a change in the applicable maximum price is pending, authorize any person to deliver or agree to deliver dry roofing felt at prices to be adjusted upward in accordance with action taken by the Office of Price Administration. The section also provides that authorization may only be given when it is necessary

to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

It appears that there are several petitions on file requesting the amendment of Revised Maximum Price Regulation 369 so as to allow an increase in the maximum prices of dry roofing felt. This Office is reviewing the existing maximum prices for dry roofing felt with a view to afford relief in case the petitioners' claims are justifiable. Since final action cannot be taken immediately, the granting of an authorization to use adjustable pricing is deemed necessary to promote production and distribution of the commodities involved. The granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, nor will it defeat or impair the policy of Executive Orders 9250 and 9328.

After due consideration of the foregoing and pursuant to Section 10 of Revised Maximum Price Regulation 369, *It is ordered*, That:

(a) Manufacturers may sell or agree to sell and anyone may buy or agree to buy dry roofing felt for which maximum prices are established in Appendix A of Revised Maximum Price Regulation 369, at prices to be adjusted in accordance with the disposition by the Office of Price Administration of the petitions which are now on file with the Office of Price Administration requesting an amendment to Revised Maximum Price Regulation 369.

(b) Payments in excess of the maximum prices established by Revised Maximum Price Regulation 369 may not be collected or paid pending further action by this Office.

This order shall become effective June 11, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10094; Filed, June 9, 1945; 11:42 a. m.]

[MPR 426, Order 4]

CANTALOUPS, HONEYBALL MELONS AND HONEYDEW MELONS

EXTENSION OF EARLY SEASON MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to section 13a of Maximum Price Regulation 426. *It is ordered*, That:

Maximum prices set for cantaloups, honeyball melons and honeydew melons for the period May 1–June 25 (see Maximum Price Regulation 426, section 15, Appendix H, paragraph (b), Tables 10 and 11) shall apply through July 7, 1945, and that the maximum prices set for these melons for the period June 26–July 25 shall not be effective until July 8, 1945.

This order shall become effective June 25, 1945.

Issued this 9th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 8, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-10127; Filed, June 9, 1945; 4:15 p. m.]

[RMPR 499, Order 23]

LONGINES-WITTNAUER WATCH CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices for all sales by the classes of sellers named of the Swiss watches specified below imported by Longines-Wittnauer Watch Company, Inc., 580 Fifth Avenue, New York, New York, hereinafter called the "importer."

(b) *Maximum prices.* The maximum prices for sales of the Longines, Le Coultre and Wittnauer watches identified below are as follows:

LONGINES WATCHES

LADIES WATCHES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Aida, 17J 5L gold filled, cord	$29.75	$65.00
Chico, 17J 6L, gold filled, cord	28.25	59.50
Delmar, 17J 5L, gold filled, cord	32.50	69.50
Dinah, 17J 5L, gold filled, cord	29.75	65.00
Ella, 17J 5L, gold filled, cord	29.75	67.50
Gilda, 17J 6L, gold filled, cord	28.50	63.50
Karen, 17J 6L, gold filled, cord	28.50	65.00
Lille, 17J 5L, gold filled, cord	32.50	71.50
Loretta, 17J 5L, gold filled, cord	30.50	65.00
Marseilles, 17J 5L, gold filled, cord	28.50	65.00
Mignon, 17J 5L, gold filled, cord	32.50	71.50
Mimi, 17J 5L, gold filled, cord	29.75	65.00
Myra, 17J 5L, gold filled, cord	30.50	65.00
Norma, 17J 5L, gold filled cord	32.50	71.50
Sharon, 17J 5L, gold filled, cord	32.50	69.50
Tally-Ho, 17J 5L, gold filled, cord	33.75	67.50
Thelma, 17J 5L, gold filled, cord	29.75	63.50
Valarie, 17J 5L, gold filled, cord	30.75	67.50
Vivian, 17J 5L, gold filled, cord	30.50	67.50
Alexandra, 17J 5L, 14K, cord	43.50	100.00
Augusta, 17J 5L, 14K, cord	39.50	93.50
Calais, 17J 5L, 14K, cord	40.75	95.00
Carolyn, 17J 5L, 14K, cord	40.75	100.00
Ceres, 17J 5L, 14K, cord	35.50	71.50
Fairlawn, 17J 5L, 14K, bracelet	91.00	215.00
Laurel, 17J 5L, 14K, cord	35.50	71.50
Linda, 17J 5L, 14K, cord	40.75	95.00
Lucille, 17J 5L, 14K, cord	40.75	100.00
Marianne, 17J 5L, 14K, cord	40.75	100.00
Miriam, 17J 5L, 14K, cord	35.50	71.50
Moderne, 17J 5L, 14K, cord	47.50	125.00
Pompadour, 17J 5L 14K, cord	35.50	71.50
Riviera, 17J 5L 14K, bracelet	166.00	375.00
Saratoga, 17J 5L 14K, cord	45.50	110.00
Sherry, 17J 5L 14K, cord	40.75	100.00
Sylvia, 17J 5L 14K, cord	34.75	71.50
Theodora, 17J 5L 14K, cord	37.50	90.00
Trinidad, 17J 5L 14K, cord	40.75	100.00
Vanity Fair, 17J 5L 14K, bracelet	68.50	160.00
Wanda, 17J 5L 14K, cord	35.50	71.50

LONGINES WATCHES—Continued

MEN'S WATCHES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Barton, 17J 10½L, gold filled, strap	26.95	$59.50
Berkshire, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Burton, 17J 10½L, gold filled, strap	$26.95	57.50
Calhoun, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Cambridge, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Cameron, 17J 8¾L, gold filled, strap	35.50	71.50
Claridge, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Cranton, 17J 10½L, gold filled, strap	26.95	59.50
Custer, 17J 7¾ x 11L, gold filled, strap	29.75	65.00
Edison, 17J 8¾L, gold filled, strap	35.50	71.50
Embassy, 17J 8¾L, gold filled, strap	35.50	71.50
Franklin, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Herbert, 15J 10½L, gold filled, strap	24.45	52.50
Hickham, 17J 8¾L, gold filled, strap	32.50	69.50
Langley, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Lindbergh, 16J 12½L, gold filled, strap	40.75	97.50
Milburn, 17J 10½L, gold filled, strap	26.95	57.50
Nassau, 17J 8¾L, gold filled, strap	33.50	71.50
Official MM, 17J 10½L, gold filled, strap	29.75	65.00
Perry, 17J 10½L, gold filled, strap	26.95	57.50
Walton, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Weems G F., 17J 10½L, gold filled, strap	32.50	71.50
Whistler, 17J 10½L, gold filled, strap	26.95	59.50
Whitman, 17J 10½L, gold filled, strap	26.95	57.50
Whitney, 17J 7¾ x 11L, gold filled, strap	29.75	65.00
Orville, 17J 7¾ x 11L, gold filled, strap	29.75	69.50
Wilbur, 17J 7¾ x 11L, gold filled, strap	29.75	67.50
Rector, 17J 8¾L, gold filled, strap	32.50	69.50
Adams, 17J 7¾ x 11L 14K strap	40.75	97.50
Anniversary, 17J 7¾ x 11L, 14K strap	40.75	97.50
Calvin, 17J 7¾ x 11L, 14K strap	63.50	150.00
Chadwick, 17J 8¾L, 14K strap	50.75	125.00
Chester, 17J 10½L, 14K strap	42.50	100.00
Clayton NW, 17J 10½L, 14K strap	48.75	115.00
Collyer, 17J 7¾ x 11L, 14K strap	50.50	120.00
Ensign, 17J 10½L CS, 14K strap MP	68.75	165.00
Fillmore, 17J 7¾ x 11L, 14K strap	43.50	110.00
Grant, 17J 7¾ x 11L 14K strap	56.00	137.50
Gridley, 17J 8¾L, 14K strap	63.50	150.00
Harding, 17J 7¾ x 11L, 14K strap	58.50	140.00
Harrison, 17J 8¾L, 14K strap	63.50	150.00
Hayes, 17J 7¾ x 11L, 14K strap	39.50	95.00
Jackson, 17J 8¾L, 14K strap	50.50	120.00
Lincoln, 17J 7¾ x 11L, 14K strap	43.50	100.00
Madison, 17J 7¾ x 11L, 14K strap	39.50	92.50
McKinley, 17J 7¾ x 11L, 14K, strap	66.00	160.00
Monte Carlo, 17J 8¾L, 14K, bracelet	235.00	495.00
Richmond, 17J 8¾L, 14K, strap	66.00	160.00
Schuyler, 17J 10½L, 14K, strap	45.50	110.00
Sheridan, 17J 8¾L, 14K, strap	56.00	135.00
Van Dyke, 17J 8¾L, 14K, strap	53.50	125.00
Weems G, 17J 10½L, 14K, strap	60.50	145.00
Winthrop, 17J 8¾L, 14K, strap	53.25	125.00

SPECIAL WATCHES

Chronograph, without totalizer 17J 12½L, steel, strap	57.00	137.50
13ZN Chronograph, 17J 13L, strap, steel	80.90	195.00
Hour Angle, 17J 10½L, steel, strap	60.75	145.00
Single action Chronograph, 17J 18L, metal case	52.50	125.00
Moisture-proof men's watch, 16J 10½L, steel, strap	27.95	59.50
Moisture-proof ladies' watch, 17J 8¾L, steel, strap	34.75	71.50
Professional men's watch, 16J 10½L, steel, strap	29.75	65.00
Professional ladies' watch, 17J 8¾L, steel, strap	35.75	71.50
Weems steel 15J 10½L, strap	29.75	65.00

POCKET WATCHES

Anniversary, 17J 17L, gold filled	40.75	97.50
Coronation, 17J 17L, 14K	66.00	160.00
Dewey, 17J 17L, 14K	53.25	125.00
Duke of Kent, 17J 17L, 14K	76.00	180.00
Duke of Norfolk, 17J 17L, 14K	68.50	150.00
Frodsham, 17J 17L, gold filled	28.50	63.50
Hall of Fame, 17J 17L, gold filled	40.75	100.00
Norfolk, 17J 17L, 14K	66.00	150.00

LONGINES WATCHES—Continued

DE LUXE SERIES

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
DeLuxe, L #2 17J 8¾L 14 K, strap	$56.00	$135.00
DeLuxe, L #4 17J 8¾L 14 K, strap	58.50	140.00
DeLuxe, M #5 17J 7¾ x 11L 14K, strap	68.50	160.00
DeLuxe, L #6 17J 8¾L SS Steel, strap	33.50	71.50
DeLuxe, M #7 17J 7¾ x 11L 14K, strap	68.50	160.00
DeLuxe, M #9 17J 7¾ x 11L 14K, strap	68.50	160.00
DeLuxe, M #11 17J 11½L 14K, strap	76.00	180.00
DeLuxe, M #15 17J 11½L SS Steel, strap	32.50	69.50
DeLuxe, M #17 17J 11½L 14K, strap	88.50	210.00
DeLuxe, M #19 17J 7¾ x 11L 14K, strap	58.50	140.00
DeLuxe, Moisture-proof #20 17J 10½L 14K, strap	97.50	225.00
DeLuxe, M #21 17J 11½L 14K, strap	72.00	175.00
DeLuxe, M #22 17J 11½L 14K, strap	72.00	175.00

LE COULTRE WATCHES

LADIES WATCHES

Alicia, 17J 5L gold filled, cord	33.95	71.50
Belmont, 17J 5L gold filled, strap	33.95	71.50
Carole, 17J 5L gold filled, cord	32.50	71.50
Leila, 17J 5L gold filled, cord	32.50	71.50
Margot, 17J 5L gold filled, cord	32.50	71.50
Marie, 17J 5L gold filled, cord	33.95	71.50
Stephanie, 17J 5L gold filled, cord	32.50	71.50
Claire, 17J 5L 14K, cord	40.75	95.00
Concerto A, 17J 5L 14K, bracelet	125.00	275.00
Concerto B, 17J 5L 14K, bracelet	130.00	275.00
Concerto C, 17J 5L 14K, bracelet	125.00	275.00
Concerto D, 17J 5L 14K, bracelet	110.00	225.00
Dorris, 17J 5L 14K, cord	44.50	110.00
Ermine, 17J 5L 14K, cord	41.65	95.00
Lorna, 17J 5L 14K, cord	41.65	95.00
Lydia, 17J 5L 14K, cord	46.00	110.00
Marina, 17J 5L 14K, cord	40.75	95.00
Monica, 17J 5L 14K, cord	40.75	95.00
Victoria, 17J 5L 14K, cord	41.65	95.00
Virginia, 17J 5L 14K, cord	40.75	95.00

MEN'S WATCHES

Bellows, 17J 7¾ x 11L, gold filled, strap	30.75	70.00
Conrad, 17J 7¾ x 11L, gold filled, strap	32.75	70.00
Eden, 17J 7¾ x 11L, gold filled, strap	30.75	70.00
LaSalle, 17J 7¾ x 11L, gold filled, strap	32.50	71.50
Lathrop, 17J 7¾ x 11L, gold filled, strap	30.75	70.00
Matthew, 17J 7¾ x 11L, gold filled, strap	32.75	70.00
Newport, 17J 7¾ x 11L, gold filled, strap	32.50	71.50
Bradley, 17J 9¾L, 14K, strap	63.50	150.00
Judge, 17J 7¾ x 11L, 14K, strap	56.00	135.00
Pierre, 17J 7¾ x 11L, 14K, strap	60.50	150.00
Stewart, 17J 7¾ x 11L, 14K, strap	63.50	150.00
Trylon A & B, 17J 7¾ x 11L, 14K, strap	60.50	150.00
Trylon J, 17J 7¾ x 11L, Pall. strap	63.50	150.00
Trylon R, 17J 9¾L, 14K, strap	63.50	150.00
Wingate, 17J 7¾ x 11L, 14K, strap	60.50	150.00
Commodore, 17J 7¾ x 11L, steel, strap	38.50	90.00
Victory, 17J 11½L, steel, strap	34.75	71.50
Trylon S, 17J 9¾L, 14K, strap	56.00	135.00

WITTNAUER WATCHES

LADIES WATCHES

Alva, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Antoinette C, 15J 6¾ x 8L, RGP, cord	18.70	39.75
Antoinette R, S, 15J 6¾ x 8L CS, RGP, cord	19.70	43.75
Beatrice, 15J 6¾ x 8L CS, bracelet	20.70	47.50
Bethel, 17J 5L CS, cord	20.70	47.50
Bettina, 15J 6¾ x 8L, CS, bracelet	18.70	41.50
Caprice, 15J 6¾ x 8L, solid gold, cord	27.80	62.50
Celeste, 17J 5L, solid gold, cord	24.50	52.50
Charmaine, 17J 5L, solid gold, cord	29.25	65.00
Cleo, 15J 6¾ x 8L solid gold, cord	21.70	47.50
Cornelia, 15J 6¾ x 8L, solid gold, cord	21.70	47.50
Cynthia, 17J 6¾ x 8L, solid gold, cord	23.25	49.75
Ellen, 15J 5L, RGP, cord	19.70	47.50
Fairview, 15J 8¾L, RGP, cord	17.70	37.50
Fay, 15J 5L, solid gold, cord	23.25	49.75
Ferne, 15J 5L, RGP, cord	18.70	47.50
Gloria, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Holyoke, 15J 5L, RGP	18.70	43.75
Hortense, 17J 5L, solid gold, cord	29.25	65.00
Jennifer, 15J 5L, solid gold, cord	28.25	62.50
Jo Anne, 17J 5L, solid gold, cord	24.50	52.50
Karla, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Kathy, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Lana, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Leona, 15J 6¾ x 8L, RGP, cord	18.70	43.75

WITTNAUER WATCHES—Continued

LADIES WATCHES—continued

Description	Maximum prices to retailers	Maximum retail prices including Federal excise tax
Lisa, 15J 6¾ x 8L, solid gold, cord	$22.70	$49.75
Lizette, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Lorna, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Lotus, 15J 5L, RGP, cord	18.70	49.75
Marinetta, 15J 8¾L CS, gold filled, cord	20.25	45.00
Marilyn, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Millie, 15J 6¾ x 8L, RGP, cord	18.70	41.50
Nancy, 15J 6¾ x 8L, gold filled, cord	21.25	47.50
Natalie, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Natalie sw, 15J 6¾ x 8L, CS, solid gold, cord	23.70	52.50
Nightingale, 15J 6¾ x 8L, CS, solid gold, cord	28.30	65.00
Olga, 17J 5L, solid gold, cord	24.50	52.50
Olivia, 15J 5L, solid gold, cord	23.25	49.75
Paulette, 15J 6¾ x 8L, solid gold, strap	29.25	65.00
Paulette sw, 15J 6¾ x 8L, CS, solid gold, strap	30.45	67.50
Queen, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Rosa, 15J 6¾ x 8L, solid gold, cord	22.70	49.75
Rosalyn, 15J 5L, solid gold, cord	28.25	62.50
Santa C, S, 15J 6¾ x 8L, RGP, cord	18.70	41.50
Santa F, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Sari, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Spar, 15J 8¾ L steel, strap, moisture-proof	24.50	52.70
Spar sw, 15J 8¾ L steel, CS steel, strap, moisture-proof	25.70	55.00
Sportswoman, 15J 6¾ x 8L, RGP, strap	19.70	41.50
Viola, 15J 6¾ x 8L, solid gold, cord	27.80	62.50
Yvonne, 15J 6¾ x 8L, RGP, cord	18.70	43.75
Waac, 15J 8¾ CS, RGP, cord	17.70	37.50

MEN'S WATCHES

Aberdeen, 15J 10½L gold filled, strap	21.50	47.50
Anthony, 15J 7¾ x 11 L RGP, strap	18.70	43.75
Auburn, 15J 7¾ x 11 L RGP, strap	18.70	45.00
Bombardier, 15J 7¾ x 11L steel, strap MP	25.50	55.00
Cadet, 15J 10½L steel, strap	23.25	49.75
Christopher, 15J 7¾L, gold filled, strap	21.70	49.75
Colonel, 17J 8¾L, solid gold, strap	32.25	69.50
Cornwall, 15J 7¾ x 11 L, RGP, strap	18.70	39.75
Cornwallis, 15J 10½L, RGP, strap	18.70	43.75
Croyden, 17J 8¾L, solid gold, strap	32.25	69.50
Croyden SP, 17J 8¾L, solid gold, strap	30.70	67.50
Delano, 15J 7¾ x 11L, gold filled, strap	21.90	49.75
DeLuxe Moistureproof, 15J 10½L CS, solid gold, strap	59.50	150.00
Douglas, 17J 8¾L RGP, strap	20.70	47.50
Emery, 15J 10½L RGP, strap	17.70	39.75
Lansing, 15J 10½L, RGP, strap	19.70	47.50
Longton, 17J 7¾ x 11L, RGP, strap	20.60	43.75
Ludlow, 17J 7¾ x 11L, solid gold, strap	34.00	71.50
Major, 15J 10½L, RGP, strap	17.60	39.75
Marshall A & B, 17J 8¾L, RGP, strap	20.60	47.50
Marshall C & D, 17J 8¾L, RGP, strap	20.60	43.75
Martin, 17J 8¾L, RGP, strap	20.70	47.50
Moistureproof G, 15J 10½L, steel, strap	23.25	49.75
Moistureproof G sw, 15J 10½L, CS, steel, strap	24.50	52.50
Ranger, 15J 10½L, CS, RGP, strap	19.70	47.50
Roland, 15J 7¾ x 11L, RGP, strap	18.70	47.50
Russell, 17J 8¾L, solid gold, strap	32.50	71.50
Scribner, 17J 7¾ x 11L, gold filled, strap	22.70	49.75
Sutton, 15J 10½L, RGP, strap	17.70	39.75
Sutton B, 15J 10½L, RGP, strap	17.70	37.50
Tyler, 17J 7¾ x 11L, RGP, strap	20.70	47.50
Tyrone, 17J 7¾ x 11L, RGP, strap	20.70	47.50
Warden, 15J 10½ L, RGP, strap	17.60	39.75
Weems, 15J 10½L, CS, RGP, strap	22.00	49.75
Weems, 15J 10½L, CS, steel, strap	18.25	43.75
York, 15J 10½L solid gold, strap	35.50	71.50
Award, 15J 17L, gold filled, pocket	22.70	49.75
Courtney, 15J 17L, RGP, pocket	19.70	47.50

The importer's maximum prices set forth above are subject to its customary March 1942 terms and allowances.

No charge for the extension of credit may be added to the above maximum retail prices which are inclusive of the Federal excise tax.

(c) *Notification.* Any person who sells the above watches to a purchaser for resale shall furnish the purchaser with a copy of this order or a price list incorporating the above prices and containing a certification that they are maximum prices established by the Office of Price Administration. In addition, he shall include on every invoice covering a sale of these watches the following statement:

OPA Order No. 23 under RMPR 499 establishes the maximum prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 of Revised Maximum Price Regulation 499 with respect to the watches covered by this order.

(d) *Tagging.* The importer shall include with every watch covered by this order delivered to a purchaser for resale after its effective date, a tag or label setting forth the style name and the maximum retail price of the particular watch. This tag or label may not be removed until the watch is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in section 2 of Revised Maximum Price Regulation 499 shall apply to the terms used herein.

This order shall become effective June 12, 1945.

Issued this 11th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-10158; Filed, June 11, 1945; 11:50 a. m.]

Regional and District Office Orders.

[Region VII Order G-16 Under MPR 188]

ABE TOCKMAN, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-16 is issued.

(a) *What this order does.* This Order No. G-16 establishes maximum prices for a wall mirror manufactured by Abe Tockman, 1228 West Alaska Place, Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-16, the maximum prices for the wall mirror manufactured by Abe Tockman, of 1228 West Alaska Place, Denver, Colorado, in accordance with the specifications set forth in the application of said Abe Tockman on file in this Regional Office as a part of the record in this case, in Models No. 24, No. 25 and No. 44, respectively, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $2 65

(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a realler---------- $3.30
(3) When sold by any seller to an ultimate consumer or user---------- 5.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–16 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–16 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this wall mirror, in Models No. 24, No. 25, and No. 44, are:

	Each
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer----------	$3.30
(2) When sold by any seller to an ultimate consumer or user----------	5.00

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–16 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–16 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–16 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–10108; Filed, June 9, 1945; 11:44 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 8, 1945.

REGION I

Boston Order 1–C, Amendment 7, covering poultry in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 7–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 8–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 9–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 10–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

Boston Order 11–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:47 a. m.

REGION II

Albany Order 1–F, Amendment 62, covering fresh fruits and vegetables in certain cities in New York. Filed 10:45 a. m.

Baltimore Order 38, Amendment 1, covering dry groceries in certain areas in Maryland and the District of Columbia. Filed 10:45 a. m.

Philadelphia Order 6–F, Amendment 29, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 10:44 a. m.

Philadelphia Order 11–F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:44 a. m.

Philadelphia Order 12–F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:44 a. m.

Pittsburgh Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 10:44 a. m.

Syracuse Order 3–F, Amendment 33, covering fresh fruits and vegetables in certain areas in New York. Filed 10:44 a. m.

Syracuse Order 4–F, Amendment 21, covering fresh fruits and vegetables in certain areas in New York. Filed 10:43 a. m.

REGION III

Lexington Order 1–C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 10:43 a. m.

Lexington Order 2–C, Amendment 5, covering poultry in certain areas in Kentucky. Filed 10:43 a. m.

Lexington Order 3–C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 10:43 a. m.

REGION IV

Columbia Order 7–F, Amendment 3, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 10:51 a. m.

Columbia Order 17–C, Amendment 5, covering poultry in the South Carolina Area. Filed 10:42 a. m.

Columbia Order 18–C, Amendment 5, covering poultry in the South Carolina Area. Filed 10:42 a. m.

Montgomery Order 2–C, Amendment 6, covering poultry in certain areas in Alabama. Filed 10:45 a. m.

Montgomery Order 20–F, Amendment 27, covering fresh fruits and vegetables in Mobile County. Filed 10:46 a. m.

Montgomery Order 21–F, Amendment 32, covering fresh fruits and vegetables in Montgomery County. Filed 10:46 a. m.

Montgomery Order 22–F, Amendment 33, covering fresh fruits and vegetables in Houston County. Filed 10:46 a. m.

Montgomery Order 24–F,..Amendment 30, covering fresh fruits and vegetables in Dallas County. Filed 10:45 a. m.

Savannah Order 7–F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:52 a. m.

Savannah Order 9–F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:52 a. m.

Savannah Order 10–F, Amendment 33, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

Savannah Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

Savannah Order 13–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:51 a. m.

REGION V

Little Rock Order 1–C, Amendment 8, covering poultry in the State of Arkansas. Filed 10:47 a. m.

Little Rock Order 1–E, Amendment 9, covering eggs in the State of Arkansas. Filed 10:47 a. m.

Lubbock Order 3–F, Amendment 57, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:42 a. m.

New Orleans Order 2–F, Amendment 75, covering fresh fruits and vegetables in certain cities in Louisiana. Filed 10:41 a. m.

REGION VI

Chicago Order 4–W, Amendment 3, covering dry groceries in certain areas in Illinois and Indiana. Filed 10:46 a. m.

Chicago Order 11, Amendment 6, covering dry groceries in certain areas in Illinois and Indiana. Filed 10:46 a. m.

Omaha Order 10–F, Amendment 12, covering dry groceries in certain areas in Nebraska and Iowa. Filed 10:51 a. m.

Omaha Order 11–F, Amendment 13, covering dry groceries in Lincoln, Nebraska. Filed 10:50 a. m.

Peoria Order 7–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:50 a. m.

Peoria Order 8–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Peoria Order 9–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Peoria Order 10–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:49 a. m.

Sioux City Order 2–F, Amendment 74, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 10:49 a. m.

Twin Cities Order 1–F, Amendment 16, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 1–F, Amendment 17, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 1–F, Amendment 18, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

Twin Cities Order 2–F, Amendment 13, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:48 a. m.

REGION VIII

Phoenix Order 3–F, Amendment 75, covering fresh fruits and vegetables in the Phoenix Area. Filed 10:48 a. m.

Phoenix Adopting Order 15 under Basic Order 1–B, Amendment 1, covering dry groceries in the Gila Valley Area. Filed 10:45 a. m.

Seattle Order 31, Amendment 5, covering dry groceries in certain counties in Washington. Filed 10:45 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10122; Filed, June 9, 1945; 4:14 p. m.]

[Region I Order G-1 Under MPR 154, Amdt. 6]

ICE IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154; *It is ordered:*

1. A new paragraph (h) to follow old paragraph (g) is added to read as follows:

(h) Any seller or group of sellers whose maximum prices for ice have been adjusted by this order may petition for further adjustment of maximum prices of ice pursuant to the provisions of section 8 (e) of Maximum Price Regulation No. 154, as amended.

This amendment No. 6 is effective as of July 24, 1943 at 12:01 a. m.

Issued this 30th day of May 1945.

EDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9984; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-6 Under MPR 154, Amdt. 1]

ICE IN BARNSTABLE COUNTY AND WAREHAM, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154; *It is ordered:*

Region I Order No. G-6 is hereby amended in the following respects:

1. Paragraph numbered (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered anywhere in the County of Barnstable and in the Town of Wareham in the Commonwealth of Massachusetts are modified so that the maximum prices therefor shall be as follows:

Type of sale	Maximum price per cwt.	Maximum price per ton
Retail delivered sale	$0.80	$16.00
Retail platform sale	.60	12.00
Quantity delivered sale:		
a. Sale of less than 300 lbs. at one delivery	.70	14.00
b. Sale of 300 lbs. or more at one delivery	.40	8.00
Quantity platform sale	.20	4.00

In the case of a Quantity Platform Sale the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f)) of Maximum Price Regulation No. 154 by more than 10¢ per 300 pounds (66⅔¢ per ton).

2. A new paragraph (h) is added following paragraph (g) to read as follows:

(h) Any seller or group of sellers whose maximum prices for ice have been adjusted by this order may petition for further adjustment of maximum prices of ice pursuant to the provisions of section 8 (e) of Maximum Price Regulation No. 154, as amended.

This Amendment No. 1 is effective as of May 15, 1945.

Issued this 30th day of May 1945.

EDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9985; Filed, June 8, 1945; 1:30 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 49]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. Subparagraph (2) of paragraph (e) is amended by adding the following to the Table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.15	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices provided for Pennsylvania standard anthracite coals without any addition thereto.

2. Subparagraph (9) of paragraph (1) is amended by adding the words "Glen Burn".

3. Subparagraph (50) is added to paragraph (1) to read as follows:

(50) "Glen Burn" means that Pennsylvania Anthraeite produeed by the Susquehanna Collieries Company and prepared at its Glen Burn Colliery at Shamokin, Pennsylvania, and whieh meets the quality and preparation standards established by Order No. L-22 under Maximum Priee Regulation No. 112.

This Amendment No. 49 shall become effeetive May 31, 1945.

Issued this 23d day of May 1945.

EDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9989; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 50]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Priee Regulation No. 122 and the Emergency Priee Control Act of 1942, as amended, subparagraph (7) (Appendix 7—Bituminous Coal—Metropolitan Boston Area) of paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is hereby amended in the following respeets:

1. In paragraph (b) (1), the table of priees is amended to read as follows:

Kind of coal	Classes of purchasers		
	Classes AA and A	Class B	Class C
Domestic run of mine	$8.16	$8.38	$8.60
Straight run of mine	7.90	8.12	8.34
Mixed run of mine	8.05	8.27	8.49
Pasley run of mine	8.41	8.63	8.85
Pennsylvania bituminous	7.75	7.97	8.19
Nut and slack	7.66	7.88	8.10
Slack	7.61	7.83	8.05
1½" nut and slack	7.91	8.13	8.35
Mixed nut and slack	7.76	7.98	8.20
Low volatile pea	8.06	8.28	8.50
High volatile modified stoker	7.55	7.77	7.99
High volatile nut or pea	8.00	8.22	8.44
Cavalier nut and slack	7.65	7.87	8.09
Cavalier modified stoker	8.12	8.34	8.56
Kentucky double screened stoker	8.35	8.57	8.79
High volatile egg or lump	7.65	7.87	8.09
High volatile nut and slack	7.35	7.57	7.79
Premier nut or pea	8.25	8.47	8.69

2. In paragraph (e) (1), the table of prices is amended to read as follows:

Kind of coal	Classes of purchasers				
	Class I	Class II	Class III	Class IV	Class V
Domestic run of mine	$10.56	$10.31	$10.06	$9.76	$9.21
Straight run of mine	10.30	10.05	9.80	9.50	9.05
Mixed run of mine	10.45	10.20	9.95	9.45	9.2
Pasley run of mine	10.81	10.56	10.31	9.81	9.56
Pennsylvania bituminous	10.15	9.90	9.65	9.15	8.90
Nut and slack	10.06	9.81	9.56	9.06	8.81
Slack	10.01	9.76	9.51	9.01	8.7
1½" nut and slack	10.31	10.06	9.81	9.31	9.06
Mixed nut and slack	10.16	9.91	9.66	9.16	8.91
Low volatile pea	10.46	10.21	9.96	9.46	9.21
High volatile modified stoker	9.95	9.70	9.45	8.95	8.70
High volatile nut or pea	10.40	10.15	9.90	9.40	9.15
Cavalier nut and slack	10.05	9.80	9.55	9.05	8.80
Cavalier modified stoker	10.52	10.27	10.02	9.52	9.27
Kentucky double screened stoker	10.75	10.50	10.25	9.75	9.50
High volatile egg or lump	10.05	9.80	9.55	9.05	8.80
High volatile nut and slack	9.75	9.50	9.25	8.75	8.50
Premier nut or pea	10.65	10.40	10.15	9.65	9.40

3. Subparagraph (1) of paragraph (g) is amended to read as follows:

(1) "Domestic run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "domestic, dealer, modified or screened run of mine", produeed in Producing Districts 7 or 8, or a mixture of coals of different size groups from Producing Districts 7 and 8 whieh mixture is equivalent as to coarseness.

4. Subparagraph (2) of paragraph (g) is amended to read as follows:

(2) "Straight run of mine" is bituminous coal which was defined by the Bituminous Coal Division as "straight run of mine", produeed in Producing Dis-

tricts 3, 7 or 8, or a mixture of coals of different size groups from Producing Districts 3, 7 or 8, which mixture is equivalent as to coarseness; except "Pasley Run of Mine" which Pasley Run of Mine is stored and delivered separately from any other coal.

5. In paragraph (g), a new subparagraph (19) is added to read as follows:

(19) "Pennsylvania bituminous" is bituminous coal of any size group produced in Producing Districts 1 and 2 from either deep or strip mines.

This Amendment No. 50 shall become effective May 28, 1945.

Issued this 25th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9990; Filed, June 8, 1945; 1:31 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 51]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (6) Appendix 6 — Specified Bituminous Coal—Hartford, Connecticut, Area) of paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In paragraph (b), the Table of prices is amended to read as follows:

Kind of coal	Customer classification			
	Less than 10	10 to 99	100 to 299	300 or over
Screened lump	$11.90	$10.90	$10.40	$10.15
Run-of-mine	11.23	10.23	9.73	9.48
Hughes modified run-of-mine	11.83	10.83	10.33	10.08
Big vein dealer run-of-mine	11.63	10.63	10.13	9.88
Broad top run-of-mine	11.48	10.48	9.98	9.73
Big vein 6" x 3¼" nut and slack	11.40	10.40	9.90	9.65
Nut and slack	11.05	10.05	9.55	9.30
Stoker pea	11.05	10.05	9.55	9.30
Eureka lumpy run-of-mine	11.43	10.43	9.93	9.68
Somman lumpy run-of-mine	11.43	10.43	9.93	9.68
Glenmar lumpy run-of-mine	11.38	10.38	9.88	9.63
Gas [illegible]	11.53	10.53	10.03	9.78

This Amendment No. 51 shall become effective June 2, 1945.

Issued this 28th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9991; Filed, June 8, 1945; 1:31 p. m.]

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 18]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn: Broken, egg, stove, chestnut, pea, buckwheat, and rice	$0.15	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices provided for Pennsylvania standard anthracite coals without any addition thereto.

2. The words "Glen Burn" are inserted in subparagraph (2) of paragraph (e).

3. Subparagraph (27) is added to paragraph (e) to read as follows:

(27) "Glen Burn" means that Pennsylvania Anthracite produced by the Susquehanna Collieries Company, and prepared at the Glen Burn Colliery at Shamokin, Pennsylvania and which meets the quality and preparation standards established by Order L-22 under Maximum Price Regulation No. 112.

This Amendment No. 18 to Revised Supplementary Order No. 2 shall become effective May 31, 1945.

Issued this 24th day of May, 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9986; Filed, June 8, 1945; 1:32 p. m.]

[Region I Supp. Order 8 Under RMPR 122, Amdt. 8]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Glen Burn: Broken, egg, stove, chestnut, pea, buckwheat and rice	$0.15	$0.10	None	None

NOTE: The amounts set forth above shall be effective only until July 31, 1945. Thereafter, the applicable prices shall be the prices provided for Pennsylvania standard anthracite coals, without any addition thereto.

This amendment No. 8 shall become effective May 31, 1945.

Issued this 24th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9987; Filed, June 8, 1945; 1:22 p. m.]

[Region I Supp. Order 10A Under RMPR 122, Revocation]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered*, That Region I Supplementary Order No. 10A under Revised Maximum Price Regulation No. 122 (Temporary One-Ton Charges For Solid Fuels In Region I Area Price Orders) be and it hereby is revoked.

This order shall become effective May 25, 1945.

Issued this 25th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-9988; Filed, June 8, 1945; 1:31 p. m.]

[Region III Order G-3 Under Supp. Order 94, Amdt. 1]

C. C. C. AND ARMY SERVICE CAPS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to sections 11 and 13 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That section (c) of Order No. G-3 under Supplementary Order No. 94 be amended to read as follows:

(c) *Maximum prices.* The maximum prices for the sale of the Caps described herein shall be as follows:

Article and description	Wholesaler's maximum price to retailer, f. o. b. point of shipment	Retailer's maximum price to consumer
Cap (garrison), spruce green color, wool material, unlined; 1½" diameter circle with "CCC" insignia; N-2 condition (new, in good condition)	*Each* $0.109	*Each* $0.15
Cap (winter spruce), green gabardine cloth, peak 2" wide with seven rows of stitching, green wool lined, ear and collar pieces, 6½" wide, seams in the back; also wool lined pieces fasten on chin strap, 12" long, with bronze side buckle, 1⅛" wide; N-2 condition (new, in good condition)	.50	.85

This Amendment No. 1 to Order No. G-3 under Supplementary Order No. 94 shall become effective May 21, 1945.

Issued: May 21, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-9992; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-6 Under RMPR 122, Amdt. 6]

SOLID FUELS IN LIMA, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part I, Paragraph C of Section (c) of Schedule I of Order No. G-6 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

Column I	Column II	Column III
C. Stoker—Size Group No. 10 (top size 1¼" and smaller and bottom size ⅜" and larger):		
1. From mine index No. 415	$8.70	$8.20
2. Mine price classification A	8.85	8.35
3. Mine price classifications B through G	8.45	7.95
4. Mine price classifications H and lower	8.10	7.60

This Amendment No. 6 to Order No. G-6 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9993; Filed, June 8, 1945; 1:30 p. m.]

[Region III Order G-8 Under RMPR 122, Amdt. 8]

SOLID FUELS IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part V of paragraph (c) (1) of Order No. G-8 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Col. II	Col. III	Col. IV
V. Briquettes (made from low volatile bituminous coals) from District No. 7:			
A. Glen Rogers briquettes (made at Glen Rogers, W. Va.)	$10.21	$9.96	$9.71
B. All others	9.95	9.70	9.45

This Amendment No. 8 to Order No. G-8 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9994; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-9 Under RMPR 122, Amdt. 10]

SOLID FUELS IN MARION COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part VII of paragraph (c) of Order No. G-9 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

	Column I	*Column II*
VII. Briquettes (made from low volatile bituminous coals from district No. 7):		
A. Glen Rogers briquettes (produced at Glen Rogers, W. Va.)		$11.11
B. All others		10.85

This Amendment No. 10 to Order No. G-9 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9995; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-13 Under RMPR 122, Amdt. 8]

SOLID FUELS IN TOLEDO, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.259 and 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That paragraph (e) of Order No. G-13 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Carry-in from curb—coal	$1.10
Carry-in from curb—coke	1.45
Wheel-in from curb—coke	1.10
Carry up or down one flight of stairs	.25
Extra charge for credit after 30 days	.25
Wheel-in from curb—coal	.85

This Amendment No. 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective May 31, 1945.

Issued: May 31, 1945.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 45-9996; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-27 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MUNCIE, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part I, Schedule I of paragraph (c) (1) of Order No. G-27 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

SCHEDULE I

1. High volatile Bituminous Coals from Producing District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee) excluding coals from the Bull Creek, Splash Dam, Clintwood and Upper Banner seams and from Mine Index Nos. 22, 219, 319, 370, 459, 338 and 96. * * *

This Amendment No. 2 to Order No. G-27 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9997; Filed, June 8, 1945; 1:29 p. m.]

[Region III Order G-27 Under RMPR 122, Amdt. 3]

SOLID FUELS IN MUNCIE, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That part V of paragraph (c) (1) of Order No. G-27 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Col. II	Col. III	Col. IV
V. Briquettes (made from low volatile bituminous coals from Producing District No. 7):			
A. Glen Rogers briquette (produced at Glen Rogers, W. Va.)	$11.16	$10.91	$10.66
B. All others	10.90	10.65	10.40

This Amendment No. 3 to Order No. G-27 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9998; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-37 Under RMPR 122, Amdt. 2]

SOLID FUELS IN FLINT, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and un-

der the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That Part V of Paragraph (c) (1) of Order No. G-37 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
V. Briquettes: made from low volatile bituminous coals from producing district No. 7:	
A. Glen Rogers briquettes (produced at Glen Rogers, W. Va.)	$11.86
B. All others	11.60

This Amendment No. 2 to Order No. G-37 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-9999; Filed, June 8, 1945; 1:28 p. m.]

[Region III Order G-54 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MIDLAND, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered,* That Part VI of paragraph (c) (1) of Order No. G-54 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	*Column II*
VI. Briquettes (made from low volatile bituminous coals from producing district No. 7):	
A. Glen Rogers Briquettes (produced at Glen Rogers, W. Va.)	$12.11
B. All others	11.85

This Amendment No. 2 to Order No. G-54 under Revised Maximum Price Regulation No. 122 shall become effective May 22, 1945.

Issued: May 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-10000; Filed, June 8, 1945; 1:28 p. m.]

[Region IV Rev. Order G-2 Under RMPR 122]

SOLID FUELS IN CLARKE COUNTY, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollar-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of Clarke County, Georgia.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-2 (also called General Order No. 2) under Revised Maximum Price Regulation No. 122, the amendments thereto, and the supplementary order thereunder, previously issued by this Office, and, as a result, said Order No. G-2, the amendments thereto, and the supplementary order thereunder are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Bituminous coal.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.	Per 1/20 ton 100 lbs.
Montevallo 8" Block	$11.05	$5.78	$3.01	$0.60
5" to 6" Harlan or Jellico Lump or Block (Premium)	10.55	5.53	2.89	0.58
5" to 6" Harlan or Jellico Lump or Block (Regular) and 2½" x 5" and 3" x 6" Harlan or Jellico Egg (Premium)	10.05	5.28	2.76	0.55
2½" x 5" and 3" x 6" Harlan or Jellico Egg (Regular) and 0" to 1¼" Stoker	9.55	5.03	2.64	0.52
Nut and slack	6.65	3.58	1.91	0.38

(a) The maximum price for any quantity less than 100 pounds of the above coals shall be determined by adding $1.00 to the applicable per ton price named herein and dividing the sum by the proportionate divisor. For example, the maximum price for 50 pounds of Montevallo 8" Block would be determined as follows:

$11.05 plus $1.00=$12.05.
50 lbs.=1/40 of 2000 lbs.
$12.05÷40=$0.30, which is the maximum price.

(f) *Maximum authorized service charges and required deductions*—(1) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(2) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(3) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective April 26, 1945.

Issued: April 20, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10001; Filed, June 8, 1945; 1:35 p. m.]

[Region IV Rev. Order G-4 Under RMPR 122]

SOLID FUELS IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Raleigh, in the State of North Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-4 under Revised Maximum Price Regulation No. 122 and all supplementary orders thereunder, previously issued by this office, and, as a result, said Order No. G-4 and said supplementary orders are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$9.70	$5.10	$2.68
Stoker	9.60	5.05	2.65
Nut and slack	8.85	4.68	2.46

(2) *Low volatile bituminous coal from district No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump and egg	$11.65	$6.08	$3.17
Stove	11.60	5.76	3.01
Domestic nut	10.15	5.33	2.80
Domestic pea	9.55	5.03	2.65
Domestic run-of-mine	10.05	5.28	2.77
Domestic straight run-of-mine	9.20	4.86	2.56
Nut and slack	8.95	4.73	2.50

(3) *Sale of coal in sacks.* Dealer may charge not more than 70¢ for 90 lb. bag of any kind of coal listed in the above schedule.

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacking.* Dealer may charge $1.00 per ton for the service of putting coal in sacks furnished by the purchaser; the dealer may charge $3.00 per ton for the same service if he furnishes the sacks.

(4) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price $1.00 per ton.

(5) *Quantity sales.* When buyer purchases in carloads, the dealer must reduce the domestic price $1.00 per ton. On sales between dealers in any quantity the dealer must reduce the domestic price $1.50 per ton.

(6) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(7) *Sales tax.* The State Sales Tax of 3% may be added to the prices established by this order.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10002; Filed, June 8, 1945; 1:35 p. m.]

[Region IV Rev. Order G-5 Under RMPR 122]

SOLID FUELS IN CHARLOTTE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered to any point within the corporate limits of the City of Charlotte, in the State of North Carolina.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-5 under Revised Maximum Price Regulation No. 122 and all amendments thereto and supplementary orders thereunder, previously issued by this office and as a result, said Order No. G-5 and said amendments thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Briquettes and Pennsylvania anthracite.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Pennsylvania anthracite nut	$19.05	$9.77	$5.07
Briquettes	11.50	6.00	3.18

(2) *Low volatile bituminous coal from district No. 7.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$11.05	$5.78	$3.07
Stove size (jr. egg)	10.80	5.66	3.01
Nut size	10.05	5.28	2.82
Pea size stoker	9.75	5.13	2.75
Domestic run-of-mine (screened)	9.85	5.18	2.77
Straight run-of-mine	9.65	5.08	2.72

(3) *High volatile from district No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump coal from mine index No. 481, Benedict Coal Corporation, mine index No. 433, Southern Collieries, Inc.	$10.45	$5.48	$2.91
Lump	10.30	5.40	2.85
Stoker size group from mine index No. 213 of Gatliff Coal Co.	9.90	5.20	2.78
Egg	9.95	5.23	2.79
Stoker	9.75	5.13	2.74
Domestic run-of-mine (screened)	9.00	4.75	2.55
Nut and slack	9.00	4.75	2.55

(4) *Sale of coal in sacks.* Dealer may charge not more than 70¢ for 100 lb. sack of any kind of coal listed herein, or more than 60¢ if said sack is picked up at dealer's yard by purchaser.

(f) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Sacking.* Dealer may charge not more than five cents per sack for service of sacking coal in sales of one ton or more.

(4) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Quantity discounts.* When buyer purchases forty tons or more per year in less-than-carload deliveries, the dealer must reduce the domestic price at least $1.00 per ton. On carload sales the dealer must reduce the domestic price at least $1.50 per ton.

(7) *Sales tax.* The State Sales Tax of 3% may be added to the prices established by this order.

(8) *Credit.* No additional charge may be made for credit. If payment is made within 15 days from delivery, the dealer shall reduce the prices herein set out at least 50¢ per ton, 25¢ per half ton, and 13¢ per quarter ton.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10003; Filed, June 8, 1945; 1:35 p. m.]

[Region IV Rev. Order G–6 Under RMPR 122]

SOLID FUELS IN SAVANNAH, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and, under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of the County of Chatham, in the State of Georgia.

(c) *Applicability of Basic Order No. G–37.* All the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945, by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G–37 is amended in any respect all the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G–6 under Revised Maximum Price Regulation No. 122 and the amendment thereto and all supplementary orders thereunder, previously issued by this office, and as a result, said Order No. G–6 and said amendment thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *High volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg	$10.90	$5.70	$2.98
Lump	11.40	5.95	3.10
Stoker	8.90	4.70	2.48
Nut and slack	7.40	3.95	2.10
Run-of-mine	9.70	5.10	2.68

(f) *Maximum authorized service charges and required deductions.*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ therefor.

(2) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price at least $1.00 per ton.

(3) *Sacked coal.* Dealer may charge not more than 75¢ for 80 lb. sack of any kind of coal—including sack—listed in the above schedule. This price of 75¢ for 80 lb. sack of coal—including sack—is limited to quantities of not more than 5 sacks to a customer in a single delivery. Single deliveries of more than 5 sacks to a customer shall take the prices otherwise specified in the Order.

(4) *Credit.* No additional charge may be made for credit.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Southern Appalachian coal.* The prices specified herein may be increased by the dealer fifteen cents per ton, eight cents per half ton, and four cents per quarter ton on sales of coal from Subdistrict No. 6 in District No. 8, (Southern Appalachian).

(7) *Delivery charges, for deliveries of coal beyond the city limits of Savannah, Georgia in the County of Chatham.* On deliveries from Savannah, Georgia, beyond the corporate limits of the City of Savannah and within the County of Chatham, in the State of Georgia, dealer may make an additional charge of not more than ten cents per mile per ton for each mile beyond the corporate limits of the City of Savannah, with a minimum charge of fifty cents per ton for such deliveries.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–10004; Filed, June 8, 1945; 1:34 p. m.]

[Region IV 2d Rev. Order G–10 Under RMPR 122]

SOLID FUELS IN HENRICO, HANOVER AND CHESTERFIELD COUNTIES, AND RICHMOND, VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraphs (e) and (f) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the boundaries of the independent City of Richmond, of the County of Chesterfield except the Matoaka Magisterial District, and of the Counties of Henrico and Hanover, all in the State of Virginia.

(c) *Applicability of Basic Order No. G–37.* All the provisions of Order No. G–37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this order and are just as much a part of this order as if printed herein. If said Order No. G–37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G–37.

(d) *Relationship between this order and previous orders.* This order supersedes Revised Order No. G–10 under Revised Maximum Price Regulation No. 122 issued by this office on October 14, 1944 and as a result, said Revised Order No. G–10 is hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct Delivery or Domestic" basis:

(1) *Low volatile bituminous coal from district No. 7.*

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Egg (double screened)	$12.60	$6.81	$3.91
Egg (single screened)	11.60	6.31	3.66
Stove size (double screened)	12.25	6.63	3.82
Stove size (single screened)	11.25	6.13	3.57
Nut size (double screened)	10.80	5.91	3.46
Nut size (single screened)	10.40	5.70	3.36
Pea stoker	10.05	5.53	3.27
Run-of-mine (screened)	9.90	5.46	3.24
Run-of-mine (straight)	9.90	5.46	3.24
Nut and slack	9.55	5.28	3.15

(2) *Low volatile bituminous coal from District No. 8.*

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (double screened)	$10.54	$5.73	$3.37
Egg (single screened)	9.95	5.48	3.24
Stove size (double screened)	10.45	5.73	3.37
Stove size (single screened)	9.95	5.48	3.24
Run-of-mine (screened)	9.40	5.20	3.10

(3) *High volatile bituminous coal from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Lump	$11.05	$6.03	$3.52
Egg (double screened)	10.50	5.75	3.38
Egg (single screened)	10.05	5.53	3.27
Stove size	9.80	5.40	3.20
Nut size—pea size stoker	10.00	5.50	3.25
Run-of-mine	8.85	4.93	2.97

(4) *Pennsylvania anthracite coals.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Anthracite, egg, stove, nut	$15.90	$8.45	$4.73
Anthracite pea	14.05	7.52	4.27
Anthracite rice	12.10	6.55	3.78

(5) *Briquettes.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Briquettes	$12.90	$6.95	$3.98

(f) *Other maximum prices.* Maximum prices established by this order are as follows for sales of coal sold in bags or sacks:

(1) *Coal sold in 100 lb. bags.*

	Delivered price	Cash and carry at yard
Low volatile egg and stove	$0.75	$0.65
Semismokeless egg and stove	.60	.50
High volatile egg and stove	.60	.50
Pennsylvania anthracite (all sizes)	.94	.84

(*a*) The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

(2) *Coal sold in 12 pound bags.* (*a*) When High Volatile Stove or Nut coal is sold to consumers in 12 pound bags, the maximum prices are 10¢ each and 28¢ for three if sold in one sale.

(*b*) When High Volatile Stove or Nut coal is sold to retailers in 12 pound bags, the maximum price is 8½¢ per bag.

(3) *Ton lots of coal in bags.* (*a*) The Domestic Price for coal may be increased not more than $3.50 per ton if, at the purchaser's request, the dealer sacks the coal in paper bags furnished by him.

(g) *Maximum authorized service charges and required deductions*—(1) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor if wheelbarrow is used, and not more than 75¢ per ton therefor if the delivery is of bagged coal.

(2) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(3) *Yard discounts.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price at least $1.00 per ton. On sales at the yard to other dealers properly licensed by the City of Richmond or other duly constituted authorities, the dealer must reduce the domestic price at least $1.50 per ton.

(4) *Quantity discounts.* When the buyer purchases more than 40 tons and up to 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least $1.25 per ton; and when the buyer purchases more than 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least $1.75 per ton, and on such sales no other discounts need be made.

(5) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt, shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Terms.* No additional charges over the prices listed may be made for the extension of credit. If payment is made within 10 days from date of delivery, at least $1.00 per ton shall be deducted from the prices in section (e) of this order. If payment is made within 30 days from the date of delivery, at least 50¢ per ton shall be deducted from the prices listed in section (e).

(7) *Delivery charges.* A dealer may make no charges for delivery within the corporate limits of the city or town in which the dealer's yard is located. For deliveries beyond the corporate limits of the city or town in which his yard is located, a dealer may make an additional charge of not more than 10¢ per mile per ton for the distance beyond the corporate limits of such city or town and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage being determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

Effective date. This order shall become effective as of March 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10005; Filed, June 8, 1945; 1:34 p. m.]

[Region IV Rev. Order G-13 Under RMPR 122]

SOLID FUELS IN WILMINGTON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This adopting order establishes dollars-and-cents ceiling prices for specified solid fuels when sold and delivered by dealers in the area set out herein. These fuels are described and the maximum prices are set forth in paragraph (e) hereof.

(b) *Area covered.* This order covers all sales of specified solid fuels when sold and delivered within the corporate limits of the City of Wilmington, North Carolina, and the area within twenty miles thereof by the most direct highway route.

(c) *Applicability of Basic Order No. G-37.* All the provisions of Order No. G-37 under Revised Maximum Price Regulation No. 122—Basic Order for Area Pricing of Coal in Region IV, issued April 4, 1945 by the Atlanta Regional Office, Region IV, Office of Price Administration are adopted in this Order and are just as much a part of this Order as if printed herein. If said Order No. G-37 is amended in any respect all the provisions of said order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to and should read and be familiar with the provisions of said Order No. G-37.

(d) *Relationship between this order and previous orders.* This order supersedes Order No. G-13, under Revised Maximum Price Regulation No. 122, and the Amendment thereto and all supplementary orders thereunder, previously issued by this office, and as a result, said Order No. G-13, and said amendment thereto and supplementary orders thereunder, are hereby revoked as of the effective date of this order.

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "direct delivery or domestic" basis:

(1) *Low volatile bituminous coal from District No. 7.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg, stove, or lump	$12.50	$6.41	$3.33
Stoker	9.30	4.91	2.57
Run-of-mine	9.70	5.11	2.68

(2) *High volatile bituminous coals from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Egg or lump	$11.10	$5.80	$3.03
Splint, egg, lump or stove	10.35	5.43	2.84
Stoker	9.45	4.98	2.61
Nut and slack	8.25	4.28	2.31

(3) *Low volatile bituminous coals from District No. 8.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Raven red ash egg	$11.65	$6.08	$3.16

(4) *Pennsylvania anthracite, Virginia anthracite and briquettes.*

Size	Per ton, 2,000 pounds	Per ½ ton, 1,000 pounds	Per ¼ ton, 500 pounds
Pennsylvania anthracite (stove or nut)	$18.10	$9.30	$4.78
Virginia anthracite (egg or stove)	13.20	6.85	3.55
Briquettes	12.90	6.70	3.48

(f) *Maximum authorized service charges and required deductions*—(1) *Carry from curb or up or down stairs.* If the buyer requests such service, the

dealer may charge not more than 80¢ per ton therefor.

(2) *Trimming.* If the buyer requests such service, the dealer may charge not more than 25¢ per ton therefor. If the buyer does not request this service, no charge may be made.

(3) *Sack coal.* When the purchaser furnishes sacks, the dealer may charge not more than 55¢ per hundred pounds of coal sold at the yard. If the dealer furnishes the sacks, he may charge an additional 15¢ per sack. For deliveries of not less than 500 pounds of sack coal, the dealer may charge not more than a price based on the ¼ ton rate plus a sacking charge at the rate of $1.00 per ton.

(4) *Yard sales.* When the buyer picks up coal at the yard, the dealer must reduce the domestic price at least $1.00 per ton. On sales to other dealers, the dealer must reduce the domestic price at least $1.75 per ton.

(5) *Treated coals.* If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing, and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. The invoice, sales slip, or receipt shall clearly show that the coal has been so treated but it is not necessary that this charge be separately stated thereon.

(6) *Quantity.* When the buyer purchases in carload lots, the dealer must reduce the applicable domestic price of high volatile bituminous nut and slack coal from District 8 50¢ per ton, of low volatile bituminous stoker coal from District 7 $1.20 per ton, and of all other grades $1.00 per ton.

(7) *Delivery zone.* For deliveries beyond the corporate limits of Wilmington, North Carolina, and within twenty miles thereof, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ per ton for each such delivery, said mileage to be determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

(8) *Sales tax.* The State sales tax of 3% may be added to the prices established in this order.

(9) *Credit.* No additional charge may be made for the extension of credit.

Effective date. This order shall become effective April 23, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-10009; Filed, June 8, 1945; 1:33 p. m.]

[Region V Order G-1 Under Supp. Order 94]

COMMERCE DEPARTMENT

MAXIMUM PRICES FOR THE SALE OF CUSPIDORS

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by section 11 of Supplementary Order No. 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sales of cuspidors hereinafter described when sold by the Commerce Department and also establishes maximum prices for these commodities for all resellers thereof. This order is applicable only to sales made within the States of Texas, Missouri, Kansas, Oklahoma, Louisiana, and Arkansas, comprising Region V of the Office of Price Administration.

(b) *Maximum prices.*

Description of cuspidors priced by this order:	*Maximum price, each*
Cuspidors, 10" diameter, plain, steel type, color green, flat bottomed, new condition:	
All sales by Commerce Department to anyone "where is"	$0.53
All sales at wholesale f. o. b. shipping point	.71
All sales at retail	1.06
Cuspidors, 9" diameter, plain, steel type, color green, flat bottomed, new condition:	
All sales by Commerce Department to anyone "where is"	.40
All sales at wholesale f. o. b. shipping point	.53
All sales at retail	.80

Each seller shall continue to maintain his customary discount for cash.

(c) *Notification.* Any person who sells the cuspidors subject to this order shall furnish to the purchaser a statement advising such purchaser of the maximum prices established in this order.

(d) *Tagging.* Any person who sells cuspidors to ultimate consumers shall attach to each cuspidor before sale a label which plainly states the retail price.

(e) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(f) *Definitions.* A sale at wholesale is a sale by any person other than the Department of Commerce to any other person other than a user or ultimate consumer. A sale at retail is a sale by any person other than the Department of Commerce to a user or ultimate consumer.

(g) *Revocation or amendment.* This order may be revoked or amended at any time.

This order shall become effective May 31, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 31st day of May, 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-10006; Filed, June 8, 1945; 1:28 p. m.]

[Region VI Order G-20 Under RMPR 122]

DOCK COAL IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *What this order does.* This order adjusts the maximum prices for the sale of solid fuels, except anthracite or miscellaneous solid fuels as defined in Maximum Price Regulation No. 121, of all dealers, including dock dealers, whose coal is obtained or distributed at or from docks on the west bank of Lake Michigan or the United States side of Lake Superior and whose maximum prices for the sale of such solid fuels are now established under area pricing orders of Region VI of the Office of Price Administration.

(b) *Geographical applicability.* This order applies to all sales in which the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Exclusions.* This order shall not apply to sales by dealers of anthracite or miscellaneous solid fuels as defined in Maximum Price Regulation No. 121, as amended.

(d) *Price adjustments.* On solid fuels obtained or distributed at or from docks on the west bank of Lake Michigan or the United States side of Lake Superior the sale of which is governed by maximum prices established by Region VI orders G-1 to G-16 under Revised Maximum Price Regulation No. 122 inclusive, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, dealers, including dock dealers, are hereby permitted to increase by 20¢ per ton the maximum prices as set forth in the area pricing order under which they are pricing.

(e) This Order No. G-20 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G-20.

(f) *Effect of order on Revised Maximum price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with the provisions of Revised Maximum Price Regulation No. 122, as amended, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

This order may be revoked, amended, or modified at any time.

This Order No. G-20 shall become effective May 28, 1945.

Issued this 28th day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45-10007; Filed, June 8, 1945; 1:27 p. m.]

[Boise Special Order 1, incl. Amdts. 1 to 6 Under Gen. Order 50 and Order 2 Under Restaurant MPR 2]

MALT BEVERAGES IN BOISE, IDAHO, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Boise, Idaho District Office of Region VII of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, section 25 (c) of Restaurant Maximum Price Regulation 2, as Amended, and Order 2 of Restaurant Maximum Price Regulation 2, it is hereby ordered:

SECTION 1. *What this order does.* If you are a person covered by the above orders and regulation and operate an eating or drinking establishment as defined by section 19 of Restaurant Maximum Price Regulation 2, as amended, and as explained in the next section, you must, notwithstanding the provisions of any other order or regulation, observe the ceiling prices established by this special order for malt beverages and keep records and post prices as subsequently specified.

SEC. 2. *Who is covered by order.* (a) You are covered by this order when:

(1) You own or operate a restaurant, hotel, cafe, cafeteria, delicatessen, soda fountain, boarding house, catering establishment, athletic stadium, field kitchen, luncheon wagon, hot dog cart, or other eating or drinking establishment which serves malt beverages to consumers for immediate consumption on the premises. Sales of malt beverages by such eating or drinking establishments for off-premise consumption shall remain subject to Revised Maximum Price Regulation 259.

(2) The eating or drinking establishment which you operate is located in any of the following counties: Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington in Idaho; Malheur in Oregon.

(3) You are selling malt beverages as defined in section 8 of this special order.

SEC. 3. *Exempt sales.* (a) Sales by the following eating or drinking establishments, or persons, are specifically exempt from the provisions of this special order:

(1) Hospitals, except for malt beverages served to persons other than patients if a separate charge is made therefor.

(2) Eating and drinking places operated by a school, college, university, or other educational institution or a student's fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial or business enterprise or undertaking.

(3) Eating and drinking places owned or operated by charitable, religious, or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable or cultural purposes.

(4) Eating cooperatives formed by officers in the Armed Forces (as, for example, Officers' Mess) operated without profit.

(5) Bona fide clubs which file with their OPA District Office a statement setting forth that: (a) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue. (b) It sells malt beverages only to members and bona fide guests of members. (c) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body. (d) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

If OPA finds that the establishment does not satisfy the above requirements of a bona fide club, it will notify it in writing that it is not exempt from this regulation. No club organized after the effective date of Restaurant Maximum Price Regulation 2, as amended, shall be exempt unless and until it has filed a request for exemption with its District Office, furnishing the above information as may be required, and has been exempted in writing by OPA.

(6) Malt beverages when sold as a separate item for consumption off the premises and not as part of a meal. Such off-premise sales shall remain subject to Revised Maximum Price Regulation 259.

SEC. 4. *Your ceiling prices.* Your ceiling prices for malt beverages are set forth below.

(a) *Bottled malt beverages.*

Brand or trade name	11- and 12-ounce	32-ounce
	Cents	*Cents*
Acme	16	37
Aero Club	16	37
Becker's American Pilsener	16	37
Becker's Best	16	37
Bohemian Club	16	37
Butte	16	37
Coors	16	37
Goetz Country Club	16	37
Gold Medal Lager	16	37
Great Falls	16	37
Highlander	16	37
Hop Gold	16	37
Lucky Lager	16	37
Missoula	16	37
Olympia	16	37
Overland	16	37
Pioneer	16	37
Rocky Mountain	16	37
Sicks Select	16	37
Uinta Club	16	37
Ballantine's XXX Ale	21	42
Blatz	21	42
Budweiser	21	42
Buckingham Ale	21	42
Buckingham Beer	21	42
Canadian Ace	21	42
Chesterton	21	42
Hamm's	21	42
Pabst Blue Ribbon	21	42
Pioneer Victory	21	42
Polo	21	42
Schlitz	21	42
Schmidt City Club	21	42
Yoergs, Cave Aged	21	42
Nortena (imported Mexican beer)	30	----------

(b) *Malt beverages on draught.* All brands of malt beverages eight (8) fluid ounces, exclusive of foam, for ten cents (10¢).

Other quantities of any or all brands of malt beverages sold on draught, may be sold by any eating or drinking establishment to which this order applies: *Provided*, On all sales of malt beverages on draught by such places, of less than eight (8) fluid ounces, exclusive of foam, the maximum price shall be five cents (5¢). *Provided further*, That such places may sell malt beverages on draught in excess of eight (8) fluid ounces, exclusive of foam, at a price of ten cents (10¢), plus one cent (1¢) for each additional ounce.

(c) *Unbranded beverages.* Your ceiling price for any bottled malt beverage which does not carry a brand or trade name at the time of sale shall be the lowest ceiling price established by paragraph (a) above, for the same size bottle of malt beverage.

(d) *New and unlisted brands.* Your ceiling prices for new brands of malt beverages or brands which are not listed above must be determined in advance of sale by making application to the Boise, Idaho District Office of the Office of Price Administration. This office will establish your ceiling price or prices and notify you accordingly. Your application need not be in any set form but must include your name and address; the location and type of eating and drinking place; the trade name or brand name of the malt beverage for which you apply for a ceiling price; the size of the bottle or glass sold to consumers; and a description of the unit of purchase and the delivered cost per unit to you.

(e) *Addition of taxes*—(i) *Federal excise taxes.* You may not add any other tax to the maximum ceiling prices provided for in the preceding paragraphs, except as provided in subsection (ii) below. All other existing taxes have already been taken into account in establishing these prices. If new or increased taxes render the prices inequitable, appropriate action will be taken by amendment to this special order.

(ii) *"Cabaret" tax.* The tax imposed by section 1700 (c) (1), Revenue Act of 1942, as amended by the act of June 9, 1944, Chapter 240, paragraph 3, 58th Statutes, 273 (Section 1650, 1700 (c)) Internal Revenue Act, commonly known as the "cabaret" tax, may be collected by the seller in addition to the maximum prices fixed by this special order, where such seller states and collects the tax separately from the price paid by the purchaser: *Provided, however*, That such tax shall be allowed only in the event such seller is not in violation of the maximum prices fixed by this special order.

(f) *Evasion.* You must not evade the ceiling prices established by this special order by any type of evasion, scheme or device. Among other things you must not:

(1) Increase any cover, minimum bread and butter service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect during the 7-day period from April 4 to April 10, 1943, or

(2) Require as a condition of sale of a malt beverage, the purchase of other items or meals, unless expressly required to do so by State or local laws.

SEC. 5. *Records and menus.* You must observe the requirements of General Order 50 and Restaurant Maximum Price Regulation 2, as amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. For the purposes of this special order the most important features of the record-keeping requirements of General Order 50 and Restaurant Maximum Price Regulation 2, as amended, are that you (a) preserve all your existing records relating to prices, costs and sales of food items, meals and beverages; (b) continue to prepare and maintain such records as you ordinarily kept; and (c) keep for examination by the Office of Price Administration, two of each menu used by you each day or a daily record in duplicate of the prices charged for food items, beverages and meals. If you have customarily used menus, you must continue to do so.

SEC. 6. *Posting of ceiling prices.* You are required by this special order to follow the posting requirements of Order 2, Restaurant Maximum Price Regulation 2, issued and effective March 10, 1945. Order 2, Restaurant Maximum Price Regulation 2, requires all eating and drinking establishments serving malt beverages for consumption on the premises to post their ceiling prices for those malt beverages. If you have not been furnished a copy of Order 2 to Restaurant Maximum Price Regulation 2, it will be available at your Local War Price and Rationing Board.

SEC. 7. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who makes sales under price control, applicable to all sellers subject to this order. A seller's license may be suspended for violations of this order. No step need be taken by the seller to procure this license. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 8. *Definitions.* "Malt beverage" for the purpose of this order means beer, ale and similar beverages.

"Offer" means offer for sale and includes the listing or posting of prices for malt beverages, even though such malt beverages so offered were not actually on hand to be sold.

SEC. 9. *Revocation and amendment.* (a) This special order may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this special order (including a petition under Supplementary Order No. 28, as amended) by proceeding in accordance with Revised Procedural Regulation No. 1, except that petitions will be filed with and acted upon by the District Director.

This amended special order shall become effective April 3d, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4898; Rest. MPR 2, 8 F.R. 8845)

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

Issued at Boise, Idaho, this 3d day of April 1945.

C. C. ANDERSON,
District Director.

[F. R. Doc. 45-10008; Filed, June 8, 1945; 1:33 p. m.]

[Region VII Order G-2 Under Order 1444 Under MPR 188]

HARRY E. LACASSE, ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-2 is issued.

(a) *What this order does.* This Order No. G-2 establishes maximum prices for a doll's high chair manufactured by Harry E. LaCasse of Missoula, Montana, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-2, the maximum prices for the doll's high chair manufactured by Harry E. LaCasse of Missoula, Montana, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$14.40
(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer	18.00
	Each
(3) When sold by any seller to an ultimate consumer or user	$2.49

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-2 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-2 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum prices for this doll's high chair are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point to a retailer	$18.00 per dozen.
(2) When sold by any seller to an ultimate consumer or user	$2.49 each

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-2 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this Order No. G-2 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisons of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-2 shall become effective on the 30th day of May 1945.

Issued this 30th day of May 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-10010; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-3 Under Order 1444 Under MPR 188]

MEMORIAL BRONZE CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-3 is issued.

(a) *What this order does.* This Order No. G-3 establishes maximum prices for a toy telephone manufactured by Memorial Bronze Company of Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order G-3, the maximum prices for the toy telephone manufactured by Memorial Bronze Company of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$4.80
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	6.00

	Each
(3) When sold by any seller to an ultimate consumer or user	$0.79

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–3 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–3 under Maximum Price Regulation No. 188, Order No. 1414, the OPA authorized maximum prices for this toy telephone are:

	Per dozen
(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	$6.00
	Each
(2) When sold by any seller to an ultimate consumer or user	$0.79

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–3 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The prices authorized by this Order No. G–3 for resellers are applicable only to sales made within Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–3 shall become effective on the 30th day of May 1945.

Issued this 30th day of May 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-10011; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-13 Under MPR 188]

HI-JINX CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–13 is issued.

(a) *What this order does.* This Order No. G–13 establishes maximum prices for a serving tray manufactured by The Hi-Jinx Company of Wheatridge, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–13, the maximum prices for the serving tray manufactured by The Hi-Jinx Company, 5060 Ward Road, Wheatridge, Colorado, in accordance with the specifications set forth in the application of said The Hi-Jinx Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$12.80
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	16.00
	Each
(3) When sold by any seller to an ultimate consumer or user	$2.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–13 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–13 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this serving tray are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer, $16.00 per dozen;
(2) When sold by any seller to an ultimate consumer or user, $2.00 each.

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G–13 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–13 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Countries of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–13 shall become effective on the 29th day of May 1945.

Issued this 29th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10012; Filed, June 8, 1945; 1:27 p. m.]

[Region VII Order G-12 Under MPR 188]

MODERN FOOD PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–12 is issued.

(a) *What this order does.* This Order No. G–12 establishes maximum prices for a baby swing manufactured by Modern Food Products Company of Denver, Colorado, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this order No. G–12, the maximum prices for the baby swing manufactured by Modern Food Products Company, 103 Wazee Market, Denver, Colorado, in accordance with the specifications set forth in the application of said Modern Food Products Company on file in this Regional Office as a part of the record in this case, shall be as follows:

	Each
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	$1.40
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	1.75
(3) When sold by any seller to an ultimate consumer or user	2.49

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–12 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G–12 under Maximum Price Regulation No. 188, the OPA

authorized maximum prices for this baby swing are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $1.75
(2) When sold by any seller to an ultimate consumer or user	2.49

(d) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G–12, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect as to all sellers covered by this order.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G–12 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administration or the Regional Administrator.

(h) *Effective date.* This Order No. G–12 shall become effective on the 28th day of May 1945.

Issued this 28th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–9939; Filed, June 7, 1945; 2:50 p. m.]

[Region VIII Order G–7 Under RMPR 122, Amdt. 3]

SOLID FUELS IN TACOMA, WASH., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G–7 under Revised Maximum Price Regulation No. 122 is amended in the following respect:

1. Paragraph (b) (1) is amended by changing the first sentence thereof and tables I to VII, inclusive, therein to read as follows:

(b) (1) The maximum prices for all sales to domestic consumers in the Tacoma area of the specified kinds of solid fuels are as set forth in tables I to XI, below:

TABLE I, DISTRICT 19, WYOMING COALS

Size	Group and trade size	F. o. b. (100 lb. sack)	Yard, loose (per ton)	Delivered to buyer's premises					
				Sacked		Loose			
				100 lb.	1 ton	½ ton	1 ton	2 ton	3 ton
1	Lump 8" and up	$0.95	$13.85	$1.05	$18.85	$7.95	$14.85	$14.60	.....
2	Lump 7"								
3	Lump 5"								
4	Lump 3" or 12 x 3"								
5	Stove 8 x 3"								
6	Stove 7 x 3"								
7	Gratenut 8 x 1⅝" 5 x 3"								
8	Nut 3 x 1⅝"	.90	13.25	1.00	18.25	7.65	14.25	14.00	.....
9	Pea No. 1, 1⅝ x 1"								
10	Pea No. 2, 1⅝ x ½"	.80	11.35	.90	16.35	6.70	12.35	12.10	$11.85
11	Stoker 1 x 3/16"								
14	Slack 2½ x 0"								
15	Slack 1¼ x 0"	.80	10.85	.90	15.85	6.45	11.85	11.60	11.35
16	Slack 1 x 0"								

TABLE II, DISTRICT 20, UTAH COALS

1	Lump 11 x 8"								
2	Lump 10"								
3	Lump 3" or 3 x 10"	$0.95	$13.85	$1.05	$18.85	$7.95	$14.85	$14.60	.....
4	Lump 1⅝"								
5	Stove 8 x 3"								
6	Egg 8 x 1⅝"								
7	Nut 3 x 1⅝"	.90	13.25	1.00	18.25	7.65	14.25	14.00	.....
8	Pea 1⅝ x 1"								
9	Stoker 1 x 3/16"	.80	11.35	.90	16.35	6.70	12.35	12.10	$11.85
10	Slack 1⅝ x 0"								
11	Slack 1 x 0"	.80	10.85	.90	15.85	6.45	11.85	11.60	11.35

TABLE III, MONTANA COALS, DISTRICT 22

1	Lump 6"								
2	Lump 2"								
3	Furnace 9 x 6"	$0.95	$13.85	$1.05	$18.85	$7.95	$14.85	$14.60	.....
4	Egg 6 x 3"								
5	Stove 6 x 2"								
6	Nut #1, 3 x 2"	.90	13.25	1.00	18.25	7.65	14.25	14.00	.....
7	Nut #2, 2 x 1¼"								
8	Chestnut 1¼ x 1"	.85	11.65	.95	16.65	6.85	12.65	12.40	.....
9	Stoker 1¼ x ½"	.80	11.35	.90	16.35	6.70	12.35	12.10	$11.85
10	Slack 1¼ x 0"	.75	10.05	.85	15.05	6.05	11.05	10.80	10.55
11	Slack 1 x 0"								

TABLE IV, DISTRICT 23, WASHINGTON COALS

[Subdistrict A, "Roslyn"; and F, "Renton"]

1 to 5	Lump 1" and up	$0.85	$11.85	$0.95	$16.85	$6.95	$12.85	$12.60	.....
6, 7, 8, 9, and 10	Egg coals, top size 4", bottom size 1" or larger.	.85	11.60	.85	16.60	6.80	12.60	12.35	.....
11, 12, 13, 14, and 15	Nut coals, top size 2½", bottom size ⅜" or larger.	.80	11.25	.90	16.25	6.65	12.25	12.00	.....
16, 17, and 18	Stoker coals, top size 1⅝", bottom size 3/32" or larger.	.75	9.95	.85	14.95	6.60	10.95	10.70	$10.45
19 and 20	Minerun and Slack larger than 2 x 0"	.90	10.85	.90	15.85	6.45	11.85	11.60	11.35
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.75	9.80	.85	14.80	5.90	10.80	10.55	10.30
23	Slack 1 x 0"								

TABLE V, DISTRICT 23, WASHINGTON COALS

[Subdistrict B, "Pierce County"]

1, 2, 3, 4, 6, 7, 8, 9, and 10	Lump 1" and up, and egg coals, top size 4", bottom size 1" and larger.	$0.90	$12.50	$1.00	$17.50	$7.25	$13.50	$13.25	.....
11, 12, 13, 14, and 15	Nut coals, top size 2½", bottom size ⅜" or larger.	.85	11.75	.95	16.75	6.90	12.75	12.50	.....
16	Stoker 1 x ⅜"								
17	Stoker 1⅝ x 3/32"								
18	Stoker 1 x 3/32"	.80	11.40	.90	16.40	6.70	12.40	12.15	$11.90
19	Minerun								
20	Slack 3 x 0"								
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.80	10.65	.90	15.65	6.35	11.65	11.40	11.15
23	Slack 1 x 0"								

TABLE VI, DISTRICT 23, WASHINGTON COALS

[Subdistrict C, "Southwest Washington"]

1 to 5	Lump 1" and up	$0.80	$10.50	$0.90	$15.50	$6.25	$11.50	$11.25	.....
6, 7, 8, 9, and 10	Egg coals, top size 4", bottom size 1" and larger.	.75	9.70	.85	14.70	5.85	10.70	10.45	.....
11, 12, 13, 14, and 15	Nut sizes, top size 2½", bottom size ⅜" or larger.	.70	9.20	.80	14.20	5.60	10.20	9.95	.....
16	Stoker 1 x ⅜"								
17	Stoker 1⅝ x 3/32"								
18	Stoker 1 x 3/32"	.70	8.60	.80	13.60	5.30	9.60	9.35	$9.10
19	Minerun								
20	Slack 3½ x 0"								
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.70	8.45	.80	13.45	5.25	9.45	9.20	8.95
23	Slack 1 x 0"								

TABLE VII, DISTRICT 23, WASHINGTON COALS
[Subdistrict E, "McKay-Lawson"]

Size	Group and trade size	F. o. b. (100 lb. sack)	Yard, loose (per ton)	Delivered to buyer's premises					
				Sacked		Loose			
				100 lb.	1 ton	½ ton	1 ton	2 ton	3 ton
1 to 5	Lump 1" and up	$0.90	$13.25	$1.00	$18.25	$7.60	$14.25	$14.00	------
6, 7, 8, 9, and 10	Eggnut top size 4" bottom size 1" and larger.	.90	12.60	1.00	17.60	7.30	13.60	13.35	------
11, 12, 13, 14	Nut coal, top size 2½" bottom ⅜" or larger.	.85	12.00	.95	17.00	7.00	13.00	12.75	------
15, 16, 17, and 18	Stoker 1 x ⅜" Stoker 1⅝ x 3/32" Stoker 1 x 3/32"	.85	11.45	.95	16.45	6.70	12.45	12.20	$11.95
19	Minerun	.85	11.45	.95	16.45	6.70	12.45	12.20	11.95
20	Slack 3½ x 0"								
21	Slack 2 x 0"								
22	Slack 1¼ x 0"	.80	10.55	.90	15.55	6.25	11.55	11.30	11.05
23	Slack 1 x 0"								

This amendment to Order No. G–7 shall become effective May 28, 1945.

Issued this 28th day of May 1945.

CHAS. R. BAIRD.
Regional Administrator.

[F. R. Doc. 45–9937; Filed, June 7, 1945; 2:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 6, 1945.

REGION I

Connecticut Order 1–C, Amendment 2, covering poultry in the state of Connecticut. Filed 2:06 p. m.

Vermont Order 2–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Vermont. Filed 2:01 p. m.

REGION II

Altoona Order 2–F, Amendment 22, covering fresh fruits and vegetables in the entire Altoona Area. Filed 2:00 p. m.

Binghamton Order 0–1, Amendment 3, covering eggs in certain counties in the state of New York. Filed 2:00 p. m.

Binghamton Order 0–2, Amendment 3, covering eggs in certain counties in the state of New York. Filed 2:00 p. m.

Buffalo Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain cities in New York. Filed 2:00 p. m.

Buffalo Order 4–F, Amendment 11, covering fresh fruits and vegetables in certain cities in New York. Filed 1:59 p. m.

District of Columbia Order 5–F, Amendment 11, covering fresh fruits and vegetables. Filed 1:59 p. m.

Newark Order 7–F, Amendment 6, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 2:04 p. m.

Trenton Order 12–F, Amendment 10, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 1:59 p. m.

REGION III

Detroit Order 5–F, Amendment 17, covering fresh fruits and vegetables in certain counties in Michigan. Filed 1:59 p. m.

REGION IV

Charlotte Order 3–F, Amendment 15, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 2:06 p. m.

Roanoke Order 1–P, Amendment 4, covering poultry. Filed 2:24 p. m.

Roanoke Order 1–P, Amendment 5, covering poultry. Filed 2:23 p. m.

Roanoke Order 2–P, Amendment 4, covering poultry. Filed 2:23 p. m.

Roanoke Order 2–P, Amendment 5, covering poultry. Filed 2:23 p. m.

Roanoke Order 5–W, Amendment 1, covering poultry. Filed 2:24 p. m.

Roanoke Order 16, Amendment 1, covering poultry. Filed 2:24 p. m.

REGION V

Dallas Order 1–C, Amendment 6, covering poultry. Filed 2:20 p. m.

Dallas Order 1–F, Amendment 63, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 64, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 65, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:23 p. m.

Dallas Order 1–F, Amendment 66, covering fresh fruits and vegetables in Dallas County, Texas. Filed 2:21 p. m.

Dallas Order 3–F, Amendment 45, covering fresh fruits and vegetables. Filed 2:21 p. m.

Kansas City Order 2–F, Amendment 42, covering fresh fruits and vegetables in certain areas in Missouri. Filed 2:20 p. m.

Little Rock Order 2–F, Amendment 59, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 2:19 p. m.

Little Rock Order 4–F, Amendment 50, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 2:19 p. m.

Little Rock Order 5–F, Amendment 51, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 2:07 p. m.

Little Rock Order 6–F, Amendment 50, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 2:07 p. m.

New Orleans Order 1–W, Amendment 9, covering certain food items. Filed 2:03 p. m.

New Orleans Order 2–W, Amendment 10, covering certain food items. Filed 2:03 p. m.

New Orleans Order 25, Amendment 3, covering certain food items in certain areas in Louisiana. Filed 2:04 p. m.

New Orleans Order 26, Amendment 6, covering certain food items in certain areas in Louisiana. Filed 2:03 p. m.

REGION VI

Duluth-Superior Order 2–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Minnesota and Wisconsin. Filed 2:06 p. m.

La Crosse Order 2–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 2:05 p. m.

Quad-Cities Order 3–F, Amendment 22, covering fresh fruits and vegetables in certain counties in Illinois and Iowa. Filed 2:06 p. m.

Sioux Falls Order 3–W, Amendment 4, covering dry groceries in certain areas in Minnesota, Iowa and South Dakota. Filed 2:05 p. m.

Sioux Falls Order 4–W, Amendment 2, and Order 4–W, covering dry groceries in certain areas in Minnesota and Iowa, South Dakota. Filed 2:04 p. m.

Sioux Falls Order 15, Amendment 5, and Order 15, covering dry groceries in certain areas in Minnesota, Iowa and South Dakota. Filed 2:05 p. m.

Sioux Falls Order 16, Amendment 3, and Order 16, covering dry groceries in certain areas in Minnesota and South Dakota. Filed 2:05 p. m.

REGION VII

Helena Order 1–B, Amendment 1, covering certain food items in the state of Montana. Filed 2:06 p. m.

REGION VIII

Phoenix Order 1–C, Amendment 3, covering poultry in certain areas in Arizona. Filed 2:01 p. m.

Phoenix Order 1–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:02 p. m.

Phoenix Adopting Order 1–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:02 p. m.

Phoenix District Order 3–F, Amendment 73, covering fresh fruits and vegetables in the Phoenix Area. Filed 2:02 p. m.

Phoenix District Order 3–F, Amendment 74, covering fresh fruits and vegetables in the Phoenix Area. Filed 2:01 p. m.

Phoenix Adopting Order 8–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Arizona. Filed 2:01 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10078; Filed, June 9, 1945; 11:35 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register June 7, 1945.

REGION I

Boston Order 8–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:47 a. m.

Boston Order 10–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:46 a. m.

Boston Order 11–F, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:46 a. m.

Connecticut Order 1–C, Amendment 4, covering poultry in the state of Connecticut. Filed 9:33 a. m.

Connecticut Order 5–F, Amendment 4, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 9:39 a. m.

Connecticut Order 6–F, Amendment 4, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 9:34 a. m.

Connecticut Order 7–F, Amendment 3, covering fresh fruits and vegetables in the New Haven Area. Filed 9:34 a. m.

Connecticut Order 8–F, Amendment 4 covering fresh fruits and vegetables in the Bridgeport Area. Filed 9:34 a. m.

New Hampshire Order 9–F, Amendment 4, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 9:33 a. m.

Vermont Order 2–F, Amendment 4, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:46 a. m.

REGION III

Lexington Order 3–F, Amendment 10, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 9:45 a. m.

Lexington Order 6–F, Amendment 10, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 9:45 a. m.

Lexington Order 7–F, Amendment 10, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 9:45 a. m.

REGION IV

Memphis Order 6–F, Amendment 33, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 9:45 a. m.

Raleigh Order 1–C, Amendment 2, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 1–C, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Releigh Order 1–O, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–C, Amendment 2, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–C, Amendment 3, covering poultry in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 2–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:48 a. m.

Raleigh Order 3–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:47 a. m.

Raleigh Order 4–O, Amendment 3, covering eggs in certain counties in North Carolina. Filed 9:47 a. m.

Raleigh Order 5–W, Amendment 1, covering dry groceries. Filed 9:49 a. m.

Raleigh Order 19, Amendment 1, covering dry groceries. Filed 9:49 a. m.

Raleigh Order 10–F, Amendment 21, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 9:50 a. m.

Raleigh Order 11–F, Amendment 21, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 9:49 a. m.

Roanoke Order 11–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:47 a. m.

REGION V

Kansas City Order 1–C, Amendment 7, covering poultry. Filed 9:33 a. m.

REGION VI

Des Moines Order 1–F, Amendment 65, covering fresh fruits and vegetables in certain areas in Iowa. Filed 9:45 a. m.

Des Moines Order 3–F, Amendment 13, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:45 a. m.

La Crosse Order 1–F, Amendment 73, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota. Filed 9:33 a. m.

La Crosse Order 2–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Wisconsin and Minnesota. Filed 9:32 a. m.

La Crosse Order 3–F, Amendment 68, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:32 a. m.

La Crosse Order 5–F, Amendment 67, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:32 a. m.

Milwaukee Order 8–F, Amendment 11, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:32 a. m.

Milwaukee Order 9–F, Amendment 11, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac counties, Wisconsin. Filed 9:31 a. m.

Milwaukee Order 11–F, Amendment 3, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:31 a. m.

Quad-Cities Order 2–F, Amendment 38, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 9:45 a. m.

Springfield Order 1–C, Amendment 1, covering poultry in certain areas in Illinois. Filed 9:40 a. m.

Springfield Order 2–C, Amendment 1, covering poultry in Madison and St. Clair Counties. Filed 9:39 a. m.

Springfield Order 3–C, Amendment 1, covering poultry in certain counties in Springfield. Filed 9:39 a. m.

Springfield Order 4–C, Amendment 1, covering poultry in certain counties in Illinois. Filed 9:39 a. m.

Springfield Order 13–F, Amendment 12, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 9:44 a. m.

Springfield Order 14–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:44 a. m.

Springfield Order 15–F, Amendment 13, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 9:44 a. m.

Springfield Order 25–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:42 a. m.

Springfield Order 26–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 27–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 28–W, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:41 a. m.

Springfield Order 50, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 51, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 52, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 53, Amendment 1, covering dry groceries in certain counties in Illinois. Filed 9:43 a. m.

Springfield Order 54, Amendment 1, covering dry groceries in certain areas in Illinois. Filed 9:42 a. m.

Sioux Falls Order 5–W, Amendment 4, covering dry groceries in certain areas in South Dakota. Filed 9:31 a. m.

Sioux Falls Order 17, Amendment 5, covering dry groceries in certain areas in South Dakota. Filed 9:31 a. m.

REGION VIII

Nevada Order 6–F, Amendment 16–A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 9:31 a. m.

Spokane Order 8–F, Amendment 18, covering fresh fruits and vegetables in the Spokane County, Washington. Filed 9:28 a. m.

Spokane Order 9–F, Amendment 18, covering fresh fruits and vegetables in the Kootenai County, Idaho Area. Filed 9:28 a. m.

Spokane Order 10–F, Amendment 17, covering fresh fruits and vegetables in the Shoshone and Kootenai Counties, Idaho. Filed 9:28 a. m.

Spokane Order 11–F, Amendment 17, covering fresh fruits and vegetables in Latah County, Idaho, and Whitman County, Washington. Filed 9:27 a. m.

Spokane Order 12–F, Amendment 18, covering fresh fruits and vegetables in Asotin County, Washington and Nez Perce County, Idaho. Filed 9:27 a. m.

Spokane Order 13–F, Amendment 19, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Washington. Filed 9:27 a. m.

Spokane Order 14–F, Amendment 19, covering fresh fruits and vegetables in Benton and Franklin Counties, Washington. Filed 9:27 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–10079; Filed, June 9, 1945; 11:35 a. m.]

[Region V Order G–3 Under 18 (e) and SR 15]

WHEAT IN TEXAS AND OKLAHOMA

For the reasons set forth and the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator by § 1499.18 (e) of the General Maximum Price Regulation and § 1499.75 (a) (3) of Supplementary Regulation No. 15 thereto, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the service of handling of wheat supplied by country grain elevators located in the States of Oklahoma and Texas.

(b) *Maximum prices.* The maximum prices which sellers subject to this order may charge for handling of wheat is hereby established as 5.5¢ per bushel. Each seller subject to this order must continue to supply all of the elements of service required to be supplied in accordance with the provisions of the General Maximum Price Regulation prior to the issuance of this order.

(c) *Definitions.* The service of handling of wheat is defined as the receiving, sampling, grading, weighing, dumping, loading, shipping, and billing of wheat and to related services usually supplied by country grain elevators to producers. The term country grain elevator refers to establishments usually located in the wheat producing areas who supply wheat handling services as above described to producers of wheat and who ship such wheat immediately or after storage to terminal and sub-terminal storage elevators. The term does not include sub-terminal or terminal elevators, or ship-side elevators.

(d) *Relation of this order to other regulations.* The provisions of this order supersede, wherever applicable, provisions of the General Maximum Price Regulation. Except as hereinabove specifically provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect with respect to the services covered by this order.

This order may be revised, amended, or revoked at any time.

This Order No. G–3 shall become effective on the 31st day of May 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 31st day of May 1945.

W. W. ORTH,
Regional Administrator.

[F. R. Doc. 45–10104; Filed, June 9, 1945; 11:43 a. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 11]

SOLID FUELS IN BURLINGTON AND WEST BURLINGTON, IOWA, AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 7, which covers the Burlington and West Burlington, Iowa,

area, paragraph (b), Price Schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for domestic delivered sales by dealers of specified kinds and sizes of solid fuels in lots of one-half ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for domestic at yard sales and dealer at yard sales are set forth in sub-section (e). Sales in lots of fractions of a ton or tons shall be governed by the Price Schedule as follows:

(i) If less than 1 ton, Column (B) shall govern.

(ii) If more than 1 ton, Column (A) shall govern; e. g., if the price for 1 ton is listed in Column (A) as $12.80, and that for ½ ton is listed in Column (B) as $6.65, the price for 1½ tons shall be $19.20.

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal produced in District No's. 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. On sales of coal from District No. 10 (Illinois), prices for coal described in paragraph IV, A, 1 to 4 inclusive apply to coal produced by deep machine mines only. District No. 10 (Illinois), prices for the sale of coal described in paragraph IV, B, 1 and 2 vary as specified for coal obtained from deep machine mines and strip mines.

The prices for District No. 10 coal described in paragraph IV, C, 1 to 3 inclusive and IV, E, 1 and 2 apply to coal produced by strip mines only and the prices for District No. 10 coal described in paragraph IV, D, 1 and 2 apply to coal produced by deep machine mines only. The sale of anthracite described in paragraph VI is not affected by the type of mine operation.

The prices established by this amended schedule supersede those established by means of the adjustment permitted by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

PRICE SCHEDULE

	(A) Domestic delivered price, 1 ton	(B) Domestic delivered price, ½ ton
I. Low volatile bituminous coal from District No. 7 (southern West Virginia and Virginia):		
1. Egg—price classification A	$13.06	$6.78
2. Pea or Dedusted Screenings—top size not exceeding ¾", bottom size smaller than ¾"; price classification A	10.91	5.73
II. High volatile bituminous coal from District No. 8 (eastern Kentucky, northern Tennessee, parts of Virginia and West Virginia):		
1. Lump and Egg—size groups 1, 2 and 3; all lump and egg coals—bottom size larger than 2"; price classification A	11.30	5.93
2. Lump—size group 1; all lump coals—bottom size larger than 5"; southern Appalachian field; price classification E	11.45	5.98
3. Lump—Size group 2; all lump coals—bottom size larger than 3" but not exceeding 5"; price classification E through K	11.15	5.83

PRICE SCHEDULE—Continued

	(A) Domestic delivered price, 1 ton	(B) Domestic delivered price, ½ ton
III. High volatile bituminous coal from District No. 9 (western Kentucky).		
A. No. 6 seam:		
1. Lump and egg—size groups 1-6; all lump and egg coals; raw washed or air cleaned; top size larger than 2"	$8.26	$4.38
2. Stoker—size groups 8-12; all raw double screened nut, stoker, and pea coals; top size not exceeding 2" and bottom size larger than 10 mesh	7.86	4.18
B. No. 9 seam:		
1. Lump and egg—size groups 1-6; all lump and egg coals, raw washed or air cleaned; top size larger than 2"	7.61	4.08
C. No. 14 seam:		
1. Lump and egg—size groups 1-6; all lump and egg coals, raw washed or air cleaned; top size larger than 2"	7.31	3.93
2. Washed screenings—size groups 23 and 24; all washed or air cleaned screenings; larger than ⅜" x 0 but not exceeding 2" x 0	6.61	3.58
IV. High volatile bituminous coal from District No. 10 (Illinois):		
A. Southern subdistrict, price groups 1, 2 and 8 (deep machine mines):		
1. Lump and egg—size groups 1, 2 and 3; all lump or egg coals—bottom size larger than 2". Washed or raw	7.99	4.25
2. Egg and nut—size groups 4, 5, 6, and 8, including 4" x 2", 3" x 2" and 2" x 1¼"	7.74	4.15
3. Prepared stoker—size groups 21, 22, and 28; all stoker coals—bottom size larger than 28 mesh; top size not exceeding 2"	7.49	4.00
4. Washed and dedusted screenings—size groups 23, 24, 26 and 27; all washed, air cleaned and dry dedusted screenings; top size not exceeding 2"	7.09	3.80
B. Belleville subdistrict, price groups 16-22 inc.		
1. Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw.		
Strip mines	$7.20	$3.85
Deep machine mines	7.29	3.90
2. Washed nut and pea—size groups 17-20, inc; washed or air cleaned nut and pea coals—bottom size larger than 1 millimeter; top size not exceeding 2".		
Strip Mines	6.55	3.55
Deep Machine Mines	6.64	3.60
C. Duquoin subdistrict, price group No. 10 (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw	7.00	3.75
2. Nut coal—size group No. 10, inc. 1½" x ¾"	6.25	3.40
3. Nut coal—size group No. 12, inc. ¾" x 5/16"	6.80	3.65
D. Central subdistrict, price groups 12 and 13 (deep machine mines):		
1. Lump—size group 1; bottom size larger than 4"	7.09	3.80
2. Egg—size group 3, including 6" x 3"	6.59	3.55
E. Fulton-Peoria subdistrict (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 24, 25 and 26	6.20	3.35
2. Lump and egg—size groups 1, 2 and 3; all lump and egg coals—bottom size large than 2"; washed or raw; price groups 27 and 28	6.40	3.45
V. High volatile bituminous coals from District No. 11 (Indiana):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 6, 14, 15 and 16	8.49	4.50
2. Nut—size group No. 5, including 3" x 2"; price group 6	7.94	4.25
3. Stoker—size groups 9-12; raw nut or pea coals—Bottom size larger than 10 mesh; top size not exceeding 2"; price group 6	7.79	4.15
VI. Anthracite.		
1. Egg, stove and nut	18.10	9.30

This Amendment No. 11 to Order No. G–16 shall become effective June 10, 1945.

Issued this 31st day of May, 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-10105; Filed, June 9, 1945; 11:43 a. m.]

[Region VI Order G–16 Under RMPR 122, Amdt. 12]

SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G–16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 6 which covers the Cedar Rapids, Iowa, area, paragraph (b), price schedule, is amended to read as follows:

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for domestic delivered sales by dealers of specified kinds and sizes of solid fuels in lots of one ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for payment on delivery or within fifteen days for domestic at yard sales and dealer at yard sales are set forth in sub-section (e).

The price schedule lists maximum prices for the sale of coal on the basis of the type of mine operation by means of which it is produced. On sales of coal derived from District Nos. 3, 7, 8, 9, and 11, the prices established are similar for the same kind and size of fuel regardless of the type of mine operation. District No. 10 (Illinois) prices for coal described in paragraphs V, A, 1 to 3, inclusive, and B, 1 and 2, apply to coal produced by deep machine mines only and District No. 10 coal described in paragraph V, D, 1 and 2, apply to coal produced by strip mines only. By-product coke and briquettes are unaffected by the type of mine operation. This price schedule supersedes the prices established as the result of the adjustment permitted to dealers by Regional Order No. G–19 under Revised Maximum Price Regulation No. 122.

SCHEDULE OF COAL DELIVERED BY DEALERS

Domestic Delivered Price Per Ton

I. Low volatile bituminous coal from District No. 3 (West Virginia):	
1. Lump and egg, size group Nos. 1 and 2, price classification A	$12.58
II. Low volatile bituminous coals from District No. 7 (West Virginia and Virginia):	
1. Lump end egg, size group Nos. 1 and 2, price classification A	13.06
2. Stove, size group No. 3, price classification A	12.56
III. High volatile coals from District No. 8 (east Kentucky and West Virginia):	
1. Lump and egg, size group Nos. 1, 2, and 3, price Classification A	12.45
2. Lump, size group No. 2, price classifications C through H	12.15
3. Lump, size group No. 2, price classifications K through N	12.60

SCHEDULE OF COAL DELIVERED BY DEALERS—Continued

Domestic Delivered Price Per Ton

III. High volatile coals from District No. 8 (east Kentucky and West Virginia)—Continued.	
4. Egg, size group No. 4, price classifications K through O, and size group No. 6, price classifications E through K	$11.70
5. Stoker, size group No. 10, price classification A	11.30
IV. High volatile coals from District No. 9 (Western Kentucky):	
1. No. 6 seam, stoker, size groups 8 to 12, inclusive	9.46
2. No. 14 seam, lump end egg, size groups 1 through 6	9.46
3. No. 14 seam, stoker, size groups 17 through 22	8.56
V. High volatile coal from District No. 10 (Illinois):	
A. Southern subdistrict (deep machine mines):	
1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 8	9.49
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 8	9.19
3. Prepared stoker, size groups 22 and 28, price groups 1, 2 and 8	8.74
B. Central subdistrict (deep machine mines):	
1. Lump and egg, size groups 1, 2, and 3, price groups 12, 13 and 23	7.54
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 12, 13 and 23	7.49
C. Fulton-Peoria subdistrict (strip mines):	
1. Lump and egg, size groups 1, 2 and 3, price groups 24, 25 and 26	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 24 to 28, inclusive	6.85
D. Northern subdistrict (strip mines):	
1. Lump and egg, size groups 1, 2, and 3, price group 34	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price group 34	7.20
VI. High volatile coal from District No. 11 (Indiana):	
1. Lump and egg, size groups 1, 2 and 3, price groups 15 and 16	9.74
2. Lump and egg, size groups 1, 2 and 3, price groups 6 and 14	10.14
3. Egg and stove, size groups 4, 5, 6 and 8, price groups 6 and 14	9.14
4. Stoker, size groups 19 through 12, price groups 6 and 14	8.89
VII. Byproduct coke: 1. Egg, stove and nut	16.05
VIII. Briquettes, Berwind	13.70

This Amendment No. 12 to Order No. G-16 shall become effective June 10, 1945.

Issued this 31st day of May 1945.

EARL W. CLARK,
Acting Regional Administrator.

[F. R. Doc. 45-10106; Filed, June 9, 1945; 11:44 a. m.]

[Region VII Order G-14 Under MPR 188]

BUCKLEY MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-14 is issued.

(a) *What this order does.* This Order No. G-14 establishes maximum prices for a bookcase manufactured by Buckley Manufacturing Company of Salt Lake City, Utah, when sold by the manufacturer to jobbers or wholesalers, when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-14, the maximum prices for the bookcase manufactured by Buckley Manufacturing Company, 735 South First West Street, Salt Lake City, Utah, in accordance with the specifications set forth in the application of said Buckley Manufacturing Company on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler	*Each* $4.25
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	5.25
(3) When sold by any seller to an ultimate consumer or user	8.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-14 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-14 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this bookcase are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer	*Each* $5.25
(2) When sold by any seller to an ultimate consumer or user	8.00

(d) *Applicability of other regulations.* The maximum prices established by this Order No. G-14 for sales by persons other than the manufacturer supersede maximum prices fixed by the General Maximum Price Regulation or any other regulation for such sales.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-14 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-14 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-10103; Filed, June 9, 1945; 11:42 a. m.]

[Region VII Order G-15 Under MPR 188]

J. M. STEWART ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-15 is issued.

(a) *What this order does.* This Order No. G-15 establishes maximum prices for a corner cabinet manufactured by J. M. Stewart of Salt Lake City, Utah, when sold by the manufacturer to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-15, the maximum prices for the corner cabinet manufactured by J. M. Stewart of Salt Lake City, Utah, in accordance with the specifications set forth in the application of said J. M. Stewart on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a retailer	*Each* $13.75
(2) When sold by any seller to an ultimate consumer or user	22.50

NOTE: The maximum price authorized by the above paragraph (1) is subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given to retailers.* When the manufacturer makes a first sale to a person who purchases for resale to an ultimate consumer or user, he must show upon the invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G-15 under Maximum Price Regulation No. 188, the OPA authorized maximum price for this corner cabinet when sold to ultimate consumers or users is $22.50 each.

(d) *Applicability of other regulations.* The maximum price established by this Order No. G-15 for sales made to ultimate consumers or users supersedes the maximum prices fixed by the General Maximum Price Regulation or any other regulation.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-15 are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho

County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G–15 shall become effective on the 31st day of May 1945.

Issued this 31st day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–10107; Filed, June 9, 1945; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–1048, 70–1095]

IOWA UNION ELECTRIC CO. AND C. B. DUSHANE, JR.

NOTICE OF FILING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of June 1945.

An application and declaration (File No. 70–1048) and amendments thereto having been filed with this Commission pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 by Iowa Union Electric Company, a wholly-owned subsidiary of Union Electric Company of Missouri, a registered holding company, regarding the proposed sale by applicant-declarant to Keokuk Gas Service Company of certain gas utility assets and the proposed acquisition, in connection therewith, of promissory notes in the aggregate amount of $65,000 as part of the purchase price for such assets; and

C. B. Dushane, Jr. having filed an application (File No. 70–1095) pursuant to the applicable provisions of the act with respect to the proposed acquisition of shares of capital stock of the Keokuk Gas Service Company formed by him for the purpose of acquiring the gas utility assets proposed to be sold by Iowa Union Electric Company; and

Iowa Union Electric Company and C. B. Dushane, Jr. having requested that the proceedings relating to the applications and declaration be consolidated; and

It appearing to the Commission that the applications and declaration involve common questions of law and fact;

It is ordered, That the proceedings upon the applications and the declaration filed by Iowa Union Electric Company and C. B. Dushane, Jr. be and the same are hereby consolidated; and

Notice is hereby given that any interested person may not later than June 22, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said applications and declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided for in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications and declaration which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Iowa Union Electric Company proposes to sell to Keokuk Gas Service Company certain gas utility assets, consisting of production, storage and distribution facilities, located at Keokuk, Iowa, for the base purchase price of $75,000, subject to certain adjustments, payable $10,000 in cash and the balance to be paid in the form of 13 promissory notes. In connection with such sale applicant-declarant proposes to acquire the 13 promissory notes which will be in the face amount of $5,000 each, aggregating $65,000, executed by Keokuk Gas Service Company. The notes will be dated May 1, 1945, with one of such notes maturing on May 1 of each of the years 1947 to 1959, inclusive. The notes are to bear interest, payable semi-annually, at the rate of 3½% per annum for the first two years and at the rate of 4½% per annum for each year thereafter until their maturities. The assets to be sold will be pledged as security for the payment of the notes under the provisions of a first mortgage executed by Keokuk Gas Service Company.

C. B. Dushane, Jr., proposes, in connection with the sale of such utility assets, to acquire 1,280 shares of the par value of $100 per share (constituting 80% of the voting power) of the capital stock of Keokuk Gas Service Company, which company has been organized by C. B. Dushane, Jr., under the laws of the State of Illinois, for the purpose of acquiring and operating such utility assets. C. B. Dushane, Jr. at the present time, is the owner of 100 shares (constituting 10 per cent) of the capital stock of the Wisconsin Fuel and Light Company, a gas public utility company, located at Manitowoc, Wisconsin.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 45–10013; Filed, June 8, 1945; 2:29 p. m.]

[File No. 70–1055]

CENTRAL NEW YORK POWER CORP.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT TO DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, 1945.

The Commission by order dated April 23, 1945 (Holding Company Act Release No. 5753), having permitted to become effective a declaration filed pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company, regarding the purchase on the open market of an aggregate of $3,792,000 principal amount of the assumed non-callable bonds of the corporation, said purchases to consist of a maximum of $1,292,000 principal amount of Northern New York Utilities, Inc., First Mortgage Bonds, due 1947, and a maximum of $2,500,000 principal amount of Syracuse Lighting Company First Mortgage Bonds, due 1951, at the proposed maximum purchase prices of 111½% and 121¼ of the respective principal amounts thereof; and

Central New York Power Corporation having filed a post-effective amendment to the above declaration whereby it proposes to reduce the amount of Northern New York Utilities, Inc., and Syracuse Lighting Company bonds to be purchased and to include in said aggregate of $3,792,000 principal amount of non-callable bonds to be purchased $1,000,000 principal amount of Utica Gas and Electric Company Refunding and Extension Mortgage, 5% Fifty-year Bonds, due July 1, 1957, at a price not to exceed 135% of the principal amount thereof; said purchases to be made in the open market during a period not to exceed one year from the date of this Commission's order permitting the post-effective amendment to become effective and to be in addition to bonds acquired pursuant to Rule U-42 (b) (4) in accordance with the requirements of the indentures securing bonds of the corporation; and

Said post-effective amendment having been filed on May 15, 1945, and notice of said filing having been given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said post-effective amendment within the period provided in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission observing no basis for any adverse findings under section 12 (c) or other applicable provisions of the act;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said post-effective amendment be and it is hereby permitted to become

effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10068; Filed, June 9, 1945; 11:21 a. m.]

[File No. 70-1094]

MONTANA POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of June, A. D. 1945.

Notice is hereby given that a declaration and amendments thereto have been filed with this Commission under the Public Utility Holding Company Act of 1935, and particularly under sections 6 (a) (2), 7 (e) and 12 (e) of the act and Rule U-62 promulgated thereunder, by The Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company. All interested parties are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which is summarized as follows:

Montana has been ordered by the Montana Public Service Commission, under date of December 21, 1944, to classify items in its plant account aggregating $28,793,495.66 in Account 107 and to dispose of $28,641,606.68 of such items by charges to earned and capital surplus. Montana has also been ordered by the said Commission to classify items in its plant account aggregating $7,264,680.27 in Account 100.5, to dispose of $131,128.28 of such items by amortization over a ten-year period, and to retain the balance in said account as long as the properties to which such balance is deemed to pertain are in service.

Montana has been ordered by the Federal Power Commission to classify items in its plant account aggregating $46,891,597.41 (or $18,098,101.75 in excess of the amount ordered so classified by the Montana Commission) in Accounts 107 and 108.17 and to dispose of $46,186,872.70 of such items (or $17,545,262.02 in excess of the amount ordered to be so disposed of by the Montana Commission) by charges to earned and capital surplus. Montana has also been ordered by the said Commission to classify items in its plant account aggregating $5,086,428.48 in Account 100.5 (or $2,178,251.79 less than the amount ordered so classified by the Montana Commission) and to amortize such items over a period of not more than fifteen years. A petition for rehearing was denied by the Federal Power Commission on April 27, 1945 and Montana has indicated that it expects to file a petition for review in an appropriate Federal Court.

In order to facilitate compliance with the aforesaid orders, Montana proposes, as of December 31, 1944, to reduce the stated value for its common stock from $43,633,300 to $20,700,000 thereby creating capital surplus in the amount of $28,933,300. Montana also proposes to increase the stated capital for its $6 preferred stock from $15,869,773 to $15,958,900, the liquidating value thereof. No change in the number of outstanding shares of preferred or common stock is proposed.

Montana states that it will have, as of December 31, 1944, a balance in earned surplus of $21,012,733.70 and, in the event the present proposal is approved, a balance in capital surplus of $28,933,300.00 which latter balance will be increased to $28,970,677.93 by reversing a disposition of plant items made previous to 1937 and duplicated in the proposed present disposition. Montana will then make the following charges against such surplus:

(1) Charge to earned surplus $640,512.83 representing the balance of unamortized debt discount and expense pertaining to the company's bonds, 3¾'s, due 1966 (outstanding in the principal amount of $44,202,000) and 5's, due 1951 (outstanding in the principal amount of $1,838,000).

(2) Charge to earned surplus an amount of $89,127 so as to permit an increase in the stated capital for the preferred stock to liquidating value;

(3) Charge to earned surplus an amount of $697,813.10 to provide a reserve against estimated capitalized intercompany profits in construction and service fees pending judicial review of appropriate accounting treatment of such items;

(4) Charge to earned surplus $17,670,928.75 of Account 107 items which charge will leave a balance in earned surplus of $1,914,351.97, or approximately two years preferred dividend requirements.

(5) Charge to capital surplus $10,970,677.93 which amount, together with $17,670,928.75 charged to earned surplus, will represent disposition of $28,641,606.68 of Account 107 items ordered to be disposed of by the Montana Public Service Commission;

(6) Charge to capital surplus an amount of $18,000,000 to create a reserve for property adjustments, such reserve being provided to permit compliance, either before or after judicial review, with the order of the Federal Power Commission respecting the disposition of additional Account 107 and 108.17 items aggregating $17,393,377.04 not disposed of in compliance with the order of the Montana Public Service Commission and not to be disposed of against other accounts.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on June 18, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice on or before June 16, 1945.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed transactions will be detrimental to the public interest or the interest of investors or consumers and specifically whether such transactions will be detrimental to the interest of the senior security holders of The Montana Power Company;

(2) Whether the proposed transactions will result in an unfair or inequitable distribution of voting power among holders of the securities of The Montana Power Company;

(3) Whether it is necessary to impose any terms or conditions to assure compliance with the requirements of the act or any rules and regulations promulgated thereunder.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to The Montana Power Company, The Public Service Commission of Montana, and the Federal Power Commission, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10069; Filed, June 9, 1945; 11:21 a. m.]

[File No. 70-1099]

MOUNTAIN STATES POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of June 1945.

Notice is hereby given that an application or declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly sections 6 and 7 of Rule U-50 promulgated thereunder, by Mountain States Power Company (Mountain States), a public utility subsidiary of Standard Gas and Electric Company, a registered holding company subsidiary of Standard Power and Light Corporation, also a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Mountain States proposes to issue and sell, pursuant to the competitive bidding provisions of Rule U-50, $7,500,000 prin-

cipal amount of First Mortgage Bonds, Service due July 1, 1975. Each proposal for the purchase of the bonds shall specify (a) the coupon rate which shall be a multiple of ⅛ of 1% and (b) the price to be paid to Mountain States for the bonds which shall be not less than the principal amount nor more than 102.75% of the principal amount. The proceeds of said sale together with the general funds of Mountain States, to the extent required, are proposed to be applied by Mountain States to redeem the $7,500,000 principal amount of its First Mortgage Bonds, 4¼% Series, due January 1, 1965, at the redemption price of $7,800,000 (104% of the principal amount thereof) plus accrued interest.

The bonds will be issued under and secured by a Supplemental Indenture of Mortgage from Mountain States to Harris Trust and Savings Bank and Harold Eckhart as Trustees, dated as of July 1, 1945, mortgaging as security for the payment of the bonds substantially all of the properties of Mountain States.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application or declaration and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on June 22, 1945 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail copies of this order on the Federal Power Commission, the Publice Utilities Commissioner of Oregon, the Department of Public Service of Washington, the Public Utilities Commission of Idaho, the Public Service Commission of Wyoming, the Public Service Commission of Montana and on the applicant-declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or otherwise to participate herein, shall file with the Secretary of the Commission, on or before June 18, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue of mortgage bonds is reasonably adapted to the earning power and the security structure of Mountain States and is necessary and appropriate to the economical and efficient operation of the business or businesses in which Mountain States is presently engaged.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable.

(3) Whether State laws regarding the proposed issue of mortgage bonds have been complied with.

(4) Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound principles of accounting and meet the standards of the act.

(5) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers.

(6) Generally whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(7) Whether in the event the application or declaration shall be granted or permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10070; Filed, June 9, 1945; 11:22 a. m.]

HAY, FALES & CO.

ORDER REVOKING REGISTRATION WITHOUT PREJUDICE TO REAPPLICATION AND DISMISSING PROCEEDINGS IN PART

At the regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of June A. D. 1945.

In the matter of William I. Hay, William Kiefer, Jr., et al., doing business as Hay, Fales & Company, 71 Broadway, New York, New York.

Proceedings having been instituted pursuant to sections 15 (b), 15A and 19 (a) (3) of the Securities Exchange Act of 1934 to determine whether to revoke the registration of Hay, Fales & Co. as an over-the-counter broker and dealer, whether or not to suspend or expel it from membership in National Association of Securities Dealers, Inc., and whether or not to suspend or expel Hay, Fales & Co. or any of its partners from national securities exchanges of which they are members;

A private hearing having been held after due notice, the Commission being duly advised and having this day issued its findings and opinion herein; on the basis of said findings and opinion,

It is ordered, That the registration of Hay, Fales & Co. as a broker and dealer be revoked, said revocation to become effective on the 15th day following the date of this order, without prejudice to the right of Hay, Fales & Co. to reapply for registration after 30 days from the effective date of revocation; and that the proceedings under sections 15A and 19 (a) (3) of the act be, and they hereby are, dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10071; Filed, June 9, 1945; 11:22 a. m.]

[File No. 70-1080]

FEDERAL WATER AND GAS CORP. ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of June, A. D. 1945.

In the matter of Federal Water and Gas Corporation, Mississippi Public Service Company, Peoples Water and Gas Company; File No. 70-1080.

Notice is hereby given that Federal Water and Gas Corporation ("Federal"), a registered holding company, and Mississippi Public Service Company ("Mississippi") and Peoples Water and Gas Company ("Peoples"), gas utility companies and direct subsidiary companies of Federal, have filed with this Commission a joint application-declaration under the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Peoples is proposing: (1) to sell to Mississippi the gas distribution systems owned by it serving the Cities of Meridian and Columbus, Mississippi and territory contiguous thereto for approximately $750,000 in cash, the price to be the depreciated original cost of said properties as estimated by Peoples plus adjustments for net current assets at the date of closing; (2) to use the proceeds of said sale to redeem and retire $750,000 principal amount of its 4½% First Mortgage Bonds, Series A, due 1956, at 101% of principal amount; (3) to increase the stated value of its outstanding preferred stock, consisting of 6,997 shares, from $50 per share to $100 per share (this being the minimum liquidation value of such preferred stock), the increase to be provided for by a charge to earned surplus of $349,850; and (4) to amend its certificate of incorporation to provide that the preferred stock shall have the right to elect a majority of the board of directors upon default in preferred stock dividends aggregating four quarterly periods.

Mississippi is proposing to acquire the gas properties of Peoples as above described and in connection therewith to issue and sell to Federal for $750,000 in cash, and Federal is proposing to acquire, 7,500 shares of the no par value common stock of Mississippi.

It is stated in the filing that these proposed transactions all constitute steps in Federal's integration plan by grouping into a single operating company located in the State of Mississippi all of the

gas utility systems in that State now owned by subsidiaries of Federal.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on these matters under the applicable sections of the act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 19th day of June, 1945, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which said hearing is to be held. Any person desiring to be heard or otherwise wishing to participate should file with the Secretary of the Commission on or before June 16, 1945, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in these matters. The officer so designated to preside at said hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of said hearing is hereby given to Federal, Mississippi, and Peoples and all interested persons, said notice to be given to Federal, Mississippi, and Peoples by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the persons on our mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at said hearing to the following matters and questions:

1. Whether the consideration to be received by Peoples and paid by Mississippi, as proposed in the instant filing, is reasonable and bears a fair relation to the sums invested in and to the earning capacity of the assets proposed to be sold and acquired;

2. Whether the proposed increase in the stated value of Peoples' preferred stock and the proposed amendment to its certificate of incorporation will result in an unfair or inequitable distribution of voting power among holders of Peoples' securities or is otherwise detrimental to the public interest or the interest of investors or consumers, and if so, to what extent modifications should be made in connection therewith;

3. What terms and conditions, if any, in connection with the proposed redemption program, are necessary or appropriate in the public interest or the interest of investors or consumers with respect to the retirement of any of the bonds of Peoples held by Federal;

4. Whether the terms and conditions of the proposed issue and sale of new common stock by Mississippi are detrimental to the public interest or the interest of investors or consumers;

5. Whether the proposed acquisition by Federal will serve the public interest by tending towards the economical and efficient development of an integrated public utility system;

6. The propriety of the proposed accounting treatment to reflect the proposed transactions on the books of Peoples, Mississippi and Federal; and

7. Generally, whether the proposed transactions comply with all of the provisions and requirements of the act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10072; Filed, June 9, 1945; 11:22 a. m.]

[File No. 70-1083]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of June, 1945.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees,), a registered holding company, has filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 (the act), in which it proposes to declare out of capital or unearned surplus a dividend for the quarterly period ending June 15, 1945, of $1.25 per share, on its $5 Prior Preferred Stock, no par value.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held by the Trustees, who have, by a letter dated May 10, 1945, waived their right to collect such quarterly dividend, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in scrip, and such scrip will not receive a dividend), so that $40,127.50 will be required to make the dividend payment.

After appropriate notice a public hearing was held. No one appeared at the hearing to oppose the proposed dividend payment. Having considered the record therein, the Commission makes the following findings:

As at March 31, 1945, the assets of Gengas, per books, available for security holders totalled $29,200,302. The only securities of, or claims against, Gengas which, according to its books, are senior to the $5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate $3,438,930.

The books of Gengas, as at March 31, 1945, reflect an earned surplus deficit of $2,954,175; the capital surplus is shown as $12,696,360.

Net income of Gengas for the twelve months ended March 31, 1945, amounted to $734,730. As at March 31, 1945, Gengas had cash on hand and in banks in the amount of $743,960 and United States Treasury Certificates costing $4,100,000.

A cash forecast for the eight months ending December 31, 1945, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance, inclusive of the proceeds from the conversion of the United States Treasury Certificates, will aggregate $4,470,564.

This is the fourteenth time that Gengas has filed a declaration to declare a dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-10073; Filed, June 9, 1945; 11:22 a. m.]

[File Nos. 54-101 and 59-75]

MINNESOTA POWER & LIGHT CO. AND AMERICAN POWER & LIGHT CO.

ORDER APPROVING PLAN AND DIRECTING APPLICATION TO COURT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of June, A. D., 1945.

In the matter of Minnesota Power & Light Company, American Power & Light Company, File No. 54-101; Minnesota Power & Light Company, American Power & Light Company, File No. 59-75.

Minnesota Power & Light Company ("Minnesota"), a Minnesota Corporation and a subsidiary of American Power & Light Company ("American"), a registered holding company which is itself a

subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan to effectuate the provisions of section 11 (b) of the act, which plan is more fully described in the findings and opinion hereinafter referred to: and

American, having joined in the plan to the extent of proposing to transfer certain securities to Minnesota; and

The applicant having requested that the Commission enter an order finding that the transactions proposed in said plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the formal requirements specified in the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

The applicant having requested the Commission upon its approval of the plan to apply to an appropriate District Court of the United States for an order approving and enforcing the plan; and

The Commission having issued a Notice of and Order for Hearing on said application, and having directed that the proceedings thereon should be consolidated with proceedings instituted therein under sections 11 (b) (2), 15 (f), and 20 (a) of the act with respect to Minnesota and American; and

A public hearing having been held on such matters, after appropriate public notice; the Commission having considered the record in the matter and having made and filed its findings and opinion herein; and

The Commission having found that the proposed transactions are necessary to effectuate the provisions of section 11 (b) of said act and fair and equitable to the persons affected thereby;

It is hereby ordered, That said application be and the same hereby is granted, and that said plan be and the same hereby is approved, subject, however, to the conditions specified in Rule U-24 and the following additional terms and conditions:

(1) That jurisdiction be and hereby is reserved as to all fees and expenses to be paid by Minnesota in connection with said plan;

(2) That this order shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such plan; and

(3) That jurisdiction be and hereby is reserved to the Commission to entertain such further proceedings, to make such supplemental findings and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof and, in the event the plan be not consummated to enter such further orders as it may deem appropriate under sections 11 (b) (2), 15 (f), and 20 (a) of the act;

It is further ordered, That the issues, transfers and exchanges of securities, the cash payments and the transactions specified and itemized below, all as provided by the plan, are necessary or appropriate to the integration and simplification of the holding company system of which Minnesota is a member and necessary and appropriate to effectuate the provisions of subsection (b) of section 11 of the Public Utility Holding Company Act of 1935:

(1) The transfer by American to Minnesota and the acquisition by Minnesota of the following securities: 1,450,000 shares of Common Stock of Minnesota, 865 shares of 7% Preferred Stock of Minnesota, 225 shares of 6% Preferred Stock of Minnesota including all claims to the redemption price of $120 per share plus accrued dividends, 878 shares of $6 Preferred Stock of Minnesota, 11,000 shares (including options to purchase 7 shares) of Common Stock of Superior Water, Light & Power Company, 385 shares (including options to purchase 5 shares) of Common Stock of Pike Rapids Power Company, $315,725 principal amount of notes and advances of Topeka Land Company, 1,000 shares (including options to purchase 4 shares) of Capital Stock of Topeka Land Company;

(2) The surrender by the public stockholders and the acquisition and cancellation by Minnesota of 78,929 shares of 7% Preferred Stock of Minnesota and 70,111 shares of $6 Preferred Stock of Minnesota;

(3) The issuance and payment by Minnesota to the public stockholders in consideration of the surrender of the shares set forth in paragraph 2 above of; (i) 149,040 shares of 5% Preferred Stock of Minnesota, on a share for share basis and (ii) $10 in cash for each share of 7% Preferred Stock and $5 in cash for each share of $6 Preferred Stock;

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application on behalf of the Commission to an appropriate United States District Court to enforce and carry out the terms and provisions of the plan, pursuant to the provisions of section 11 (e) and in accordance with the provisions of section 18 (f) of the act and the request duly filed herein by the applicants.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10074; Filed, June 9, 1945; 11:23 a. m.]

[File No. 70-1050]

CAROLINA POWER & LIGHT CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of June, A. D., 1945.

An application and declaration, and amendments thereto, having been filed with this Commission by Carolina Power & Light Company, a subsidiary of National Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, pursuant to sections 6 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 regarding the retirement of all its presently outstanding preferred stock by offering to the holders of such stock the right to exchange such shares for shares of a new issue of preferred stock and by calling for redemption any shares not so exchanged; and

The Commission having by order dated April 6, 1945 granted the application and permitted the declaration to become effective, subject to the terms and conditions prescribed in Rule U-24; and

Carolina Power & Light Company having requested that the condition contained in Rule U-24 requiring that the transaction be carried out within 60 days after the declaration is permitted to become effective and the application is granted, be modified so as to extend the time within which the transactions as set forth in the application and declaration may be carried out to 70 days from such effective date:

It is hereby ordered, That the condition contained in the order of April 6, 1945, be and hereby is modified to the extent necessary to extend the time within which such transactions may be carried out from 60 days to 70 days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10134; Filed, June 11, 1945; 9:49 a. m.]

[File No. 811-277]

SHAREHOLDERS CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of June A. D. 1945.

An application having been filed by Shareholders Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to Section 40 (a) of said act, that a hearing on the aforesaid application be held on June 25, 1945, at 10:00 a. m., Eastern War Time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-10135; Filed, June 11, 1945; 9:49 a. m.]