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CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION—Continued.	Page
Coal cars, furnishing of near Moosic, Pa.....	4367
Irish potatoes, permit required for shipment.....	4360
Maine potatoes, icing restriction on.....	4359
Icing permits, potatoes:	
Chicago, Ill.....	4368
Alabama.....	4367
Reconsignment permits:	
Apples, Minneapolis, Minn....	4368
Potatoes, Philadelphia, Pa....	4367
Tomatoes, Kansas City, Mo....	4368
LABOR DEPARTMENT. <i>See also</i> Wage and Hour Division.	
Sunset Motor Lines, Inc.; finding of Secretary.....	4362
NAVY DEPARTMENT:	
Public sale of petroleum, call for bids.....	4361

CONTENTS—Continued

OFFICE OF DEFENSE TRANSPORTATION:	Page
Authority delegation, Assistant Director, Railway Transport Department.....	4360
Certain carriers, coordinated operations:	
Bridgeton and Port Elizabeth, N. J.....	4375
Coos Bay and North Bend, Oreg. (Corr.).....	4376
Florida (2 documents)....	4372, 4373
Kansas City, Mo., and Great Bend, Kans.....	4371
Minnesota and South Dakota.....	4373
North Carolina.....	4371
Painted Post and Elmira, N. Y. Providence, R. I., and Taunton, Mass.....	4374
Richmond, Va., and Virginia.....	4369
Line-haul shipments, Waco, Tex.....	4374
OFFICE OF PRICE ADMINISTRATION:	
Adjustments and pricing orders:	
Abbott, Clarence James.....	4390
Admiral Industries.....	4384
Apogi, Solomon.....	4398
Auto-Bye Co. (Corr.).....	4388
Axelson Mfg. Co.....	4396
B. V. S. Cigar Co.....	4379
Benatar's Cut Rate Drugs.....	4380
Big Four Cigar Factory.....	4382
Billey, George F.....	4391
Boettcher, E., & Sons Tool & Engineering Co.....	4394
Bond Cigarette Roller Case Co.....	4385
Chatel, R. E., & Co.....	4393
Colonial Cigar Co.....	4395
Corona Mfg. Co.....	4392
Costello, George V.....	4385
Crum, Harley W.....	4376
Dearborn Brass Co.....	4397
deYoung, R. H., Co.....	4393
Diaz & Borrego Cigar Co.....	4396
El Veguero Havana Blend Cigar Co.....	4383
Electronome Corp.....	4389
Ellis Mfg. Co.....	4388
Estrella Cigar Factory.....	4380
Fishback Mfg. Co.....	4401
Fort Worth Sales Mfg. Co.....	4386
Frie Cooling Co. (Corr.).....	4395
Frost Co.....	4398
Gallo, Juan (Corr.).....	4396
Gerace, Anthony.....	4381
Geraghty, Lawrence F.....	4379
Hiedel, Frank E. (2 documents).....	4377, 4378
Hockley, Jules M.....	4380
Holland Furnace Service.....	4388
J. B. M. Import & Export Co.....	4381
Joyland Toys.....	4386
Keene, Walter E., Mfg. Co.....	4392
Keller Tool & Supply Co.....	4383
Kreidler, Carl H.....	4385
Lang Tool & Die Co.....	4393
Levermatic Corp.....	4388
Lyon Metal Products, Inc.....	4391
Macmaweb Industries.....	4389
Manhattan Novelty Co.....	4383
Midget Enterprises.....	4395
Niity Roller Co.....	4384
Payton, A. B., & Co.....	4394
Pearsons, L. E.....	4378
Penalver, Ricardo.....	4377
Reyes, Jose E., & Co.....	4377
Righter, Harry M.....	4390

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Adjustments and pricing orders—Continued.	
S. F. S. Co.....	4386
Salter, H. B., Mfg. Co.....	4397
Sensenbrenner, A., Sons.....	4376
Skallerup, Otto.....	4382
Southern Properties, Inc.....	4397
Sulco Products Corp.....	4390
Tailor Made Mfg. Co.....	4394
Twix Mfg. Co.....	4387
Wald, Mfg. Co.....	4391
Williams, Orval.....	4387
Apparel and accessories, certain, manufacturers' average prices (S. O. 108).....	4336
Beans, macaroni products and noodle products, processed (FPR 1, Am. 2 to Supp. 2).....	4335
Bituminous coal delivered from mine or preparation plant (MPR 120, incl. Am. 1-136).....	4303
Boots and work shoes, men's rubber (RO 6A, Am. 17).....	4335
Building materials, specified; adjustments for manufacturers (MPR 188, Am. 2 to Order B-1).....	4397
Consumer goods, modifications (SR 14J, Am. 4).....	4356
Feather filled pillows and upholstery cushion innercasings (MPR 584).....	4350
Feathers and down (MPR 318, Am. 4).....	4349
Fish and seafood:	
Fresh and frozen (MPR 579, Am. 4).....	4348
Frozen (MPR 364, Am. 29).....	4348
Hawaii, grocery items (MPR 373, Am. 141).....	4355
Industrial services (MPR 581, Am. 1).....	4348
Iron and steel scrap (MPR 4, Corr. to Am. 2).....	4336
Potatoes and onions (RMPR 271, Am. 35).....	4347
Regional and district office orders. <i>See also</i> Adjustments.	
Fluid milk, Hawley, Minn.....	4401
Malt and cereal beverages, Mississippi.....	4399
Solid fuels:	
Boston region (4 documents).....	4398, 4399
Cleveland region (Corr.).....	4401
Wooden boxes, industrial (2d Rev. MPR 195, Am. 3).....	4347
RECLAMATION BUREAU:	
Riverton Irrigation Project, annual water rental charges.....	4361
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
American Power & Light Co. and Texas Electric Service Co.....	4406
Atlantic Utility Service Corp., and Cambridge Electric Light Co., et al.....	4402
Consolidated Electric & Gas Co.....	4406
Continental Motors Corp., et al.....	4405
Engineers Public Service Co. and Donner Estates, Inc.....	4107

(Continued on next page)

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION—Continued.	
Hearings, etc.—Continued.	Page
Greene, Charles E., & Co.....	4401
Long Island Lighting Co., et al.....	4403
North West Utilities Co., and Lake Superior District Power Co.....	4402
Roberts Public Markets, Inc.....	4402
Rollins, E. H., & Sons, Inc., and Walter Cecil Rawls.....	4402
Virginia Electric & Power Co.....	4403
York Railways Co., et al.....	4404
SELECTIVE SERVICE SYSTEM:	
Reports of obligations, forms prescribed.....	4290
SURPLUS PROPERTY BOARD:	
Disposal agencies designated, etc.; Commerce Department.....	4356
Postponement of responsibility of disposal agencies.....	4368
WAGE AND HOUR DIVISION:	
Learner employment certificates, issuance to various industries:	
Cigar, woodworking, book-binding, etc., industries.....	4362
Garment, hosiery, and textile industries.....	4362
WAR FOOD ADMINISTRATION:	
Agricultural labor, salaries and wages:	
Alfalfa hay workers, Maricopa County, Ariz.....	4290
Asparagus workers, Kent and Sussex Counties, Del.....	4290
Lettuce workers, California.....	4289
Irish potatoes (WFO 120-5).....	4285
Linseed oil inventories (WFO 124, Am. 1).....	4287
Livestock slaughter payments (WFO 126-1, Am. 2).....	4285
WAR MANPOWER COMMISSION:	
Employment stabilization programs:	
Baton Rouge, La., area.....	4407
Lake Charles, La., area.....	4409
WAR PRODUCTION BOARD:	
Beryllium scrap (M-160-a, revocation).....	4299
Carbon black (R-1, Dir. 12).....	4294
Construction stoppage orders, certain projects; notice to builders and suppliers.....	4401
Controlled materials plan; making up deficiencies in production schedules for Class B products (CMP Reg. 1, Int. 27).....	4292
Joint action plans, withdrawal of certificates:	
Purchasers of logging services and stumpage (Certificate 96, revocation).....	4411
Purchasers of logs and bolts (Certificate 56, revocation).....	4412
Lumber; sawmills required to produce boards and dimensions (L-335, Dir. 1-a).....	4293
Magazines and periodicals (L-244, Supp. 1).....	4291
Photographic paper, sensitized, delivery of (L-233-a).....	4293

CONTENTS—Continued

WAR PRODUCTION BOARD—Con.	Page
Priorities system operation; preference ratings (PR 3).....	4294
CMPL-244 and GA-1456 authorization (PR 3, Int. 4).....	4299
Industrial air circulators (PR 3, revocation of Int. 14).....	4299
Scheduled products:	
Power Division (M-293, Table 8).....	4299
Radio and Radar Division (M-293, Table 9).....	4300
Suspension orders, etc.:	
Banner Bed Co.....	4290
Johnson, Dewey W.....	4412
WAR SHIPPING ADMINISTRATION:	
Preliminary contracts for carriage on vessels owned or chartered by; "Warship-dockreceipt 5/15/45".....	4358

centages. There are hereby established and certified to the Defense Supplies Corporation the following percentages of livestock slaughtered during the accounting periods of 1944 for use in determining maximum livestock slaughter payments, during corresponding accounting periods of 1945, to all slaughterers whose plants are not operated under Federal inspection:

	<i>Percentage of live weight slaughtered during accounting period of 1944</i>
Classes of livestock:	
Cattle and calves.....	75
Hogs.....	50
Sheep and lambs.....	100

(b) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 29, 1945. The percentages set forth herein shall apply to livestock slaughter payments made for accounting periods in 1945 which begin after April 29, 1945, and shall remain in effect until further order of the Director of Marketing Services.

(E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; WFO 126 10 F.R. 1691, 2224)

Issued this 20th day of April 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-6420; Filed, Apr. 21, 1945; 3:22 p. m.]

[WFO 124, Amdt. 1]

PART 1460—FATS AND OILS
LINSEED OIL INVENTORIES

War Food Order No. 124 (10 F.R. 1362) is amended to read as follows:

§ 1460.39 *Limitations on inventories and purchases of linseed oil*—(a) *Definitions.* (1) "Linseed oil" means the oil pressed, expelled, or otherwise extracted from flaxseed, whether raw, bodied, or otherwise processed, excluding (i) processed linseed oil containing less than 50 percent by weight of linseed oil, (ii) re-

covered linseed oil, and (iii) linseed oil fatty acids.

(2) "Type or grade," as applied to linseed oil, means linseed oil in any one of the following states: raw, boiled, blown, alkali refined, otherwise refined, polymerized.

(3) "Government agency" means (i) the Army, Navy, Marine Corps, or Coast Guard of the United States, (ii) the War Food Administration, including any corporate agency thereof, (iii) the United States Maritime Commission, (iv) the War Shipping Administration, and (v) the Veterans Administration.

(4) "Exempt use," with respect to linseed oil, means linseed oil (i) sold to a Government agency, or (ii) to be used in the manufacture of any product for delivery to a Government agency pursuant to a contract with such agency.

(5) "Inventory" means the quantity of linseed oil owned by any person, wherever located, excluding linseed oil held to fulfill contracts for exempt uses.

(6) "User" means any person, except a Government agency, who uses linseed oil in the manufacture of any other product.

(7) "Shipping unit" means the single, segregate, commercial quantity of linseed oil customarily or normally shipped to and accepted by any user during the six-month period immediately prior to the effective date of this order.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Limitation on inventories.* No user shall accept delivery of any type or grade of linseed oil in any quantity which will cause his inventory of such type or grade of linseed oil to exceed one-third of the amount thereof used by him during the preceding calendar quarter, except that (1) any user may accept delivery of not more than 5 drums of linseed oil in the aggregate in any calendar month, and (2) subject to the provisions of paragraph (d) of this order, any user whose inventory of any type or grade of linseed oil is below the maximum permitted under this order may accept delivery of one shipping unit of such type or grade of linseed oil.

(c) *Limitation on purchases and contracts to purchase.* No user shall purchase or contract to purchase linseed oil in any quantity which, when added to his total inventory of linseed oil and to all quantities thereof contracted for future delivery, will exceed the aggregate amount of linseed oil used by him during the preceding calendar quarter.

(d) *Certificate.* (1) No person shall deliver linseed oil in quantities of more than 5 drums in any calendar month to any user except a Government agency, and no user other than a Government agency shall accept delivery of linseed oil in quantities of more than 5 drums in any calendar month, unless the person accepting delivery executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to -----

----- that he is familiar with
Name and address of supplier

the terms of War Food Order No. 124, that this certificate is furnished in order to enable the undersigned to acquire ----- pounds of ----- linseed oil, to be

Type or grade delivered on or about -----, and

Date that the receipt by him of such linseed oil will not increase his inventory beyond the amount permitted under War Food Order No. 124. The undersigned hereby further certifies that:

he is (is not) subject to War Food Order No. 42a,

he is (is not) subject to War Food Order No. 42b,

he has (has not) filed Form FDO 42-1 with the Fats and Oils Branch, War Food Administration.

Name of user
By -----
Authorized official

Date

(2) No person shall deliver linseed oil to any user who certifies that he is subject either to War Food Order 42a or War Food Order No. 42b, unless such user also certifies that he has filed Form FDO 42-1 with the Fats and Oils Branch, War Food Administration.

(3) All certificates shall be retained by the supplier for delivery to the Director upon request. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years, or for such period of time as the Director may designate, maintain an accurate record of his production of and transactions in linseed oil.

(3) Effective until September 15, 1945, every supplier of linseed oil shall, within 15 days after the end of each calendar month, inform the Director of all persons who, during such calendar month, have certified that they have filed Form FDO 42-1 with the Fats and Oils Branch, War Food Administration, and who have not previously been so reported by the supplier: *Provided*, That the first such report shall be due June 15, 1945, and shall cover the period from the effective date of this amendment to May 31, 1945.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises or stocks of linseed oil of any person, and to make such investigations as may be

necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using linseed oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, a provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 124, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 24, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 124, 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.

NOTE: The 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.

(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)

Issued this 21st day of April 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-6458; Filed, April 23, 1945; 11:03 a. m.]

TITLE 14—CIVIL AVIATION
Chapter I—Civil Aeronautics Board

[Regs., Amdt. 40-1]

PART 40—AIR CARRIER OPERATING
CERTIFICATION

MULTIENGINE AIRCRAFT REQUIREMENTS FOR
OPERATION OVER WATER

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of April, 1945.

Effective April 20, 1945, § 40.233 of the Civil Air Regulations is amended by striking the last sentence and inserting in lieu thereof the following: "The requirements of flotation devices and signal equipment do not apply where such operations consist only of landings, take-offs, or flights of short duration over water and the Administrator finds in each case that such equipment is unnecessary."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-6462; Filed, Apr. 23, 1945; 11:09 a. m.]

[Regs., Amdt. 40-2]

PART 40—AIR CARRIER OPERATING
CERTIFICATION

PASSENGER MINIMUM REQUIREMENTS

Extending the period for the compliance of airplanes used in scheduled air transportation to be certificated in accordance with the transport category requirements of Part 04.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 20th day of April, 1945.

Effective April 20, 1945, § 40.2 (d) of the Civil Air Regulations is amended by striking the words "December 31, 1947" and inserting in lieu thereof the words "December 31, 1948."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-6463; Filed, Apr. 23, 1945; 11:09 a. m.]

[Regs., Amdt. 61-3]

PART 61—SCHEDULED AIR CARRIER RULES
MULTIENGINE AIRCRAFT OPERATION OVER
WATER

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of April, 1945.

Effective April 20, 1945, § 61.3220 (a) of the Civil Air Regulations is amended to read as follows:

§ 61.3220 (a) Multiengine land aircraft operated over water, beyond gliding distance from shore without the aid of power, shall be completely equipped for overwater flying as specified in § 40.233, unless the overwater operations are so limited in duration or otherwise

that the Administrator finds such equipment unnecessary.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-6464; Filed, Apr. 23, 1945;
11:09 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51222]

MISCELLANEOUS AMENDMENTS

Sections 8.15, 8.59 (h), 10.1, 26.2 (g) Customs Regulations of 1943, relating respectively to invoice requirements, the lading and delivery of articles for which immediate delivery is necessary, entry requirements, and disclosure of information from customs records, amended.

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

Section 8.15 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.15 (a)), as amended by T. Ds. 51036 and 51105, is hereby further amended by adding to subparagraph (20) after the comma following the word "fish" the following: "including parts of fish, such as skins, bones, sounds, cuttings, wastes, fins, tails, and livers, fish eggs, cuttlefish bone, shellfish, clam shells, sea shells," and by adding new subparagraphs numbered (22), (23), (24), and (25) reading as follows:

(22) Vegetables in their natural state, imported from countries contiguous to the continental United States, when unconditionally free of duty or subject only to a specific rate of duty not depending on value.

(23) Ballast, but not including cargo used as ballast, landed and delivered from a vessel for consumption.

(24) Currency and silver and copper coins, when brought into the United States as a medium of exchange.

(25) Corpses.

Section 8.15 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.15 (b)), as amended by T. D. 51036, is hereby further amended by deleting from the first sentence "provided they set forth the information required by or pursuant to section 481, Tariff Act of 1930," by inserting after the word "invoices" in the first sentence the following: "prepared in the manner customary for a commercial transaction involving articles of the particular character concerned and containing any special data required by § 8.13 (i)" and by deleting the word "bananas" in subparagraph (5) and inserting "vegetables" in lieu thereof. (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083, sec. 498, 46 Stat. 728, sec. 624, 46 Stat. 759; 19 U. S. C. 1484, 1498, 1624.)

The number of this Treasury decision and "CIE 727/42, 10/26/42" shall be noted as marginal references to paragraphs (a) and (b) of § 8.15, Customs Regulations of 1943.

Section 8.59 (h), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.59 (h)), is hereby amended as follows:

Delete "take immediate action to collect, as liquidated damages, the penal sum" and insert in lieu thereof the words "make an immediate demand for liquidated damages in the entire amount."

Delete the words "the claim is promptly satisfied" and insert in lieu thereof the words "prompt action is taken looking to a settlement of the claim." (Sec. 448 (a), 46 Stat. 714; 19 U.S.C. 1448 (a).)

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE, ETC.

Section 10.1 (a) (1), Customs Regulations of 1943 (19 CFR, Cum. Supp., 10.1 (a) (1)), is hereby amended by inserting a period following "pro forma invoice" in the first sentence and by deleting the remainder of the sentence. (Par. 1615; sec. 201, 46 Stat. 674, sec. 35, 52 Stat. 1092, sec. 624, 46 Stat. 759; 19 U.S.C. 1201, 1624)

PART 26—DISCLOSURE OF INFORMATION

Section 26.2 (g), Customs Regulations of 1943 (19 CFR, Cum. Supp., 26.2 (g)), is hereby amended by changing the period at the end of the first sentence to a comma and adding the following: "with a report which shall specifically describe the testimony or documents desired; shall set forth the views of the submitting officer as to whether the giving of the testimony or the furnishing of the documents would disclose confidential information or be inimical to the public interest; and shall state in what particulars, if any, the disclosure of the information and work incidental thereto would interfere with the orderly conduct of customs business."

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

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 19, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-6352; Filed, Apr. 20, 1945;
3:51 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 14, Rev. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN LETTUCE IN CALIFORNIA

Supplement No. 14 (formerly referred to as Specific Wage Ceiling Reg. 14) issued June 28, 1944, is hereby amended and revised to read as follows:

§ 1102.11 *Wages of workers engaged in harvesting lettuce in the State of California.* 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 California WFA Wage Board that a majority of the producers of lettuce in the State of California have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in dry-pack harvesting of lettuce in the State of California 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. 14:

(1) Dry-pack harvesting of lettuce consists of and embraces all field operations performed by crew members; unloading empty crates; papering the crates; cutting, trimming and packing the lettuce; lidding and stamping the crates; loading full crates on trucks or other vehicles; and in doing other operations incidental to and customarily related to the above.

(2) Crew organization and supervision embraces those duties of the crew foreman in organizing and supervising the crew and other operations customarily performed by the crew foreman in connection with the harvesting operations above.

(c) *Wage rates; maximum wage rates for dry-pack harvesting of lettuce.*

(1) Dry-pack harvesting—27¢ per standard crate;
(2) Crew organization and supervision—1¢ per standard crate.

If wages are not paid on the basis of the standard crate, the rates of compensation shall not exceed the equivalent of the rates specified herein.

(d) *Administration.* The California WFA Wage Board, located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this Supplement No. 14 in accordance with the provisions 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).

(e) *Applicability of specific wage ceiling regulations.* This Supplement No. 14 shall be deemed to be a part 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) and the provisions of such regulations shall be applicable to this Supplement No. 14 and any violation of this Supplement No. 14 shall constitute a violation of such specific wage ceiling regulations.

(f) *Effective date.* This revised Supplement No. 14 shall become effective at 12:01 a. m. Pacific war time, April 24, 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 21st day of April 1945.

K. A. BUTLER,
Assistant Director of Labor,
War Food Administration.

[F. R. Doc. 45-6461; Filed, Apr. 23, 1945;
11:03 a. m.]

[Supp. 11, Amdt. 1]

PART 1109—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF DELAWARE

WORKERS ENGAGED IN CUTTING, BUNCHING, AND PACKING ASPARAGUS IN KENT AND SUSSEX COUNTIES, DELAWARE

Supplement No. 11 (9 F.R. 6700) to the specific wage ceiling regulations, § 1109.1, paragraph (b) is hereby amended to read as follows:

(b) *Wage rates; maximum wage rates for harvesting asparagus.* (1) *Hourly rate.* (i) For fresh market and cannery asparagus, 50¢ per hour. Meals may not be furnished in addition to the rates specified above but housing may be furnished.

(2) *Piece rate.* (i) For fresh market asparagus—8¢ per bunch for complete operation of cutting, bunching and packing in the field.

(ii) For cannery asparagus—3¢ per pound for cutting and sledding.

This amendment shall be effective at 12:01 a. m., eastern war time, April 21, 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 21st day of April 1945.

K. A. BUTLER,
Assistant Director of Labor,
War Food Administration.

[F. R. Doc. 45-6460; Filed, Apr. 23, 1945;
11:03 a. m.]

[Supp. 45]

PART 1112—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF ARIZONA

WORKERS ENGAGED IN BALING ALFALFA HAY IN MARICOPA COUNTY, ARIZONA

§ 1112.2 *Wages of workers engaged in baling hay in Maricopa County, State of Arizona.* 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 Arizona WFA Wage Board that a majority of the producers of alfalfa hay in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Arizona WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in the baling of alfalfa hay in Maricopa County, Arizona, 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) *Wage rates; maximum wage rates for baling alfalfa hay.*

With a six man crew—26¢ per ton per man for five men and 30¢ per ton for one man who is designated as lead man.

Where workers are paid on any other basis, rates of compensation must not exceed the equivalent of the rates specified above.

(c) *Administration.* The Arizona WFA Wage Board located at 132 South Central Avenue, Phoenix, Arizona, will have charge of the administration of this Supplement No. 45 in accordance with the provisions 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).

(d) *Applicability of specific wage ceiling regulations.* This Supplement No. 45 shall be deemed to be a part 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) and the provisions of those regulations shall be applicable to this Supplement No. 45 and any violation of this Supplement No. 45 shall constitute a violation of those specific wage ceiling regulations.

(e) *Effective date.* This revised Supplement No. 45 shall become effective at 12:01 a. m. mountain war time, April 24, 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 21st day of April 1945.

K. A. BUTLER,
Assistant Director of Labor,
War Food Administration.

[F. R. Doc. 45-6459; Filed, Apr. 23, 1945;
11:03 a. m.]

TITLE 32—NATIONAL DEFENSE
Chapter VI—Selective Service System
[No. 289]

REPORTS OF OBLIGATIONS
ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Service Training and Service Act of 1940, as amended, I hereby prescribe the following changes in the DSS Forms:

Revisions of DSS Forms 260, 260A, 260AA, 260B, 260C, 260D, 260E, 260F and 260G, each entitled "Reports of Obligations" effective immediately upon the filing hereof with the Division of the Federal Register. Upon receipt of the revised DSS Forms 260, 260A, 260AA, 260B, 260C, 260D, 260E, 260F, and 260G, the use of the former supply of DSS Forms 260, 260A, 260AA, 260B, 260C, 260D, 260E, 260F and 260G will be discontinued and the unused copies will be disposed of.

The foregoing order shall become effective in the continental United States on the day of the filing of this order with the Division of the Federal Register, and shall become effective outside the continental United States thirty days after the filing of this order with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

APRIL 16, 1945.

[F. R. Doc. 45-6336; Filed, Apr. 20, 1945;
1:55 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 and 58 Stat. 177; 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-762]

BANNER BED CO.

Banner Bed Company, a corporation, located at 3622 South Morgan Street, Chicago, Illinois, is engaged in the manufacture and sale of metal cots, bunks, beds and bedsprings. During the period from January 1, 1944, to September 30, 1944, the corporation produced 14,787 metal beds, not hospital types, for other than preferred orders, and in violation of Limitation Order L-49 and Conservation Order M-126. During the second calendar quarter of 1944, the corporation produced 3,932 cots and bunks in excess of its permitted production quota under the provisions of Limitation Order L-49 and in violation of that order. During the first, second and third quarters of 1944, the corporation diverted controlled material from uses for which the allotments of material were granted, in violation of CMP Regulation No. 1. The corporation failed to maintain accurate and complete production, sales, purchase or inventory records, in violation of Priorities Regulation No. 1. The responsible

¹ Filed as part of the original document.

officers of the corporation were familiar with the provisions of Limitation Order L-49, Conservation Order M-126, CMP Regulation No. 1, and Priorities Regulation No. 1, and these violations were in part the result of gross negligence and in part wilful.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.762 *Suspension Order No. S-762.* (a) Banner Bed Company 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, unless otherwise specifically authorized in writing by the War Production Board.

(b) Banner Bed Company shall not for three months from the effective date of this order fabricate, work on, or use iron or steel in the production of beds, bunks, cots, or bedsprings except to fill purchase orders of, or contracts with, the Army, or Navy of the United States.

(c) For a period of three months from the effective date of this order, no further allocations or allotments shall be made to Banner Bed Company, of any material or product, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless otherwise specifically authorized in writing by the War Production Board. In addition, Banner Bed Company shall return to the War Production Board the unused portion of any allocation or allotment received by it prior to the effective date of this order, and shall cancel all outstanding orders for the delivery of material under such allocations or allotments, except orders for material which was in transit for delivery to it on the effective date of this order.

(d) Nothing contained in this order shall be deemed to relieve Banner Bed 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 hereof.

(e) The restrictions and prohibitions contained herein shall apply to Banner Bed Company, its successors or 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.

(f) This order shall take effect on the 20th day of April 1945.

Issued this 13th day of April 1945.

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

[F. R. Doc. 45-6356; Filed, Apr. 20, 1945; 4:51 a. m.]

PART 3133—PRINTING AND PUBLISHING
[Limitation Order L-244, Supp. 1, as Amended
Apr. 21, 1945]

MAGAZINES AND PERIODICALS

§ 3133.15a *General Limitation Order L-244, Supplement No. 1—(a) Purpose of appeal clause.* The serious shortage in the supply of print paper available for magazines makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-244. Such reductions may create serious hardships—which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardship for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) and (k) of Order L-244, unless he files an appeal for such relief and a grant is made in writing, signed by the Recording Secretary of the War Production Board.

(c) *Adjustment of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted on appeal does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (j) of Order L-244 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-244 the following standards shall govern:

(1) *New magazines issued by new publishers in 1942.* If a new publisher first caused paper to be used in printing a new magazine in 1942 (and did not publish any other magazine throughout that entire year) he shall be granted a constructive base tonnage: *Provided,* The magazine was published continuously until the issuance of Order L-244 on De-

ember 31, 1942. This shall be determined by averaging the tonnage of paper consumed in each issue printed in 1942 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(2) *Publishers who used 25 tons or less in the first quarter of 1943.* If a publisher used 25 tons of paper or less in the first quarter of 1943 under that provision of Order L-244 (eliminated as of April 1, 1943) which exempted users of 25 tons per quarter or less, he shall be granted a constructive base tonnage, not to exceed 25 tons per quarter. This shall be determined by averaging the tonnage of paper used in the issues of each magazine printed during the first quarter of 1943 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance in that period.

(3) *Reduction in basis weight and trim size.* Publishers who reduced the basis weight or trim size of their magazines in 1942 shall be granted compensatory increases in their base tonnages.

(4) *Heavy weight paper, wide rolls and large sheets held in inventory because of reduction in basis weights and trim size.*

(i) A publisher who, prior to October 1, 1944, reduced the basis weight of the paper regularly used in his magazine, and who, since the time of such reduction, has held in "frozen inventory" a quantity of the heavier paper regularly used prior to such reduction, shall, on appeal, be granted permission to consume that quantity of heavier paper and charge it against his quota as if it were paper of the basis weight he is currently using for the same kind of printing. Such permission shall be granted only subject to the following conditions:

That the heavier weight paper shall be consumed before June 30, 1945, and

That the tonnage of paper which he is permitted to accept during the second quarter of 1945 shall be reduced by the net tonnage to be charged against his consumption quota pursuant to the appeal granted under this paragraph.

(ii) A publisher who reduced the trim size of his magazine prior to October 1, 1944, and who, since the time of such reduction, has held in "frozen inventory" a quantity of wider rolls or larger sheets of paper which were required to print his magazine prior to such reduction in trim size, shall, on appeal, be granted permission to consume that quantity of over-size rolls or sheets as if it were paper of the size he is currently using for the same kind of printing without charging against his consumption quota the trim waste caused by such reduction in roll size or sheet size. Such permission shall be granted only subject to the following conditions:

That such over-size rolls or sheets shall be consumed before June 30, 1945, and

That the tonnage of paper which he is permitted to accept during the second quarter of 1945 shall be reduced by the net tonnage to be charged against his consumption quota pursuant to the appeal granted under this paragraph.

(5) *Unusual seasonal variations.* Publishers whose schedules have unusual seasonal variations shall be granted permission to redistribute their quarterly consumption quotas within a calendar year.

(6) *Inter-company transfers.* Transfers of quotas under Order L-244 shall be permitted between corporations which have occupied the relationship of parent and wholly-owned subsidiary, or affiliates wholly owned by the same person prior to December 31, 1942, and continuously thereafter.

(7) *Temporary suspension.* Magazines which were forced to suspend publication temporarily during 1942 because of strikes, fires or similar conditions shall be granted compensatory increases in their base tonnage to the extent that it was impracticable to continue operations at another plant.

(8) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting of tonnage on appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of appeals. This list is not exclusive.

(1) The nature of a magazine's contents.

(2) Diminished base period consumption because of financial conditions.

(3) Suspension of publication in 1942, except as provided in paragraph (f) (7).

(4) Consumption of more paper in any quarter of 1942 than in other quarters.

(5) Consumption of less paper in 1942 than in other years except as provided in paragraph (f) (3).

(6) Decrease in circulation, number of advertising pages, or number of editorial pages in 1942.

(7) Increase in trim size, basis weights, circulation, cover or subscription price, number of advertising pages, number of editorial pages, frequency of issuance, or other expansion measures in 1942 or thereafter.

(8) Publication of a new magazine in 1942 by a publisher who was in the magazine publishing business throughout that year.

(9) Special events such as war bond drives, recruiting drives, war news, political news, etc.

(10) Inability to maintain or increase advertising pages, editorial pages, or circulation under existing quotas.

(11) Increased demand for a magazine, even though it is published by a membership organization whose constitution requires that a copy be sent to every member.

(12) Request to use in a magazine publishing business commenced after May 24,

1944 more than 1¼ tons of paper per calendar quarter, as provided in paragraph (j) (2) of Order L-244.

(13) The fact that additional tonnage was granted on appeal to a competitor.

(14) Consumption of paper in violation of Order L-244, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L-244 may be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subparagraph of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-240, L-241 and L-245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file, it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decision.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeal shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943 whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

(1) All papers filed by the appellant in support of the appeal except those portions which contain confidential data.

(2) All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.

(3) Copies of all letters of grant or denial.

(4) A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section 35A of the United States Criminal Code.

Issued this 21st day of April 1945.

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

[F. R. Doc. 45-6366; Filed, Apr. 21, 1945;
11:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO
THE CONTROLLED MATERIALS PLAN
[CMP Reg. 1, Interpretation 27]

MAKING UP DEFICIENCIES IN PRODUCTION
SCHEDULES FOR CLASS B PRODUCTS

The following interpretation is issued
with respect to CMP Regulation 1:

(a) Paragraph (o) (2) of CMP Regulation 1, as amended January 25, 1945, provides that

a deficiency on an authorized production schedule for a Class B product during any calendar quarter can be made up only in the following calendar quarter, and only to the extent that the deficiency does not exceed 10% of the authorized production schedule.

(b) This means that if you received a production schedule of 100 units of a Class B product for the first quarter of 1945, and 100 units for the second quarter, but you produced only 80 units in the first quarter, you can make up 10 of those units in the second quarter (10% of 100 that were authorized for the first quarter) for a total of 110 units. If you want to make up more of the deficiency during the second quarter than is permitted, you must apply on the appropriate form for an amendment of your authorized production schedule to include the total amount that you wish to make.

(c) Although, in the above example, you are permitted to make 110 units in the second quarter, if you make only 100 you may not carry over the 10 units into the third quarter, since there is no deficiency in your authorized production schedule of 100 units for the second quarter.

(d) Paragraph (o) (2) (i) restricts your production only if you receive your production schedule in terms of specific units or dollars (frequently referred to as a "closed end production schedule"). If you do not receive a production schedule in terms of specific units or dollars, but merely receive an allotment of controlled materials (frequently referred to as an "open end production schedule"), you are always authorized to make in any one quarter as much as you can make with the allotment plus what you can make out of inventory, subject, of course, to the quota limits of any applicable "L" or "M" order.

(e) Where an "L" or "M" order establishes a quota for the production of a product, you are limited in the amount you can produce both by the quota and the rule explained in this interpretation. Thus, even though your authorized production schedule may permit you to produce 100 units in a quarter, if a particular "L" order gives you a quota of only 90 units, you may not make more than 90 units in that quarter. Similarly, you may not carry over a deficiency in an authorized production schedule except as explained in this interpretation, even though a particular "L" order may permit you to carry over the deficiency in a quota applicable to that product.

(f) Paragraph (o) (2) provides that where another WPB order or regulation specifically provides otherwise, the carry over rule explained in this interpretation does not apply. As pointed out in paragraph (e) of this interpretation, an "L" or "M" order which merely permits the carry over of a quota established on the basis of a percentage of some base period production, does not over-ride the carry over provisions of paragraph (o) (2). For instance, if you make box springs, Order L-49 limits you in each quarter to a percentage of those you made in a base period, but permits you to make up the unused portion of your quota in the next quarter. If you have a quota of 1000 box springs per quarter, and received a "closed end production schedule" for 1000 in the first quarter of 1945, but made only 800, you may make up a deficiency of only 100 units in the second quarter. If, however, you did not receive a production schedule in terms of specific units or dollars for the first quarter of 1945, you may make up the whole deficiency of 200 units in the second quarter.

Issued this 21st day of April 1945.

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

[F. R. Doc. 45-6365; Filed, Apr. 21, 1945;
11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Order L-335, Direction 1-a]

SAWMILLS REQUIRED TO PRODUCE BOARDS AND DIMENSIONS

The following direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Oregon and Washington west of the crest of the Cascade mountain range which produce the following species of lumber: Douglas fir (*pseudotsuga taxifolia*), White fir, and West Coast hemlock.

(b) *General rule.* Except as authorized by the War Production Board pursuant to paragraph (c) below, every sawmill of the type described in paragraph (a) above must manufacture at least 40 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of one-inch boards and at least 25 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of two-inch dimension.

(c) *Exceptions may be authorized.* (1) Any sawmill may be authorized to substitute boards for dimension or dimension for boards, if in a letter to the War Production Board it states that it can manufacture 65 percent of its expected monthly production of Douglas fir, White fir, and West Coast hemlock in the form of one-inch boards and two-inch dimension (indicating percentages of each) but because of either (i) the type of logs it is able to get; (ii) its manufacturing facilities or equipment; or (iii) manpower, it is not capable of producing boards and dimension in the percentages required by paragraph (b) above. No authorization will be granted under this subparagraph except where the combined amount of one-inch boards and two-inch dimension to be manufactured by the sawmill will equal 65 percent of the sawmill's total production of Douglas fir, White fir, and West Coast hemlock.

(2) Any sawmill will be authorized for a period of 30 days to manufacture less than 65 percent of its production in the form of one-inch boards and two-inch dimension, if in a letter to the War Production Board it states that compliance with the requirements of paragraph (b) of this direction will result in the sawmill operating at a financial loss and also states the amount (in percentages) it is capable of producing in one-inch boards and two-inch dimension without incurring a loss in its operation. If, at any time within 30 days after a sawmill has been authorized under this paragraph to manufacture less than the required 65 percent, it files with the Portland Oregon District Office of the Office of Price Administration an application under section 5 (d) of RMPR-26 and mails a copy of that application to the War Production Board, the authorization will be extended until the Office of Price Administration has acted on the sawmill's application at which time, after consideration of the findings of the Office of Price Administration, the authorization may be extended, modified, or revoked.

(d) *Communications.* All communications, including requests for authorizations under paragraph (c) above or appeals from the requirements of this direction, shall be addressed as follows: Western Administrator, Order L-335, War Production Board, 1405 S. W. Alder, Portland 5, Oregon.

(e) *Effective date.* This direction shall become effective April 25, 1945.

Issued this 20th day of April 1945.

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

[F. R. Doc. 45-6355; Filed, Apr. 20, 1945;
4:51 p. m.]

PART 3291—CONSUMERS DURABLE GOODS
[General Limitation Order L-233-a]

DELIVERY OF SENSITIZED PHOTOGRAPHIC PAPER

§ 3291.266 *General Limitation Order L-233-a*—(a) *What this order does.* This order governs the delivery of certain sensitized photographic paper during the second and third calendar quarters of 1945.

(b) *Definitions.* For the purpose of this order:

(1) "Restricted sensitized photographic paper" means any of the following types of unexposed sensitized paper:

(i) Contact and enlarging sensitized photographic paper used for the purposes of pictorial or tonal reproduction.

(ii) Sensitized photographic waterproof paper used for pictorial or tonal reproduction.

(iii) Sensitized photographic paper used for the reproduction of V-mail letters.

(iv) Sensitized photographic photocopy or reflex copy paper used for line reproduction.

Restricted sensitized photographic paper does not include any blue print, white print, brown print, ozalid or van dyke sensitized reproduction paper; or any stripping film or X-ray paper.

(2) "Manufacturer" means any person engaged in the business of processing base paper to produce restricted sensitized photographic paper.

(3) "Delivery" means any sale, consignment, transfer or shipment by one person to another person, except that it does not include deliveries by a manufacturer from one department, branch, division or section of his organization to another department, branch, division or section of his organization.

(c) *Delivery restrictions.* (1) Notwithstanding any order or regulation of the War Production Board or preference rating, no manufacturer shall deliver during the second and third calendar quarters of 1945 any restricted sensitized photographic paper, except as authorized or directed in writing by the War Production Board.

(2) In order that all claimants shall receive their approved requirements to the fullest extent practicable, the War Production Board will issue to each manufacturer a direction and authorization under paragraph (c) (1) covering deliveries of sensitized photographic paper during the second and third calendar quarters of 1945. In general they will authorize and direct manufacturers to deliver quantities of specific categories of paper to specific groups of orders.

(3) On or before June 15, 1945, each manufacturer who wants to deliver any restricted sensitized photographic paper during the third calendar quarter of 1945 should file a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L-233-a, stating the number of square feet he proposes to deliver during that quarter, as follows:

(i) Contact and enlarging sensitized photographic paper, listing separately the square footage he proposes to deliver to the United States Army Service Forces,

United States Army Air Forces, United States Navy, (including Marine Corps and Coast Guard) orders for delivery for export other than Canada, orders for export to Canada, all other rated orders, and all other unrated orders.

(ii) Sensitized photographic waterproof paper, listing separately the square footage he proposes to deliver to the United States Army Service Forces, United States Army Air Forces, United States Navy, (including Marine Corps and Coast Guard) orders for delivery for export other than Canada, orders for export to Canada, all other rated orders, and all other unrated orders.

(iii) Sensitized photographic V-mail paper, listing separately the square footage he proposes to deliver to the United States Army, United States Navy, and all other orders.

(iv) Sensitized photographic photo-copy and reflex paper, list only the total square footage he proposes to deliver.

(4) In order to meet approved programs, the War Production Board may from time to time change any direction or authorization assigned by it, and may direct any manufacturer to sell specific quantities of different types of restricted sensitized photographic paper to specific persons or for specific uses.

(5) No direction or authorization will be issued by the War Production Board under paragraph (c), except in accordance with approved War Production Board programs. In general manufacturers will be authorized or directed to deliver any amounts of restricted photographic paper in each category which they are able to deliver over and above the directions and authorizations issued to them for specific classes of orders, either according to the provisions of Priorities Regulation No. 1 or without regard to preference ratings, except AAA.

(6) The War Production Board will from time to time or upon the request of any manufacturer give notice of the total amounts of restricted sensitized photographic paper which it has directed or authorized for delivery to the various groups of purchasers in each class of paper.

(d) *Reports.* On or before April 30, 1945, each manufacturer shall file a letter with the War Production Board showing the square feet of each category of restricted sensitized photographic paper listed in paragraph (c) (3) which he has delivered during the first calendar quarter of 1945 to each group of orders listed under such category. On or before July 15, 1945, each manufacturer shall make the same report with respect to his deliveries during the second calendar quarter of 1945.

(e) *Special cases.* Any manufacturer who wishes to have his delivery authorization adjusted to take care of changing conditions during a quarter, may make application to the War Production Board, Washington 25, D. C., Ref: L-233-a.

(f) *Violations.* Any person who willfully violates the provisions of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States,

is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Expiration.* This order expires on September 30, 1945, unless revoked or amended to provide otherwise before that date.

NOTE: The application and reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of April 1945.

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

[F. R. Doc. 45-6353; Filed, Apr. 20, 1945;
4:51 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER,
BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Direction 12]

CARBON BLACK

The following direction is issued pursuant to Rubber Order R-1:

Irrespective of the provisions of List 35 of Appendix II as changed by Amendment 4 to Rubber Order R-1, issued March 15, 1945, the restrictions on the ratio of channel type carbon black to the total carbon black in List 35 may be disregarded, and manufacturers may use channel type carbon black and other types of carbon black in any ratio they desire.

Nothing in this direction changes any of the regulations or restrictions on the use of total carbon black provided for in List 35 as amended March 15, 1945. All such regulations and restrictions remain in full force and effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 20th day of April 1945.

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

[F. R. Doc. 45-6354; Filed, Apr. 20, 1945;
4:51 p. m.]

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

[Priorities Reg. 3, as Amended Apr. 23, 1945]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the

War Production Board or from a customer.

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

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this in-

cludes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating sup-

plies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair

job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By -----
(Signature and Title of
Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a pref-

erence rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 23d day of April 1945.

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

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

- a. Antioxidants (gum inhibitors) for motor fuels.
- b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.
- c. Chemical additives and compound bases for hypoid gear oils.
- d. Synthetic catalysts for oil cracking operation.
- e. Synthetic catalysts for cumene and dimer manufacture.
- f. Synthetic catalysts for petroleum isomerization operations.
- g. Synthetic catalysts for petroleum sweetening operations.

Communications services.
Dental burs.
Electric energy.
Gas, manufactured combustible, of the type generally distributed by utilities.
Gas, natural.
Petroleum; restricted products as defined in Order M-201.
Silicon carbide settling tank and dust collector fines.
Steam heating, central.
Sterilizer equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-53-b).
Ice.

Tobaccos.¹
Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).¹
Sulfated, sulfonated, and sulfurized fats and oils.¹

Tail oil.¹
Wool grease.¹
Soap (other than metallic).¹
Fatty acids.¹
Food for human or animal consumption.¹
Glycerine.¹
Graphite crucibles.
Pig iron.
Alarm clocks.
Waste paper.
Water.

Containerboard, as defined in Order M-290.
Low and high temperature fractional distillation equipment for gas and gasoline analysis.
Roofing granules.

LIST B

NOTE: List B amended Apr. 23, 1945.

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

¹ Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

Animal traps.
Anti-freeze, all types.
Athletic and sport equipment.
Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motors.

Cast iron cooking utensils.
Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.
Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)
Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

- a. Air raid warnings or detection of the presence of enemy aircraft; or
- b. Blackouts or dimouts; or
- c. The protection of civilians, either individually or collectively against enemy action or attack.

Clocks, watches and timers, including chronometers, chronographs and electrical timers, but excluding interval timers.

Clock and watch repair materials including mainsprings.¹

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

- a. Closures for glass containers
- b. Gummed stay and sealing tape paper and cloth.
- c. Paper and paperboard bottle caps, closures, and hoods.

Compressors, reciprocating type for compressing air, in any size smaller than 10 horsepower, of the tank mounted design sometimes referred to as the garage or service station type of compressors (new).

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.) It shall, however, include but is not limited to:

- a. Bags, all types and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
- b. Baskets and hampers
- c. Cans, as defined in Order M-81
- d. Collapsible tubes
- e. Cooperage, tight and slack
- f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
- g. Folding and set-up boxes (paperboard)
- h. Gas cylinders (including only metal containers as described in Item 1 of Table 17 of Order M-293).

¹ It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

i. Glass containers
j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-336.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197

n. Wooden and fibre inner containers

o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

p. Metal strapping, as covered in Order P-152.

Corrugated and solid fibre sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Domestic and commercial electric fans.

Domestic electric ranges.

Drums, hard rubber.

Electrical appliances as defined in Order L-65.

Electric irons.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Fans (see "Industrial air circulators, new" and "Domestic and commercial electric fans").

Filing cabinets, wooden.

Fire protective equipment, including only:

a. Fire pumps.

b. Fire sprinkler systems.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Incandescent photoflash lamps.

Industrial air circulators, new (The term includes any new propeller type fan designed for desk, pedestal, wall bracket, ceiling, or floor mounting, for circulating air within a room or space without the use of ducts, and powered by an electric motor drawing more than 200 watts. Such a fan is sometimes referred to as a "man-cooler" or a "restaurant fan". It does not include propeller type fans designed for exhausting air from inside a building or room to the outside, or for supplying air from the outside to the space within, and normally mounted in a window or over a door or in a wall.)

Kitchenware, heavy duty (except ratings applied by a food processor, which includes any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods for distribution. It does not include any person who prepares food for consumption on the premises (such as a hotel, restaurant, hospital or educational institution) or distributes it at retail (such as a grocery or retail meat market)):

a. Bakery utensils;

b. Butcher benches;

c. Butcher blocks;

d. Canopies or hoods;

e. Carriers, food;

f. Carriers, tray;

g. Coffee mills and grinders;

h. Counters, cafeteria, lunch and serving;

i. Counter protectors;

j. Cutters, french fry;

k. Cutters, meat, bone and fish;

l. Dispensers, milk and cream;

m. Display racks;

n. Dough dividers;

o. Dough troughs;

p. Knife sharpeners and grinders;

q. Pans, cold;

r. Potato mashers;

s. Potato and vegetable parers or peelers;

t. Racks, bread (bakery);

u. Racks, dump (bakery);

v. Racks, pans (bakery);

w. Sandwich units;

x. Slicers, meat and bread;

y. Tables, bakers;

z. Tables, cooks, chef, salad and work;

aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89 and P-98-b, and ratings assigned pursuant to Order P-56; but those ratings may not be used for items on List A of Order L-144.)

Lawn mowers, including power and gang mowers.

Lighting fixtures, fluorescent (as defined in Order L-78), and electric floodlights Blanket MRO ratings of AA-2 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Appendix III of Order R-1.

k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Ophthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilizers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies, including X-ray tubes, X-ray valve tubes, X-ray developing hangers, X-ray timers, and similar supplies and accessories.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than \$200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated

paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233

Photographic papers, sensitized, except blueprint, whiteprint, ozalid, photostat, rectigraph and other line reproduction papers. (See Direction 24 to CMP Regulation 5.)

Pins, common and safety.

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted by Order L-38

Screen cloth, metal insect.

Scales, Class D, as defined in Order L-190.

Softwood plywood, as defined in Limitation Order L-150-a.

Tire retreading, recapping and repair equipment, including full circle and sectional air bags.

Venetian blinds.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected June 15, 1945.

INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3 [Revoked Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

The term "Fire protective equipment" on List B of Priorities Regulation 3 includes only the end items listed and does not include materials or parts required for the repair or maintenance of those items.

For example, fire pumps and fire sprinkler systems are listed and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair a pump or sprinkler system may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. (Issued Oct. 21, 1944.)

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (c) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though

that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) "Masking tape. Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (i) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are

bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings. (Issued Feb. 27, 1945.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease

the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S 8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA-1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. (Issued June 23, 1944.)

[F. R. Doc. 45-6493; Filed, Apr. 23, 1945; 11:40 a. m.]

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

[Priorities Reg. 3, Interpretation 4, as Amended Apr. 23, 1945]

CMPL-224 AND GA-1456 AUTHORIZATION

The following interpretation is issued with respect to Priorities Reg. 3:

Reference is made in various War Production Orders to P-19-h orders or to orders in the P-19 series, and in some of these orders the delivery of material or equipment is not allowed, unless the material or equipment is rated under a P-19-h order or an order in the P-19 series. Order P-19-h has in a large measure been superseded by CMPL-224 authorizations and this last form has in turn been superseded by form GA-1456. Consequently any reference to a P-19-h order or to an order in the P-19 series is also reference to an authorization on form CMPL-224 or GA-1456, and if the delivery of an item is permitted under a

P-19-h order or an order in the P-19 series it also may be delivered under a CMPL-224 or GA-1456 authorization.

Issued this 23d day of April 1945.

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

[F. R. Doc. 45-6495; Filed, Apr. 23, 1945; 11:40 a. m.]

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

[Priorities Reg. 3, Revocation of Interpretation 14]

INDUSTRIAL AIR CIRCULATORS

Interpretation 14 to Priorities Regulation 3 is hereby revoked, being superseded by subsequent amendment.

Issued this 23d day of April 1945.

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

[F. R. Doc. 45-6494; Filed, Apr. 23, 1945; 11:40 a. m.]

PART 1253—BERYLLIUM SCRAP

[Supplemental Order M-160-a, Revocation]

Section 1253.2 Supplemental Order M-160-a is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 23d day of April 1945.

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

[F. R. Doc. 45-6490; Filed, Apr. 23, 1945; 11:40 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 8, as Amended Apr. 23, 1945]

POWER DIVISION OFFICE OF WAR UTILITIES

§ 3208.9 Table for Power Division.
(a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

NOTE: Items 25 and 26 added Apr. 23, 1945.

Type of M-293 product	Designation	Applicable forms columns			
		1 Operations report	2 Shipping schedule ¹	3 Application and authorization	4 Calendar months frozen ²
1. Steam turbines unless designed for ship propulsion or aircraft use.	X		3003		8
2. Hydraulic turbines.	X		3003		12
3. [Revoked Jan. 2, 1945.]					
4. Steam turbine generator sets for land use unless designed for locomotive headlight service.	X		3003		12
5. Steam turbine generator sets for shipboard use unless designed for ship propulsion.	X		3003		10
6. Generators designed to be propelled by a hydraulic turbine.	X		3003		12
7. Generators designed to be propelled by a steam engine, a steam turbine, or a gas turbine, unless designed for ship propulsion, aircraft use or locomotive headlight service.	X		3003		10
8. Generators designed to be propelled by a diesel or natural gas engine, 750 r. p. m. and less, excluding equipment for marine use.	X		3003		10
9. Diesel and natural gas engines, 750 r. p. m. and less, excluding equipment for marine use.	X		3003		10
10. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use: ³					
a. Boilers and boiler units (including such auxiliaries as superheaters, desuperheaters and water walls or water-cooled furnaces, when such auxiliaries are fabricated by the manufacturer who reports and fabricates the related boiler) of any type listed below if such boilers and boiler units are (i) designed for a steam pressure of more than 15 pounds per square inch, and (ii) have a boiler heating surface of 500 square feet or more, but less than boilers and boiler units listed in c. below:					
(i) Water tube.					
(ii) Scotch marine.					
(iii) Horizontal return tubular.	X		1790		10
(iv) Refractory lined firebox.					
(v) Oil country.					
b. Boilers and boiler units designed for steam pressures over 15 pounds per square inch, all sizes, of the following types:					
(i) Waste heat.	X		1790		10
(ii) Dowtherm.					
(iii) Mercury.					
(iv) Electric (electrode type only).					

¹See Table 14 of this order for listings of land boilers not included in this Table 8.

²A manufacturer of these products may file on Form WPB-3003 at his option.

³Form WPB-3401 may be used instead of Form WPB-3003.

⁴For explanation of time during which shipping schedule is frozen see paragraph (c) of M-293.

Type of scheduled products M-293	Designation	Applicable forms column			
		1	2	3	4
10. Vacuum tube production machinery (all types)—Con.	d. Exhant machines. e. Sealing machines. f. Any combination of sealing and exhaust machines. g. Filament tabbing machines. h. Industrial and mechanical instruments. a. Pyrometers: (i) Potentiometer pyrometers. (ii) Millivoltmeter pyrometers. (iii) Diesel engine type pyrometers. b. Pressure instruments: (i) Dial pressure gauges. (ii) Drawn case gauges, Bourdon tube. (iii) Approved navy gauge, Spec. 45G1, bronze tube element. (iv) Approved navy gauge, Spec. 45G1, steel tube element. (v) Approved navy gauge, Spec. 45G1, duplex type. (vi) Heavy duty and refinery type industrial gauges, bronze tube element. (vii) Heavy duty and refinery type industrial gauge, steel tube element. (viii) Airborne oxygen gauges. (ix) Railroad type gauges. (x) Recording and/or controlling pressure instruments. (xi) Temperature tube system instruments. (xii) Recording temperature controllers, air operated. (xiii) Recording thermometers. (xiv) Dial thermometers, 4" and over. (xv) Flow metering instruments. (xvi) Differential type flow (including differential liquid level). (xvii) Area flow instruments (rotameters). (xviii) Industrial thermometers. (i) 7" and 9" scales. (ii) 5" scale. f. Complete combustion control systems. g. Metallic bellows and bellows assemblies (Manufacturers who file order boards on this product are required to list only those purchase orders which are identifiable as for the account of the Army, Navy, Maritime Commission, or Petroleum Administration for War. a. Control valves. b. Liquid level mechanisms. c. Regulators. (i) Self-operated temperature regulators. (ii) Pilot operated pressure regulators (employing the controlled fluid as a valve positioning medium). (iii) Pilot operated pressure regulators (employing external fluid; compressed air, oil or water as valve operating medium). (iv) Weight loaded pressure regulators, balanced pressure regulators, differential regulators. 13. Radomes (a protective shell for radio antenna)	3401	3401	3401	3401
11. Industrial and mechanical instruments.		3002.40	3002.40	3002.40	3002.40
a. Pyrometers:		3002.40	3002.40	3002.40	3002.40
(i) Potentiometer pyrometers.		3002.40	3002.40	3002.40	3002.40
(ii) Millivoltmeter pyrometers.		3002.40	3002.40	3002.40	3002.40
(iii) Diesel engine type pyrometers.		3002.40	3002.40	3002.40	3002.40
b. Pressure instruments:		3002.40	3002.40	3002.40	3002.40
(i) Dial pressure gauges.		3002.40	3002.40	3002.40	3002.40
(ii) Drawn case gauges, Bourdon tube.		3002.40	3002.40	3002.40	3002.40
(iii) Approved navy gauge, Spec. 45G1, bronze tube element.		3002.40	3002.40	3002.40	3002.40
(iv) Approved navy gauge, Spec. 45G1, steel tube element.		3002.40	3002.40	3002.40	3002.40
(v) Approved navy gauge, Spec. 45G1, duplex type.		3002.40	3002.40	3002.40	3002.40
(vi) Heavy duty and refinery type industrial gauges, bronze tube element.		3002.40	3002.40	3002.40	3002.40
(vii) Heavy duty and refinery type industrial gauge, steel tube element.	3002.40	3002.40	3002.40	3002.40	
(viii) Airborne oxygen gauges.	3002.40	3002.40	3002.40	3002.40	
(ix) Railroad type gauges.	3002.40	3002.40	3002.40	3002.40	
(x) Recording and/or controlling pressure instruments.	3002.40	3002.40	3002.40	3002.40	
(xi) Temperature tube system instruments.	3002.40	3002.40	3002.40	3002.40	
(xii) Recording temperature controllers, air operated.	3002.40	3002.40	3002.40	3002.40	
(xiii) Recording thermometers.	3002.40	3002.40	3002.40	3002.40	
(xiv) Dial thermometers, 4" and over.	3002.40	3002.40	3002.40	3002.40	
(xv) Flow metering instruments.	3002.40	3002.40	3002.40	3002.40	
(xvi) Differential type flow (including differential liquid level).	3002.40	3002.40	3002.40	3002.40	
(xvii) Area flow instruments (rotameters).	3002.40	3002.40	3002.40	3002.40	
(xviii) Industrial thermometers.	3002.40	3002.40	3002.40	3002.40	
(i) 7" and 9" scales.	3002.40	3002.40	3002.40	3002.40	
(ii) 5" scale.	3002.40	3002.40	3002.40	3002.40	
f. Complete combustion control systems.	3002.40	3002.40	3002.40	3002.40	
g. Metallic bellows and bellows assemblies (Manufacturers who file order boards on this product are required to list only those purchase orders which are identifiable as for the account of the Army, Navy, Maritime Commission, or Petroleum Administration for War.	3002.40	3002.40	3002.40	3002.40	
a. Control valves.	3002.70	3002.70	3002.70	3002.70	
b. Liquid level mechanisms.	3002.70	3002.70	3002.70	3002.70	
c. Regulators.	3002.70	3002.70	3002.70	3002.70	
(i) Self-operated temperature regulators.	3002.70	3002.70	3002.70	3002.70	
(ii) Pilot operated pressure regulators (employing the controlled fluid as a valve positioning medium).	3002.70	3002.70	3002.70	3002.70	
(iii) Pilot operated pressure regulators (employing external fluid; compressed air, oil or water as valve operating medium).	3002.70	3002.70	3002.70	3002.70	
(iv) Weight loaded pressure regulators, balanced pressure regulators, differential regulators.	3002.70	3002.70	3002.70	3002.70	
13. Radomes (a protective shell for radio antenna)	3002.84	3002.84	3002.84	3002.84	

NOTES. For explanation of period for which schedule is frozen, see paragraph (c) (3) of M-293.
 All the products in this table are exempt from the provisions of paragraph (f) of M-293. WPB-3003 may be used in place of WPB-3401.

Issued this 23d day of April 1945.

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

[F. R. Doc. 45-6492; Filed, Apr. 23, 1945; 11:40 a. m.]

Type of scheduled products M-293	Designation	Applicable forms column			
		1	2	3	4
8. Electrical instruments—Continued.	d. Electrical test instruments—Continued. (vii) Bridges: (a) Wheatstone bridges. (b) Megohm bridges. (c) General Radio Company: Model 54-B. (d) Kelvin bridges. (e) Resistance limit bridges. (f) Impedance bridges. (g) General Radio Company: Model 650-A. Model 821. Oregon Electronics All Models. Capacitance bridges: Clough-Brougale Co.: Model 230. Model CLB-60007. General Radio Company: Model 714-B. Model 740-B. Model 740-RG. Inductance limit bridges. General Radio Company: Model 667-A. Vacuum tube bridges. Purchase orders for 2 or more units of all other models of the above manufacturers and of all models of other manufacturers. e. Electrical test equipment: (i) Radio frequency generators: (a) Standard laboratory type (below 50 MC). (b) FM standard laboratory type (below 50 MC). (c) Ultra high frequency type (below 500 MC). (d) FM ultra high frequency type (below 500 MC). (e) Very high frequency type. (f) Test oscillator type. (ii) Audio frequency generators: (a) Variable frequency type. (b) Square wave type. (c) Fixed frequency type. (iii) Radio frequency measuring equipment: (a) Wave-meter-absorption type. (b) Wave-meter-heterodyne type. (c) RF noise meter. (d) Field strength meter. (e) Calibrator. (f) Modulation monitor. (g) Interpolation oscillator. (iv) Audio frequency measuring equipment: (a) Analyzer, wave or harmonic. (b) Universal measuring equipment. (v) Laboratory oscilloscope: (a) Laboratory oscilloscope. (b) Signal tracer. (vi) Recording oscillographs. (vii) Miscellaneous electronic equipment: (a) Stroboscopes. (b) Laboratory audio frequency amplifiers. (c) Sound and vibration meters. (d) Direct current amplifiers. (e) Precision variable condensers. (f) Primary frequency standards. (g) Vacuum tubes, electronic (excluding X-ray tubes and tungar type rectifiers). 10. Vacuum tube production machinery (all types): a. Glass lathes. b. Grid winding lathes. c. Stem machines.	3002.21	3001.21	3243	3 mos.
(a) Wheatstone bridges.		3002.21	3001.21	3243	3 mos.
(b) Megohm bridges.		3002.21	3001.21	3243	3 mos.
(c) General Radio Company: Model 54-B.		3002.21	3001.21	3243	3 mos.
(d) Kelvin bridges.		3002.21	3001.21	3243	3 mos.
(e) Resistance limit bridges.		3002.21	3001.21	3243	3 mos.
(f) Impedance bridges.		3002.21	3001.21	3243	3 mos.
(g) General Radio Company: Model 650-A.		3002.21	3001.21	3243	3 mos.
Model 821.		3002.21	3001.21	3243	3 mos.
Oregon Electronics All Models.		3002.21	3001.21	3243	3 mos.
Capacitance bridges:		3002.21	3001.21	3243	3 mos.
Clough-Brougale Co.:		3002.21	3001.21	3243	3 mos.
Model 230.		3002.21	3001.21	3243	3 mos.
Model CLB-60007.	3002.21	3001.21	3243	3 mos.	
General Radio Company: Model 714-B.	3002.21	3001.21	3243	3 mos.	
Model 740-B.	3002.21	3001.21	3243	3 mos.	
Model 740-RG.	3002.21	3001.21	3243	3 mos.	
Inductance limit bridges.	3002.21	3001.21	3243	3 mos.	
General Radio Company: Model 667-A.	3002.21	3001.21	3243	3 mos.	
Vacuum tube bridges.	3002.21	3001.21	3243	3 mos.	
Purchase orders for 2 or more units of all other models of the above manufacturers and of all models of other manufacturers.	3002.21	3001.21	3243	3 mos.	
e. Electrical test equipment:	3002.21	3001.21	3243	3 mos.	
(i) Radio frequency generators:	3002.21	3001.21	3243	3 mos.	
(a) Standard laboratory type (below 50 MC).	3002.21	3001.21	3243	3 mos.	
(b) FM standard laboratory type (below 50 MC).	3002.21	3001.21	3243	3 mos.	
(c) Ultra high frequency type (below 500 MC).	3002.21	3001.21	3243	3 mos.	
(d) FM ultra high frequency type (below 500 MC).	3002.21	3001.21	3243	3 mos.	
(e) Very high frequency type.	3002.21	3001.21	3243	3 mos.	
(f) Test oscillator type.	3002.21	3001.21	3243	3 mos.	
(ii) Audio frequency generators:	3002.21	3001.21	3243	3 mos.	
(a) Variable frequency type.	3002.21	3001.21	3243	3 mos.	
(b) Square wave type.	3002.21	3001.21	3243	3 mos.	
(c) Fixed frequency type.	3002.21	3001.21	3243	3 mos.	
(iii) Radio frequency measuring equipment:	3002.21	3001.21	3243	3 mos.	
(a) Wave-meter-absorption type.	3002.21	3001.21	3243	3 mos.	
(b) Wave-meter-heterodyne type.	3002.21	3001.21	3243	3 mos.	
(c) RF noise meter.	3002.21	3001.21	3243	3 mos.	
(d) Field strength meter.	3002.21	3001.21	3243	3 mos.	
(e) Calibrator.	3002.21	3001.21	3243	3 mos.	
(f) Modulation monitor.	3002.21	3001.21	3243	3 mos.	
(g) Interpolation oscillator.	3002.21	3001.21	3243	3 mos.	
(iv) Audio frequency measuring equipment:	3002.21	3001.21	3243	3 mos.	
(a) Analyzer, wave or harmonic.	3002.21	3001.21	3243	3 mos.	
(b) Universal measuring equipment.	3002.21	3001.21	3243	3 mos.	
(v) Laboratory oscilloscope: (a) Laboratory oscilloscope.	3002.21	3001.21	3243	3 mos.	
(b) Signal tracer.	3002.21	3001.21	3243	3 mos.	
(vi) Recording oscillographs.	3002.21	3001.21	3243	3 mos.	
(vii) Miscellaneous electronic equipment: (a) Stroboscopes.	3002.21	3001.21	3243	3 mos.	
(b) Laboratory audio frequency amplifiers.	3002.21	3001.21	3243	3 mos.	
(c) Sound and vibration meters.	3002.21	3001.21	3243	3 mos.	
(d) Direct current amplifiers.	3002.21	3001.21	3243	3 mos.	
(e) Precision variable condensers.	3002.21	3001.21	3243	3 mos.	
(f) Primary frequency standards.	3002.21	3001.21	3243	3 mos.	
(g) Vacuum tubes, electronic (excluding X-ray tubes and tungar type rectifiers).	3002.21	3001.21	3243	3 mos.	
10. Vacuum tube production machinery (all types):	3401	3401	3401	3 mos.	
a. Glass lathes.	3401	3401	3401	3 mos.	
b. Grid winding lathes.	3401	3401	3401	3 mos.	
c. Stem machines.	3401	3401	3401	3 mos.	

***Order boards are not required on any tube types and, therefore, no form is indicated in this column.

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120, Incl. Amdts. 1-136]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

This compilation of Maximum Price Regulation 120 includes Amendment 136, effective April 25, 1945. The text added and amended is underscored or indicated by notes. Deletions and redesignations are indicated by notes.

In the judgment of the Price Administrator the prices of bituminous coal are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of bituminous coal prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. At the request of the Price Administrator the Bituminous Coal Division, United States Department of the Interior, has cooperated with the Price Administrator in the formulation of the maximum prices established by this regulation in accordance with the arrangement effectuated by the letters, dated March 9 and March 13, exchanged between the Price Administrator and the Secretary of the Interior. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.¹

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have been previously promulgated and their use lawfully required by another Government agency.

[Preamble amended by Am. 62, 8 F.R. 12557, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, Maximum Price Regulation No. 120 is hereby issued.

¹9 F.R. 5042.

²Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

³Revised. 9 F.R. 10476, 13715.

Sec.	
1340.201	Maximum prices for bituminous coal delivered from mine or preparation plant.
1340.202	Less than maximum prices.
1340.203	Adjustable pricing.
1340.204	Evaston.
1340.205	Records and reports.
1340.206	Enforcement.
1340.206a	Licensing.
1340.207	Petitions for amendment and applications for adjustment.
1340.208	Definitions.
1340.209	Provision for specific ceiling prices.
1340.210	Maximum price instructions.
1340.211	Effective date of Maximum Price Regulation No. 120.
1340.211a	Effective dates of amendments.
1340.212	Appendix A: Maximum prices for bituminous coal produced in District No. 1.
1340.213	Appendix B: Maximum prices for bituminous coal produced in District No. 2.
1340.214	Appendix C: Maximum prices for bituminous coal produced in District No. 3.
1340.215	Appendix D: Maximum prices for bituminous coal produced in District No. 4.
1340.216	Appendix E: Maximum prices for bituminous coal produced in District No. 5.
1340.217	Appendix F: Maximum prices for bituminous coal produced in District No. 6.
1340.218	Appendix G: Maximum prices for bituminous coal produced in District No. 7.
1340.219	Appendix H: Maximum prices for bituminous coal produced in District No. 8.
1340.220	Appendix I: Maximum prices for bituminous coal produced in District No. 9.
1340.221	Appendix J: Maximum prices for bituminous coal produced in District No. 10.
1340.222	Appendix K: Maximum prices for bituminous coal produced in District No. 11.
1340.223	Appendix L: Maximum prices for bituminous coal produced in District No. 12.
1340.224	Appendix M: Maximum prices for bituminous coal produced in District No. 13.
1340.225	Appendix N: Maximum prices for bituminous coal produced in District No. 14.
1340.226	Appendix O: Maximum prices for bituminous coal produced in District No. 15.
1340.227	Appendix P: Maximum prices for bituminous coal produced in District No. 16.
1340.228	Appendix Q: Maximum prices for bituminous coal produced in District No. 17.
1340.229	Appendix R: Maximum prices for bituminous coal produced in District No. 18.
1340.230	Appendix S: Maximum prices for bituminous coal produced in District No. 19.
1340.231	Appendix T: Maximum prices for bituminous coal produced in District No. 20.
1340.232	Appendix U: Maximum prices for bituminous coal produced in District No. 22.
1340.233	Appendix V: Maximum prices for bituminous coal produced in District No. 23.

AUTHORITY: §§ 1340.201 to 1340.233, inclusive, issued under 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.

§ 1340.201 *Maximum prices for bituminous coal delivered from mine or preparation plant.* On and after May 18, 1942, regardless of the terms of any contract, agreement, lease, or other obligation, no person who is a producer or a distributor shall sell or dispose of bituminous coal for delivery from a mine or a preparation plant operated as an adjunct of a mine or mines and no person shall, in the course of trade or business, buy or receive bituminous coal so delivered by a producer or distributor, at prices higher than the maximum prices set forth in Appendices A to V, inclusive, hereof, incorporated herein as § 1340.212 to § 1340.233; and no such person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 120 and maximum prices set forth in said Appendices A to V, inclusive, (§ 1340.212 to § 1340.233, inclusive) shall not apply to the sale of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting tributary waters, and at tidewater, defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189,⁴ as follows:

(a) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system;

(b) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

[§ 1340.201 amended by Am. 12, 7 F.R. 5835, effective 8-1-42]

§ 1340.202 *Less than maximum prices.* Lower prices than those set forth in Appendices A to V, inclusive (§§ 1340.212 to 1340.233, inclusive) may be charged, demanded, paid or offered.

[§ 1340.202 amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

§ 1340.203 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any

⁴8 F.R. 15317, 16520; 9 F.R. 2690, 5216, 6231, 6451.

official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[§ 1340.203 amended by Am. 57, 8 F.R. 10936, effective 8-10-43]

§ 1340.204 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 120 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bituminous coal alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

§ 1340.205 *Records and reports.* (a) Persons selling bituminous coal subject to this regulation shall keep the following records for as long as this regulation is in effect or for as long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is the longer, but in no event to exceed two years. The records shall be made available for inspection by the Office of Price Administration.

(1) *Loading records.* Each producer shall keep for each day and for each mine (including any plant preparing his coal or any loading facility) a record of the actual sizes in inches or fractions thereof or in mesh, loaded at each such mine, preparation plant or loading facility into each railroad car with car initial and number; into each barge with name, number, or other designation; loaded at the tippie or mine storage facilities into locomotive tenders; conveyed directly from the mine to the yards or bins of consumer by conveyor, private railroad or tramway; and loaded into trucks or wagons. If the coal is treated or mechanically cleaned, this fact shall be noted on the loading record together with the method or designation of treatment or preparation used if the maximum price is dependent upon whether coals are treated or mechanically cleaned. The producer shall within 20 days from date of loading give all information required by this subparagraph (1) in writing (by copies of loading records or otherwise) to each person, such as sales agent, affiliate (but not distributor), as to so much of the producer's coal as is sold by such person from the mine and each such person shall keep such writing.

(2) *Shipping records or daily billing sheets.* Each producer, distributor and sales agent shall keep copies of all shipping records or daily billing sheets in his main office, or in the office in which his invoice records are maintained.

(3) *Invoices.* Each person selling bituminous coal subject to this regulation shall within 45 days after date of shipment give to his purchaser an invoice, and shall keep an exact copy thereof,

showing all information and data required by this subparagraph (3). Each sales agent's or distributor's copy of his invoice shall show in addition the name and address of the producer; the name of the mine, or mines from which the coal is shipped; and whether he is acting as sales agent or distributor in the sale involved.

The invoice shall state the date of shipment; the name and address of the seller, of the buyer and of the consignee, if known; the destination; the name of the mine, or the trade name of the coals, and mine index number of the mine or mines from which shipment is made; the tonnage (or other unit of weight or measurement used by the seller) shipped from each mine of each size (stated in inches or fractions of inches or mesh); if loaded into a barge or railroad car, the name of the barge or the car initials and number; the per net ton price charged f. o. b. the mine; and the producing district number in which the mine or mines are located. Where such fact is necessary in the determination of the applicable maximum price, the invoice shall also state the type of mine from which the particular shipment is made (i. e., from an underground truck mine without a rail siding or connection, a mine loading coal entirely by hand, an underground mine, or a strip mine).

The invoice shall also show the carrier method, if shipment is by truck or water; the use to which the coal is to be put if the maximum price is dependent upon such use; and whether the coal is raw or mechanically cleaned if the maximum price is dependent upon whether the coals are raw or mechanically cleaned. The symbols established by the Solid Fuels Administration for War may be used for this purpose.

When an invoice, debit, credit, or other memorandum, evidencing a sale shows a price or charge which includes freight or other charges, including special service charges, there shall be an itemization of the charges made thereon. Where the producer has filed an application under § 1340.210 (a) (8) (ii) of the regulation and coal is crushed and sold subject to that section, the number assigned to the application shall be stated by the producer, his agent, or a distributor on the invoice as "application No. -- crushed coal". If the maximum price was established temporarily for the mine under § 1340.210 (a) (6), pending action on an application filed under that section, the invoice shall so state such fact, together with the date of filing such application.

(4) If a seller ships by lake or tide-water, he shall, within 60 days after vessel bill of lading, give to his purchaser an invoice and shall keep an exact copy thereof, showing all information and data required by this subparagraph (4). On such sales, the seller shall disregard subparagraph (3).

The invoice shall show the seller's name and address and the name and address of the buyer and of the consignee, if any, and the destination; the name of the vessel; the date of vessel shipment and the shipping point; the per net ton price or prices charged for the coals; and insurance and vessel

freight. The seller's copy of the invoice shall identify him as producer, sales agent or distributor as the case may be.

As to each such vessel, the seller shall keep the railroad cargo manifest as received by him. The manifest shall show, or shall be made by the seller to show, the name of the vessel; the date loading was completed and the loading point; the name of each producer and the mine index number or name of each mine the coals of which were loaded into the vessel, identified by car number and initials; and the tonnage of each size shipped (stated in inches or fractions of inches or mesh).

A seller making such a shipment shall keep all invoices for coals so shipped as given him by his sellers so as to be readily accessible for examination by the Office of Price Administration and shall make them accessible for such examination.

(5) The invoice shall also include any other data required by the provisions of any part of this regulation, or of any order or authorization issued hereunder.

(6) Each person who buys bituminous coal shall keep each invoice as given him by his seller for the period of time specified in paragraph (a) above.

[Paragraph (a) amended by Am. 16, 7 F.R. 6272, effective 8-17-42; and Am. 109, 9 F.R. 8813, effective 7-27-44]

(b) Not later than June 1, 1942, every producer and distributor of bituminous coal shall file with the Bituminous Coal Division, United States Department of the Interior, Washington, D. C., a statement setting forth: (1) the rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period October 1-15, 1941, inclusive; and (2) the charges, if any, made for any special services during the period October 1-15 1941, inclusive, together with a description of the special service rendered. Statements filed with the Bituminous Coal Division of the Department of the Interior pursuant to this section prior to 12:01 a. m., August 24, 1943, shall be deemed to have been filed with the Office of Price Administration.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(c) Persons affected by Maximum Price Regulation No. 120 shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

(d) Persons subject to this Maximum Price Regulation No. 120 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.⁵

[Paragraph (d) added by Am. 16, 7 F.R. 6272, effective 8-17-42]

(e) Except where previously filed with the Bituminous Coal Division, every producer operating any mine the daily average capacity of which exceeds 50 net tons, shall for such mine file with the Solid Fuels Branch, Office of Price Administration, Washington, D. C., Form B. C. D. Nos. 288 and 350, issued by the

⁵ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

Bituminous Coal Division, for each of the months April to July, 1943, inclusive.

Every producer for each such mine shall also file with the Solid Fuels Branch, OPA Form No. 653:499—Report of Operating Data Bituminous Coal Mines, issued by the Office of Price Administration, for the month of August 1943, and for each month thereafter, within thirty days after the close of the month for which the form is filed.

Each producer filing his report on OPA Form No. 653:499 for the month of June 1944 shall for that month insert in the space in Schedule II this information:

(1) Total amount of retroactive portal-to-portal wage settlement liability;

(2) Amount charged off by reserves or payments reported as costs on the same form up to June 1, 1944; and

(3) Remainder of liability as of June 1, 1944, and proposed schedule for charging off the liability.

In the same and subsequent reports, the producer shall strike the words appearing on code line 1109 of the same form; insert the words "\$40.00 portal payment", and then make appropriate entry.

[Paragraph (e) added by Am. 60, 8 F.R. 11755, effective 8-23-43; amended by Am. 65, 8 F.R. 13175, effective 10-1-43; and Am. 103, 9 F.R. 7261, effective 7-5-44]

§ 1340.206 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 120 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 120 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

§ 1340.206a *Licensing.* The provisions of Licensing Order No. 1,⁶ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations 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.

[§ 1340.206a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1340.207 *Petitions for amendment and applications for adjustment.* (a) The Administrator may by order grant an adjustment of maximum prices to any producer who shows to the satisfaction of the Administrator that the sale of its mine's entire production at the maximum prices would return a realization less than the mine's representative costs of production.

⁶ 8 F.R. 13240.

(b) Any person seeking relief, for which no provision is made in the foregoing paragraphs of this section, from a maximum price established under this Maximum Price Regulation No. 120 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 120 to eliminate the danger of inflation. No application for adjustment filed after November 25, 1942, will be granted under this paragraph (b). But an application may be granted if filed prior to December 31, 1943 and if based upon hardship resulting from the fact that minimum prices established and in effect as of 12:01 a. m. August 24, 1943 by the Bituminous Coal Division prior to the expiration of the Bituminous Coal Act of 1937, as amended, were higher than the maximum prices established by this regulation.

[Paragraph (b) amended by Am. 69, 8 F.R. 14560, effective 10-30-43]

(c) The Office of Price Administration or any regional office thereof after clearance with the Solid Fuels Branch in Washington, D. C., may adjust any maximum price established under this regulation for bituminous coal in the case of any producer with a capacity of less than 50 tons a day or group of such producers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of bituminous coal which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such producer and of like producers for such bituminous coal; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[Paragraph (c) added; former paragraphs (c) and (d) redesignated (d) and (e) by Am. 72, 8 F.R. 15456, effective 11-15-43]

(d) (1) In petitions filed pursuant to the provisions of this § 1340.207, the petitioner should submit and the Office of Price Administration will consider all relevant cost and realization data and the necessity, in terms of the war effort, for the granting of such adjustment or exception. Where cost of production varies from month to month or does not conform to average cost as indicated by monthly reports filed with the Bituminous Coal Division prior to 12:01 a. m., August 24, 1943, petitioner must indicate which cost is regarded as representative

and the reasons therefor, and also the reasons for the fluctuations.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this section, full data on costs, profits and other relevant factors. Applications for adjustment or exception pursuant to this § 1340.207 shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

(e) [Revoked]

[Paragraph (e) added and former (e) redesignated (f) by Am. 74, 8 F.R. 16419, effective 12-3-43. Paragraph (e) revoked by Am. 85, 9 F.R. 1721, effective 2-14-44]

(f) Persons seeking any modification of this Maximum Price Regulation No. 120 or the addition of an adjustment category not included therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. The petitioners should submit and the Office of Price Administration will consider all relevant data with respect to costs and realizations and the necessity of the Amendment in view of the war effort and of the policy of the Emergency Price Control Act of 1942, as amended, and this Maximum Price Regulation No. 120, to eliminate the danger of inflation, and such other data that should be considered in connection with the proposed modification or the proposed addition of an adjustment category.

[§ 1340.207 amended by Am. 17, 7 F.R. 6523, effective 8-22-42; Am. 26, 7 F.R. 9783, effective 11-25-42; Am. 28, F.R. 10581, effective 12-22-42; Am. 42, 8 F.R. 2501, effective 3-4-43; Am. 51, 8 F.R. 4717, effective 4-14-43; Am. 59, 8 F.R. 11689, effective 8-21-43 and as otherwise noted]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.208 *Definitions.* (a) When used in this Maximum Price Regulation No. 120 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means a person engaged in the business of mining bituminous coal or preparing bituminous coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as

an agent of a producer in the sale of bituminous coal.

(3) "Distributor" means a person who purchases bituminous coal for resale, and resells the same in not less than cargo or railroad carload lots, all as more fully defined in the Bituminous Coal Act of 1937, as amended, and rules and regulations issued thereunder, in effect as of midnight, August 23, 1943, and any person acting as an agent of such distributor in the sale of bituminous coal.

(4) "Bituminous coal" means Bituminous coal, as used in the Bituminous Coal Act of 1937, as amended, in effect as of midnight, August 23, 1943 and includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place of the mine of 30 per centum or more.

(5) "Bituminous Coal Division" means the Bituminous Coal Division, United States Department of the Interior as established pursuant to the Bituminous Coal Act of 1937, as amended, and the President's Second Reorganization Plan of 1939 and as in effect as of midnight, August 23, 1943.

[Subparagraphs (3), (4) and (5) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]
[Subparagraphs (6) and (7) revoked and former (8) redesignated (6) and amended by Am. 59]

(6) "District Nos. 1 to 20, inclusive, 22 and 23" mean the geographical bituminous coal producing districts as defined in the Bituminous Coal Act, as amended, and as they have been modified as of midnight, August 23, 1943.

(7) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

[Subparagraph (7), formerly (9), added by Am. 12, 7 F.R. 5835, effective 8-1-43 and redesignated by Am. 59, 8 F.R. 11689, effective 8-21-43]

(8) "Deep mine" or "underground mine" means a mine from which the coal is taken only from underground seams from which the overburden is not removed, and does not include a mine from which coal is taken by the stripping method.

[Subparagraph (8) added by Am. 73, 8 F.R. 16280, effective 11-29-43; and amended by Am. 136, effective 4-25-45]

(9) A "strip mine" means a mine producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(10) "Smithing coal" means bituminous coal of a low sulphur content, which may be of any size and which is used eventually only for smithing purposes by a person who welds, works, or shapes metal with forge, anvil or hammer, or similarly.

[Subparagraphs (9) and (10) added by Am. 136, effective 4-25-45]

(b) Where reference is made to maximum prices for shipment by a particular

method of transportation (e. g., "shipment by rail," "truck or wagon shipments") this does not include such shipments made for special uses to which special maximum prices are applicable (e. g., railroad fuel shipments) unless the reference so specifies.

[Paragraph (b) added and former (b) redesignated (c) by Am. 25, 7 F.R. 8659, effective 5-18-42]

(c) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.209 *Provision for specific ceiling prices.* In establishing prices for coals by an area ceiling order or where prices have been established by such an order issued under § 1340.260 of Revised Maximum Price Regulation No. 122 the Office of Price Administration or any regional office thereof may also establish maximum area prices for deliveries of coal made subject to this regulation from a mine or adjunct preparation plant to consumers in the same area and also for services in connection with the preparation of such coals and their delivery. The prices so established may be the same prices as are provided for similar deliveries made subject to Revised Maximum Price Regulation No. 122 or they may be such as will avoid diversions of supply which would disrupt an orderly pattern of distribution of coals in that area and areas nearby.

[Former § 1340.209 revoked by Am. 59, 8 F.R. 11689, effective 8-21-43; new § 1340.209 added by Am. 71, 8 F.R. 15455, effective 11-15-43]

§ 1340.210 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in §§ 1340.212 to 1340.233, inclusive (Appendices A to V, inclusive).

(1) Where the effective minimum price now or hereafter established by the Bituminous Coal Division for any shipment of coals to any particular destination or market area or for any particular use, or for movement by any particular method of transportation is higher than the maximum price provided in this Maximum Price Regulation No. 120 for such a shipment, the particular shipment may be made at not more than the applicable minimum price, in effect midnight, August 23, 1943: *Provided*, That no such shipments shall be made after December 31, 1943 at higher than the maximum price established by this regulation.

[Subparagraph (1) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; Am. 70, 8 F.R. 15256, effective 10-30-43; Am. 80, 9 F.R. 794, effective 1-26-44; Am. 90, 9 F.R. 2237, effective 3-2-44; and Am. 99, 9 F.R. 5587, effective 5-1-44]

(2) The maximum prices established herein apply to all sales by a producer or a distributor at, or for delivery from, a mine or a preparation plant operated as an adjunct of a mine or mines to destinations in Continental United States,

8 F.R. 2128, 2477, 3966, 4438; 9 F.R. 5985, 6257, 6151, 6825, 7419.

the Territories of Alaska and Hawaii, the District of Columbia and the Dominion of Canada: *Provided, however*, That subject to such future regulation as may be appropriate, the maximum prices established herein shall not apply to the resale of United States bituminous coal by Canadian distributors who import such coal from the United States into the Dominion of Canada and resell it for consumption in the Dominion of Canada: *And provided further*, That maximum prices established herein do not apply to the sales of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters or at tidewater as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and set forth in § 1340.201, above. The provisions of this Maximum Price Regulation No. 120 shall apply, however, to the sale or delivery of bituminous coal to another person who resells the same for use as bunker fuel, even though the resale by such other person may be subject to the provisions of Maximum Price Regulation No. 189, Bituminous Coal Sold for Direct Use as Bunker Fuel, except that, where a supplier of bunker fuel does not have such fuel readily available (in storage or transportation facilities) to fuel a vessel at a particular port, and purchases the same from another bunker supplier who has such fuel available at that port, the sale by each supplier shall be subject to the maximum prices applicable under Maximum Price Regulation No. 189 to a direct sale by the particular supplier to the vessel in question.

[Subparagraph (2) amended by Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 19, 7 F.R. 6744, effective 8-29-42; Am. 55, 8 F.R. 8504, effective 6-18-43; and Am. 69, 8 F.R. 14560, effective 10-30-43]

(3) All designations or definitions of classifications, price groups, size groups, mine index numbers, mine names, freight origin group numbers, subdistricts, seams, market areas, and other terms used in § 1340.212 to 1340.233 (Appendices A to V, inclusive) and in any order or authority issued under this regulation since May 18, 1942, are, unless otherwise specifically provided, the same designations or definitions of such matters set forth in the schedules of effective minimum prices for the same district, as established by the Bituminous Coal Division and as in effect midnight, August 23, 1943. References to classifications, price groups and size groups in § 1340.212 to 1340.233 (Appendices A to V, inclusive) are to classifications, price groups and size groups in the schedule of effective minimum prices for the same district in respect to coal shipped all-rail for general commercial use, unless otherwise specifically noted. Thus, special classifications or size groups in the schedule of effective minimum prices for coal moving to a special use or by a particular method of transportation are not applicable unless otherwise specifically stated.

In addition to references to minimum prices which were in effect on April 1, 1942, and October 1, 1942, wherever a minimum price is a necessary element in the determination of a maximum price

established by this Regulation, then such minimum price as established by the Bituminous Coal Division and effective as of midnight, August 23, 1943, is hereby adopted for such purpose.

[Subparagraph (3) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; and Am. 78, 9 F.R. 573, effective 1-18-44]

(4) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or a distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or a distributor, there may be added to the applicable maximum prices established herein a sum not in excess of the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points: *Provided*, That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and/or Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941: *And provided further*, That there may also be added by a producer or distributor, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer or distributor incurred such tax, and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

[Subparagraph (4) amended by Am. 8, 7 F.R. 5059, effective 7-2-42; Am. 20, 7 F.R. 6896, effective 5-18-42; Am. 27, 7 F.R. 10470, effective 12-1-42; Am. 61, 8 F.R. 12659, effective 9-20-43; and Am. 78, 9 F.R. 573, effective 1-18-44]

(5) In the event of the mixture of two or more sizes or classifications of coal to which different maximum prices are applicable, the maximum price for such mixture shall be not more than the weighted average of the maximum prices for each of the component sizes or classifications of coal in said mixture, on a per net ton basis.

(6) Prior to the sale of bituminous coal for which price classifications or maximum prices have not been established, the producer thereof shall file with the Price Administrator an application for specific maximum prices or price classifications, or both. The producer shall state the mine index number, if any, and the classifications, if any, assigned by the Bituminous Coal Division to the mine and coals involved, along with the name, location and mine index number of the nearest mine in the same seam, the coals

of which are classified and sold subject to specific maximum prices, along with such classifications and prices. If there is no such mine in the same seam, the same comparative information shall be given for the nearest mine in a substantially similar seam.

For thirty days after filing the application, such coals shall be sold at temporary maximum prices no higher than the maximum prices established by this regulation for the coals which are produced at the nearest mine in the same seam or in a substantially similar seam and which are classified and sold subject to specific maximum prices. After thirty days from the filing of the application, if no prior action has been taken by the Price Administrator, the classifications and prices as requested in the application shall be the classifications or maximum prices, or both, for such coals.

[Subparagraph (6) amended by Am. 59, 8 F.R. 11689, effective 8-21-43, and Am. 63, 8 F.R. 12933, effective 9-27-43]

(7) If no specific maximum price is established for a particular size of coal, the maximum price therefor shall be determined as follows:

(i) If the particular unpriced size is a lump size, the maximum price shall be not more than the lowest maximum price established for any size of lump coal for the same mine.

(ii) If the particular unpriced size is a double screened coal, the maximum price shall be not more than the lowest maximum price established for any double screened size of the same mine.

(iii) If the particular unpriced size is a resultant (slack or screening) size, the maximum price shall be not more than the lowest maximum price for any resultant (slack or screening) size of the same mine.

(8) (i) Except as otherwise specifically provided in this section or in §§ 1340.212 to 1340.233, inclusive, (Appendices A to V, inclusive) wherever lump, double screened coal, or mine-run coals (and coals of the same size group as mine-run coals) are crushed, the applicable maximum price shall be the maximum price for the size to which the coal is crushed, irrespective of whether the crushing is done by the producer for his own account or for the buyer's account.

(ii) Where a higher maximum price than is above provided for crushed coals is necessary to maintain or increase essential production of resultant screening sizes, a producer may file an application containing the information hereinafter set forth, requesting permission from the Office of Price Administration to sell crushed coal at straight run-of-mine prices. An original and two copies of such application shall be filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C. Immediately upon such filing, the producer has permission to charge maximum prices for crushed coal as is hereinafter provided. Such permission will terminate for failure to file the monthly reports as required in § 1340.210 (a) (8)

(iv), below, or may be terminated at any time in the discretion of the Administrator. On deliveries of bituminous coal

made after such filing, (a) where the applicant's lump coals, double screened coals, or mine-run coals (and coals of the same size group as mine-run coals) are mechanically crushed to sizes normally sold by the applicant as screenings, and such resultant sizes are not screened, altered or modified (exclusive of mechanical cleaning or preparation), the maximum price applicable thereto shall be the maximum price for the coal produced at the mine involved which is classified as straight run-of-mine coal; (b) where mine-run coals (and coals of the same size group as mine-run coal) are separated into two or more sizes and only the larger sizes are crushed, the smaller uncrushed sizes shall have the maximum price established under this regulation for the particular sizes involved; but if such smaller uncrushed sizes are re-assembled with the crushed sizes and shipped as re-assembled, the maximum price applicable to such re-assembled product shall be the maximum price for that coal produced at the mine involved which is classified as straight run-of-mine coal.

(iii) Such application shall include, in affidavit form:

(a) A complete identification of the applicant, including business name and address, mine name, mine index number, and number of producing district;

(b) A statement of the manner in which the requested permission will facilitate the economical and efficient production of slacks or screenings.

(c) For each month from October 1, 1941 to and including the month prior to the month when the application is filed, a statement of:

(1) The tonnages of lump coals, double screened coals, mine-run coals (or coals of the same size group as mine-run coals) crushed and shipped in a crusher-run state, without subsequent rescreening, alteration or modification (exclusive of mechanical cleaning or preparation), which were shipped from the applicant's mine during each such month—indicating in each case the specific sizes before crushing and the specific sizes as shipped, the total tonnage of crushed coal shipped during the month and the percentage relation which this total tonnage bears to the total of all shipments of all sizes made during the month;

(2) The tonnages of each size of coal not crushed which were shipped from the applicant's mine during each such month;

(3) An estimate of the data specified in (1) and (2) for 30 days subsequent to the actual date on which the application is filed.

(iv) On or before the 20th day of the month following that in which the application was filed, and monthly thereafter, an original and 3 copies of a monthly report, in affidavit form, containing the information hereinafter set forth, shall be filed with the Solid Fuels Branch, Office of Price Administration, Washington, D. C. Such monthly reports shall contain:

(a) A complete identification of the reporting producer including business name and address, mine name, mine index number, and number of producing district, and a statement of the date or

dates on which the aforesaid application was filed by the reporting producer;

(b) A statement of why continued permission to sell crushed coal as previously requested is necessary;

(c) For the month in which the application was filed and for each full month thereafter, a statement of:

(1) The tonnages of crushed coals which were shipped at prices in excess of the maximum prices applicable to natural screenings of the same top sizes (i. e., screenings not produced by crusher);

(2) The tonnages shipped of each size of coal not crushed;

(3) The same details with respect to such tonnages of crushed and uncrushed coals as are called for in § 1340.210 (a) (8) (iii) (c) above; and

(4) An estimate of the foregoing data specified in (1), (2) and (3) for 30 days subsequent to the actual date on which the report is filed.

[Subparagraph (8) amended by Am. 22, 7 F.R. 7670, 7914, effective 9-26-42 and Am. 59, 8 F.R. 11689, effective 8-21-43]

(9) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the period of October 1-15, 1941, inclusive.

[Subparagraph (9) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(10) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags and bagging, and the making of local or retail deliveries from the mine or preparation plant, shall not exceed the charges made for the same service during the period October 1-October 15, 1941, inclusive, except as is otherwise provided in subdivisions (i), (ii), and (iii) below.

[Above paragraph amended by Am. 87, 9 F.R. 1905, effective 2-23-44; and Am. 119, 9 F.R. 11063, effective 8-8-44]

No person may pay and no person may receive a service charge over the maximum prices otherwise established by this regulation for the services rendered in the obtaining of supplies of coal or in handling shipments of coal by water unless the Administrator grants permission in writing to do so. Provision is made in subdivisions (i), (ii) and (iii) below for the obtaining of such permission; subdivision (i) states how and by what persons such permission may be obtained with regard to shipments other than those by lake and tidewater, subdivision (ii) states the same generally with regard to lake and tidewater shipments and subdivision (iii) specifies the service charges that may be made on sales for the account of the Office of Foreign Economic Administration for Lend-Lease purposes.

[Above paragraph added by Am. 87 and amended by Am. 119]

(i) With regard to shipments other than those by lake and tidewater a distributor may obtain such permission where the requirements of (a) below are met by filing two copies of a signed application containing the information required in (b) below with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C.

(a) *Conditions under which permission to pay a service charge will not be granted.* In no event will a service charge be permitted to be paid or received where:

(1) The distributor is or at any time since May 18, 1942 has been related to the producer or his sales agent directly or indirectly by ownership control or affiliation of any kind.

(2) In general the tonnage requirements of the person desiring to purchase from the distributor exceed 10,000 net tons per year, or the situation of the customer is such that the services of a distributor are not required.

(3) The coal to be procured by the distributor will be obtained from the same mine or the same producer or an affiliate of the same producer as the mine, producer or affiliate which supplied the customer of the distributor at any time since May 18, 1942. This condition shall not, however, be applicable where the customer of the distributor is operating a manufacturing plant which was converted from oil to coal since January 1, 1942 and such customer has since that date been supplied coal by a distributor, or where the customer of the distributor is in New England and is now receiving via all-rail transportation part or all of the coal requirements he formerly received by tidewater or where the customer's requirements are supplied by a distributor under a direction issued by the Solid Fuels Administration for War.

(b) *Information which the distributor's application should contain.* A signed application filed in duplicate with the Solid Fuels Branch shall disclose:

(1) The kind, size, tonnage, distributor's f. o. b. mine purchase price of coal which the customer of the distributor needs, the service charge the distributor proposes to make and to which the customer agrees, and the method of shipment of the coal.

(2) A brief statement of the kind, size and tonnage of coal as well as total tonnage purchased by the customer of the distributor since January 1, 1943 from each source of supply together with the name and address of each supplier. The source of supply shall be identified as producer or distributor and by the names, mine index numbers of, and the producing district in which the mines from which the coals are to be shipped are located.

(3) A brief statement as to why applicant's services are necessary to his customer in the proposed transaction.

(4) A statement from the distributor's customer that it will not base any re-

quest for an increase in its maximum price for any commodity or service in whole or in part upon the added cost of the service charge and if customer is a reseller of coal subject to Revised Maximum Price Regulation No. 122 that it understands that the service charge it proposes to pay to the distributor may not be added to its maximum price in the resale of the coal and if customer is a person eligible for compensation under Revised Compensatory Adjustment Regulation No. 1 such service charge shall not be included in the current delivered cost of coal.

(5) Any other data deemed relevant by the applicant.

(c) *Records to be kept by the distributor receiving permission to make a service charge.* If such permission to make a service charge is granted, the distributor making such service charge shall maintain records for the effective period of this subdivision (i) in connection with any transaction on which such a service charge is made. The records shall disclose:

(1) The distributor's source of coal supply, including the name and address of each supplier, an identification of these suppliers as distributor or producer and the names, mine index numbers of, and the producing district in which the mines from which the coals are to be shipped are located.

(2) The tonnage of coal shipped the customer, maximum f. o. b. mine price; the purchase price the distributor paid f. o. b. the mine; the amount and kind of all special service charges made in the sale of the coal by the producer and distributor and the amount of the service charge made by the distributor under the Administrator's authorization granted pursuant to this subdivision (i).

(d) Permission to pay a service charge of not more than 17 cents per net ton may be granted by the Administrator by letter or telegram with respect to individual transactions or transactions of a continuing nature for either individual distributors or groups of distributors. In all cases the amount of the service charge shall be separately identified in the invoice for the coal.

[Subparagraph (1) added, former (1) redesignated (ii) by Am. 87, 9 F.R. 1905, effective 2-23-44]

(ii) The following special rule shall govern the compensation for distributors' service rendered in connection with lake or tidewater shipments of bituminous coal:

(a) Services rendered by a distributor in connection with bituminous coal shipments by lake or tidewater (e. g. assembling cargoes, chartering vessels, etc.) shall be deemed to constitute special services within the meaning of this paragraph, only if:

(1) The service charge does not exceed the weighted average of service charges made by him during October 1941 for similar transactions (e. g. for similar f. a. s., or f. o. b. dock or f. o. b.

vessel transactions, as the case may be), or (if he had no similar transactions during that month) does not exceed the service charge which has been authorized pursuant to this subparagraph (10) (ii) for similar transactions of a competing distributor.

(2) The distributor has filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application for permission to make a service charge for such transactions and has received such permission, and

(3) The distributor separately identifies in his invoice the amount of the service charge authorized pursuant to this paragraph.

(b) The Office of Price Administration may approve, reject or modify a service charge proposed in an application filed pursuant to this paragraph (10) (ii); approval shall be effective for all similar transactions of the applicant. Such ap-

plication shall include on a form copied from the sample Form reproduced below:

(1) The purchase costs (showing discounts, allowances, or commissions), resale prices and service charges in October 1941 for the tonnages involved, such tonnages to be specifically identified by origin, grade, size, and name and address of persons from whom purchased; and the type of transaction (e. g., f. a. s., f. o. b. dock, f. o. b. vessel), and the capacity in which each transaction was handled by the applicant and the person selling to him;

(2) The weighted average service charge per ton for each type of transaction; and

(3) A breakdown, for each type of transaction, of the service elements involved in the total service rendered, together with a cents-per-ton allocation, insofar as practicable, of the total service-charge to each such service element;

Form approved
Budget Bureau No. 06-R34

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR PERMISSION TO MAKE A SERVICE CHARGE ON LAKE OR TIDEWATER SHIPMENTS

BITUMINOUS COAL DISTRIBUTORS

Distributor's Name: Date:
Address:

Lake and Tidewater Shipments

PART A—PRICE, SERVICE CHARGE & TYPE OF TRANSACTION—BITUMINOUS COAL HANDLED, OCTOBER 1941
(All units per net ton)

Line No.	FOB mine prior to resale		Resale price (ob) mine	Total tons sold	Service charge per ton	Total service charge (Col. 4 times Col. 5)	Type of transaction
	Price before any discounts, allowances, commissions	Amount of discounts, allowances, commissions					
1		2	3	4	5	6	7
2							
3							
4							
5							
6							
7							

PART B—IDENTITY OF OCTOBER 1941 BITUMINOUS COAL TRANSACTIONS¹

Line No.	Origin of coal purchased		Grade and size ²	Name and address of persons from whom tonnage was purchased as reported on each numbered line of PART A	Capacity in which handled	
	Mine district No.	Mine name No.			By person from whom purchased	By applicant
1	1	2	3	6	6	7
2						
3						
4						
5						
6						
7						

¹ The entries should correspond line for line with the entries in Part A.
² Give specific size dimensions in inches and fractions of inches or mesh including both top and bottom size of double screened coals.

PART C—WEIGHTED AVERAGE SERVICE CHARGE PER TON—OCTOBER 1941

F. A. S. F. O. B. Dock F. O. B. Vessel Other (specify)

NOTE: For each type of transaction shown in PART A, Column 7, compute the weighted average service charge by dividing the total of the service charges for each type as shown in PART A, Column 6, by the total net tons sold for such transactions as shown in PART A, Column 4.

PART D—ALLOCATION OF SERVICE CHARGES

Line No.	Service Elements and Charges by Type of Transaction ¹								
	Service elements	F. A. S. trans- actions	Charges	F. O. B. dock trans- actions	Charges	F. O. B. vessel trans- actions	Charges	Others (Specify)	Charges
1	Assembling cargoes								
2	Chartering vessels								
3									
4									
5									
6									
7									
	Total:	XXXX		XXXX		XXXX			

¹ Under each type of transaction check (X) the appropriate Service Elements and enter the charges therefor.
² The total charge for each type of transaction should not exceed the weighted average shown in PART C for each type of transaction.

(iii) On sales to a procurement agency of the United States for the account of the Office of Foreign Economic Administration for purposes of Lend-Lease there may be added to any price established under this regulation the sum of five cents per net ton. Furthermore, on f. o. b. vessel transactions in the event the seller pays the inland transportation charges to the port of exit and assumes railroad demurrage charges he may add an additional 15 cents per net ton to the price established under this regulation. [Subparagraph (iii) added by Am. 119, 9 F.R. 11063, effective 8-8-44.]

[Subparagraph (10) amended by Am. 46, 8 F.R. 2873, effective 3-6-43 and as otherwise noted]

(11) Any distributor selling smithing coal for shipment direct from the mine to the purchaser may add to the maximum prices established for such coal in this Maximum Price Regulation No. 120 an amount not in excess of the weighted average margin realized by such distributor on similar sales or deliveries of smithing coal during the period October 1 to December 31, 1941. If such distributor made no sales or deliveries of smithing coal during said period then such

distributor may use the weighted average margin realized during the next preceding three months' period in 1941 in which such sales were made. Such weighted average margin shall be determined by subtracting the average purchase price f. o. b. mine, weighted by tonnage, paid by such distributor for the smithing coal so sold or delivered by him in the period October 1 to December 31, 1941 from the average sale price, weighted by tonnage, but exclusive of transportation costs, which he received therefor: *Provided*, That not later than September 7, 1942, each distributor of smithing coal shall report the average margin obtained on sales of smithing coal during the period October 1 to December 31, 1941, determined in accordance with the provisions of this paragraph (a) (11) of § 1340.210 to the Bituminous Coal Division of the Department of the Interior of the United States at 734 Fifteenth Street NW., Washington, D. C.

[Subparagraph (11) added by Am. 11, 7 F.R. 5827, effective 7-27-42; amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(12) Any amounts which by order or amendment are permitted to be added to maximum prices cannot be added to Bituminous Coal Division minimum prices which are higher than maximum prices and which may be charged under § 1340.210 (a) (1) or § 1340.226 (b) (1) (i).

(13) Any purchaser, lessee, or transferee of a mine for which maximum prices or price classifications have been established will take the maximum prices or price classifications previously assigned to the mine or to the seller, lessor, or transferor thereof.

[Subparagraph (12) and (13) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(14) A producer may receive a direction from the Solid Fuels Administration for War requiring him to rescreen his mine's "resultant coals" to increase production of double screened coals. "Resultant coals", as used in this paragraph (14), refers to coals which were given the same price classification and permitted to be sold at the same minimum price as mine run coals under the minimum price schedules for the respective producing Districts Nos. 1 and 3 through 8, except that, as to high volatile coals produced in Districts Nos. 7 and 8, the term refers also to coals in Size Group No. 17. The rescreening of "resultant coals" will result in an increase in the tonnage of screenings in excess of that normally produced by him at the mine involved in the direction. This paragraph (14) provides a formula for pricing such excess production of screenings for such mines if in any of Districts Nos. 1 and 3 through 8; it is not applicable to screenings normally produced; or to any increased production of screenings resulting from causes other than compliance with the direction, or to a mine in any other District.

If the producer complies with the direction in whole or in part and if compliance requires a change in his screening practices from those in effect at the mine prior to such compliance, the increase in production of screenings may

be sold at no more than the applicable maximum price plus an amount necessary to return to the mine the total realization which the mine would have obtained on sale at maximum prices of the original "resultant coals"; except, that where the maximum price for the double screened size is less than the maximum price for the "resultant coals", the latter price shall be the maximum price for both the double-screened coals and the screenings: *Provided*, That the producer shall have reported the following information to the Solid Fuels Price Branch, Office of Price Administration, Washington 25, D. C. before selling screenings at maximum prices computed under this paragraph (14):

First. The number of the direction of the Solid Fuels Administration for War;

Second. The tonnages of double screened sizes and screenings, if any, shipped from each mine involved in the direction during each of the three calendar months immediately preceding the month in which the direction was received;

Third. The tonnages of double screened coals, apart from the direction, which the producer has committed himself to ship from each mine involved in the direction during the period in which the direction will be effective;

Fourth. An estimated percentage yield of double-screened coals obtainable from the mine's original "resultant coals", along with the top size of such "resultant coals";

Fifth. The maximum price applicable to the mine's "resultant coals," and to its double screened coals and screenings computed without the benefit of this paragraph (14);

and,

Provided, however, That the producer shall report within 20 days after the end of the effective period of the direction the total tonnages of double-screened coals and the excess tonnage of screenings produced in compliance with the direction, and the amount by which the maximum prices of the latter were increased, and

Provided, further, That the producer, when computing a price for screenings or double screened sizes or both under this paragraph, shall state on his invoice that he has computed his maximum price for the coals involved under § 1340.210 (a) (14) of Maximum Price Regulation No. 120.

[Subparagraph (14) added by Am. 82, 9 F.R. 1181, 2237, effective when the first direction to increase production of double-screened coals is issued by Solid Fuels Administration for War but not later than February 5, 1944 nor before January 30, 1944]

[NOTE: 2nd Revised Supplementary Order No. 34 (10 F.R. 2014) permits, under certain conditions, the addition of special packing expenses to maximum prices on sales to procurement agencies of the United States.]

(15) There may be added to the applicable maximum price, the amount of any sales, gross receipts, gross proceeds or use tax, levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller cus-

tomarily added the amount of such tax to the maximum price and separately stated the tax on his invoices prior to May 1, 1944.

[Subparagraph (15) added by Am. 97, 9 F.R. 5042 effective 5-16-44; amended by Am. 100, 9 F.R. 5826, effective 5-29-44]

(16) Notwithstanding anything to the contrary contained in this regulation, during periods set forth below there may be added to the maximum prices established by §§ 1340.218, 1340.219, and 1340.224 (b) (4) and (5) or by order issued under this regulation, for bituminous coal produced in Districts No. 7 and 8 and that part of Subdistricts No. 3, 4 and 5 of District No. 13 in the State of Tennessee the amounts set opposite the respective districts and size groups subject to the conditions concerning operation for seven consecutive days hereinafter set forth, if the amount of such increase is separately stated on the invoice and identified by the statement, "Extra for February Sunday work."

(i) The maximum price for bituminous coal produced during the period February 4 to 17, inclusive, from mines in the respective districts set forth below which have operated seven consecutive days ending February 4, 1945 may be increased during the period February 4 to 17, inclusive by the following amounts:

(a) District No. 7:

Low volatile coals—Size Group 1-7, Rail Shipment—5 cents per net ton
Low volatile coals—Size Group 1-4, Truck Shipment—5 cents per net ton
High volatile coals—Size Group 1-17, Rail Shipment—5 cents per net ton
High volatile coals—Size Group 1-4, Truck Shipment—5 cents per net ton
All other sizes by all methods of shipment—15 cents per net ton

Run of mine and resultant coals (low volatile Size Groups 7 for rail shipment and 4 for truck shipment and high volatile Size Groups 16 and 17 for rail shipment and 4 for truck shipment) may be increased by 15 cents per net ton rather than 5 cents only when sold for delivery to purchasers who are not reselling under Revised Maximum Price Regulation No. 122.

[Subparagraph (a) amended by Am. 130, 10 F.R. 1749, effective 2-3-45]

(b) District No. 8—All sizes for all methods of shipment, 5 cents per net ton.

(c) That part of Subdistricts No. 3, 4 and 5 of District No. 13, in the State of Tennessee—Size Group 1-9 all methods of shipment—5 cents per net ton. All other sizes by all methods of shipment—15 cents per net ton.

Run of mine and resultant coals (Size Groups 7, 8 and 9 for all methods of shipment) may be increased by 15 cents per net ton rather than 5 cents only when sold for delivery to purchasers who are not reselling under Revised Maximum Price Regulation No. 122.

[Subparagraph (c) amended by Am. 130, 10 F.R. 1749, 2160, effective 2-3-45]

(ii) The maximum price for bituminous coal produced during the period February 18 to March 3, 1945, inclusive, from mines in the respective districts set forth above which have operated seven consecutive days ending February 18, 1945, may be increased during the period

February 18, to March 3, 1945, inclusive, by the amounts set forth in subdivision (i) above.

(iii) A mine which has operated on February 4, or February 18, 1945, and has properly paid double time to its employees under Executive Order No. 9240 for operation on those dates may make the extra charges provided for seven consecutive day operation.

[Subparagraph (iii) added by Am. 130]
[Subparagraph (16) added by Am. 129, 10 F.R. 1542, effective 2-3-45]

(17) Where a mine prepares its coals by the use of a single screen and further prepares such single-screened coals in such manner as to actually conform with the top and bottom size specifications of defined double-screened coals, the producer of such coals may sell such prepared coal at the maximum prices established for the double-screened coals, provided that the conditions set forth in subdivision (i) below have been met and approval has been granted in writing by the Administrator. If it is shown to the satisfaction of the Price Administrator that the mine is equipped with adequate facilities to prepare single-screened coals sufficiently to meet the top and bottom size specifications for double-screened coals, the Administrator may authorize the producer in writing to sell such prepared coals at prices not in excess of the maximum prices established for the double-screened coals produced at the same mine.

(i) To qualify for the authorization which may be granted under this § 1340.210 (a) (17) an application shall be filed by the producer of the coals with the Office of Price Administration, Solid Fuels Price Branch, Washington 25, D. C., requesting permission to sell single-screened coals, prepared to actually conform with the top and bottom size specifications for double-screened coals, at the applicable maximum price for double-screened coals. The said application shall include, in affidavit form:

(a) A complete identification of the applicant, including business name and address, mine name, mine index number and the number of the producing district;

(b) A full description of the screening facilities and the kind of screens used in the preparation of the applicant's coals;

(c) A statement that any single-screened coal sold at the double-screened coal maximum prices under proper authorization will actually conform with double-screened coal specifications; and

(d) A description in detail of the manner in which the single-screened coals will be prepared, showing that the prepared coals actually conform with the

top and bottom size specifications established for double-screened coals.

[Subparagraph (17) added by Am. 136, effective 4-25-45]

§ 1340.211 *Effective date of Maximum Price Regulation No. 120.* This Maximum Price Regulation No. 120 (§§ 1340.201 to 1340.233, inclusive) shall become effective May 18, 1942. [MPR 120 originally issued April 28, 1942]

§ 1340.211a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses (including railroad fuel for uses other than locomotive fuel use) and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.				
	1	2	3	4	5
A.....	355	340	330	315	.....
B.....	350	340	320	310	.....
C.....	340	335	315	300	300
D.....	330	310	305	295	295
E.....	325	305	305	285	285
F.....	305	305	205	275	275
G.....	300	300	285	275	275
H.....	300	300	280	255	255
J.....	.....	.....	.....	255	255
K.....	.....	.....	.....	255	255

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail shipment, plus a sum not exceeding 50¢ per net ton.

(i) *Special price instruction:* (a) The maximum price for coals in Size Group 3

produced by mines located in Subdistrict No. 29 which have no direct physical connections with the Conemaugh & Black Lick Railroad and whose coal is trucked to the railroad's coaling station at Johnstown, Pennsylvania, or to a railroad car on the tracks of said railroad for movement by railroad car to the railroad's locomotive coaling station, shall be \$3.65 per net ton.

(b) Maximum prices for Size Group 3 coals produced at mines in the Snow-Shoe region, Subdistrict 9 of District No. 1 when purchased by the Bellefonte Central Railroad Company for railroad fuel, all uses, shall be \$3.05.

[Subparagraph (i) amended by Am. 45, 8 F.R. 2997, effective 3-15-43; Am. 56, 8 F.R. 9018, effective 7-6-43; and Am. 136, effective 4-25-45]

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 425 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 14, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3), and (4) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:

	<i>Cents</i>
Size groups 1 and 2.....	20
Size groups 3, 4, and 5.....	25

Exception: Classes E and F in size group 2 may increase 25 cents.

(ii) For method of shipment and uses indicated in (2) above:

	<i>Cents</i>
Size groups 1 to 5, inclusive.....	25

(iii) For use indicated in (3) above: 25 cents. *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 5 (1) above.

(iv) For use indicated in (4) above: 25 cents.

(6) The prices established by subparagraphs (1), (2), (3), (4) and (5) of this paragraph (b) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 30 cents per ton.

[Subparagraph (6) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

[Paragraph (b) amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 21, 7 F.R. 7777, effective 10-5-42; and Am. 36, 8 F.R. 1679, 2713, effective 2-4-43]

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum

price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) *Underground mines* — (i) *Maximum prices for coals produced at underground mines with the following designated price classifications.* These prices are for shipment to all destinations by all methods of transportation, except by truck or wagon, and for all uses, except all railroad fuel uses and smithing coal.

(iii) The maximum price for smithing coal shall be 455 cents per net ton.

(2) *Strip mines.* The maximum price for coals produced at any mine by the stripping method shall be the same as that for the grade, size and use of the coal shipped as set forth in subdivisions (i) and (ii) of this paragraph (b) (1) minus 25 cents per net ton.

(i) If coals from an underground mine and from a strip mine are mixed, the maximum price for the mixture shall be the weighted average of the maximum prices for each of the mixed coals; the calculation shall be made in a reasonable manner on a per net ton basis.

[Subparagraph (1), formerly (iii), redesignated; and original (1) and (ii) revoked by Am. 136, effective 4-25-45]

(4) *Specific descriptions of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size Group Nos:	Description
1 and 2-----	All single-screened lump coals and double-screened egg coals with bottom size larger than 2".
3 and 4-----	All single-screened lump coals with a bottom size 2" and smaller, and all double-screened coals with a bottom size 2" and smaller, and top size larger than 2".
5-----	All double-screened, nut, pea and stoker coals with a top size not exceeding 2".
6-----	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.
7 and 8-----	Screenings larger than 3/4" x 0 but not exceeding 2" x 0.
9 and 10-----	Screenings, top size not exceeding 3/4".

PRICES AND SIZE GROUP NUMBERS

Price classification	1, 2—lump and double-screened coals, bottom size larger than 2"	3, 4, 5—lump and double-screened coals, bottom size 2" and smaller	6—mine run and resultants larger than 2"	7, 8—screenings larger than 3/4" but not exceeding 2"	9, 10—screenings 3/4" and smaller
A.....	555	335	325	300	285
B.....	350	335	325	300	285
O.....	350	335	325	300	280
D.....	335	325	315	295	270
E.....	335	305	295	275	260
F.....	310	300	290	275	260
G.....	310	300	290	270	255
H.....	310	295	285	260	250
J.....	310	275	265	260	250
K.....	305			245	235
L.....	300				

[Exceptions deleted by Am. 136, effective 4-25-45]

(ii) The maximum prices for coals for all railroad fuel uses shall be the maximum price for the grade and size shipped, as set forth in (i) above, or as set forth in the table of Consolidated Railroad Fuel Price Groups set forth in this subparagraph (ii) below, whichever is the higher. (See subparagraph (2) for strip mines.)

Railroad Fuel Prices (by consolidated price group) (f. o. b. rail shipping point)

Consolidated railroad fuel price groups	Price and size group Nos.			Description of consolidated railroad fuel price groups
	1 to 5 incl.	6	7 to 10 incl.	
A.....	315	300	270	Groups 1, 6, 9, 10, 13, 15, 20 and 22.
B.....	315	300	260	Groups 2, 11, 12, 14, 19 and 21.
C.....	310	295	260	Groups 16, 17 and 18.
D.....	305	290	260	Group 5.
E.....	295	280	265	Groups 3 and 7.
F.....	290	275	250	Group 4.
G.....	285	270	255	Group 8.

[Subparagraph (ii) amended by Am. 136, effective 4-25-45]

(5) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

PRICES AND SIZE GROUP NUMBERS

Coals produced at all mines in the following counties	Price group No.	1, 2, 3—lump and double-screened coals bottom size larger than 2"	4—lump and double-screened coals bottom size larger than 1 3/4" but not exceeding 2"	5, 6, 7—lump bottom size 1 3/4" and smaller and double-screened coals top size not exceeding 2"	8—mine run and resultants larger than 2"	9, 10—screenings larger than 3/4" but not exceeding 2"	11—screenings 3/4" and smaller
Allegheny.....	5	425	390	360	325	285	270
Armstrong.....	10	395	365	360	295	275	255
Beaver.....	4	415	400	375	305	265	245
Butler.....	2	435	415	405	320	290	270
Cannel coal prices:							
Mine Index No. 858.....	2	600	440	420	390	380	315
Mine Index No. 904.....	2	600	440	420	390	380	315
Mine Index No. 934.....	2	600	440	420	390	380	315
Mine Index No. 1488.....	2	600	440	420	390	380	315
Mine Index No. 1628.....	2	600	440	420	390	380	315
Mine Index No. 923.....	2	600	440	420	390	380	315
Crawford.....	1	465	440	420	390	380	315
Fayette.....	7	415	385	375	310	290	285
Greene.....	11	380	360	340	280	260	250
Indiana.....	9	395	365	355	300	280	270
Lawrence.....							
Mercer.....	3	435	400	395	320	265	240
Venango.....							
Washington.....	6	425	385	375	325	290	255
Westmoreland.....	8	415	395	365	305	285	255

[Table amended by Am. 97, 9 F.R. 5042, effective 5-16-44. Exceptions under Allegheny deleted; word "exception" under Butler deleted and "Cannel Coal prices" substituted by Am. 136]

(6) Specific descriptions of size group numbers referred to in subparagraph (5) of this paragraph (b).

Size Group Nos.:	Description
1 to 3, incl.-----	All single-screened lump coals and all double-screened egg coals with a bottom size larger than 2".
4-----	All single-screened lump coals bottom size larger than 1 1/4" but not exceeding 2", and all double-screened egg coals, bottom size larger than 1 1/4" but not exceeding 2", and top size larger than 5".
5 to 7, incl.-----	All single-screened lump coals, bottom size 1 1/4" and smaller, all forked coals, all double-screened egg coals, bottom size larger than 1 1/4" but not exceeding 2", and top size larger than 2" but not exceeding 5", all double-screened egg coals, bottom size 1 1/4" and smaller and top size larger than 4", all double-screened nut, pea and stoker coals, top size not exceeding 2".
8-----	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.
9 and 10-----	Screenings, larger than 3/4" x 0 but not exceeding 2" x 0.
11-----	Screenings, top size, not exceeding 3/4".

(7) [Deleted]

[Subparagraph (7) deleted by Am. 136, effective 4-25-45]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

(d) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the

service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[Paragraph (d) added by Am. 98, 9 F.R. 5375, effective 5-23-44]

(e) In paragraph (b) (2) of this section, a differential of 25 cents per net ton is established between coals produced at a strip mine and coals produced at a deep mine. A producer of coals from a strip mine, or a producer who buys coals from strip mines for preparation and resale, may apply for the removal of this differential, and the differential will be removed by order, upon a showing: First, that his coals are such that they can be prepared so as to be generally acceptable in coal consuming markets. Second, that his preparation plant or tippie is equipped with screens, picking tables and, in general, with adequate facilities for preparing coal by removing refuse before loading into transportation facilities; third, that his coal as loaded into transportation facilities is adequately prepared by use of such facilities.

If such preparation is not maintained, the Administrator may at any time re-establish the price differential.

[Paragraph (e) added by Am. 117, 9 F.R. 10194, effective 8-19-44]

[§ 1340.213 amended by Am. 1, 7 F.R. 3901, effective 5-25-42; Am. 6, 7 F.R. 4540, effective 6-17-42; Am. 14, 7 F.R. 6218, effective 8-14-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 34, 8 F.R. 1388, effective 1-30-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 83, 9 F.R. 1395, effective 2-3-44; and as otherwise noted]

§ 1340.214 Appendix C: Maximum prices for bituminous coal produced in District No. 3. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices for coals produced at mines with the following designated price classifications. These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses.

Price classifications	Prices and size group numbers				
	1	2	3	4	5
Lump and double-screened coals bottom size larger than 2"					
Lump and double-screened coals bottom size 2" and smaller					
Mine Run and resultants larger than 2" x 0					
Screenings top size over 3/4" x 0 but not exceeding 2" x 0					
Screenings top size 3/4" and smaller					
A-----	285	345	325	310	310
D and E ¹ -----	285	280	270	265	260
F ¹ -----	275	275	260	250	240
G-----	275	275	270	270	265
H-----	265	260	250	250	240
J-----	260	260	250	245	230
All mines in Preston County, West Virginia	300	300	290	285	285
All mines in the No. 5 Block Seam in Nicholas County, West Virginia	310	290	290	275	275

¹ If a mine is classified "DE" in any size group, the "D" classification shall apply to all coals from such mine having a sulphur content of 1.35% or under, irrespective of the use for which they are sold. If the sulphur content of the coals in any size group from such a mine is in excess of 1.35% the "F" classification indicated in the applicable minimum price schedule for that particular size group shall apply.

[Tables of Exceptions deleted by Am. 131]

[Subparagraph (1) amended by Am. 95, 9 F.R. 4219, effective 4-24-44; and Am. 131, 10 F.R. 2143, effective 2-26-45]

(2) (i) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

For coals produced at any mine in the following truck price group numbers	PRICES AND SIZE GROUP NUMBERS				
	1	2	3	4	5
Lump and double-screened coals bottom size larger than 2"					
Lump and double-screened coals bottom size 2" and smaller ¹					
Mine run and resultants larger than 2" x 0					
Screenings top size larger than 3/4" x 0 but not exceeding 2" x 0					
Screenings top size 3/4" and smaller					
1-----	355	350	325	315	295
2-----	350	340	305	285	275
3-----	310	310	285	275	265
4-----	285	280	255	245	235

¹ Includes all coal loaded by forks.

(ii) Identification by seams of mines in the truck price group numbers specified in subdivision (i) of this subparagraph (2). Following is a table of seams and price group numbers. A seller of coal produced at a mine from any of these seams shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number as set forth in subparagraph (2) (i) unless otherwise specifically provided therein. The same shall be true of any mine classified as to seam by the Office of Price Administration by an order issued prior to, or after July 12, 1944 under § 1340.210 (a) (6) of this regulation. The seams referred to below are those as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

Coals produced at any mine in the following seams, except as otherwise provided in subparagraph (2) (i)

Truck Price

Group No.:

- 1----- Coalburg, Eagle, No. 2 Gas, Peerless and Sewell
- 2----- No. 5 Block
- 3----- Bakerstown, Clarion, Elk Lick, Freeport, H. V. Freeport, L. V. Freeport, L. V. Kittanning, M. V. Freeport, Maston, Pittsburgh, Red Stone, Sandstone, U. Freeport
- 4----- Kittanning, H. V. Kittanning, Sewickley, Washington, Waynesburg and all other seams not specifically mentioned above

[Subparagraph (2) added, former (2) redesignated (3), former (3) revoked by Am. 95, 9 F.R. 4219, effective 4-24-44; (2) also amended by Am. 105, 9 F.R. 7602, effective, 7-12-44; and Am. 131, 10 F.R. 2143, effective 2-26-45]

(3) Orders of adjustment, and adjustments computed on Form OPA No. 653:-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, shall be void as follows: Where they affect maximum prices for rail shipments of coals for all uses and were issued or computed prior to April 24, 1944, they shall be void as of April 24, 1944; where they affect maximum prices for truck shipments and were issued or computed prior to July 12, 1944 they shall be void as of July 12, 1944.

[Subparagraph (3) amended and (4) deleted by Am. 105, 9 F.R. 7602, effective 7-12-44]

(4) [Deleted]

(5) [Deleted]

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43; amended by Am. 96, 9 F.R. 4686, effective 4-24-44; deleted by Am. 105, 9 F.R. 7602, effective 7-12-44]

[Paragraph (b) amended by Am. 4, 7 F.R. 4342, effective 6-6-42; Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 15, 7 F.R. 6265; effective 8-15-42; Am. 32, 7 F.R. 11012, effective 12-26-42; Am. 36, 8 F.R. 1679; effective 2-4-43; and as otherwise noted]

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10).

A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[Paragraph (c) added by Am. 98, 9 F.R. 5375, effective 5-23-44]

§ 1340.215 Appendix D: Maximum prices for bituminous coal produced in District No. 4. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses (including Railroad Fuel) and by all methods of transportation except truck or wagon.

For coals produced at any mine in the following subdistricts	Maximum prices, by size group numbers									
	1, 2	3, 3A, 4, 5	6	7	8	9	10	11	12	
1. Eastern Ohio.....	305	285	270	235	225	260	210	205	270	
2. Cambridge.....	305	285	270	235	225	260	210	205	270	
3. Bergholz.....	325	310	290	250	240	280	235	230	290	
4. Middle.....	325	310	290	250	240	280	235	230	290	
5. Hocking.....	365	325	305	280	270	305	245	245	305	
6. Crooksville.....	325	295	285	245	245	250	210	210	250	
7. Jackson.....	345	315	285	255	245	275	245	245	285	
8. Pomeroy.....	325	295	285	245	245	250	210	210	280	

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Coals produced at any mines in the following subdistricts	Type of operation	Maximum prices by size group numbers							
		1, 2, 3	3A, 4	5, 6	7	8	9, 12		
1. Eastern Ohio; 2. Cambridge; and 3. Bergholz.....	{ Deep.....	360	320	290	265	255	290	290	
	{ Strip.....	350	310	280	255	245	280	280	
4. Middle:									
4A-									
All mines in the #5 seam.....	Deep or strip....	375	355	305	300	260	305	305	
All other mines.....	Deep.....	350	320	280	255	245	290	290	
All other mines.....	Strip.....	350	320	280	255	245	280	280	
4B-									
All mines in the #5 seam.....	Deep or strip....	370	330	265	230	230	265	265	
All other mines.....	Deep.....	360	320	265	230	220	265	265	
All other mines.....	Strip.....	360	320	255	230	220	255	255	
4C-									
All mines in the #5 seam.....	Deep or strip....	385	345	305	270	260	305	305	
All other mines.....	Deep or strip....	375	335	305	270	260	305	305	
4D-									
All mines in the #1 seam.....	Deep or strip....	415	375	345	300	290	345	345	
All deep mines in the #5 seam.....	Deep.....	360	320	290	255	245	290	290	
All other mines.....	Deep or strip....	350	320	290	255	245	290	290	
4E-									
All mines.....	Deep or strip....	440	400	360	315	305	360	360	
5. Hocking.....	Deep or strip....	390	350	290	250	240	290	290	
6. Crooksville.....	Deep or strip....	360	320	285	230	230	285	285	
7. Jackson; 8. Pomeroy.....	Deep or strip....	375	335	285	240	230	285	285	

(3) Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).

1. (Includes former truck size group 1) All single-screened lump coals bottom size larger than 5".

2. (Includes former truck size group 2) All single-screened lump coals bottom size larger than 2" but not exceeding 5". All double-screened coals bottom size larger than 2".

3. (Includes former truck size group 3)

All single-screened lump coals bottom size larger than 1 1/4" but not exceeding 2".

3A. (Includes former truck size group 4) All double-screened coals bottom size larger than 1 1/4" but not exceeding 2".

4. (Includes former truck size group 5) All single-screened lump coals bottom size 1 1/4" and smaller.

All double-screened coals top size larger than 2" and bottom size not exceeding 1 1/4".

All forked coal.

5. (Includes part of former truck size group 5)

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R.....	560	555	530	520	505	485	410	455	400	250
W.....				545	530	510	435	-----	425	335

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.*

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R.....	610	605	580	570	555	535	490	505	450	300
W.....				595	580	560	485	-----	475	375

Explanation of symbols used:

R=Raw
W=Washed or otherwise mechanically cleaned.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum price for railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 80 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraph (3) above, but must be computed by adding to such adjusted price the following sum:

(1) For methods of shipment and uses indicated in (2) above forty (40) cents to Size Groups 2, 6, and 7.

(5) The prices established by subparagraphs (1), (2), (3) and (4) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, 17184, effective 11-29-43]

[Paragraph (b) amended by Am. 47, 8 F.R. 2921, effective 3-6-43]

8. (Includes former truck size group 8) All screenings top size not exceeding 3/4" x 0.

9. (Includes part of former truck size group 6) All double-screened dedusted screenings top size not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh.

10. (Substandard coal) All first cut, low grade, crop coal produced by the strip mining method which is crushed, pulverized, or reduced by any method to a size which shall not exceed 2".

11. (Substandard coal) Low grade, reject coal separated at the preparation facilities or loaded separately at Mine Index 154 of the Wheeling Township Coal Mining Company and shipped to the Goodyear Tire & Rubber Company.

12. All coal (except substandard coal) crushed, pulverized, or reduced by any method to a size not exceeding 2" x 0.

(4) Identification of sub-district numbers.

Subdistrict nos.	Rail	Truck	Descriptions
1—Eastern Ohio.....			Belmont County, Harrison County (except Monroe, Franklin, Washington and Freeport Townships) Jefferson County (except Brush Creek, Saline, Ross, Knox and Springfield Townships), and Monroe County.
2—Cambridge.....			Guernsey County (except Wheeling, Monroe, Washington, Knox, Liberty, Jefferson, Adams and Westland Townships), Noble County and Washington County.
3—Bergholz.....			The northern part of Jefferson County, to wit: Brush Creek, Saline, Ross, Knox and Springfield Townships.
4—Middle.....			Carroll, Holmes and Tuscarawas Counties and the following Townships in Harrison County: Monroe, Franklin, Washington and Freeport.
4B.....			Coshocton County, and the following townships in Guernsey County: Wheeling, Monroe, Washington, Liberty, Jefferson.
4C.....			Columbiana and Mahoning Counties.
4D.....			Medina, Portage, Stark, Summit and Wayne Counties.
4E.....			Trumbull County.
5—Hoeking.....			Athens and Hocking Counties.
6—Crooksville.....			Perry County: that part of Salt Lick and Monroe Townships south of a line drawn directly South of McCuneville and Rendville.
7—Jackson.....			Vinton County: Brown Township only.
8—Pomeroy.....			Morgan County: Homer and Marlon Townships only.
			Muskingum County.
			Guernsey County: Knox, Adams, and Westland townships only.
			Morgan County, (except Homer and Marlon Townships).
			Perry County: that part of Salt Lick and Monroe Townships North of a line drawn directly South of McCuneville and Rendville.
			Jackson, Lawrence and Scioto Counties.
			Vinton County (except Brown Township).
			Gallia County: Huntington Township only.
			Meigs County: Gallia County (except Huntington Township).

(5) All orders of adjustment issued prior to Feb. 14, 1945 and all adjustments computed on OPA Form 653-638 under § 1340.207 (e) (added by Amendment No. 74 shall be void as of March 1, 1945.)

§ 1340.215 amended by Am. 12, 7 F.R. 5635, effective 8-1-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 36, 8 F.R. 1679, 2713, effective 2-4-43; Am. 73, 8 F.R. 16280, 17184, effective 11-29-43; Am. 86, 9 F.R. 1721, effective 2-14-44; and Am. 133, 10 F.R. 2243, effective 3-1-45]

§ 1340.216 Appendix E: *Maximum prices for bituminous coal produced in District No. 5.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b.

§ 1340.217 Appendix F: *Maximum prices for bituminous coal produced in District No. 6.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[About paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportation except truck or wagon.

(6) All orders of adjustment issued prior to August 21, 1944 shall be void as of September 16, 1944.

§1340.217 Amended by Am. 15, 7 F. R. 6265, effective 8-15-42; Am. 36, 8 F. R. 1679, effective 2-4-43; Am. 73, 8 F. R. 16290, effective 11-29-43; and Am. 120, 9 F. R. 11176, effective 9-16-44

§ 1340.218 Appendix G: Maximum prices for bituminous coal produced in District No. 7. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

DISTRICT NO. 7—LOW VOLATILE COALS
(1) Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided in this appendix.

(4) Special price instructions for shipments by truck or wagon.

(i) If coals from an underground mine and from a strip mine are mixed, the maximum price for the mixture shall be the weighted average of the maximum prices for each of the mixed coals; the calculation shall be made in a reasonable manner on a per net ton basis.

[Subparagraph (i), formerly (iii), redesignated; and original (i) and (ii) revoked by Am. 136, effective 4-28-45]

(5) Specific descriptions of size group numbers referred to in subparagraph (3) of this paragraph (b).

Size Group numbers and description

- 1—Lump coal larger than 5".
- 2—Lump coal larger than 2" but not exceeding 5".
Double screened coal bottom size larger than 2".
- 3—Lump coal larger than 1 1/4" but not exceeding 2".
- 4—Double screened coal bottom size larger than 1 1/4" but not exceeding 2".
- 5—Lump coal 1 1/4" and smaller.
All forked coal.
Double screened coal bottom size 1 1/4" and smaller and top size larger than 2".
- 6—Double screened coal top size 2" and smaller.
Straight Run of Mine, Mine Run from which any size except screenings has been removed; also all screenings larger than 2" x 0.
- 7—Screenings top size larger than 3/4" x 0 but not exceeding 2" x 0, and any altered screenings top size not exceeding 2" from which any intermediate size has been removed.
- 8—Screenings top size 3/4" and smaller.

PRICES AND SIZE GROUP NUMBERS

Price classifications	PRICES AND SIZE GROUP NUMBERS									
	1	2	3	4	5	6	7	8	9	10
Lump	435	445	410	355	345	380	350	320	315	310
A	395	405	400	340	325	380	350	320	315	310
B	395	405	400	340	325	375	320	310	305	300
C	380	385	375	335	300	355	320	305	300	295
D	380	385	385	335	300	355	320	305	300	295
E	380	385	385	335	300	355	320	305	300	295
F	380	385	385	335	300	355	320	305	300	295
G	380	385	385	335	300	355	320	305	300	295
H	380	385	385	335	300	355	320	305	300	295
I	380	385	385	335	300	355	320	305	300	295
J	380	385	385	335	300	355	320	305	300	295
Mine Index Nos. 289, 316 and 703	500	510	495	440	410	475	415	380	380	380

PRICES AND SIZE GROUP NUMBERS

For shipments from all mines. Exceptions—Mine index number:	PRICES AND SIZE GROUP NUMBERS					
	1-2	3-4-5	6	7-8	9	10
8	310	285	280	245	285	215
14	350	330	325	290	310	310
19	310	290	290	250	285	280
Crushed coal						280

(2) Specific description of size group numbers referred to in sub-paragraph 1 of this paragraph (b).

Size Groups Nos. and Description

- 1—Lump coal larger than 5".
- 2—Lump coal bottom size larger than 2" but not exceeding 5".
Double screened coal bottom size larger than 2".
- 3—Lump coal bottom size larger than 1 1/4" but not exceeding 2".
Double screened coal bottom size larger than 1 1/4" but not exceeding 2".
- 4—Lump coal bottom size 1 1/4" and smaller and top size larger than 2".
- 5—All double screened coal top size 2" and smaller.
- 6—Straight mine run, all mine run results larger than 2" x 0 and any mine run altered by the removal of any intermediate size.
- 7—Screenings top size larger than 3/4" x 0 but not exceeding 2" x 0 and any altered screenings top size not exceeding 2" from which any intermediate size has been removed.
- 8—Screenings top size 3/4" and smaller.

(3) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

PRICES AND SIZE GROUP NUMBERS

Type of operation	PRICES AND SIZE GROUP NUMBERS							
	1-2	3-4-5	6	7-8	9	10	11	12
Lump and double-screened coal bottom size larger than 2 inches	365	350	350	295	340	285	270	270
Lump and double-screened coal bottom size larger than 2 inches	365	350	350	295	340	285	270	270
Mine run and resultant larger than 2 inches by 0 and double-screened coal top size 2 inches and smaller	365	350	350	295	340	285	270	270
Screenings 2 inches by 0 and smaller	365	350	350	295	340	285	270	270
From all underground mines	365	350	350	295	340	285	270	270
From all strip mines	365	350	350	295	340	285	270	270
J. Exceptions—Mine index number:	365	350	350	295	340	285	270	270
8	365	350	350	295	340	285	270	270
19	365	350	350	295	340	285	270	270
29	365	350	350	295	340	285	270	270

- (i) *Special price instructions.* (a) The maximum price for Mine Index No. 133 for 100 mesh x 0 dust shall be 300 cents per ton.
- (b) The maximum price for refuse coal from Mine Index Nos. 21, 79, 93, 94, 117, 126 and 207 shall be 275 cents per ton.
- (2) *Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations for all uses.*

7. Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a 3/4" roundhole screen—applicable to the following low volatile price classifications:
 Classification applicable to Size Group No. 7 and minimum percentage of 3/4" x 0:

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6
	All single-screened lump coals bottom size 3/4" and larger. All double-screened stove and egg coals top size larger than 1 1/4"	All double-screened nut and pea coals top size not exceeding 1 1/4"	Screened mine run from which no coal larger than 3/8" x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than 1 1/4" x 0	Screenings larger than 3/4" x 0 but not exceeding 1 1/4" x 0	Screenings top size not exceeding 3/4"
For coals produced at any low volatile mine	465	385	415	350	335	330
Mine Index Nos. 289, 316 and 703	520	450	480	415	370	370

A B C D
60% 55% 60% 60%

Where less than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6 or Size Group No. 1, depending upon the amount of screenings remaining. Altered run of mines (Straight run of mine from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed).

Resultant run of mine larger than 2 3/4" x 0. Altered resultant run of mine. (Straight resultant run of mine larger than 2 3/4" x 0 from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed).

Altered screenings. (Screenings with top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top size and 1/8" to 3/8" bottom coal has been removed).

Screenings top size larger than 1 1/4" x 0 but not exceeding 2 3/4" x 0.

8. Screenings larger than 3/4" x 0 but not exceeding 1 1/4" x 0.

9. Screenings larger than 3/8" x 0 but not exceeding 3/4" x 0.

10. Screenings 3/8" x 0 and smaller.

(3) *Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.*

Any single-screened lump or double-screened coals—365. Run of mine—350. Screenings, larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0—335. Screenings 1 1/4" x 0 and smaller—310.

(4) *Maximum prices in cents per net ton for smelting coal.* The maximum price for smelting coal in any size group from any mine shall be 375 cents.

(5) *Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size group number and description

- 1. All single-screened lump coal bottom size larger than that designated for screened run of mine (Size Group 6).
- 2. All double-screened egg coal top size larger than 3".
- 3. All double-screened stove coal top size larger than 1 1/4" but not exceeding 3". All dedusted screenings top size larger than 1 1/4" but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 2", total consist containing not less than 15% 3/8" x 0 screenings.

4. All double-screened nut coal top size larger than 3/4" but not exceeding 1 1/4" and dedusted screenings top size larger than 3/4" but not exceeding 1 1/4" and bottom size larger than 100 mesh but not exceeding 10 mesh.

5. All double-screened pea coal top size not exceeding 3/4". Dedusted screenings top size not exceeding 3/4" and bottom size larger than 100 mesh but not exceeding 10 mesh.

6. Screened run of mine. Straight run of mine from which all or part of the screenings, top size 3/8" or 3/4" as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A B C D E
3/8" x 0 3/4" x 0 3/8" x 0 3/8" x 0 3/8" x 0

Or in the alternative; straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a 3/4" round hole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of 3/4" x 0:

A B C D E
40% (1) 40% 40% 40%

1 No minimum.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for high volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided for in this appendix.* The Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and, for maximum price purposes, are for shipments to all destinations.

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
Price classification	Lump and block (bottom size larger than 5")	Lump and double-screened egg coals (4" and 5" lump and 8" x 4")	Lump and double-screened egg coals (3" lump and 6" x 4")	Lump and double-screened egg coals (2" lump and 5" x 3")	Double-screened egg coals (6" x 3")	Double-screened egg coals (6" x 2" and 5" x 3")	Double-screened egg coals (5" x 2" and 4" x 2")	Double-screened stove coals (3" x 2" and 3" x 1 1/4")	Double-screened nut coals (top size larger than 1 1/4" but not exceeding 2")	Double-screened Stoker coals (top size not exceeding 1 1/4")	Mine Run, (screened, straight, and resultants larger than 2 3/4" x 0)	Screenings (dedusted and modified)	Screenings (larger than 2" x 0, but not exceeding 2 3/4" x 0)	Screenings (larger than 3/4" x 0, but not exceeding 2" x 0)	Screenings (3/8" x 0 and smaller)	Low grade reject
A	440	440	440	420	400	375	355	340	310	410	310	310	310	305	290	270
B	440	415	415	395	375	350	315	310	305	375	310	310	310	305	285	265
C	420	400	400	385	375	350	315	310	305	375	305	305	305	305	285	265
D	410	400	400	385	375	350	315	310	305	375	305	305	305	305	280	255
E	400	390	380	375	375	345	315	310	300	375	305	300	295	295	270	250
F	390	385	375	375	360	345	315	310	300	350	300	300	295	295	270	250
G	390	380	365	365	350	340	315	310	300	350	300	300	290	295	265	250
H	385	380	365	365	350	340	315	300	285	345	300	300	290	285	255	250
J	380	375	365	365	350	340	310	295	275	345	300	300	290	285	250	250
K	370	365	355	355	350	340	310	290	275	345	300	300	290	285	250	250
L	355	355	350	350	325	325	310	290	290	345	300	300	290	285	245	245
M	355	355	350	350	325	320	310	290	290	345	300	300	290	285	245	245
N	355	355	350	350	325	320	300	290	290	345	300	300	290	285	245	245
O	350	345	330	330	315	305	295	290	290	345	300	300	290	285	245	245
P	335	330	325	325	310	305	295	290	290	345	300	300	290	285	240	240
Q	335	330	325	325	310	305	295	290	290	345	300	300	290	285	240	240
R	335	330	325	325	310	305	295	290	290	345	300	300	290	285	240	240
S	335	330	325	325	310	305	295	290	290	345	300	300	290	285	240	240

(7) Maximum prices in cents per net ton for high volatile coals for shipments by truck or wagon to all destinations, for all uses.

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6
	All single-screened lump coals bottom size $\frac{3}{4}$ " and larger. All double-screened stove and egg coals top size larger than $1\frac{1}{4}$ "	All double-screened nut and pea coals top size not exceeding $1\frac{1}{4}$ "	Screened mine run from which no coal larger than $\frac{3}{4}$ " x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than $1\frac{1}{4}$ " x 0	Screenings larger than $\frac{3}{4}$ " x 0 but not exceeding $1\frac{1}{4}$ " x 0	Screenings top size not exceeding $\frac{3}{4}$ "
For coals produced at any high volatile mine.....	425	300	390	300	275	270

(8) Maximum prices in cents per net ton for high volatile coals for railroad locomotive fuel. (i) Any single-screened lump or double-screened coals—315.

Run of mine—300.

Resultant run of mine larger than $2\frac{1}{2}$ " x 0 but not exceeding 6" x 0—280.

Screenings $2\frac{1}{2}$ " x 0 and smaller—275.

(ii) Mines within Freight Origin Groups 16 and 70 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a $2\frac{3}{4}$ " round hold screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of August 5, 1944, for all mines and as re-determined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a $2\frac{3}{4}$ " round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus $2\frac{3}{4}$ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.218 (b) (3) (ii) of Maximum Price Regulation No. 120.

(9) Specific description of size group numbers referred to in subparagraph (6) of this paragraph (b).

Size group number and description

1. All single-screened block, bottom size larger than 5".

2. All single-screened lump, bottom size larger than 3", but not exceeding 5".

All double-screened egg coals, top sizes larger than 6" and bottom size larger than 3", but not exceeding 4".

All double-screened coals, top size 5" and larger, and bottom size larger than 4".

3. All single-screened lump, bottom size larger than 2", but not exceeding 3".

All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".

4. All single-screened lump, bottom size larger than $\frac{3}{4}$ ", but not exceeding 2".

All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".

5. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.

6. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".

7. All double-screened egg coals, top size larger than 3", but not exceeding 5", and bottom size 2" and smaller.

8. All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.

9. All double-screened nut coals, top size larger than $1\frac{1}{4}$ ", but not exceeding 2", and bottom size smaller than 2".

10. All double-screened stoker coals, top size not exceeding $1\frac{1}{4}$ ", and bottom size less than $1\frac{1}{4}$ ".

15. Screen run of mine, bottom size $\frac{3}{4}$ " or smaller.

16. Straight run of mine.

Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than $\frac{3}{8}$ " shall be removed).

Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than $\frac{3}{8}$ " shall be removed).

17. Straight resultant run of mine (larger than $2\frac{3}{4}$ " x 0, but not exceeding 6" x 0).

Altered resultant run of mine (straight resultant run of mine larger than $2\frac{3}{4}$ " x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than $\frac{3}{8}$ " shall be removed).

18. Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh.

Modified screenings (top size not exceeding 2" total consist containing not less than 15% $\frac{3}{8}$ " x 0 screenings).

19. Screenings larger than 2" x 0, but not exceeding $2\frac{3}{4}$ " x 0.

20. Screenings larger than $\frac{3}{4}$ " x 0, but not exceeding 2" x 0.

21. Screenings larger than $\frac{3}{8}$ " x 0, but not exceeding $\frac{3}{4}$ " x 0.

Altered screenings (top size not exceeding $2\frac{3}{4}$ " from which all of the 1" to $1\frac{1}{4}$ " top and $\frac{1}{8}$ " to $\frac{3}{8}$ " bottom coal has been removed).

22. Screenings $\frac{3}{8}$ " x 0 and smaller.

23. Low grade reject; separated at the tipple or loaded separately in the mine.

(10) All orders of adjustment issued prior to August 5, 1944 and adjustments computed on OPA Form No. 653-638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of August 5, 1944.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[§ 1340.218 Amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 40, 8 F.R. 2030, 2273, effective 2-13-43; Am. 73, 8 F.R. 18280, effective 11-29-43; Am. 98, 9 F.R. 5375, effective 5-23-44; and Am. 111, 9 F.R. 9279, 10493, effective 8-5-44]

§ 1340.219 Appendix H: Maximum prices for bituminous coal produced in District No. 8. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices for high volatile coals produced at mines with the following designated price classifications. These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for

all uses, except as otherwise specifically provided in this paragraph (b). The price classifications and Size Group Nos. 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications and size group numbers as

set forth in the schedule of effective minimum prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes are for shipments to all destinations.

Price classifications	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
A.....	435	435	435	415	395	370	350	335	325	405	305	305	305	300	235	265
B.....	435	410	410	390	370	345	325	320	315	370	305	305	305	300	280	260
C.....	415	395	295	360	370	345	325	320	315	370	360	300	300	300	250	260
D.....	405	395	395	390	370	345	325	320	315	370	300	300	300	300	275	250
E.....	395	385	375	370	370	340	320	315	310	370	300	295	290	290	265	245
F.....	385	380	370	370	355	340	320	315	305	345	295	295	290	290	265	245
G.....	385	375	360	360	345	335	315	310	300	345	295	295	285	280	260	-----
H.....	380	375	360	360	345	335	315	305	295	340	-----	295	285	280	250	-----
I.....	375	370	360	360	345	335	315	300	290	340	-----	295	285	280	245	-----
J.....	365	360	350	350	345	335	310	295	290	340	-----	285	280	280	245	-----
K.....	350	350	345	345	320	320	310	295	290	340	-----	285	280	280	240	-----
L.....	350	350	345	345	320	315	310	295	-----	340	-----	265	260	255	240	-----
M.....	350	350	345	345	320	315	305	-----	-----	-----	-----	265	260	255	240	-----
N.....	345	340	325	325	310	300	295	-----	-----	-----	-----	265	260	255	230	-----
O.....	330	325	320	320	305	300	295	-----	-----	-----	-----	265	260	255	205	-----
P.....	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	265	260	255	205	-----
Q.....	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	265	260	255	205	-----
R.....	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
S.....	330	325	320	320	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

(2) Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).

- | Size Group Nos. | Description |
|-----------------|---|
| 1. | All single-screened block, bottom size larger than 5". |
| 2. | All single-screened lump, bottom size larger than 3", but not exceeding 5". All double-screened egg coals, top size larger than 6" and bottom size larger than 3", but not exceeding 4". All double-screened coals, top size 5" and larger, and bottom size larger than 4". |
| 3. | All single-screened lump, bottom size larger than 2", but not exceeding 3". All double-screened egg coals, top size larger than 3", but not exceeding 6" and bottom size larger than 3" but not exceeding 4". |
| 4. | All single-screened lump, bottom size larger than 3/4", but not exceeding 2". All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3". |
| 5. | All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller. |
| 6. | All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2", and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3". |
| 7. | All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller. |
| 8. | All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller. |
| 9. | All double-screened nut coals, top size larger than 1 1/4", but not exceeding 2", and bottom size smaller than 2". |

- | Size Group Nos. | Description |
|-----------------|--|
| 10. | All double-screened stoker coals, top size not exceeding 1 1/4", and bottom size less than 1 1/4". |
| 15. | Screen run of mine, bottom size 3/4" or smaller. |
| 16. | Straight run of mine. Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed). Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed). |
| 17. | Straight resultant run of mine (larger than 2 3/4" x 0, but not exceeding 6" x 0). Altered resultant run of mine (straight resultant run of mine larger than 2 3/4" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed). |
| 18. | Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh. Modified screenings (top size not exceeding 2" total consist containing not less than 15% 3/8" x 0 screenings). |
| 19. | Screenings larger than 2" x 0, but not exceeding 2 3/4" x 0. |
| 20. | Screenings larger than 3/4" x 0, but not exceeding 2" x 0. |
| 21. | Screenings larger than 3/8" x 0, but not exceeding 3/4" x 0. Altered screenings (top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top and 3/8" to 3/8" bottom coal has been removed). |
| 22. | Screenings 3/8" x 0 and smaller. |
| 23. | Low grade reject; separated at the tippie or loaded separately in the mine. |

(3) Maximum prices for shipment by truck or wagon to all destinations, for all uses (exclusive of cannel coal).

For high volatile coals produced at any mine in the following truck price group Nos.	Prices and size group Nos.							
	1	2	3	4	5	6	7	8
1.....	440	420	350	365	330	305	260	255
2.....	415	395	350	365	330	305	260	255
3.....	405	385	350	350	330	300	260	255
4.....	390	370	340	350	320	305	260	255
5.....	380	360	335	335	320	295	260	255

1 Double screened stoker coals in this size group number, with top size not exceeding 1 1/4" and bottom size less than 1 1/4" may be sold at prices no more than the maximum price for Size Group No. 10 coals for rail shipment from the same mine.

(4) Specific descriptions of size group numbers referred to in subparagraph (3) of this paragraph (b).

- | Size Group Nos. | Description |
|-----------------|--|
| 1. | Lump coal bottom size larger than 2" and double-screened coal bottom size larger than 3". |
| 2. | Lump coal bottom size larger than 3/4" but not exceeding 2" and double-screened coal top size larger than 5" and bottom size 3" and smaller. |
| 3. | Lump coal 3/4" and smaller, includes all coal loaded by forks. |
| 4. | Double-screened coal top size larger than 3" but not exceeding 5" and bottom size 3" and smaller. |
| 5. | Double-screened stove, nut and stoker coals top size not exceeding 3" and bottom size not exceeding 2". |
| 6. | Mine run and resultants larger than 2" x 0. |
| 7. | Screenings, top size larger than 3/4" x 0 but not exceeding 2" x 0. |
| 8. | Screenings, top size 3/4" and smaller. |

(5) Identification by states, counties, subdistricts and seams of mines in the Price Group Numbers specified in subparagraph (3) above. Following is a table of counties in named states; subdistricts by number and name; named seams and price group numbers. A seller of coal produced at a mine from any seam

in these counties and subdistricts shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number as set forth in this subparagraph. The counties in named states; subdistricts by number

and name; and seams referred to in this table are the same as those set forth in the District No. 8 schedule of minimum prices for truck shipments, as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943. The price group numbers in the table are established hereby.

	Subdistrict		Seam	Price group No.		Subdistrict		Seam	Price group No.
	No.	Name				No.	Name		
<i>Kentucky counties</i>					<i>Tennessee counties</i>				
Bell	6	Southern Appalachian	Dean	5	Campbell	6	Southern Appalachian	All other seams	5
Bell	6	Southern Appalachian	All other seams	3	Claiborne	6	Southern Appalachian	All seams	3
Boyd	1	Big Sandy-Elkhorn	All seams	5	Cumberland	6	Southern Appalachian	All seams	5
Breathitt	3	Hazard	All seams	5	Fentress	6	Southern Appalachian	All seams	5
Carter	1	Big Sandy-Elkhorn	All seams	5	Morgan	6	Southern Appalachian	Hooper	3
Clay	6	Southern Appalachian	All seams	5	Morgan	6	Southern Appalachian	All other seams	5
Clinton	6	Southern Appalachian	All seams	5	Overton	6	Southern Appalachian	All seams	5
Elliott	1	Big Sandy-Elkhorn	All seams	5	Pickett	6	Southern Appalachian	All seams	5
Estill	3	Hazard	All seams	5	Putnam	6	Southern Appalachian	All seams	5
Floyd	1	Big Sandy-Elkhorn	Elkhorn #3 and Millers Creek	2	Ronne	6	Southern Appalachian	All seams	5
Floyd	1	Big Sandy-Elkhorn	Elkhorn (cannel) and top strata	5	Scott	6	Southern Appalachian	All seams	5
Floyd	1	Big Sandy-Elkhorn	All other seams	3	<i>Virginia counties</i>				
Greenup	1	Big Sandy-Elkhorn	All seams	5	Buchanan	9	Low Volatile	Cary, Raven, Red Ash and all other low volatile seams	6
Harlan	2	Harlan	B, C, Darby, Low Splint, High Splint, High Cliff, No. 5, No. 10 and Mine Index No. 5776 Kellioka Seam	1	Buchanan	8	Williamson	Bull Creek and Clintwood	4
Harlan	2	Harlan	All other seams	5	Buchanan	8	Williamson	All other seams	5
Jackson	6	Southern Appalachian	All seams	5	Diekenson	7	Virginia	Mine Index Nos. 116, 117, 446 in the Upper Banner Seam	4
Johnson	1	Big Sandy-Elkhorn	Elkhorn #1, Elkhorn No. 2 and Millers Creek	2	Lee	7	Virginia	All other seams	5
Johnson	1	Big Sandy-Elkhorn	All other seams	5	Lee	7	Virginia	Low, High Splint and No. 11	1
Knott	3	Hazard	Elkhorn #1, Elkhorn #3, Elkhorn #4 and No. 4	3	Lee	7	Virginia	No. 5	3
Knott	3	Hazard	All other seams	5	Lee	7	Virginia	All other seams	5
Knox	6	Southern Appalachian	Blue Gem	1	Russell	9	Low volatile	Raven, Red Ash and all other low volatile seams	6
Knox	6	Southern Appalachian	Straight Creek Seam and Mine Index 3734 in Straight Creek and Jellico Seams	3	Russell	7	Virginia	All other seams	5
Knox	6	Southern Appalachian	All other seams	5	Seott	7	Virginia	All seams	5
Laurel	6	Southern Appalachian	All other seams	5	Tazewell	9	Low Volatile	Raven, Red Ash and all other low volatile seams	6
Lawrence	1	Big Sandy-Elkhorn	All seams	5	Tazewell	7	Virginia	All other seams	5
Lee	3	Hazard	All seams	5	Wise	7	Virginia	High Splint, Marker and Taggart and Mine Index Nos. 519, 532 and 3960	2
Leslie	6	Southern Appalachian	All seams	5	<i>West Virginia counties</i>				
Letcher	1	Big Sandy-Elkhorn	Elkhorn #3 and Mine Index No. 188, 189, 190, 192 and 285 in Elkhorn Seam	2	Boone	4	Kanawha	All other mines and all other seams	5
Letcher	1	Big Sandy-Elkhorn	All other mines and all other seams	5	Boone	4	Kanawha	Campbell Creek, Coalburg, Dorothy, Hershaw, Lower Campbell Creek, No. 2 Gas, No. 5 Black & Powellton, and Mine Index No. 2570 in Cedar Grove Seam	3
Letcher	3	Hazard	B & C, except mine index No. 3848 in the B Seam	2	Boone	5	Logan	All other seams	5
Letcher	3	Hazard	Mine Index No. 3848 and all other seams	5	Cabell	5	Logan	All seams	5
Lewis	1	Big Sandy-Elkhorn	All seams	5	Clay	4	Kanawha	All seams	5
Madison	6	Southern Appalachian	All seams	5	Fayette	4	Kanawha	All seams	4
Magoffin	1	Big Sandy-Elkhorn	All seams	5	Kanawha	4	Kanawha	Dorothy, Perryville & Mine Index No. 157 in the Peerless Seam, Mine Index No. 370 in the No. 2 Gas Seam	2
Martin	8	Williamson	Millers Creek	2	Kanawha	4	Kanawha	Belmont, Black Band, Lewiston, Stockton-Lewiston and Winifrede	3
Martin	8	Williamson	All other seams	5	Kanawha	4	Kanawha	All other seams	4
McCreeary	6	Southern Appalachian	All seams	5	Lincoln	5	Logan	All seams	5
Menifee	1	Big Sandy-Elkhorn	All seams	5	Logan	4	Kanawha	All seams	5
Morgau	1	Big Sandy-Elkhorn	All seams	5	Logan	5	Logan	All seams	5
Owsley	6	Southern Appalachian	All seams	5	Mason	4	Kanawha	All seams	5
Perry	3	Hazard	All seams	5	McDowell	8	Williamson	All high volatile seams	4
Pike	1	Big Sandy-Elkhorn	All seams	5	McDowell	9	Low Volatile	All low volatile seams	6
Pike	8	Williamson	Alma, Alma-Freeburn and Clintwood Seams	4	Mingo	8	Williamson	Alma, Big Eagle, Little Eagle and Winifrede	4
Pike	8	Williamson	All other seams	5	Mingo	8	Williamson	All other seams	5
Powell	3	Hazard	All seams	5	Nicholas	4	Kanawha	All seams	4
Pulaski	6	Southern Appalachian	All seams	5	Putnam	4	Kanawha	All seams	5
Rockcastle	6	Southern Appalachian	All seams	5	Raleigh	4	Kanawha	All seams	5
Rowan	1	Big Sandy-Elkhorn	All seams	5	Raleigh	4	Kanawha	Dorothy	3
Wayne	6	Southern Appalachian	All seams	5	Wyoming	5	Logan	Cedar Grove, Hershaw, Upper Cedar Grove, Mine Index No. 291 in the Powellton Seam	5
Whitley	6	Southern Appalachian	Blue Gem	1	Raleigh	4	Kanawha	All other seams	4
Whitley	6	Southern Appalachian	Mine Index No. 213 and 305 in the Jellico Seam	2	Wayne	8	Williamson	All seams	5
Whitley	6	Southern Appalachian	All other mines in the Jellico Seam	3	Wyoming	5	Logan	All seams	4
Whitley	6	Southern Appalachian	All other seams	5	<i>Tennessee counties</i>				
Wolfe	3	Hazard	All seams	6	Anderson	6	Southern Appalachian	Blue Gem and Mine Index Nos. 433, 589 and 1911 in the Pee Wee Seam	1
<i>Tennessee counties</i>					Anderson	6	Southern Appalachian	All other mines in the Pee Wee Seam and Stray Seam	3
Anderson	6	Southern Appalachian	All other seams	5	Campbell	6	Southern Appalachian	All other seams	3
Campbell	6	Southern Appalachian	Blue Gem & Pee Wee	1	Campbell	6	Southern Appalachian	Blue Gem & Pee Wee	1
Campbell	6	Southern Appalachian	Dixie, Dixie Gem, Jellico, Jordan, Lower Pioneer, Red Ash, Rex, Rich Mountain and Splint	3	Campbell	6	Southern Appalachian	Dixie, Dixie Gem, Jellico, Jordan, Lower Pioneer, Red Ash, Rex, Rich Mountain and Splint	3

(6) Maximum prices in cents per net ton for high volatile coals for all railroad fuel uses. The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) above, or \$3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) above.

Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2 3/4" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2 3/4" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2 3/4 inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced: *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under \$1340.219 (b) (6) of Maximum Price Regulation No. 120.

(7) Maximum prices in cents per net ton for Cannel coal. The maximum prices for rail, truck or wagon shipments to all destinations shall be as follows:

Cannel Coal—All Subdistricts	
Lump	435
Egg	385
Chips	335
Machine cuttings	235

DISTRICT NO. 8—LOW VOLATILE COALS

(8) Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses, by all methods of transportation, except as otherwise specifically provided in this appendix.

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
	Lump	Egg	Stove	Nut	Pea	Screened run of mine	Straight run of mine	Screenings top size larger than 3/4" x 0 but not exceeding 1 1/4" x 0	Screenings top size 3/8" x 0 but not exceeding 3/4" x 0	Screenings 3/8" x 0 and smaller
A	430	440	405	350	340	375	345	315	310	305
B	390	400	395	335	320	375	345	315	310	295
C	390	400	395	335	320	370	315	310	305	280
D	375	385	375	335	320	370	315	305	300	295
E	375	380	370	330	295	350		280	265	260
F	375	380						295	280	285
G								295	280	285
H								295	280	285
I								295	280	285
J								295	280	285

(9) Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations, for all uses.

Price Classifications	Prices and size group Nos.							
	1	2	3	4	5	6	7	8
	All single-screened lump coals bottom size 3" and larger	All double-screened egg coals top size larger than 3"	All double-screened stove coals top size not exceeding 3"	All double-screened nut and pea coals top size not exceeding 1 1/4"	Screened mine run from which no coal larger than 3/8" x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than 1 1/4" x 0	Screenings larger than 3/4" x 0 but not exceeding 1 1/4" x 0	Screenings top size not exceeding 3/4"
For coals produced at any mine in truck Price Group No. 6	435	435	430	380	410	345	285	280

(10) Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.

Any single-screened lump or double-screened coals—360.

Run of mine—345.

Screenings, larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0—330.

Screenings 1 1/4" x 0 and smaller—305.

(11) Maximum prices in cents per net ton for Smithing coal. The maximum prices for Smithing coal in any size group and from any low volatile mine shall not exceed 370 cents.

(12) Specific description of Size Group Numbers referred to in subparagraph (8) of this paragraph (b).

Size Group No. Description

1. All single-screened lump coal bottom size larger than that designated for screened run of mine (Size Group 6).

2. All double-screened egg coal top size larger than 3".

3. All double-screened stove coal top size larger than 1 1/4" but not exceeding 3". All dedusted screenings top size larger than 1 1/4" but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 2", total consist containing not less than 15% 3/8" x 0 screenings.

4. All double-screened nut coal top size larger than 3/4" but not exceeding 1 1/4" and dedusted screenings top size larger than 3/4" but not exceeding 1 1/4" and bottom size larger than 100 mesh but not exceeding 10 mesh.

Size Group No. Description

5. All double-screened pea coal top size not exceeding 3/4". Dedusted screenings top size not exceeding 3/4" and bottom size larger than 100 mesh but not exceeding 10 mesh.

6. Screened run of mine. Straight run of mine from which all or part of the screenings, top size 3/8" or 3/4" as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A	B	C	D	E
3/8" x 0	3/4" x 0	3/8" x 0	3/8" x 0	3/8" x 0

Or in the alternative; straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a 3/4" round-hole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of 3/4" x 0.

A	B	C	D	E
40%	No minimum	40%	40%	40%

7. Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a 3/4" round-hole screen—applicable to the following low volatile price classifications:

Classifications applicable to Size Group No. 7 and minimum percentage of 3/4" x 0.

A	B	C	D
60%	55%	60%	60%

- Size Group No. Description**
- Where less than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6 or Size Group No. 1, depending upon the amount of screenings remaining.)
- Altered run of mine. (Straight run of mine from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed.)
- Resultant run of mine larger than 2 3/4" x 0.
- Altered resultant run of mine. (Straight resultant run of mine larger than 2 3/4" x 0 from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed.)
- Altered screenings. (Screenings with top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top size and 1/8" to 3/8" bottom coal has been removed.)
- Screenings top size larger than 1 1/4" x 0 but not exceeding 2 3/4" x 0.
8. Screenings larger than 3/4" x 0 but not exceeding 1 1/4" x 0.
9. Screenings larger than 3/8" x 0 but not exceeding 3/4" x 0.
10. Screenings 3/8" x 0 and smaller.

(13) All orders of adjustment issued prior to August 16, 1944 and adjustments computed on OPA Form No. 653-638 under § 1340.207 (a) (added by Amendment No. 74 to this regulation) shall be void as of August 16, 1944; where truck high volatile and all low volatile shipments are involved.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[§ 1340.219 amended by Am. 18, 7 F.R. 6524, effective 8-22-42; Am. 24, 7 F.R. 8354, effective 10-19-42; Am. 29, 7 F.R. 10780, effective 12-26-42; Am. 32, 7 F.R. 11012, effective 12-26-42; Am. 40, 8 F.R. 2030, 2273, effective 2-13-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 79, 9 F.R. 693, effective 1-22-44; Am. 89, 9 F.R. 2008, effective 2-25-44; Am. 93, 9 F.R. 3035, 3590, effective 3-24-44; Am. 97, 9 F.R. 5042, effective 3-24-44; Am. 98, 9 F.R. 5375, effective 5-23-44; Am. 104, 9 F.R. 7574, 8047, effective 7-11-44; and Am. 115, 9 F.R. 9829, 11957, effective 8-16-44]

§ 1340.220 Appendix I: Maximum prices for bituminous coal produced in District No. 9. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or

river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices for shipment to all destinations, for all uses (including railroad fuel) and by all methods of transportation, except by truck or wagon.

General description	Group Nos.	Coals produced at any and all mines from the following seams:		
		14th and stray seams (maximum price group No. 1)	6th seam (maximum price group No. 2)	9th, 11th and all other seams (maximum price group No. 3)
Lump and egg.....	1 to 6, incl.....	245	270	220
Mine run.....	7.....	225	225	210
Stove, nut and pea:				
Raw.....	8 to 12, incl.....	220	310	290
Washed or air-cleaned.....	17 to 22, incl.....	220		230
Screenings:				
Raw.....	13 and 14.....	185	245	175
Washed or air-cleaned.....	23 and 24.....	200		230
Dry dedusted.....	26 to 29, incl.....	190	280	180
Carbon and dust:				
Raw.....	15 and 16.....	125	140	125
Washed or air-cleaned.....	25.....	175		165

Specific description of size group numbers referred to in this paragraph (1).

Size Group Nos., and Description

- 1 to 6, incl.—All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2".
- 7—Straight mine run—no fines removed. Mine run, modified by the removal of any intermediate size or sizes—no fines removed. All mine run resultants larger than 2"—no fines removed.
- 8 to 12, incl.—All double-screened raw or washed stove coals, top size larger than 1 1/2" but not exceeding 2" and bottom size larger than 3/8". All raw double-screened nut, stoker and pea top size not exceeding 2" and bottom size larger than 10 mesh or 3/32".
- 13 and 14—All raw screening larger than 3/8" x 0, but not exceeding 2" x 0.
- 15 and 16—All raw screenings (carbon and dust) top size not exceeding 3/8".
- 17 to 22, incl.—All washed or air-cleaned, double screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings bottom size larger than 1 millimeter and top size not exceeding 2".
- 23 and 24—All washed or air-cleaned screenings larger than 3/8" x 0 but not exceeding 2" x 0.
- 25—All washed or air-cleaned screenings (carbon and dust) top size not exceeding 3/8".
- 26 to 29, incl.—All dry dedusted screenings (including carbon) top size not exceeding 2".

(2) Maximum prices for shipment by truck or wagon to all destinations for all uses.

Coals produced at any and all mines from all seams

Description:	
All single-screened lump coals, bottom size larger than 1 1/2" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1 1/2".....	280
All single-screened lump coals, bottom size 1 1/2" and smaller, and all double screened coals, bottom size 1 1/2" and smaller.....	245
Mine run, modified mine run and mine run resultants larger than 2".....	235
Screenings, top size not exceeding 2".....	200

(3) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[Subparagraph (3) amended by Am. 98, 9 F.R. 5375, effective 5-23-44]

(c) Adjustments computed on Form OPA 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to January 26, 1944 shall be void as of January 26, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, 4540, effective 3-16-44]

[§ 1340.220 amended by Am. 41, 8 F.R. 2284, effective 2-20-43; Am. 73, 8 F.R. 16280, effective 11-29-43; and Am. 81, 9 F.R. 973, effective 1-28-44]

§ 1340.221 Appendix J: Maximum prices for bituminous coal produced in District No. 10. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210. (b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river

loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportation, except truck or wagon.

Rail price group number	Prices and size group numbers													
	Mine run		Domestic lump and egg, raw or washed	Steam lump, egg and nut, raw or washed	Raw chestnut, nut and stoker	Raw screenings	Raw carbon	Raw dust	Washed chestnut and pea	Special stoker	Washed screenings	Washed carbon	Dedusted screenings	Dedusted carbon
	Railroad locomotive fuel	For other use												
1, 2 and 8	260	260	330	300	250	210	155	105	260	295	240	215	230	200
3	260	260	295	270	240	205	120	105	265	280	225	205	215	200
4	250	250	295	270	240	205	120	105	265	280	225	205	215	200
5, 6	250	215	260	250	210	175	110	95	225	260	210	180	185	180
7	260	225	260	260	260	210	110	95	225	260	210	180	185	180
10 and 16-22 incl.	215	190	245	220	215	175	115	95	225	215	205	170	185	180
11	250	225	300	250	225	170	110	95	265	250	200	165	180	180
12, 13 and 23	230	200	245	235	215	175	115	155	225	215	205	170	185	180
14, 15	265	265	300	270	255	235	155	155	260	260	260	225	240	240
24, 25 and 26	235	220	245	235	210	170	115	155	235	215	200	170	180	180
27, 28	235	220	250	235	210	170	115	155	250	230	215	175	180	180
29 Mine Index No. 189	265	265	300	290	290	230	145	155	285	255	235	235	240	240
29 Mine Index Nos. 503 and 515	265	265	300	290	290	230	145	155	285	255	235	235	240	240
30	265	265	285	270	260	235	180	155	275	275	255	225	245	245
31	400	400	450	330	445	305	235	235	360	360	360	275	315	315
32, 33	260	260	280	265	265	235	100	100	240	240	225	190	245	245
34	235	235	280	265	250	205	155	155	240	240	225	190	215	215

(1) Special price instructions. (a) The maximum price for "Deluxe Superior Processed Stoker" coal, a mixture composed of not less than 80% of Size

Group 20 coal and the remainder of Size Group 25 coal, produced at Mine No. 18 (Mine Index No. 9) and Mine No. 47 (Mine Index No. 62), in Price Group No. 1 of the Peabody Coal Company shall be 295 cents per ton.

(b) Special price instruction for railroad locomotive fuel. (1) Mine run is the combination of all sizes as produced, without the addition or removal of any size or portion thereof.

(2) Modified mine run shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1 1/4" in diameter, or other shaped openings equivalent in area (1 1/4" screenings), and larger lumps may also be broken down; or modified mine run may be 6" x 1 1/4" egg with 15%, with a tolerance of 2% up or down, of 1 1/4" screenings as described above. For maximum price purposes, coal described in this subdivision (2) shall take the maximum prices applicable to Size Group 6.

(3) Raw screenings (Size Groups 13 to 16, inclusive) is coal that will pass through screens with round hole openings 2" or less in diameter, or other shaped openings equivalent in area, without the addition or removal of any size or portion thereof.

(4) Sizes in Size Group Nos. 1 through 8 may be applied, at the option of the producer, on orders for railroad locomotive fuel specifying nut (3" x 5/16"), modified mine run, mine run or resultant mine run (6" x 0").

(5) Sizes in Size Group Nos. 9 to 29, inclusive, may be applied, at the option of the producer on orders for railroad locomotive fuel specifying screenings (Size Groups 13 to 16, inclusive).

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Coals produced at all mines in the following counties	Truck price group Nos.	Prices and size group numbers															
		Mine run	Lump and egg, raw or washed		Lump, egg and nut raw or washed			Raw chestnut, nut and stoker	Raw screenings	Raw carbon	Raw dust	Washed chestnut and pea	Special stoker	Washed screenings	Washed carbon	Dedusted screenings	Dedusted carbon
			1	2-3	4-5	6	8										
Grundy, Livingston—Will (section No. 1)	1A	345	435	425	410	400	390	310	265	210	145	145	260	260	260	215	200
Bureau, Marshall (section No. 2)	2A	290	360	360	340	330	270	265	220	168	145	145	260	260	260	215	200
LaSalle, Woodford (section No. 2)	3A	380	430	425	410	400	390	355	265	210	145	145	310	305	300	260	280
Henry, Mercer, Rock Island and Warren (section No. 3)	4A	370	430	430	410	410	280	285	220	165	145	145	260	260	260	215	200
Knox and Stark (section No. 3)	5A	290	360	355	340	330	270	270	220	165	145	145	260	260	260	215	200
Fulton, except mines in the No. 1 Seam, Logan, Peoria and Tazewell	6A	290	360	355	340	330	270	270	220	165	145	145	260	260	260	215	200
No. 1 Seam Mines in Fulton County (section No. 4)	A-1	290	385	380	365	355	270	270	220	165	145	145	260	260	260	215	200
Adams, Brown, Cass, Greene, Hancock, Jersey, McDonough, Pike, Schuyler and Scott (section No. 5)	7A	275	360	355	340	330	270	270	220	165	145	145	260	260	260	215	200
Macoupin (section No. 5)	8A	270	325	320	305	295	250	265	210	155	145	145	260	260	260	215	200
Christian, Menard, Morgan and Sangamon (section No. 6)	9A	350	385	380	365	355	270	280	220	165	145	145	260	260	260	215	200
Montgomery (section No. 6)	10A	320	355	350	335	325	270	280	220	165	145	145	260	260	260	215	200
Macon (section No. 6)	11A	350	475	475	450	375	425	425	330	300	280	280	310	300	300	235	215
Shelby (section No. 6)	12A	350	460	380	365	355	270	265	225	165	145	145	260	260	260	215	200
Crawford, Edgar, Jasper, Vermilion and Wabash (section No. 7)	13A	275	345	340	325	315	270	270	220	165	145	145	260	260	260	215	200

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses—Continued.

Coals produced at all mines in the following counties	Prices and size group numbers																
	Truck price group Nos. ¹	Mine run	Lump and egg, raw or washed		Lump, egg and nut raw or washed			Raw chestnut, pea and stoker 9-12, Incl.	Raw screenings 13-14	Raw carbon 15	Raw dust 16	Washed chestnut and pea 17-20, Incl.	Special stoker 21, 22, 28	Washed screenings 23-24	Washed carbon 25	Dedusted screenings 26-27	Dedusted carbon 28
			1	2-3	4-5	6	8										
Madison, Monroe and St. Clair (section No. 8).....	14A.....	270	350	345	330	320	280	260	210	155	.....	295	290	265	230	225	.....
	B.....	250	330	325	310	300	270	240	190	135	.....	275	270	245	210	205	.....
Bond, Clinton, Marlon and Washington (section No. 9).....	15A.....	270	330	325	310	300	270	260	210	155	.....	275	270	245	215	225	.....
	B.....	250	310	305	290	280	250	240	190	135	.....	255	250	225	195	215	.....
Jackson, Jefferson, Perry and Randolph (section No. 9).....	16A.....	270	315	310	295	285	250	260	210	155	.....	250	245	220	185	225	.....
	B.....	250	295	290	275	265	230	240	190	135	.....	230	225	185	205	.....	.....
Franklin, Gallatin, Pope, Saline, White and Williamson (section No. 10).....	17A.....	285	320	320	305	295	265	265	235	170	.....	.....	.....	.....	.....	250	.....
	B.....	310	350	350	335	320	310	290	245	195	145	300	295	265	245	260	230
	B-1.....	285	320	320	305	295	265	265	235	170	.....	275	275	245	225	250	.....

¹ A and A-1=Underground truck mines without a rail siding or connection, or underground mines loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mines; B=All other mines, except mines in Truck Price Group No. 17 B-1 which shall include and apply to Mine Index Nos. 4, 50, 94, 182, 1162, 1558, 1561, 2002, 2003 and 2015.

[Subparagraph (2) and footnote amended by Am. 124, 9 F.R. 15148, effective 1-2-45]

(3) Specific description of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).

Size Group Numbers and Description

- All lump and egg coals bottom size larger than 4", washed or raw.
- All lump and egg coals bottom size larger than 3" but not exceeding 4", washed or raw.
- All lump and egg coals bottom size larger than 2" but not exceeding 3", washed or raw.
- All lump coal bottom size larger than 1 1/2" but not exceeding 2", washed or raw. All egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 4", washed or raw.
- All egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4", washed or raw.
- All lump coal bottom size 1 1/2" and smaller, washed or raw. All egg coals bottom size 1 1/2" and smaller and top size larger than 2", washed or raw.
- Straight mine run from which no fines have been removed, modified mine run modified by the removal of any intermediate size or sizes; no fines removed, resultants larger than 2" x 0; no fines removed.
- All stove coal bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw.
- 9 to 12, inclusive. Raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2".

13, 14. Raw screenings larger than 3/8" x 0 but not exceeding 2" x 0.

15. Raw carbon top size larger than 10 mesh or 3/32" but not exceeding 3/8" x 0.

16. Raw dust top size not exceeding 10 mesh or 3/32".

17 to 20, inclusive. Washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2".

21 and 22. Washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter top size not exceeding 2".

23 and 24. Washed or air-cleaned screenings top size not exceeding 2".

25. Washed or air-cleaned carbon top size not exceeding 3/8".

26 and 27. Dry dedusted screenings top size not exceeding 2".

28. Dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8".

29. Dry dedusted carbon top size smaller than 3/8".

(4) All orders of adjustment issued prior to September 25, 1944 and all adjustments computed on OPA Form No. 653-638 under former § 1340.207 (d) (added by Amendment No. 74) shall be void as of October 18, 1944.

[§ 1340.221 amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 23, 7 F.R. 7942, effective 10-5-42; Am. 41, 8 F.R. 2284, effective 2-20-43; Am. 50, 8 F.R. 4258, effective

4-1-43; Am. 66, 8 F.R. 13293, effective 10-4-43; Am. 68, 8 F.R. 14009, effective 10-18-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 88, 9 F.R. 2008, effective 2-19-44; Am. 92, 9 F.R. 2945, effective 3-22-44; Am. 116, 9 F.R. 10047, effective 8-22-44; and Am. 122, 9 F.R. 12450, effective 10-18-44]

§ 1340.222 Appendix K: Maximum prices for bituminous coal produced in District No. 11. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 138, effective 4-25-45]

(1) Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.

Prices and size group numbers

Price group number	Lump, egg, stove M,R		Nut and pea		Screenings				Carbon				Dust	Breaker screenings		
	Washed or raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 12 incl.	17 to 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	16	33	34
1.....	240	240	200	215	230	175	205	190	195	135	170	155	160	105	155	195
2 to 4, incl.....	240	240	200	215	230	175	200	190	195	135	170	155	160	105	155	195
8.....	240	240	200	215	230	180	210	195	200	140	175	160	165	110	160	200
9 to 12, incl.....	240	240	200	215	230	180	205	195	200	140	175	160	165	110	160	200
7, 18 and 19.....	265	240	200	215	230	180	205	195	200	140	175	160	165	110	.....	215
5, 13 and 20.....	300	275	250	265	270	205	230	220	225	165	200	185	190	135	175	.....
16.....	330	275	265	245	260	200	225	220	220	160	195	180	185	130	.....	.....
15.....	340	275	265	245	260	200	225	220	220	160	195	180	185	130	.....	.....
6.....	260	200	255	300	315	210	235	225	230	165	200	185	190	130	185	225
14.....	260	260	255	295	310	210	235	225	230	145	180	165	170	130	185	225
Exceptions:																
Mine Index No. 58 (PG17).....	285	265	255	335	350	200	225	215	220	160	195	180	185	130	.....	.....
Mine Index No. 70 (PG13).....	300	275	250	355	270	250	275	265	270	180	215	200	205	150	190	230
Mine Index No. 115 (PG10).....	255	240	210	235	250	175	200	190	195	130	165	150	155	110	155	195

(2) Maximum prices for shipment by truck or wagon to all destinations for all uses.

Prices and size group numbers—Continued

Price group number	Lump, egg, stove M/R		Nut and pea		Screenings					Carbon				Dust	Breaker screenings	
	Washed or raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Washed or air cleaned	Dry de-dusted	Water de-dusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 12, incl.	17 to 24	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	16	33	34
1	385	325	290	260	275	230	255	245	250	155	190	175	180	125		
2	350	305	285	245	260	225	250	240	245	160	195	130	185	130	180	230
3	345	325	300	260	275	240	265	255	260	185	220	205	210	155	210	250
4	310	260	245	240	255	210	235	225	230	145	180	165	170	115		
5	345	300	285	245	260	210	235	225	230	145	180	165	170	115		
6	335	315	280	250	265	230	255	245	250	155	190	175	180	125		
Exceptions:																
Mine Index No. 27	400	385	335	325	340	295	320	310	315	240	275	260	265	210	270	310
Mine Index Nos. 29, 40 and 107	385	345	295	260	275	240	265	255	260	185	220	205	210	155	205	245
Mine Index No. 47	355	330	290	255	270	225	260	250	255	175	210	195	200	145	200	240
Mine Index No. 478	400	340	305	275		245				170				140		

The exception for Mine Index No. 27 shall be void on and after January 1, 1945 and the maximum prices for Price Group No. 6 will apply thereafter. [Subparagraph (2) amended by Am. 123, 9 F.R. 13056, effective 11-6-44]

(3) Maximum prices for railroad fuel. (i) The maximum prices for railroad locomotive fuel use are:

Mine Run, modified mine run and all lump and all double-screened coals	240
Screenings, top size not exceeding 2"	185

The maximum prices for coals shipped from Mine Index No. 70 for such use shall be the above respective prices, plus 20 cents per net ton.

(ii) Modified mine run shipped for railroad locomotive fuel use shall contain 15% with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1 1/4" in diameter, or other shaped openings equivalent in area (1 1/4" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1 1/4" egg coal with 15%, with a tolerance of 2% up or down, of 1 1/4" screenings, as described above.

(iii) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in paragraph (b) (1) for the size and grade shipped.

(iv) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tippie.

(4) The maximum prices for coals produced at mine which is either (i) an underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or conveyors inside the mine, or (ii) an underground truck mine without a rail siding or connection, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton, except the mines listed as exceptions in the tables of production group numbers, prices and size group numbers in the above subparagraphs (b) (1) and (b) (2).

[Subparagraph (4) amended by Am. 121, 9 F.R. 11759, effective 9-28-44]

(5) Identification by counties and seams of mines in the truck price group numbers specified in subparagraph (2) above. Following is a table of counties, seams and price group numbers. A seller of coal produced at a mine from any of these seams shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum price applicable to the mines in the same price group number as set forth in subparagraph (2) unless otherwise specifically provided therein. The same shall be true of any

mine classified as to seam by the Office of Price Administration by an order issued prior to, or after August 5, 1944, under § 1340.210 (a) (6) of this regulation. The seams referred to below are the same as those set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

County	Seam	Truck price group No.
Clay	Brazil Block, Minshall and Semi-Brazil Block Veins.	1
	Fifth Vein	2
	Fourth Vein	3
	Third Vein	4
	Fifth Vein	2
Davies	Semi-Brazil Block, Fourth and Canoe Veins.	3
DuBois	All veins.	2
	All veins.	1
Fountain	All veins (except Mine Index No. 47).	1
Gibson	All veins (except Mine Index No. 47).	2
Greene	Semi-Brazil Block Vein.	6
	Fifth and Seventh Veins.	2
	Fourth Vein	3
	Third Vein	4
Knox	Sixth Vein	5
	Fifth, Sixth (excluding Mine Index No. 117) and Seventh Veins.	2
Martin	Mine Index No. 117 only	5
	Brazil Block Vein.	1
Owen	Fourth, Fifth and Seventh Veins.	3
	All veins.	1
Parke	Brazil Block, Semi-Brazil Block, and Minshall Veins.	1
	Fifth Vein.	2
Perry	Third Vein	4
	All veins.	2
Pike	All veins	2
Spencer	Brazil Block Vein.	1
	Fifth and Sixth Veins.	2
Sullivan	Fifth, Seventh Veins (except Mine Index Nos. 39, 40, and 107).	2
	Fourth Vein.	3
	Sixth Vein.	5
Vanderburgh	All veins.	3
	Brazil Block and Minshall Veins.	1
Vermillion	Fifth Vein.	2
	Fourth Vein.	3
Vigo	Sixth Vein.	4
	Brazil Block and Minshall Veins.	1
Warren	Fifth, Sixth and Seventh, Veins, and Mine Index No. 90 in the Third Vein.	2
	Third Vein (except Mine Index No. 90).	4
	Fourth Vein.	3
Warrick	All veins.	1
	All veins.	2

(6) Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph.

Size Group No.	Description
1, 2, 3	All lump and egg coals bottom size larger than 2" washed or raw.
4, 5, 6 and 8	All lump, egg and stove coals, bottom size 2" and smaller, washed or raw.
7	Straight mine run, modified mine run and run-of-mine larger than 2" by 0, washed or raw.
9 to 12, incl.	Raw nut and pea coal bottom size larger than 10 mesh or 3/2" and top size not exceeding 2".
13, 14	Raw screenings larger than 3/8" by 0 but not exceeding 2" by 0.
15	Raw carbon 3/4" by 0 and smaller.
16	Raw dust top size not exceeding 10 mesh or 3/32"
33	Raw breaker screenings top size not exceeding 2".
17 to 22, incl.	Nut and pea coal, washed or air-cleaned, bottom size larger than one millimeter, top size not exceeding 2".
23, 24	Screenings top size not exceeding 2":
26, 27	Washed or air-cleaned.
30, 31	Dry de-dusted.
25	Water de-dusted.
28, 29	Carbon top size not exceeding 3/4"
32	Washed or air-cleaned.
34	Dry de-dusted.
	Water de-dusted.
	Washed or air cleaned breaker screenings top size not exceeding 2".

(7) Orders of adjustment and adjustments computed on Form OPA No. 653:638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation shall be void as follows: Where such orders or adjustments affect maximum prices for rail shipment, and were issued or computed prior to March 27, 1944, they shall be void as of March 27, 1944; where they affect maximum prices for truck shipments, and were issued or computed prior to August 5, 1944, they shall be void as of August 5, 1944 and, specifically, Order No. 765 shall be void as of this last date.

(8) Special price instructions. Coals in Size Groups Nos. 17 to 25, inclusive, produced at the Chinook Mine, Mine Index No. 121, of the Ayrshire Patoka Collieries Corporation and the Victory Mine, Mine Index No. 1354 of the Pyramid Coal Corporation may be priced under Price Group No. 8 in lieu of Price Group No. 1.

[Subparagraph (8) added by Am. 121, 9 F.R. 11759, effective 9-28-44]

[Sec. 1340.222 amended by Am. 7, 7 F.R. 4700, effective 6-27-42; Am. 30, 7 F.R. 10993, effective 5-13-42; Am. 48, 8 F.R. 3216, effective 3-13-43; Am. 78, 8 F.R. 16280, effective 11-29-43; Am. 76, 8 F.R. 16998, effective 12-18-43; Am. 94, 9 F.R. 3299, effective 3-27-44; Am. 97, 9 F.R. 5042, effective 3-27-44; Am. 101, 9 F.R. 6433, effective 6-1-44; Am. 107, 9 F.R. 7602, effective 7-12-44; and Am. 113, 9 F.R. 9281, effective 8-5-44; and as otherwise noted]

§ 1340.223 Appendix L: Maximum prices for bituminous coal produced in District No. 12. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix. The maximum prices for shipments by all methods of transportation (including truck or wagon) shall be:

The applicable effective minimum prices as of April 1, 1942, plus, for Size Groups 1, 2, 3, 4, 6 and 7, no more than 60 cents; and, for Size Groups 5, 8, 9 and 10, no more than 40 cents.

For Size Group 7-A, the applicable effective minimum price as of June 12, 1943, plus no more than 55 cents.

[Subparagraph (1) amended by Am. 64, 8 F.R. 12934, effective 9-27-43]

(2) Maximum prices in cents per net ton for railroad fuel. The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942 (without adjustments on account of price exceptions, freight differentials and substitutions), plus a sum not exceeding 30 cents per net ton: Provided, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price.

[Subparagraph (2) amended by Am. 69, 8 F.R. 14560 effective 10-30-43]

(3) The prices established by subparagraphs (1) and (2) of this paragraph (b) or by orders issued prior to December 1, 1943, except Order No. 290, may be increased by no more than 60 cents per ton.

(4) The maximum prices established by Order No. 250 applying to Appanoose County, Iowa, may be increased by no more than 30 cents per ton.

[Subparagraphs (3) and (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.224 Appendix M: Maximum prices for bituminous coal produced in District No. 13. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case

of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation except by truck or wagon from mines in Subdistrict No. 1.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

Subdistrict No. 1 (Alabama) coals produced at any and all mines in the following price group numbers	All lump and double-screened egg coals size groups	Nut and chestnut size groups		Mine run and resultants over 3" size groups		Resultants and screenings 3" and under size groups	
	1 to 5, incl., washed or raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1.....	355	355	345	350	340	345	335
2.....	370	370	360	370	360	370	360
3.....	380	380	370	380	370	370	360
4.....	425	415	405	405	395	395	385
5.....	420	420	410	420	410	410	400
6.....	435	485	475	395	385	375	365
7.....	565	515	505	440	430	450	420
8.....	685	555	545	465	455	425	415
9.....	485	460	450	410	400	400	390

[Above table amended and subparagraph (i) added by Am. 134, 10 F.R. 2832, effective 3-19-45]

(i) The maximum prices for blacksmithing coal shall not exceed 565 cents per net ton.

(2) Maximum prices for shipment by truck or wagon to all destinations for all uses from mines in Subdistrict No. 2.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

Subdistrict No. 2 (Alabama) coals produced at any and all mines in the following price group numbers	All lump and double-screened egg coals size groups	Nut and chestnut size groups		Mine run and resultants over 3" size groups		Resultants and screenings 3" and under size groups	
	1 to 5, incl., washed or raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1.....	530	480	460	445	435	420	410
2.....	510	480	460	430	420	405	370
3.....	500	490	470	440	430	420	410
4.....	490	460	440	415	405	405	395
5.....	470	465	455	420	410	415	395
6.....	435	430	420	400	390	405	385
7.....	425	440	420	385	375	380	315

[Above table amended by Am. 134, effective 3-19-45]

(3) Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).

Size Group Nos.:	Description
1 to 5, inclusive...	All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, bottom size larger than 1/2", and top size larger than 3".
6, 8 and 10.....	All double-screened washed or air-cleaned nut and chestnut coals top size not exceeding 3".

Size Group Nos.:	Description
7, 9 and 11.....	All double-screened raw, nut and chestnut coals, top size not exceeding 3".
12, 14, 15 and 16..	Washed or air-cleaned straight mine run; no fines removed. Washed or air-cleaned mine run, modified by the removal of any intermediate size or sizes; no fines removed. All washed or air-cleaned mine run resultants larger than 3"; no fines removed.

Size Group Nos.:	Description
13, 19, 20 and 21	Raw, straight mine run; no fines removed. Raw mine run, modified by the removal of any intermediate size or sizes; no fines removed. All raw mine run resultants larger than 3"; no fines removed.
17 and 18	All washed or air-cleaned mine run resultants and screenings, top size not exceeding 3".
22 and 23	All raw mine run resultants and screenings, top size not exceeding 3".

(4) Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation, except by truck or wagon from mines in Subdistricts Nos. 3 and 5.

Special price instruction. The prices listed herein are for raw coals. Maximum prices for coals mechanically cleaned or washed shall be those listed herein, plus 10 cents per ton.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

Subdistricts Nos. 3 Rail Shipment and 5 River Shipment (Tenn. & Ga.) coals produced at any and all mines in the following price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than 3/4" but not exceeding 2"	13, 14 screenings 3/4" and smaller
10	405	355	345	325	285

[Above table amended and subparagraphs (i) and (ii) added by Am. 134, 10 F.R. 2832, effective 3-19-45]

(i) The maximum prices for black smithing coal shall not exceed 540 cents per net ton.

(ii) Special price instructions for Subdistrict No. 5, river shipments. In computing maximum prices for shipment by river for all uses, for free alongside delivery via the Tennessee River to f. a. s. customers in the States of Tennessee and

Alabama, there may be added to the above prices a sum not in excess of the actual transportation costs for rail or truck shipment to the river shipping point determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points.

(5) Maximum prices for shipment by truck or wagon to all destinations, for all uses from mines in Subdistrict No. 4.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

Subdistrict No. 4 (Tenn. & Ga.) coals produced at any and all mines in the following truck price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than 3/4" but not exceeding 2"	13, 14 screenings 3/4" and smaller
8	485	405	350	350	320
9	460	405	350	350	345
10	460	405	350	370	350
11	450	395	350	350	335
12	470	415	350	350	335
13 from mines in White Co., Tennessee	395	330	340	290	275

[Above table amended by Am. 134, 10 F.R. 2832, effective 3-19-45]

(6) Specific descriptions of size group numbers referred to in subparagraphs (4) and (5) of this paragraph (b), including White County, Tenn.

Size Group Nos.:	Description
1 to 3, inclusive	All single-screen lump coals and all double-screen egg coals, top size larger than 2".
4 to 6, inclusive	All double-screened nut, pea and stoker coals, top size not exceeding 2".
7 to 9, inclusive	Straight mine run; no fines removed. Mine run, modified by the removal of any intermediate size or sizes; no fines removed. All mine run resultants larger than 2"; no fines removed.
10 to 12, inclusive	Screenings, larger than 3/4" but not exceeding 2".
13 and 14	Screenings, top size not exceeding 3/4".

(7) The charge for a chemical, oil or waxing treatment to alloy dust or prevent freezing shall not exceed: 10 cents per net ton on coals produced at and shipped from a mine in Tennessee or Georgia; 15 cents per net ton for coals produced at and shipped from a mine in Alabama.

A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately

stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

[Subparagraph (7) amended by Am. 98, 9 F.R. 5375, effective 5-23-44]

(8) Identification by mine index number of mines in the price group numbers specified in subparagraphs (1) and (4) of this paragraph (b). Following is a statement on the mines in each such price group. A seller of coal produced at a mine identified by mine index number shall first determine the price group number applicable to the mine. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

Mine Index Nos. 30 through 54, 82, 104, 118, 127, 155, 165, 215, 238, 303, 331, 573, 616, 621, 755, 1122, 1133, 1156, 1226, 1249, 1274, 1275, 1338, 1366, 1389, 1390, 1391, 1393, 1394, 1395, 1407, 1410, 1411, 1413, 1417, 1425, 1427, 1431, 1445, 1454, 1456, 1457, 1459, 1460, 1472, 1494, 1514, 1522, 1523, 1527, 1531, 1557, 1581, 1582, 1584, 1585, 1591, 1595, 1624, 1680, 1662, 1663, 1666, 1667, 1674, 1684, 1701, 1714, 1748, 1749, 1752, 1760, 1762, 1766, 1771, 1775, 1782, 2007, 2008, 2009, 2013, 2016, 2022, 2025, 2028, 2029, 2033, 2039, 2041, 2047, 2068 are in Price Group No. 1.

[Nos. 2010 and 2015 deleted by Am. 136]

Mine Index Nos. 67, 68, 1465, 1492, 1690 are in Price Group No. 2.

Mine Index Nos. 59, 61 through 66, 71, 72, 73, 114, 115, 199, 283, 299, 310, 311, 313, 332, 357, 362, 371, 381, 383, 852, 1039, 1105, 1106, 1162, 1203, 1250, 1288, 1289, 1351, 1375, 1376, 1377, 1412, 1418, 1419, 1496, 1526, 1533, 1569, 1570, 1571, 1622, 1657, 1661, 1706, 1709, 1755, 1773, 2040, 2067 are in Price Group No. 3.

Mine Index Nos. 55, 56, 57, 70, 81, 142, 571, 641, 649, 668, 749, 751, 1136, 1137, 1224, 1231, 1256, 1261, 1278, 1293, 1396, 1436, 1437, 1438, 1439, 1440, 1453, 1464, 1470, 1484, 1502, 1510, 1546, 1635, 1742, 2010, 2012, 2026, 2027, 2038, 2064 are in Price Group No. 4.

[No. 2010 added by Am. 136]

Mine Index Nos. 74 through 78, 83, 113, 136, 141, 173, 193, 194, 196, 198, 213, 221, 229, 298, 301, 314, 317, 326, 339, 342, 356, 367, 385, 386, 390, 744, 1059, 1128, 1215, 1271, 1276, 1287, 1309, 1313, 1349, 1354, 1357, 1360, 1362, 1372, 1373, 1374, 1379, 1402, 1403, 1408, 1416, 1433, 1466, 1520, 1521, 1525, 1532, 1547, 1561, 1567, 1640, 1650, 1652, 1653, 1669, 1670, 1683, 1687, 1693, 1704, 1721, 1722, 1744, 1746, 1747, 1756, 1757, 1758, 1759, 1767, 1769, 1786, 2048, 2049, 2073 are in Price Group No. 5.

Mine Index Nos. 1, 2, 7, 9, 10 through 15, 17, 29, 103, 111, 128, 130, 135, 139, 166, 171, 212, 318, 509, 514, 564, 566, 568, 569, 624, 677, 678, 680, 683, 684, 686, 781, 804, 805, 808, 855, 856, 902, 910, 984, 994, 1001, 1077, 1095, 1180, 1181, 1192, 1213, 1243, 1257, 1258, 1259, 1273, 1331, 1350, 1415, 1420, 1424, 1447, 1471, 1491, 1512, 1513, 1516, 1528, 1529, 1534, 1586, 1630, 1645, 1646, 1676, 1694, 1740, 1768, 1778, 1779, 1780, 1786, 2006, 2023, 2035, 2053 are in Price Group No. 6.

Mine Index Nos. 16, 18, 19 through 24, 106 through 110, 121, 122, 123, 124, 133, 144, 150, 151, 152, 153, 157, 182, 183 through 191, 241, 247, 249, 253, 404, 408, 411, 418, 421, 422, 424, 426,

427, 434 through 439, 450, 453, 455, 459, 460, 462, 466, 472, 480, 484, 485, 488, 489, 491, 492, 500, 519, 522, 538, 541, 557, 565, 570, 574, 577, 579, 581, 582, 583, 584, 586, 591, 592, 594, 595, 597, 600, 608, 609, 610, 612, 617, 622, 627, 629, 631, 632, 636 through 640, 643 through 648, 650, 657, 658, 664, 665, 670, 687, 763, 764, 765, 768, 770, 786, 790, 792, 793, 795, 838, 865, 867, 881, 897, 911, 922, 926, 949, 963, 965, 972, 985, 987, 1007, 1008, 1010, 1013, 1015, 1022, 1023, 1038, 1074, 1075, 1076, 1078, 1126, 1164, 1166, 1167, 1174, 1229, 1254, 1291, 1295, 1306, 1308, 1317 through 1330, 1333, 1334, 1369, 1381, 1383 through 1387, 1426, 1442, 1444, 1449, 1455, 1458, 1467, 1476, 1478, 1479, 1481, 1482, 1498, 1518, 1519, 1539, 1543, 1547, 1549, 1551, 1555, 1558, 1572 through 1576, 1578, 1583, 1587, 1604, 1607 through 1618, 1641, 1642, 1647, 1648, 1649, 1654, 1665, 1672, 1673, 1685, 1686, 1731 through 1735, 1777, 2011, 2014, 2015, 2019, 2024, 2030, 2032, 2036, 2037, 2042, 2043, 2046, 2051, 2052, 2054 are in Price Group No. 7.

[No. 2015 added by Am. 136]

Mine Index Nos. 3, 4, 6, 8, 195, 359, 1599, 1623 are in Price Group No. 8.

Mine Index Nos. 5, 58, 69, 80, 222, 233, 262, 263, 266 through 271, 512, 517, 968, 1072, 1232, 1544, 1545, 1556, 1598, 2018, 2057 are in Price Group No. 9.

All mine index numbers in Subdistrict Nos. 3 and 5 (Tennessee and Georgia) shipping coal by rail or river are in Price Group No. 10.

[Subparagraph (8) amended by Am. 134, 10 F.R. 2832, effective 3-19-45; and Am. 136, effective 4-25-45]

(9) *Identification by counties and seams of mines in the price group members specified in subparagraphs (2) and (5) of this paragraph (b).* Following is a table of counties, seams and price group numbers. A seller of coal produced at a mine from any seam in these counties shall first determine the price group number applicable to the mine, as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

County, seam, and price group number

ALABAMA—SUBDISTRICT NO. 2

Bibb, Blue Gould, Clark, Gibson, Gould, Thompson, Wadsworth, Woodstock, and Youngblood, 2; all seams not named, 7.

Blount, Berry Mountain, 2; Black Creek and Taite Gap, 3; Underwood, 4; all seams not named, 7.

Cherokee, all seams, 5.

Cullman, all seams, 1.

De Kalb, Black Creek, Lookout Mountain and Payne, 1; all seams not named, 3.

Etowah, all seams, 4.

Fayette, Corona, 5; Cobb, 6; all seams not named, 7.

Jackson, all seams, 5.

Jefferson, Black Shale, Buck, Clark, Gould, Harkness, Hartley, Helena, Helena No. 3, Henry Ellen, Leaf, Lower Helena, Ratliff, Thompson, Upper Gould and Wadsworth, 2; Black Creek and Jefferson, 3.

Jefferson, Pratt and Pratt-America, 5; America, Blue Creek, Harkness (Mine Index No. 751 only) and Nickle Plate, 6; Bragg, Gwin, Jagger, Lower Nunnally, Mary Lee, Mt. Carmel, Upper Helena, Upper Nunnally and all seams not named, 7.

Madison, all seams, 5.

Marion, all seams, 1.

Saint Clair, Helena, Henry Ellen (Mine Index No. 1556 only), and Wadsworth, 2; Broken Arrow, Hammond, Harkness, and Marion, 5; Henry Ellen, 7.

Shelby, Buck, Clark-Gholson, Dogwood, Harkness, Helena, Maylene-Climax, Montevallo, Moyle, Underwood, upper Dogwood, and Wadsworth, 2; all seams not named, 7.

Tuscaloosa, Black Creek and Chambers, 1; Bowers, Carter, Johnson, Milldale, North River, Perkins, River View, Weaver, and Woodstock-North River, 3; Brookwood, Jagger, Milldale-Brookwood, and all seams not named, 7.

Walker and Winston, Black Creek, Blue Creek, and Jefferson, 1; Corona and Pratt, 5; America, 6, all seams not named, 7.

TENNESSEE—SUBDISTRICT NO. 4

Bledsoe, Battle Creek, 8; all seams not named, 9.

Franklin and Grundy, all seams, 9.

Hamilton, Sewanee and Soddy No. 7, 9; all seams not named, 11.

Marion, Battle Creek, Top (Mine Index No. 814 only), 8; Bluff, Bolton, Etna, Etna No. 3, Etna No. 7, Sewanee, Sewanee No. 7, 9, and 10 and Soft Bottom and Top, 9; all seams not named, 11.

Rhea, Nelson, Nelson No. 2 and Nelson-Sewanee, 12; all seams not named, 11.

Squatchie, Sewanee, Sewanee No. 2, 9; all seams not named, 11.

Van Buren, Battle Creek, 8; all seams not named, 9.

Warren, all seams, 9.

White, all seams, 13.

GEORGIA—SUBDISTRICT NO. 4

Dade and Walker, all seams, 10.

(10) [Revoked]

[Subparagraph (10) added by Am. 108, 9 F.R. 7602, effective 7-12-44; and revoked by Am. 134, 10 F.R. 2832, effective 3-19-45]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

[§ 1340.224 amended by Am. 3, 7 F.R. 4336, effective 6-6-42; Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 33, 8 F.R. 926, effective 1-23-43; Am. 49, 8 F.R. 3355, effective 3-27-43; Am. 54, 8 F.R. 6443, effective 5-15-43; Am. 58, 8 F.R. 11806, effective 8-30-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 77, 9 F.R. 396, effective 11-29-43; Am. 84, 9 F.R. 1454, 2127, effective 2-3-44 and as otherwise noted]

§ 1340.225 Appendix N: *Maximum prices for bituminous coal produced in District No. 14.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
A.....	525	500	500	575	460	575	575	590	545	600	600	600	550	285	285	285	285	485	215	590
B.....	475	560	455	555	575	575	470	580	580	580	530	170	170	170	.....	480	.....	.....
C.....	460	555	.....	550	570	570	470	500	465	.....	350	.....	150	130	.....	470	.....	.....
D.....	490	545	.....	540	555	540	470	490	450	.....	350	.....	.....	.....	.....	450	.....	.....
E.....	460	525	.....	535	540	540	470	480	450	.....	.....	.....	.....	.....	.....	425	.....	.....
F.....	445	525	.....	515	515	515	470	480	450	.....	.....	.....	.....	.....	.....	420	.....	.....
G.....	505	.....	515	515	515	470	470	435	.....	.....	.....	.....	.....	.....	400	.....	.....
H.....	505	.....	515	515	515	470	460	435	.....	.....	.....	.....	.....	.....	395	.....	.....
I.....	500	.....	510	510	510	470	425	425	.....	.....	.....	.....	.....	.....	385	.....	.....
J.....	490	.....	505	505	505	460	420	420	.....	.....	.....	.....	.....	.....	389	.....	.....
K.....	470	.....	505	505	505	460	415	415	.....	.....	.....	.....	.....	.....	375	.....	.....
L.....	470	.....	500	500	500	455	405	.....	405	.....	.....	.....	.....	.....	370	.....	.....
M.....	500	500	500	450	385	.....	.....	.....	.....	.....	.....	.....	365	.....	.....
N.....	490	490	460	.....	370	.....	.....	.....	.....	.....	.....	.....	360	.....	.....
O.....	480	480	450	.....	.....	.....	.....	.....	.....	.....	.....	.....	350	.....	.....
P.....	330	.....	.....
Q.....	329	.....	.....

(i) *Special price instructions.* (a) The maximum price for lump coal (solid shot) with a bottom size larger than 2½", when produced at mines in Production Groups 2 to 9, inclusive, shall be the maximum price which is applicable generally under § 1340.225 (b) (1) for Size Group 3 plus 15 cents per net ton.

[Subparagraph (i) added by Am. 53, 8 F.R. 5477, effective 4-29-43]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 55 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of rail-*

road fuel for other than locomotive fuel use). The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 5 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to February 1, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) and (3), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and use indicated in (1) above:
20 cents per net ton

(ii) For methods of shipment and uses indicated in (2) above:
20 cents per net ton

(iii) For use indicated in (3) above:
20 cents per net ton

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 1, 1943 and prior to December 1, 1943 may be increased by no more than 40 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(6) Mines in Production Group No. 7 located on the Fort Smith and Van Buren Railway may sell straight run of mine coals to the Lone Star Steel Company shipped to its plant at Daingerfield, Texas at no more than 415 cents per net ton f. o. b. mine.

"Straight run of mine" as used in this

subparagraph (6) shall mean coal as it comes from the mine and from which no size has been taken and to which no size has been added.

[Subparagraph (6) added by Am. 102, 9 F.R. 6433, effective 6-15-44]

[Paragraph (b) amended by Am. 10, 7 F.R. 5607, effective 7-21-42, and Am. 37, 8 F.R. 1747, effective 2-6-43]

§ 1340.226 Appendix O: Maximum prices for bituminous coal produced in District No. 15. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b.

transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 126, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment from strip mines to all destinations for all uses and by all methods of transportation, except truck or wagon. The last six columns of prices in this table are prices for the sizes specified when shipped for railroad locomotive fuel use; and all other prices are for all uses, including other railroad fuel uses. (Underground mine prices are set forth in subparagraph (3) of this appendix)

Production group number	Prices and size group numbers															Railroad locomotive fuel prices					
	1,2,3	4	5	6	7	8	9	10	11	12	13	14	15	3" x 1 1/4" unwashed 3" x 0 washed	3' x 0 stoker screenings with 1/2 of fines removed	2" x 1 1/4" unwashed 2" x 0 washed	2" x 0 washed or unwashed	1 1/4" x 0 (W) washed 1 1/4" x 0 (R) unwashed 1 1/4" x 1 1/4" unwashed	Any other size not specifically listed	Production group number	
1	320	320	325	305	300	275	270	270	270	255	200	170	140	260		245		230W	270	1	
2	285	285	285	285	275	260	265	265	245	210	200	165	140		255		230		270	2	
3	280	280	285	270	255	245	220	220	255	225	205	160	140				230		270	3	
4	335	335	310	295	280	275	335	270	270	255		205	140						270	4	
5	330	330	305	290	275	270	330	265	265	250		200	140						310	5	
6	385	385						375	375										285	6	
7	575	520		450		285	370	240				135							270	7	
8	500	440		400		260	325	200				140							270	8	
9	500	440		400		260	325	200				140							270	9	
10	340	330		305		250	270	175	260			145						230R	270	10	
11	330	315		300		255	295	215	255			155	150	260		215		230R	270	11	
13	380	380				280	290	200											270	13	
14	500	440		400		260	325	200				140							270	14	

(2) Maximum prices in cents per net ton for shipment by truck or wagon from strip mines to all destinations and for all uses.

Production group number	Prices and size group numbers															Underground mines	Strip mines			
	1,2,3	4	5	6	7	8	9	10	11	12	13	14	15							
1	335	335	310	295	280	285	295	270	215	230	230	210	110							
2	325	325	300	285	270	265	285	240	260	245	245	225	110							
3	305	305	290	280	270	260	285	255	260	245	245	185	110							
4	360	360	350	330	320	295	360	290	295	280		200	110							
5	360	360	350	330	320	295	360	290	295	280		200	110							
6	420	420						420	410	410										
7	560	510		460		285	370	240				215								
8	510	460		410		285	370	240				215								
9	510	460		410		285	370	240				215								
10	435	390		345		235	310	215	225			190								
11	405	375		345		235	295	215	225			190								
13	420	420						420	410	410										
14	510	460		410		285	370	240				215								

(3) Maximum prices in cents per net ton for coals produced at underground mines for shipment to all destinations for all uses and by all methods of transportation, including truck or wagon. The last column of prices in this table are prices for any size of locomotive fuel for mines classified for rail shipment; all other prices are for all other uses, including other railroad fuel uses.

Production group number	Prices and size group numbers															Railroad locomotive fuel, any sizes
	1,2,3	4	5	6	7	8	9	10	11	12	13	14	15			
1	385	385	360	345	330	335	345	320	295	280	280	260	100	320		
2	400	400	375	360	345	340	360	335	335	320	320	300	185	345		
3	370	370	355	345	335	325	350	320	325	310	310	250	185	335		
4	450	450	440	420	410	385	450	370	385	370		280	200	400		
5	450	450	440	420	410	385	450	370	385	370		290	200	400		
6	500	500					500	490	490	490				345		
7	640	560		510		335	420	225				190		320		
8	580	510		460		335	420	225				190		320		
9	590	510		480		335	420	225				190		320		
Rail 10	440	395		350		285	315	240	285			170		315		
Truck 10	460	415		370		280	335	260	270			215				
11	530	500		470		360	420	340	350			315		395		
13	500	500				500	490	490	490					320		
14	590	510		460		335	420	225				190		320		

(4) Maximum prices in cents per net ton for Oklahoma smelting coal from Production Group No. 12 to all destinations and by all methods of transportation (including truck or wagon).

	Underground mines	Strip mines
Crushed mine run—bulk	645	620
Crushed mine run—sacked	795	770
Lump—over 2 1/2"	695	670

(5) Specific description of size group numbers referred to in subparagraphs (1), (2) and (3) above.

- Size Group No. Description
- 1—Fancy Lump. Single-screened lump coal with a bottom size larger than 3". All double-screened coals top size larger than 10".
 - 2—Lump. Single-screened lump coal with a bottom size 3" and smaller.
 - 3—Furnace or Egg. Double-screened coals with a top size larger than 3" but not exceeding 10" bottom size larger than 1 1/4".
 - 4—Egg-Nut. Double-screened coals with a top size larger than 3" but not exceeding 10"; bottom size 1 1/4" and smaller.
 - 5—Fancy Nut. Double-screened coals with a top size larger than 2" but not exceeding 3"; bottom size larger than 1 1/4".
 - 6—Standard Nut. Double-screened coals with a top size larger than 2" but not exceeding 3"; bottom size 1 1/4" and smaller.

- Size Group No.: Descriptions
- 7—No. 2 Nut. Double-screened coals with a top size larger than 1 1/4" but not exceeding 2".
 - 8—Chestnut. Double-screened coals with a top size 1 1/4" and smaller; bottom size larger than 3/8".
 - 9—Mine Run. Includes all coal as it comes from the mine from which no intermediate sizes have been removed. All resultants larger than 3" x 0.
 - 10—Nut Run. Resultants top size larger than 1 1/4" x 0 but not exceeding 3" x 0.
 - 11—Special Stoker. Double-screened coals with a top size 1 1/4" and smaller, bottom size larger than 1/4" but not exceeding 3/8".
 - 12—Raw Prepared Screening. Double-screened coals with a top size 1 1/4" and smaller, bottom size 1/4" and smaller.
 - 13—Washed Screening. All washed screenings top size not exceeding 1 1/4" x 0.
 - 14—Raw Screenings. Larger than 1/4" x 0 but not exceeding 1 1/4" x 0.
 - 15—All raw screenings top size not exceeding 1/4" x 0.

(6) All orders of adjustment issued prior to January 22, 1945, shall be void as of January 22, 1945.

(7) When used in this paragraph (b), production group No. 14 shall include all mines located in all counties in Texas.

[§ 1340.226 amended by Am. 2, 7 F.R. 3901, effective 5-25-42; Am. 31, 7 F.R. 11008, effective 12-31-42; Am. 44, 8 F.R. 2920, effective 3-6-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 75, 8 F.R. 16738, effective 12-30-43; Am. 80, 9 F.R. 794, effective 1-26-44; Am. 90, 9 F.R. 2237, effective 3-2-44; Am. 97, 9 F.R. 5042, effective 5-16-44; Am. 114, 9 F.R. 9512, effective 8-8-44; and Am. 125, 10 F.R. 701, 1648, effective 1-22-45]

§ 1340.227 Appendix P: Maximum prices for bituminous coal produced in District No. 16. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without

intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

	Prices and size group Nos.												
	1	2	3	4	5	6	8	9	10	11	12	13	
Subdistrict No. 1, all mines.....	510	460	460	460	435	410	320	275	215	205	185	355	
Subdistrict No. 2, all mines.....	500	450	445	470	445	420	325	275	215	205	185	330	
Subdistrict No. 4, all mines.....	485	435	435	460	435	420	330	280	215	205	185	330	
Subdistrict No. 6, all mines.....	440	390	390	415	390	370	315	270	215	205	185	315	
Subdistrict No. 8, all mines.....	430	380	380	405	380	360	315	265	215	205	185	305	
Subdistrict No. 9, all mines.....	440	380	380	405	380	360	315	265	215	205	185	305	
Subdistrict No. 10, all mines.....	410	360	360	385	360	340	305	255	215	205	185	280	
Subdistrict No. 11, all mines.....	305	255	255	270	245				125				

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 30 cents in all size groups.

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 10 cents per net ton.

(4) The maximum prices established by this paragraph (b) shall be:

(i) Those set forth in subparagraph (1), plus: for Size Group Nos. 1 through 7, a sum not exceeding 45 cents per net ton; for Size Group No. 8, a sum not exceeding 35 cents per net ton and, for Size Group Nos. 9 through 13, 55 cents per net ton.

(ii) Instead of those determined pursuant to subparagraph (2), the applicable effective minimum prices as of April 1, 1942, plus: for Size Group Nos. 1 through 7, a sum not exceeding 75 cents per net ton; for Size Group No. 8, a sum not exceeding 65 cents per net ton and for Size Group Nos. 9 through 13, a sum not exceeding 85 cents per net ton.

(iii) Instead of those determined pursuant to subparagraph (3), the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 65 cents per net ton.

[Subparagraph (4) added Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.228 Appendix Q: Maximum prices for bituminous coal produced in District No. 17. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix. The last four columns of prices in this table are prices for the sizes specified when shipped for railroad locomotive fuel use; all other prices are for all uses, including all railroad fuel uses.

Sub-district numbers	Price and size group numbers																		Locomotive fuel use			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17-18	19	10	13	17-18	19
	1.....	515	510	495	475	455	435	430	-----	390	360	315	315	235	-----	180	145	355	355	360	240	375	340
2.....	550	545	540	515	490	470	465	-----	425	390	355	345	265	-----	255	225	375	340	340	260	395	360
3.....	465	455	455	455	430	435	430	-----	380	340	315	305	245	-----	235	205	355	320	340	240	375	340
4.....	530	525	520	505	480	455	430	405	405	335	330	330	255	225	225	195	375	340	335	255	390	355
5.....	465	465	450	460	435	405	395	-----	365	340	315	315	215	-----	205	200	355	320	340	220	375	340
6.....	460	450	440	440	410	410	390	-----	370	345	-----	-----	245	230	225	205	355	320	345	245	375	340
7.....	450	440	440	440	370	370	360	-----	365	345	-----	-----	265	230	225	185	355	320	350	270	375	340
8.....	430	430	430	430	390	390	380	395	395	355	330	330	315	295	290	250	395	360	390	315	415	355
9.....	410	430	430	430	420	420	340	380	380	355	305	-----	265	245	240	250	355	325	355	270	355	355
10.....	450	480	480	480	470	445	365	-----	390	380	-----	-----	265	245	240	270	355	325	355	270	355	355
11.....	495	485	460	490	415	405	405	-----	355	320	-----	-----	260	245	235	195	375	335	320	285	395	355
12.....	425	425	415	385	360	370	355	-----	350	315	-----	-----	235	230	220	180	355	290	315	245	375	310
13.....	485	485	485	485	445	445	445	420	420	245	255	255	245	245	245	190	370	-----	420	255	390	-----
14.....	450	450	450	450	410	410	410	385	385	385	255	255	245	245	245	190	370	-----	385	255	390	-----
15.....	425	415	395	395	370	335	320	-----	370	330	240	-----	235	230	230	180	355	290	330	245	375	-----
16.....	390	380	360	360	335	300	285	-----	335	320	-----	-----	230	225	215	175	345	280	320	235	365	390
18.....	450	440	420	420	395	360	355	-----	405	370	-----	-----	240	235	225	185	355	290	370	245	375	-----
19 and 20.....	495	485	465	465	440	405	390	-----	415	330	-----	-----	265	255	245	210	370	305	330	270	390	-----

The above prices may be increased by no more than 20 cents per net ton for coals produced at an underground truck mine without a rail siding or connection except where such mines are in Sub-District Nos. 2, 4, 8 and 11.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Sub-District Numbers	Price and size group numbers						
	1-4	5-7	8-10	11-12	13-15	16	17-18
1.....	560	485	435	355	265	155	410
2.....	560	485	435	360	265	235	410
3.....	505	470	420	355	265	215	410
4.....	530	485	415	340	260	205	385
5.....	505	470	385	330	240	210	385
6.....	520	470	420	330	265	215	410
7.....	500	445	400	330	295	195	410
8.....	485	445	410	330	310	245	420
9.....	485	445	420	320	295	250	410
10.....	495	440	420	320	295	265	410
11.....	525	495	395	320	275	205	385
12.....	470	445	420	320	280	190	395
13.....	485	445	420	255	245	190	370
14.....	450	410	385	255	245	190	370
15.....	535	495	470	355	305	190	405
16.....	485	445	435	355	305	185	395
17.....	435	395	370	320	255	190	345
18.....	545	510	495	420	255	195	395
19.....	475	440	435	320	240	210	370
20.....	425	395	395	320	240	210	370
21.....	510	470	420	320	190	155	470

[Subparagraphs (1) and (2) amended by Am. 126, 10 F.R. 860, effective 1-27-45]

(3) Maximum prices in cents per net ton for smithing coal. The maximum prices per net ton for smithing coal from all mines, in all size groups, and by all methods of transportation shall not exceed 605 cents.

[Subparagraph (3) added; former (3), (4) and (5) redesignated (4), (5) and (6) by Am. 118, 9 F.R. 11063, effective 7-31-44]

(4) Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).

- | Size Group No. | Description |
|----------------|---|
| 1..... | All single-screened lump coals bottom size larger than 6". All double-screened coals top size larger than 8" but not exceeding 12" and bottom size larger than 1 1/2" but not exceeding 3". |
| 2..... | All single-screened lump coals bottom size larger than 3" but not exceeding 6". All double-screened coals top size larger than 8" but not exceeding 12", and bottom size not exceeding 1 1/2". |
| 3..... | All single-screened lump coals bottom size larger than 1 1/2" but not exceeding 3". |
| 4..... | All double-screened coals top size larger than 6" but not exceeding 8" and bottom size larger than 1 1/2" but not exceeding 3". |
| 5..... | All single-screened lump coals bottom size not exceeding 1 1/2". All double-screened coal top size larger than 3" but not exceeding 6" and bottom size larger than 1 1/2" but not exceeding 3". |
| 6..... | All double-screened coals top size larger than 6" but not exceeding 8" and bottom size not exceeding 1 1/2". |
| 7..... | All double-screened coal top size larger than 3" but not exceeding 6" and bottom size not exceeding 1 1/2". |
| 8..... | All double-screened coals top size larger than 1 1/2" but not exceeding 3" and bottom size larger than 1 1/2" but not exceeding 2 1/4". |
| 9..... | All double-screened coals top size larger than 1 1/2" but not exceeding 3" and bottom size larger than 1" but not exceeding 1 1/2". |

- | Size Group No. | Description |
|----------------|---|
| 10..... | All double-screened coals top size 1 1/4" but not exceeding 1 1/2" and bottom size larger than 3/8" but not exceeding 1". |
| 11..... | All double-screened coals top size not exceeding 1 1/2" and bottom size larger than 3/16" but not exceeding 3/8". |
| 12..... | All double-screened coals top size not exceeding 1 1/2" and bottom size not exceeding 3/16". |
| 13..... | Slack or screenings larger than 1" x 0 but not exceeding 1 1/2" x 0. |
| 14..... | Slack or screenings larger than 3/4" x 0 but not exceeding 1" x 0. |
| 15..... | Slack or screenings larger than 3/8" x 0 but not exceeding 3/4" x 0. |
| 16..... | Slack or screenings top size not exceeding 3/4". |
| 17..... | Straight run of mine and modified run of mine larger than 12" x 0. |
| 18..... | Modified run of mine larger than 8" x 0 but not exceeding 12" x 0. |
| 19..... | Modified run of mine and screenings larger than 1 1/2" x 0 but not exceeding 8" x 0. |

[Subparagraph (4) amended by Am. 126, 10 F.R. 860, effective 1-27-45]

(5) If no specific maximum price is listed for a particular size of coal, the maximum price for that size shall be determined as follows:

From all mines	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Subdistrict No. 1.....	565	530	505	490	480	470	445	405	340	310	290	225	185	155	125	105
Subdistrict No. 2.....	540	515	505	490	480	450	420	350	300	290	210	185	155	125	105	85
Subdistrict No. 3.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85
Subdistrict No. 4.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85
Subdistrict No. 5.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85
Subdistrict No. 6.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85
Subdistrict No. 7.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85
Subdistrict No. 8.....	535	485	485	485	485	485	485	485	385	285	235	185	155	125	105	85

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942,

If the unpriced size is a lump size, the maximum price shall be the next lower maximum price listed for the next smaller lump size for the same mine.

If the unpriced size is a double screened size, the maximum price shall be the next lower maximum price listed for the next smaller bottom size for the same mine.

If the unpriced size is a resultant (slack or screening) size, the maximum price shall be the next lower maximum price for the next smaller resultant (slack or screening) size for the same mine.

If the unpriced coal is run of mine, or if the maximum price cannot be determined by this subparagraph (5), the maximum price will be set pursuant to the application which the producer must file under § 1340.210 (a) (6) of this regulation.

(6) All orders of adjustment and adjustments computed on OPA Form No. 653-638 under § 1340.207 (e), (added by Amendment No. 74 to this regulation) shall be void as of July 31, 1944.

[§ 1340.228 amended by Am. 5, 7 F.R. 4404, effective 5-18-42; Am. 43, 8 F.R. 2497, effective 2-25-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 77, 9 F.R. 396, effective 11-29-43; and Am. 110, 9 F.R. 9052, effective 7-21-44]

§ 1340.229 Appendix R: Maximum prices for bituminous coal produced in District No. 18. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

plus a sum not exceeding 110 cents in all size groups.

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for railroad fuel shall be those shown in subparagraph (1) above for

Size Group No. 16: *Provided*, That where no maximum price is specified therein for a particular subdistrict, or where the size of coal involved is not included in Size Group No. 16 the maximum price

for such railroad fuel shall be the commercial all-rail maximum price for the grade and size involved.
Exception to (2) above: Sub-District No. 2.

Producer	Mine	Mine index	Movement	Prices and size group Nos.															
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Albuquerque & Cerrillos Coal Co.	Jones.....	11	Truck.....	555	---	520	505	520	495	165	435	365	---	315	295	255	450	---	---

(4) The maximum prices established by subparagraphs (1), (2) and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]
 [Paragraph (b) amended by Am. 39, 8 F.R. 2023, effective 2-12-43]

§ 1340.230 *Appendix S: Maximum prices for bituminous coal produced in District No. 19.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered

by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except truck or wagon. The last column of prices in this table are prices for the sizes specified when shipped for railroad locomotive fuel use.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

From all mines classified in the following Sub-district Nos.	1, 2, 3, 4			5, 6, 7		8	9, 10, 11		12	13	14, 15, 16		17	For railroad locomotive fuel use size groups 1 to 13, inclusive ¹
	1	2	3	4	5	6	7	8	9	10	11	12	13	
1.....	460	450	350	380	370	330	255	220	330					
2.....	430	410	340	335	335	305	290	190	305					
3.....	345	320	320	260	270	260	225	150	260					
4.....	420	390	310	220	270	260	265	160	260					
5.....	525	510	435	360	330	325	230	230	325					
6.....	360	360	280	260	305	265	210	150	265					
7.....	305	285	285	265	270	250	245	180	225					
8.....	250	235	220	215	215	200	160	120	200					
9.....	310	310	290	195	220	210	195	120	210					

¹ When coals in Size Groups 1 to 12, inclusive, are confiscated by a railroad for locomotive fuel use, the applicable maximum price for the size of coal confiscated shall be the same as the maximum prices for the same size of coals for all uses other than for locomotive fuel use.

(2) Maximum prices in cents per net ton for shipment made entirely by truck or wagon to all destinations for all uses.

MAXIMUM PRICES BY SIZE GROUP NUMBERS

From all mines classified in the following Subdistrict Nos.	1, 2, 3, 4			5, 6, 7		8	9, 10, 11		12	13	14, 15, 16		17
	1	2	3	4	5	6	7	8	9	10	11	12	13
1.....	495	465	375	325	375	310	285	225	310				
2.....	445	430	390	355	340	310	315	190	315				
3.....	400	375	375	295	300	290	260	175	260				
4.....	450	420	340	250	300	290	235	170	235				
5.....	595	585	450	370	390	300	270	200	300				
6.....	450	375	350	250	295	290	220	160	290				
7.....	370	360	325	320	270	260	250	185	260				
8.....	300	300	230	230	230	215	200	150	215				
9.....	340	340	300	225	250	235	225	150	235				

(3) Specific description of size group numbers referred to in subparagraph numbers (1) and (2) of this paragraph (b).

- Size Group No.: *Description*
- 1---- All single-screened lump coals bottom size larger than 7".
 All double-screened coals, top size larger than 8" and bottom size larger than 3".
- 2---- All single-screened lump coals bottom size larger than 5" but not exceeding 7".

- Size Group No. *Description*
- 3---- All single-screened lump coals bottom size not less than 3" not exceeding 5".
 All double-screened coals top size larger than 8" and bottom size not smaller than 1 5/8" not exceeding 3".
- 4---- All single-screened lump coals, bottom size less than 3".
- 5---- All double-screened coals top size larger than 7" but not exceeding 8" and bottom size larger than 1 5/8" but not exceeding 3".

- Size Group No. *Description*
- 6---- All double-screened coals, top size larger than 5" but not exceeding 7" and bottom size larger than 1 5/8" but not exceeding 3".
- 7---- All double-screened coals top size larger than 5" but not exceeding 8" and bottom size not exceeding 1 5/8".
 All double-screened coals, top size larger than 3" but not exceeding 5" and bottom size larger than 1 5/8" but not exceeding 3".
- 8---- All double-screened coals, top size larger than 1 5/8" but not exceeding 3" and bottom size larger than 1/2" but not exceeding 1 5/8".
- 9---- All double-screened coals top size not exceeding 1 5/8" and bottom size larger than 1/2" but not exceeding 1".
- 10---- All double-screened coals top size not exceeding 1 5/8" and bottom size larger than 3/16" but not exceeding 1/2".
- 11---- All double-screened coals top size not exceeding 1" and bottom size not exceeding 3/16".
- 12---- Mine run and all resultant coals with top size larger than 7" x 0.
- 13---- All resultant coals top size larger than 2 1/2" x 0 but not exceeding 7" x 0.
- 14---- All slack coals top size larger than 1 5/8" x 0 but not exceeding 2 1/2" x 0.
- 15---- All slack coals top size larger than 1" x 0 but not exceeding 1 5/8" x 0.
- 16---- All slack coals top size larger than 1/2" but not exceeding 1" x 0.
- 17---- Duff, top size not larger than 1/2" x 0.

(4) Description of subdistricts referred to in subparagraph (1) and (2) in this paragraph (b).

Sub-district No.	Description	
	Name	Identification
1....	Keimner.....	Lincoln and Teton Counties, Wyo., and Teton County, Idaho.
2....	Rock Springs...	Sweetwater and Sublette Counties.
3....	Hanna-Rawlins.	Albany and Carbon Counties.
4....	Evanston.....	Uinta County.
5....	Gebor-Kirby.....	Hot Springs, Washakie, Park and Big Horn Counties.
6....	Hudson.....	Fremont County.
7....	Sheridan.....	Sheridan County.
8....	Gillette.....	Campbell, Crook and Weston Counties.
9....	Great Plains....	Johnson, Converse and Natrona Counties.

(5) All orders of adjustment issued prior to March 15, 1945, and all adjustments computed on OPA Form No. 653-638 under § 1340.207 (e) added by Amendment No. 74, shall be void as of April 16, 1945.

[§ 1340.230 amended by Am. 43, 8 F.R. 2497, effective 2-25-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 99, 9 F.R. 5587, effective 5-1-44; and Am. 135, 10 F.R. 3918, effective 4-16-45]

§ 1340.231 *Appendix T: Maximum prices for bituminous coal produced in District No. 20.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (i. e., delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

(Above paragraph amended by Am. 136, effective 4-25-45)

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses, including railroad fuel for all uses, and by all methods of transportation, except as otherwise specifically provided in this appendix.

(2) Maximum prices for shipment by truck or wagon to all destinations, for all uses. The descriptions of size group numbers in subparagraph (1) above shall apply to the size group numbers herein.

PRICES AND SIZE GROUP NUMBERS

1 to 6, inclusive	7 and 8	9	10	11	12	15
All single-screened lump coals bottom size larger than 2". All double-screened coals top size larger than 2" and bottom size larger than 1 1/2" and bottom size 1 1/4" and larger	All double-screened nut coals top size not exceeding 2" and bottom size larger than 1 1/2" but not exceeding 1 3/4"	All double-screened stoker coals top size not exceeding 1 1/2" and bottom size not exceeding 1 3/4"	Slack or screenings larger than 1" x 0 but not exceeding 1 1/4" x 0	Slack or screenings larger than 1 1/2" x 0 but not exceeding 1" x 0	Slack or screenings top size not exceeding 1 1/2"	Straight run of mine not altered or modified
465 465	350 320	325 270	215 210	180 180	155 155	295 280

Subdistricts Nos. 1 and 9.
All other subdistricts.

Exceptions: (The following maximum prices are applicable to Railroad Mine Run and double-screened coals, top size not exceeding 6", when sold by the following mines for railroad locomotive fuel use only.)
Mine Index Nos. 4 and 310.----- 255
Mine Index No. 8.----- 220
Mine Index No. 6.----- 190
Mine Index No. 12.----- 130

(2) Maximum prices for shipment by truck or wagon to all destinations, for all uses. The descriptions of size group numbers in subparagraph (1) above shall apply to the size group numbers herein.

PRICES AND SIZE GROUP NUMBERS

1 to 6, inclusive	7 and 8	9	10	11	12	15
All single-screened lump coals bottom size larger than 2". All double-screened coals top size larger than 2" and bottom size larger than 1 1/2" and bottom size 1 1/4" and larger	All double-screened nut coals top size not exceeding 2" and bottom size larger than 1 1/2" but not exceeding 1 3/4"	All double-screened stoker coals top size not exceeding 1 1/2" and bottom size not exceeding 1 3/4"	Slack or screenings larger than 1" x 0 but not exceeding 1 1/4" x 0	Slack or screenings larger than 1 1/2" x 0 but not exceeding 1" x 0	Slack or screenings top size not exceeding 1 1/2"	Straight run of mine not altered or modified
465 390 430	350 320 320	325 270 270	215 170 170	180 170 170	155 150 150	295 270 270

Subdistrict No. 1.
Subdistrict No. 3.
Subdistricts Nos. 5 and 9.
Subdistrict No. 7.
From Hill and Chouteau Counties.
From Cascade and Judith Basin Counties.
Subdistrict No. 12.

price is f. o. b. the mine or preparation plant.
(Above paragraph amended by Am. 136, effective 4-25-45)

(1) Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportation except truck, or wagon.

Prices and size group numbers

1, 2	3, 4, 5, 6	7	8, 9	10, 11	12	13	14	15
445 390	395 350	330 295	310 250	270 225	250 210	330 280	305 260	285 230

Truck price group No.	Prices and size group numbers								
	1, 2	3, 4, 5, 6	7	8, 9	10, 11	12	13	14	15
1	485	445	355	330	300	280	370	340	310
2	425	385	310	275	250	290	325	300	285
3	630	525	460	415	320	360	355	355	355
4	435	410	335	300	250	245	325	300	285
5	445	405	320	275	250	230	325	300	285
6	500	500	400	300	240	235	295	240	275

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Coals produced at any and all mines in the following subdistricts	Truck price group No.	Description
Subdistrict No. 1, except Iron County and Mine Index 197, Subdistrict No. 3 except Uintah County.	1	Double-screened coals top size not exceeding 1 1/2" x 0 but not exceeding 1 3/4" x 0.
Iron County except Mine Index No. 167.	2	Double-screened coals top size larger than 3", bottom size larger than 3", bottom size larger than 3" but not exceeding 10".
Mine Index No. 167.	3	Double-screened coals top size larger than 3", bottom size larger than 3", bottom size larger than 3" but not exceeding 10".
Mine Index No. 197.	4	Double-screened coals top size larger than 3", bottom size larger than 3", bottom size larger than 3" but not exceeding 10".
Uintah County.	5	Double-screened coals top size larger than 3", bottom size larger than 3", bottom size larger than 3" but not exceeding 10".
	6	Double-screened coals top size larger than 3", bottom size larger than 3", bottom size larger than 3" but not exceeding 10".

(3) Specific description of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).

- 1. Lump.. Single-screened lump coal with bottom size larger than 10". Double-screened coals top size larger than 8", bottom size larger than 3".
- 2. Lump.. Single-screened lump coal bottom size larger than 3" but not exceeding 10". Double-screened coals top size not exceeding 8", bottom size larger than 3".
- 3. Lump.. Single-screened lump coal bottom size larger than 1 3/8" but not exceeding 3". Double-screened coals top size larger than 8", bottom size not exceeding 3".
- 4. Lump.. Single-screened lump coal with bottom size 1 3/8" or smaller.
- 5. Stove.. Double-screened coals top size larger than 3" but not exceeding 1 3/8", bottom size larger than 1 3/8" but not exceeding 3".
- 6. Egg.. Double-screened coals top size larger than 3" but not exceeding 8", bottom size 1 3/8" or smaller.
- 7. Nut.. Double-screened coals top size larger than 1 3/8" but not exceeding 3", bottom size 1 3/8" or smaller.
- 8. Pea.. Double-screened coals top size larger than 1" but not exceeding 1 3/8".

(4) All orders of adjustment issued prior to January 1, 1945 and all adjustments computed on OPA Form No. 652-638 under former § 1340.207 (e) (added by Amendment No. 74) shall be void as of February 5, 1945.

§ 1340.231 amended by Am. 52, 8 F.R. 4718, effective 4-14-43; Am. 38, 8 F.R. 1747, effective 2-6-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 99, 9 F.R. 5587, effective 5-1-44; Am. 112, 9 F.R. 9260, effective 8-3-44; and Am. 127, 10 F.R. 1333, 2987, effective 2-5-45)

§ 1340.232 Appendix U: Maximum prices for bituminous coal produced in District No. 22. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

PRICES AND SIZE GROUP NUMBERS—Continued

	1 to 6, inclusive	7 and 8	9	10	11	12	15
	All single-screened lump coals bottom size larger than 1/2". All double-screened coals top size larger than 2" and bottom size 1 1/4" and larger	All double-screened nut coals top size not exceeding 2" and bottom size larger than 1/2" but not exceeding 1 1/4"	All double-screened stoker coals top size not exceeding 1 1/4" and bottom size not exceeding 1 1/2"	Slack or screenings larger than 1" x 0 but not exceeding 1 1/4" x 0	Slack or screenings larger than 1 1/2" x 0 but not exceeding 1" x 0	Slack or screenings top size not exceeding 1 1/4"	Straight run of mine not altered or modified
All other subdistricts and all other counties in Subdistrict No. 7	470	345	295	180	170	150	
Exceptions:							
Mine Index No. 201, Subdistrict No. 6	520				300		
Mine Index No. 280, Subdistrict No. 6	670			320			
Mine Index No. 104, Subdistrict No. 7	520	420	320	230	220	200	
Mine Index No. 128, Subdistrict No. 9 when its coals are shipped from Mine Index No. 7, Subdistrict No. 1	465	350	325	215	180	155	295
Mine Index Nos. 148, 175 and 215, Subdistrict No. 12	720		370	170			
Mine Index No. 196, Subdistrict No. 12	770		520				

[Subparagraphs (1) and (2) amended; (3) deleted; (4) and (5) redesignated (3) and (4) by Am. 128, 10 F.R. 1648, effective 2-12-45]

(3) If no specific maximum price is provided in this paragraph (b) for a particular size of coal, the maximum price for such size shall be determined as follows: If the unpriced size is a double-screened coal, the maximum price shall be the maximum price established for the double-screened coal having the next smaller bottom size for the same mine.

If the unpriced size is a resultant, slack or screening size, the maximum price shall be the maximum price for the next smaller resultant, slack or screening size for the same mine.

If the unpriced size is a straight run of mine size, or if such maximum price cannot be determined pursuant to this subparagraph (3), the seller of such size

shall file an application pursuant to § 1340.210 (a) (6) and the maximum price will be established thereunder.

(4) All orders of adjustment issued prior to July 24, 1944 are hereby voided.

[§ 1340.232 amended by Am. 35, 8 F.R. 1629, effective 2-3-43; Am. 67, 8 F.R. 13706, effective 10-9-43; Am. 73, 8 F.R. 16280, effective 11-29-43; and Am. 108, 9 F.R. 8186, effective 7-24-44]

§ 1340.233 Appendix V—Maximum prices for bituminous coal produced in District No. 23. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a truck or wagon shipment (i. e., delivery made entirely by truck or wagon without inter-plant rail shipment) the maximum price is f. o. b. the mine or preparation plant.

[Above paragraph amended by Am. 136, effective 4-25-45]

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses (including Railroad Fuel) and by all methods of transportation except truck or wagon:

Subdistricts	Identification	Maximum prices by size group numbers									
		1, 2, 3, 4, 5	6, 7, 8, 9, 10	11, 12	13, 14	15, 16, 17, 18	19, 20	21	22, 23	24, 25	
A	Roslyn Field, Washington	620	600	565	535	485	525	465	440	420	
B	Pierce County, Washington	620	620	570	535	485	525	490	475	420	
C	Southwest Washington	520	450	425	380	380	370	365	365	245	
D	Bellingham Field, Washington	590	555	495	470	470	450	445	420	400	
E	McKay-Lawson Field, Washington	705	665	610	610	610	520	520	520	330	
F	Renton Field, Washington	625	540	510	470	470	470	390	370	310	
G	Cumberland Field, Washington	600	560	510	480	470	495	455	455	310	
H	Healy River Field, Alaska ¹										
I	All other mines, Alaska ¹										
J	Riverton Field, Oregon	555	465		255		255				
K	Marshfield Field, Oregon	555	455		355		355				
L	Marion and Clackamas Counties, Oregon	530	450	425	380	380	370	365	365	245	

¹ Excluded from price schedule.

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses:

Subdistricts	Identification	Maximum prices by size group numbers									
		1, 2, 3, 4, 5	6, 7, 8, 9, 10	11, 12	13, 14	15, 16, 17, 18	19, 20	21	22, 23	24, 25	
A	Roslyn Field, Washington	605	685	620	585	545	595	520	490	470	
B	Pierce County, Washington	670	670	620	595	555	560	535	520	420	
C	Southwest Washington	545	495	470	395	395	445	395	395	270	
D	Bellingham Field, Washington	710	620	570	520	495	525	465	465	340	
E	McKay-Lawson Field, Washington	745	720	685	685	650	645	570	545	365	
F	Renton Field, Washington	635	595	545	520	495	505	500	470	320	
G	Cumberland Field, Washington	645	595	545	505	495	520	495	485	340	
H	Healy River Field, Alaska ¹										
I	All other mines, Alaska ¹										
J	Riverton Field, Oregon	595	445		295		295				
K	Marshfield Field, Oregon	595	495		395		395				
L	Marion and Clackamas Counties, Oregon	555	495	470	395	395	445	395	395	270	

¹ Excluded from price schedule.

(3) Special price instructions:

(i) A charge of no more than 10 cents per net ton may be made for chemical, oil or waxing treatment to allay dust or prevent freezing.

(ii) A charge of no more than 25 cents per net ton may be made for washing coals in Subdistrict A for Size Group 19.

(iii) A charge of no more than 10 cents per net ton may be made for washing coals, in Subdistricts A and C for size groups 13, 15, 16, 21 and 23.

(4) Specific descriptions of size group numbers referred to in subparagraphs (1) and (2):

1. All single-screned lump coals, bottom size larger than 3½".

2. All single-screned lump coals, bottom size larger than 2" but not exceeding 3½".

All double-screned coals, top size larger than 4" and bottom size larger than 2".

3. All single-screned lump coals, bottom size larger than 1" but not exceeding 2".

4 & 5. All single-screned lump coals, bottom size 1".

6. All double-screned coals, top size larger than 3½" but not exceeding 4", and bottom size larger than 1½" but not exceeding 2".

7. All double-screned coals, top size larger than 3¼" but not exceeding 3½", and bottom size larger than 1¼" but not exceeding 2½".

8. All double-screned coals, top size larger than 3" but not exceeding 3¼" and bottom size larger than 1¼" but not exceeding 1½".

9. All double-screned coals, top size larger than 3" but not exceeding 3½" and bottom size larger than 1" but not exceeding 1¼".

10. All double-screned coals, top size larger than 2" but not exceeding 3" and bottom size larger than 1" but not exceeding 1¼".

11. All double-screned coals, top size larger than 2" but not exceeding 2½" and bottom size larger than ¾" but not exceeding 1".

12. All double-screned coals, top size larger than 1¼" but not exceeding 2" and bottom size larger than ¾" but not exceeding 1¼".

13. All double-screned coals top size larger than 1¼" but not exceeding 2" and bottom size larger than 3/32" but not exceeding 3/8".

14. All double-screned coals top size not exceeding 1¼" and bottom size larger than ½" but not exceeding 1".

15. All double-screned coals top size not exceeding 1¼" and bottom size larger than ¾" but not exceeding 1½".

16. All double-screned coals top size not exceeding 1" and bottom size larger than 3/32" but not exceeding 3/8".

17. All double-screned coals top size larger than 1" but not exceeding 1½" and bottom size not exceeding 3/32".

18. All double-screned coals top size not exceeding 1" and bottom size not exceeding 3/32".

19. Mine run and all resultant coals larger than 3½" x 0.

20. All slack coals larger than 2" x 0 but not exceeding 3½" x 0.

21. All slack coals larger than 1¼" x 0 but not exceeding 2" x 0.

22. All slack coals larger than 1" x 0 but not exceeding 1¼" x 0.

23. All slack coals larger than ¾" x 0 but not exceeding 1" x 0.

24. All slack coals larger than 3/32" x 0 but not exceeding ¾" x 0.

25. All slack coals not exceeding 3/32" x 0.

(5) All orders of adjustment and adjustments computed on OPA Form 653-638 under § 1340.207 (added by Amendment No. 74 to this regulation) shall be void as of February 26, 1945.

[§1340.233 amended by Am. 9, 7 F.R. 5560, effective 7-17-42; Am. 35, 8 F.R. 1629, 2873, effective 2-3-43; Am. 73, 8 F.R. 16280, effective 11-29-43; and Am. 132, 10 F.R. 2142, effective 2-26-45]

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

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6368; Filed, Apr. 21, 1945;
11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 2 to Supp. 2¹]

PROCESSED BEANS, PROCESSED MACARONI PRODUCTS AND PROCESSED NOODLE PRODUCTS

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

Supplement 2 to Food Products Regulation No. 1 is amended in the following respects:

1. Section 7a (c) (4) is amended to read as follows:

(4) "Packed fruits and vegetables" means fruits, berries and vegetables, processed and enclosed in any container, whether or not hermetically sealed. However, the term does not include any product (other than processed beans) when processed by freezing, drying or dehydrating, nor does it include any of the packed products known as "preserves", or relishes or pickles packed from other than fresh vegetables.

2. Section 7a (c) (5) is amended to read as follows:

(5) "Median price" means the middle price of a series of prices arranged in order of size or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

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

(d) *Form of application.* Applications for adjustment shall be filed in duplicate on Office of Price Administration Form No. 633-2079 and shall contain the information specified in that form. Copies may be obtained from the Wholesale-Retail and Fruit and Vegetable Branch, Food Price Division, Office of Price Administration, Washington, D. C.

This amendment shall become effective April 26, 1945.

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

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6369; Filed, Apr. 21, 1945;
11:50 a. m.]

¹ 9 F.R. 6722, 14016.

PART 1404—RATIONING OF FOOTWEAR

[RO 6A, Amdt. 17]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

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

Ration Order 6A is amended in the following respects:

1. Section 2.8 is amended to read as follows:

SEC. 2.8 *Supplier may have multiple certificate sub-divided or single certificates combined.* A retailer, distributor or manufacturer may send to the District Office a multiple certificate or single certificates which he is entitled to use in whole or in part to get rubber footwear, and apply on OPA Form R-604 Revised for certificates in smaller or larger units in exchange. The District Office may issue certificates to him for the same type in such reasonable units as he may need but the total number of pairs of rubber footwear called for by the newly issued certificates may not exceed the number of pairs of rubber footwear called for by the certificate or certificates surrendered.

2. Section 2.9 (a) is amended by adding the following: "In the case of an application for currency to replace rubber footwear which has been exported or otherwise transferred under section 3.4 (a), there shall be attached to the application a shipper's export declaration certified by the Collector of Customs or an ocean bill of lading signed by the steamship company, or if the rubber footwear was mailed, a certificate of mailing certified by a postal employee, covering the rubber footwear which was exported."

3. Section 2.11 (e) is added to read as follows:

(e) In addition to or in lieu of an adjustment in inventory granted under the above paragraphs, an establishment may be granted a temporary loan of certificates, if the District Office determines that the applicant's need for an increased inventory is of a temporary nature. Any certificates issued pursuant to this paragraph shall be repaid to the District Office within the period specified by the District Office. The establishment may not forward certificates to any supplier after such period until it has repaid the certificates loaned to it by the District Office.

4. Section 3.4 (a) is amended to read as follows:

(a) *Exports.* Any person may export or otherwise transfer rubber footwear without receiving certificates in the following cases and in accordance with the following provisions:

(1) Rubber footwear may be shipped to a Territory, Possession or Dependency of the United States (other than the District of Columbia) or Canada or trans-

¹ 8 F.R. 9458, 11685, 15704; 9 F.R. 604, 946, 2232, 2302, 3943, 5379, 6361, 7202, 11178, 11961; 10 F.R. 255.

ferred to Ships' Service Stores Afloat or to any person as slop chest 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) Rubber footwear 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.

(3) Rubber footwear may be sent to any Army or Fleet Post Office address by a registered establishment without prior approval from any person or agency.

5. Section 3.5 (b) (10) is amended to read as follows:

(10) Any agency of the United States acquiring rubber footwear 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).

This amendment shall become effective April 25, 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.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6370; Filed, Apr. 21, 1945;
11:50 a. m.]

PART 1306—IRON AND STEEL

[MPR 4, Amdt. 2]

IRON AND STEEL SCRAP

Correction

In paragraph (c) under amendatory paragraph 7 of Federal Register Document 45-5705, appearing at page 3871 of the issue for Tuesday, April 10, 1945, subparagraph (4) should read as follows:

(4) For preparing into Grade No. 19 (Cut Rails, 2 Feet and Under), \$2.50 per gross ton.

PART 1305—ADMINISTRATION

[Supp. Order 108]

MANUFACTURERS' MAXIMUM AVERAGE PRICES FOR CERTAIN ITEMS OF APPAREL AND APPAREL ACCESSORIES

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

Sec.

1. What this order does.
2. Base periods.
3. How to find your maximum average price.
4. Maximum average price charts and supplementary information.
5. Maximum average price limitation.
6. Surcharges.
7. Makeup operation.
8. Correction of maximum average price chart.
9. Persons who cannot establish a maximum average price for every category.

Sec.

10. Transfers of business which occurred between January 1, 1943 and April 28, 1945.
11. Invoices.
12. Records and reports.
13. Exemption for small volume sellers.
14. Prohibitions and enforcement.
15. Licenses required.
16. How this order may be amended.
17. Orders modifying this order.
18. Delegation of authority.
19. Relation of this order to other price regulations.
20. Definitions.
21. Categories.

Appendix A: Women's and children's outerwear.

Appendix B: Women's and children's underwear, nightwear and lounging wear.

Appendix C: Women's and children's accessories.

Appendix D: Infants' wear.

Appendix E: Men's and boys' clothing.

Appendix F: Men's and boys' furnishings.

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SECTION 1. *What this order does*—(a) *Purpose of this order.* This order is designed to eliminate the inflation of price levels which occurred as manufacturers reduced the proportion of sales of their customary lower priced lines and increased the proportion of sales of higher priced merchandise. Manufacturers subject to this order are required to maintain or restore their sales of lower priced items to the extent necessary to keep the weighted average of their prices during each calendar quarter of the year from exceeding a "maximum average price."

This order does not replace or alter any existing maximum price regulation or order. Each manufacturer is still required to determine his individual maximum prices in accordance with the OPA regulations or orders under which he has been operating. This order provides a new requirement which he must observe in arranging his deliveries by price lines.

(b) *Kinds of commodities covered.* This order applies only to the items of apparel and specified related articles which are described in Appendices A through F. The commodities covered by this order are referred to simply as "items." These items are grouped into "categories" and each category is given a category number. For example, woolen skirts in women's, misses' and junior sizes, constitute Category A-18.

(c) *Who is covered.* This order applies to all manufacturers of items except manufacturers whose total net deliveries (in dollars) of all items covered by this order amounted to less than \$5,000 in each calendar quarter beginning on or after January 1, 1945. (See section 13, "Exemption for small volume sellers").

(1) *Who is a manufacturer.* You are a manufacturer under this order if you either (i) fabricate items from principal materials purchased or produced by you; or (ii) supply to the fabricator the principal materials from which items are made; and you make 5% or more of your total sales (in dollars) of these items to

persons other than individual ultimate consumers.

(2) *Meaning of terms.* (i) For purposes of (1) (i) above, "materials purchased by you" shall not include materials whose sale to you was made or arranged by the person to whom you sold the items made from such materials.

(ii) For purposes of (1) (ii) above, you will be deemed to "supply" material for the fabrication of an item if you consign, sell, or arrange with a third person to sell the material to the fabricator under an agreement or understanding with the fabricator that the items made from the material shall be sold or delivered to you or a person designated by you.

(d) *What transactions are covered.* This order applies to all deliveries of items by manufacturers except deliveries to war procurement agencies (defined in section 20 (c)) and to individual ultimate consumers.

For purposes of this order a "delivery" is a transfer of physical possession of an item from the manufacturer to a purchaser (other than a war procurement agency or an individual ultimate consumer) or to a carrier for shipment to the purchaser. Here transfer of title to the purchaser and setting aside the item by the manufacturer is not a "delivery" within the meaning of this order.

(e) *Where this order applies.* This order applies to all deliveries in the 48 states and the District of Columbia. A transfer within the continental United States of physical possession of an item by the manufacturer to a carrier or to any other person for shipment to a purchaser who is outside the United States is a delivery made within the 48 states or the District of Columbia.

SEC. 2. *Base periods.* If you delivered any items in a particular category at any time between January 1, 1943 and December 31, 1944, you must find your base periods for that category in one of the three ways described below. Your deliveries of items in each category during your base periods determine your maximum average prices under this order. (If you delivered no items at all in a particular category at any time between January 1, 1943 and December 31, 1944, you have no base periods for that category, and must follow the instructions in section 9 to obtain an authorized maximum average price for that category.)

(a) *Year-round base periods.* You may, if you wish, use the entire year from January 1, 1943 to December 31, 1943 as your base period for deliveries of any category throughout the year, if you delivered any items in that category during both halves of 1943.

(b) *Half-year base periods.* You may, if you wish, establish half-year base periods for your deliveries of items in any category during each calendar half-year as follows:

(1) *Deliveries between January 1 and June 30.* Your base period for deliveries of items in any category in the first half of any year is:

(i) January 1-June 30, 1943; or if you made no deliveries in that category during that period, then

(ii) January 1-June 30, 1944; or if you made no deliveries in that category during that period, then

(iii) The calendar half-year during which you made your first delivery of an item in that category after January 1, 1943, but before December 31, 1944.

(2) *Deliveries between July 1 and December 31.* Your base period for deliveries of items in any category during the second half of any year is:

(i) July 1-December 31, 1943; or if you made no deliveries in that category during that period, then

(ii) July 1-December 31, 1944; or if you made no deliveries in that category during that period, then

(iii) The calendar half-year during which you made your first delivery of an item in that category after January 1, 1943, but before December 31, 1944.

(c) *Quarterly base periods.* If you have not established a year-round base period or half-year base periods for any category, you must establish quarterly base periods for your deliveries of items in that category during each calendar quarter as follows:

(1) *Deliveries between January 1 and March 31.* Your base period for deliveries of items in any category in the first quarter of any year is:

(i) January 1-March 31, 1943; or if you made no deliveries in that category during that period, then

(ii) January 1 to March 31, 1944; or if you made no deliveries in that category during that period, then

(iii) The calendar quarter during which you made your first delivery of an item in that category after January 1, 1943, but before December 31, 1944.

(2) *Deliveries between April 1 and June 30.* Your base period for deliveries of items in any category in the second quarter of any year is:

(i) April 1-June 30, 1943; or if you made no deliveries in that category during that period, then

(ii) April 1-June 30, 1944; or if you made no deliveries in that category during that period, then

(iii) The calendar quarter during which you made your first delivery of an item in the category after January 1, 1943, but before December 31, 1944.

(3) *Deliveries between July 1 and September 30.* Your base period for deliveries of items in any category in the third quarter of any year is:

(i) July 1-September 30, 1943; or if you made no deliveries in that category during that period, then

(ii) July 1-September 30, 1944; or if you made no deliveries in that category during that period, then

(iii) The calendar quarter during which you made your first delivery of an item in that category after January 1, 1943, but before December 31, 1944.

(4) *Deliveries between October 1 and December 31.* Your base period for deliveries of items in any category in the fourth quarter of any year is:

(i) October 1-December 31, 1943; or if you made no deliveries in that category during that period; then

(ii) October 1-December 31, 1944; or if you made no deliveries in that category during that period; then

(iii) The calendar quarter during which you made your first delivery of an item in the category after January 1, 1943, but before December 31, 1944.

SEC. 3. How to find your maximum average price. You must find for each category the weighted average price at which you delivered items during each base period. If you use a year-round base period for any category, you will find one weighted average price; if you use half-year base periods, you will find your weighted average price for each half-year; if you use quarterly base periods for any category, you will find your weighted average price for each quarter.

Your maximum average price for each category during any calendar quarter is the weighted average price at which you delivered items in that category as a manufacturer (as defined in section 1 (c)) during the base period which includes that calendar quarter. You find your weighted average price for each category by dividing the "total net dollar amount charged"¹ for the items you delivered during the base period for that category by the number of units² you delivered. You may find the total net dollar amount charged and the number of units delivered by adding the net amounts and the units shown on all invoices bearing dates within the appropriate base period, if you cannot determine from your other records what your deliveries were.

Example 1: You find that in the appropriate base period you delivered 500 women's rayon dresses (Category A-28) at \$6.75 less 8%, 1,000 dresses at \$5.75 less 8%, and 2,000 dresses at \$4.75 less 3%. You convert these prices respectively to \$6.21, \$5.29 and \$4.61 net. You then add $500 \times \$6.21$, $1,000 \times \$5.29$, and $2,000 \times \$4.61$, and find that your total net dollar amount charged was \$17,615. Your total number of units delivered was 3,500 dresses (2,000+1,000+500). Dividing \$17,615.00 by 3,500 results in a weighted average price of \$5.032 per dress. (Round your weighted average price to the nearest cent; i. e., \$5.032 becomes \$5.03 and \$5.035 becomes \$5.04.) \$5.03 is your maximum average price for this category.

SEC. 4. Maximum average price charts and supplementary information—(a) Who must file a maximum average price chart. On or before May 31, 1945, if you have base periods under section 2, you must file with your OPA District Office³ two copies (signed by an owner, officer or principal) of your chart of maximum average prices. (If you made no deliveries prior to December 31, 1944 you need not file a chart. The order issued to you upon application under section 9 will contain your chart.) On and after June 18, 1945 you may not deliver any item covered by this order until you have received acknowledgment from the OPA of the filing of your chart.

(b) *Contents of maximum average price chart.* Your chart must contain the following information:

¹The term "total net dollar amount charged" is defined in section 20 (a).

²The term "unit" is defined in section 20 (b).

³"Your OPA District Office" means the district office having jurisdiction over the area in which is located your main office from which your billings are made.

(1) Your business name, the address of your main office from which your billings are made, and the addresses of all your plants which produce items covered by this order.

(2) Category number and title of each category in which you delivered any items between January 1, 1943 and December 31, 1944.

(3) For each category listed in (2):

(i) Beginning and end dates of each of your base periods,

(ii) The total net dollar amount charged for items you delivered in the category during each base period,

(iii) The total number of "units" you delivered in the category during each base period (specifying the unit used for the category, e. g., dozen, gross, etc.), and

(iv) Your maximum average price for the category—(ii) divided by (iii).

(c) *Supplementary information.* You must file two copies of a supplementary statement with your maximum average price chart, identified with your business name and address.

(1) *Information from all sellers.* As to each category listed on your chart, you must state for the first quarter of 1945, the total net dollar amount charged for items you delivered, the total number of units delivered, and your weighted average price (total net dollar amount charged divided by total number of units delivered). If, however, a particular category was "out of season" in the first quarter of 1945, you must list the total net dollar amount charged, the number of units delivered and your weighted average price for that category in the fourth quarter of 1944 instead. A category shall be considered "out of season" in the first quarter of 1945 if the total number of units delivered during that quarter in that category was less than 10% of your 1944 unit volume in that category.

(2) *Additional information from sellers with base periods beginning on or after January 1, 1944.* If you have listed on your chart for any category, a base period which begins on or after January 1, 1944, you must state the date of your first delivery of each such category, and the following information concerning the previous business experience of all officers, principals, and any persons owning 10% or more of your firm:

(i) Business name and address of each firm, which produced items covered by this order, with which each person was connected during 1941, 1942, and 1943.

(ii) Position of the person in each firm, i. e., owner, production man, etc.

(iii) Items produced by each firm.

However, if the information required above has been supplied under the provisions of any OPA price regulation, you need only state the number of the regulation, the date on which the information was supplied, the name of the firm which supplied the information, the name of the persons about whom this information was supplied, and the OPA office where the information was filed.

(d) *Revision of maximum average prices.* At any time after the filing of your maximum average price chart, the OPA may reduce your maximum average prices for any category for which your

base period begins on or after January 1, 1944.

(e) *Example of a maximum average price chart.* The following is a sample

maximum average price chart which shows how you may arrange your own chart. This form may be duplicated but will not be furnished by the OPA.

OPA MAXIMUM AVERAGE PRICE CHART UNDER SUPPLEMENTARY ORDER 108

XYZ Manufacturing Co.
Main office from which billings are made is located at: 2132 Maple Ave., Stamford, Conn.
Plants which produce items covered by SO 108 are located at:
5440 Oak St., Hazleton, Pa.
2132 Maple Ave., Stamford, Conn.
Information on each category delivered between Jan. 1, 1943, and Dec. 31, 1944:

FIRST HALF OF CALENDAR YEAR				
Category number and title	Beginning and end dates of base period	Total net dollar amount charged for base period deliveries	Total number of units delivered during base period	Maximum average price
E-63 Men's cotton slack suits.....	Jan. 1-June 30, 1943.....	\$160,000.00	38,000.....	\$5.00 each.
E-72 Men's cotton sport shirts.....	Jan. 1-June 30, 1944.....	\$26,000.00	2,080 doz.....	\$12.50 doz.
SECOND HALF OF CALENDAR YEAR				
E-63 Men's cotton slack suits.....	July 1-Dec. 31, 1943.....	\$198,950.00	34,600.....	\$5.75 each.
E-72 Men's cotton sport shirts.....	July 1-Dec. 31, 1943.....	\$24,375.00	1,500 doz.....	\$16.25 doz.
ALL YEAR ROUND				
E-64 Men's regular-weight slack suits..	Jan. 1-Dec. 31, 1943.....	\$249,935.00	38,600.....	\$6.45 each.

Signed: XYZ Manufacturing Company
By: John Jones,
Title: Secretary-Treas.

NOTE: If all your categories have a year-round base period and, therefore, one maximum average price all year-round, your chart need not show the headings relating to half-year periods. Of course, if you list a particular category under "All Year-Round", you cannot also list it under the two half-year headings and vice versa. If you choose to establish quarterly base periods for any category, you would have four headings for that category, one for each quarter, and you would list them as 1st, 2d, 3d and 4th quarters just as the example above lists First Half and Second Half of Calendar Year.

SEC. 5. Maximum average price limitation. On and after June 1, 1945, your weighted average price for deliveries of items in any category in any calendar quarter should not be higher than your maximum average price for that category in the period in which that quarter occurs. Your prices on individual items or for individual deliveries may be higher or lower than your maximum average price, although, of course, they may not exceed your ceiling prices (including your highest price line limitations) for the individual items. However, at the end of each calendar quarter your weighted average price for all items in that category delivered during the quarter should not exceed your maximum average price for that category. You find your weighted average price by dividing the total net dollar amount charged for items you delivered in each category during the quarter by the number of units you delivered.

NOTE: Although your maximum average prices may be determined by your deliveries during quarterly, half-year, or year-round base periods, your weighted average price for each calendar quarter must be figured at the end of the quarter. Your records must be kept on a quarterly basis and the amount, if any, by which your weighted average price is higher or lower than your maximum average price is also figured on a quarterly basis. However, the first period of operation under this order begins on June 1, 1945 and ends on September 30, 1945. June 1945 is

counted into the third calendar quarter of 1945.

SEC. 6. Surcharges—(a) What is a surcharge. A surcharge is the amount by which your weighted average price in a category for any quarter exceeded your maximum average price for that category, multiplied by the number of units you delivered in the category.

(b) *When to compute a surcharge.* If your weighted average price for the items delivered in any category in any calendar quarter was more than your maximum average price for that category (in the period in which that quarter occurs) you must compute your surcharge as described in (c) below.

(c) *How to find your total surcharge—*
(1) *Net surcharge.* You find your net surcharge for the quarter in each category as follows:

Step 1. Subtract your maximum average price from your weighted average price for that category;

Step 2. Multiply this amount by the number of units of that category you delivered in that quarter;

Step 3. Subtract any "credit" which you may have earned for that category in the quarter immediately preceding the quarter in which you incurred a surcharge. The result is the net surcharge for that category.

(2) *Credit.* If at the end of any quarter, your weighted average price in any category is less than your maximum average price for that category, you have earned a "credit" in that category. You find the amount of the credit by subtracting your weighted average price from your maximum average price and multiplying this amount by the number of units of that category you delivered during that quarter. This credit may be used only to offset a surcharge incurred in the same category during the next calendar quarter.

(3) *Total surcharge.* If you have incurred a net surcharge in one or more categories, you must add together the

dollar amounts of all the surcharges. This is your total surcharge for the quarter. You must begin to operate on a makeup basis on the first day of the quarter immediately following the quarter in which you incurred the surcharge.

NOTE: The "weighted average price" referred to in this section and in section 5 is your weighted average price for items delivered when you were not operating on a makeup basis as described in section 7.

SEC. 7. Makeup operation. If you have incurred a net surcharge in one or more categories in any calendar quarter you must start to operate on a makeup basis at the beginning of the next quarter. After the thirtieth day of that quarter and until you have made up your total surcharge, you may not deliver pursuant to an offer or a sale any item in any category (including categories in which you have not incurred a net surcharge), at a net price higher than your maximum average price for that category at the time of delivery. In other words, your maximum average price is the highest net ceiling price you may establish during a makeup period after the thirtieth day.

Your total surcharge is made up when the weighted average prices of your deliveries in all categories are sufficiently below the maximum average prices for those categories at the time of delivery so that the differences between the two, when multiplied by the number of units delivered in each category during the makeup period, are equal to the amount of your total surcharge. You may make up your total surcharge by delivering items at prices below your maximum average prices in any categories whether or not you incurred a surcharge in those categories.

Once you have made up your total surcharge, you may cease to operate on a makeup basis. Deliveries made during a period of makeup operation may not be included in the computation of your weighted average price for the remainder of any calendar quarter during which you have made up a surcharge. However, all deliveries made during the remainder of any quarter after you have made up a surcharge are included in the computation of your weighted average price for that quarter.

An explanation of the record keeping and reporting requirements, during a makeup period is given in section 12 of this order, together with suggested forms for keeping these records and preparing these reports.

SEC. 8. Correction of maximum average price chart. If you have filed a maximum average price chart and later find that your chart was incomplete or incorrect, you must file a corrected chart at once with the OPA District Office with which you filed your original chart. However, if your maximum average price for any category on your corrected chart is higher than the maximum average price for that category listed on your previously filed chart, you may not use the higher average price until you have received acknowledgment from the OPA of the receipt of your corrected chart.

SEC. 9. Persons who cannot establish a maximum average price for every cate-

gory—(a) *Persons who are unable to establish base periods under section 2.* Except in the case of transfers of business as provided in section 10, if you made no deliveries at all in a particular category between January 1, 1943 and December 31, 1944, you may not deliver any items in that category after June 17, 1945 until you have received an order from the OPA establishing a maximum average price for that category.

However, if you made your first delivery of any item in that category between December 31, 1944 and April 28, 1945 and if you file your application under this section and receive an acknowledgment from the OPA dated on or before May 31, 1945, you may deliver items in that category at ceiling prices established under the appropriate regulation without regard to the requirements of this order, until an order has been issued to you under this section: Except that, until an order is issued, you must not deliver any item in that category at a price higher than the highest maximum price you have already established for any item in that category which you delivered before April 28, 1945. If you have not received an acknowledgment of the receipt of your application dated before June 1, 1945, you may not deliver any items in the category after June 17, 1945 until an order has been issued to you under this section.

You must file with your OPA District Office two copies (signed by an officer, owner or principal) of an application stating:

- (1) Your business name and address;
- (2) Category number and title of each category for which you wish to establish maximum average prices;
- (3) If you have delivered any of the categories listed in (2), the date of your first delivery in each category, and for each category the total net dollar amount charged for items you delivered, the total number of units delivered (specifying the unit used; e. g., dozens, gross, etc.) and your weighted average price for all items delivered between your first delivery and the date of your application, both inclusive;
- (4) Whether you have made application to the War Production Board for priority assistance to obtain materials to manufacture any of the categories listed in (2);
- (5) If you were not in business prior to December 31, 1944, a statement of the previous business experience in apparel and related industries of all officers, principals and any persons owning 10 percent or more of your firm, in the following detail:
 - (i) Business name and address of each firm with which each person was connected during 1941, 1942 and 1943;
 - (ii) Position of the person in each such firm, e. g., owner, production man, etc.;
 - (iii) Commodities produced by each firm listed in (i).

The OPA will authorize maximum average prices for each category for applicants in line with relevant previous experience of the firm or the owners of the firm or in line with the general level of average prices for the industry of which the applicant is a member.

(b) *Other persons who cannot establish maximum average prices for every category.* If you cannot prepare a maximum average price chart and determine your maximum average price for a particular category because you do not have sufficient records or for any other reason, you may not deliver any items in that category after June 17, 1945 until you have received an order from the OPA establishing a maximum average price for the category.

However, if you delivered items in that category before April 28, 1945; and if you file your application under this section and receive an acknowledgment from the OPA dated on or before May 31, 1945, you may deliver items in that category at ceiling prices established under the appropriate regulation without regard to the requirements of this order, until an order has been issued to you under this section: Except that, until an order is issued, you must not deliver any item in that category at a price higher than the highest maximum price you have already established for any item in that category which you delivered before April 28, 1945. If you have not received an acknowledgment of the receipt of your application dated before June 1, 1945, you may not deliver any items in the category after June 17, 1945 until an order has been issued to you under this section.

You must file with your OPA District Office two copies (signed by an owner, officer or principal) of an application stating:

- (1) Your business name and address;
- (2) Category number and title of each category for which you cannot establish your maximum average price;
- (3) The reasons you cannot establish maximum average prices for each category listed in (2);
- (4) The weighted average price at which you delivered each category listed in (2) during the last three months prior to the date of the application;
- (5) Your appropriate base period under section 2 for each category listed in (2); and
- (6) Whether you have made application to the War Production Board for priority assistance to obtain materials to manufacture any of the categories listed in (2).

The OPA will authorize maximum average prices for each category for applicants in line with relevant previous experience of the firms or in line with the general level of average prices for the industry of which the applicant is a member.

(c) *Changes in ownership of persons who have been granted orders under this section.* If you have received an order under this section authorizing you to establish maximum average prices you must report any substantial change of ownership to the OPA District Office which issued the original order. This report shall include the names of any new owners, officers or principals and their previous business experience in the detail indicated in (a) (5) above.

(d) *Revision or revocation of orders.* All orders issued pursuant to this section may be revised or revoked at any time by the OPA.

SEC. 10. *Transfers of business which occurred between January 1, 1943 and April 28, 1945—(a) What is a transfer.* If a substantial part of the business, assets or stock in trade of a business was sold or otherwise transferred between January 1, 1943 and April 28, 1945, and the transferee carried on the business or continued to manufacture the same items in an establishment separate and apart from any other establishment previously owned or operated by him, the maximum average prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferee must secure from the transferor all records of transactions prior to the transfer, which are necessary to enable the transferee to comply with the provisions of this order.

(b) *Filing of charts.* The transferee shall file a maximum average price chart based on his transferor's experience, using the proper base periods which could have been used by his transferor if no transfer had occurred. If the transferor's records are not available to the transferee, the transferee must file his application under section 9 for specific authorization and is subject to all the requirements of that section.

(c) *Mergers and combinations.* If, between January 1, 1943 and April 28, 1945, two or more manufacturers merged, consolidated or combined and continued to operate as one manufacturer, the manufacturer who continued to operate shall establish his maximum average prices under this order as if he were the predecessor manufacturer who had had the largest dollar volume of sales of all goods during the twelve months immediately preceding the merger or combination.

SEC. 11. *Invoices.* You must in connection with every delivery (including deliveries for cash) of items covered by this order, furnish an invoice to the purchaser. This invoice must contain at least the following information:

- (a) The date,
- (b) The name and address of the seller and purchaser,
- (c) A brief description of each item delivered (for example, infants' cotton shirts),
- (d) Number of units of each item described (specifying the unit used, e. g., dozens, gross, etc.),
- (e) The price per unit charged for each item, and
- (f) All discounts offered.

SEC. 12. *Records and reports—(a) Records.* You must keep the records required by this order available for examination by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The records required by this order, including invoices, must be kept in your main office from which your billings are made.

(1) *Original records.* You must keep all the original records, including invoices and other data used by you in preparing your maximum average price chart.

(2) *Invoices.* You must keep a copy of each invoice you give in connection with your deliveries of items covered by this order.

(3) *Charts, reports and orders.* You must keep copies of your maximum average price chart, all reports you file with the OPA under this order and all individual orders affecting you issued by the OPA.

(4) *Makeup operation record.* If you are operating on a makeup basis, you must keep a daily or weekly cumulative record, by category, of the total net dollar amount charged for items delivered, the total number of units delivered and the amount of surcharge made up. This record must be kept separately for each quarter during which you operate on a makeup basis.

To find your cumulative net dollar amount charged, you add each day's or week's net charges in a category to the total of all the preceding net charges in that category since the beginning of the quarter. To find your cumulative number of units delivered, you add the number of units delivered each day or week to the total of all the units previously delivered since the beginning of the quarter. To find the cumulative amount of surcharge made up you multiply the cumulative number of units delivered by your maximum average price and subtract from the result your cumulative net dollar amount charged.

If you delivered items in more than one category, you then add the individual amounts of surcharge made up in each category to find the cumulative amount of total surcharge which has been made up. You must keep a daily or weekly record of the cumulative amount of total surcharge which has been made up each day or week.

At the end of a makeup operation (that is, when the total surcharge has been made up), you draw a line across your delivery record separating your makeup operation from your subsequent operation and note the date on the line. Of course, the end date of your makeup operation will be the same for all categories you deliver because as soon as you have made up your total surcharge you may resume your usual range of deliveries in all categories.

(5) *Optional records.* (i) It is not required but it is suggested that you keep at all times, to assist you in complying with this order, a daily cumulative record, by category, of the net dollar amount charged for items delivered and the number of units delivered, as described in (4) above. It is also suggested that you keep a record of your cumulative weighted average price.

To find your daily cumulative weighted average price in any category you divide the cumulative net dollar amount charged by the cumulative number of units delivered in that category. In this way, you can see from day to day whether your weighted average price for each category is higher or lower than your maximum average price.

If you do not keep this daily cumulative record, it is suggested that two or three weeks before the end of each quarter you determine your weighted average price up to that time so that you may know how to arrange your deliveries during the balance of the quarter to avoid incurring a surcharge at the end of the quarter.

(ii) As an alternative, you may keep a simple record, by category, of your deliveries of items covered by this order.

For each day's or week's, or month's deliveries you would show separately for each category: (a) the period covered (day, week, or month), (b) the total net dollar amount charged for items delivered in that period, and (c) the total number of units delivered in that period.

(6) *Suggested forms for keeping the records described in subparagraphs (4) and (5).* These forms may be duplicated but will not be furnished by the OPA.

OPA DELIVERY RECORD UNDER SECTION 12 (a) (5) (ii) OF S. O. 108, CATEGORY A-10, WOMEN'S, MISSES', AND JUNIORS' WOOL JACKETS
June 1 through September 30, 1945
Maximum Average Price: \$5.45

(1) Date	(2) Total net dollar amount charged for items delivered on date specified	(3) Total number of units delivered on date specified
6/7.....	\$760	120
6/8.....	300	60
6/11.....	400	84
9/28.....	500	100
Summary for the quarter:		
Total net dollar amount charged.....	\$21,370	(Total column 2 for the quarter)
Total number of units delivered.....	3,475	(Total column 3 for the quarter)
Weighted average price (\$21,370 ÷ 3,475).....	\$6.15	
Dollar amount of net surcharge (\$6.15 minus \$5.45 equals \$0.70) (\$0.70 x 3,475 equals \$2,432.50)	\$2,432.50	

NOTE: This sample form shows, for one category only, a way for you to arrange a daily delivered record in accordance with subparagraph (5) (ii) of this section. The filled-in figures show how the necessary computations would be made for the first quarter of operation under this order (that is, the third calendar quarter of 1945) by a manufacturer who delivered only one category, Category A-10, and who incurred a surcharge in that category. The figures shown under the heading "Summary for the Quarter", need not be shown in your delivery or makeup operation records but serve to illustrate the outcome of this manufacturer's operations.

The record for the third quarter of 1945 shows that this manufacturer exceeded his maximum average price for the period of the year in which the third quarter falls. Therefore, he must figure the dollar amount of net surcharge which he incurred in Category A-10 and that amount is his total surcharge for the third quarter. If he had delivered more than one category in that quarter, he would have added the dollar amounts of net surcharge in all his categories to find the dollar amount of his total surcharge for the quarter.

From the beginning of the fourth calendar quarter this manufacturer must operate on a makeup basis until he makes up his total surcharge incurred in the third quarter. The sample form below shows how he can arrange his records which he is keeping daily, and make the necessary computations for that part of the fourth quarter of 1945 during which he is on a makeup basis. The form further illustrates how he can keep his records after he has made up his total surcharge if he chooses to use the suggested cumulative delivery record described in subparagraph (5) instead of the simple record of daily deliveries.

OPA MAKEUP OPERATION AND DELIVERY RECORDS UNDER SECTION 12 (A) (4) AND (5) (I) OF S. O. 108

Category A-10, Women's, Misses' and Juniors' Wool Jackets
October 1 through December 31, 1945
Maximum Average Price \$5.45

(1) Date	(2) Cumulative net dollar amount charged for items delivered	(3) Cumulative number of units delivered	(4) Cumulative dollar amount of surcharge made up [(3) X MAP minus (2)]
10/1.....	\$645.00	100	None
10/2.....	2,535.00	400	None
10/3.....	4,760.00	900	\$145
10/4.....	6,960.00	1,300	125
10/5.....	10,110.00	1,900	245
10/6.....	10,670.00	2,000	230
10/8.....	12,250.00	2,200	215
10/9.....	14,790.00	2,800	470
10/10.....	16,910.00	3,200	530
10/12.....	17,455.00	3,300	550
10/15.....	18,470.00	3,600	1,150
10/16.....	20,445.00	4,100	1,900
10/17.....	22,816.85	4,633	2,433
10/17.....	End of Makeup Operation		
10/17.....	645.00	100	.....
10/19.....	1,735.00	300	.....
10/20.....	3,910.00	600	.....
10/23.....	4,700.00	800	.....
12/31.....	22,572.00	4,400	.....

Summary for the quarter (excluding deliveries made while on makeup basis):

Total net dollar amount charged.....	\$22,572.00
Total number of units delivered.....	4,400
Weighted average price.....	\$5.13
Dollar amount of credit.....	\$1,408.00
[\$5.45 - \$5.13 = \$0.32	
\$0.32 X 4400 = \$1,408.00]	

NOTE: The record of this manufacturer for the fourth quarter of 1945 shows how the cumulative dollar amount of surcharge made up (column 4) can be computed directly at any time by using the cumulative figures

OPA QUARTERLY REPORT UNDER SECTION 12 (b) (1) OF SUPPLEMENTARY ORDER

A B C Manufacturing Company
Address: 123 Main Street, Dover, N. J.
This report covers third calendar quarter of 1945 (June 1 through September 30, 1945) Information on each category delivered during the quarter:

Category number and title	Maximum average price	Total net dollar amount charged for deliveries	Total number of units delivered	Weighted average price	Dollar amount of credit	Dollar amount of net surcharge
A-10 Women's wool jackets.....	\$6.45	\$20,850	3,000	\$6.95	-----	\$1,500
A-26 Women's wool dresses.....	7.50	29,400	4,000	7.35	-----	-----
A-18 Women's wool skirts.....	3.50	19,250	5,500	3.50	-----	-----

Dollar amount of total surcharge for all categories combined..... \$1,500
Signed: A B C MANUFACTURING COMPANY.
By: GEORGE BLACK,
Title: President.

OPA MAKEUP REPORT UNDER SECTION 12 (b) (2) OF SUPPLEMENTARY ORDER 108

ABC Manufacturing Co.
Address: 123 Main Street, Dover, N. J.
This report covers period from October 1 through October 25, 1945.
Dollar amount of total surcharge at beginning of period: \$1,500.00.
Information on each category delivered during the period:

Category number and title	Maximum average price	Total net dollar amount charged for deliveries	Total number of units delivered	Dollar amount of surcharge made up
A-10 women's wool jackets.....	\$6.45	\$12,300.00	2,000	\$600.00
A-26 women's wool dresses.....	7.50	4,900.00	1,000	600.00
A-18 women's wool skirts.....	3.50	4,950.00	1,500	300.00

Dollar amount of total surcharge made up in all categories combined..... \$1,500.00
Signed: ABC Manufacturing Co.
By: GEORGE BLACK,
Title: President.

OPA QUARTERLY REPORT UNDER SECTION 12 (b) (1) OF SUPPLEMENTARY ORDER 108

ABC Manufacturing Co.
Address: 123 Main Street, Dover, N. J.
This report covers fourth calendar quarter (not including deliveries made while operating on makeup basis):

Category number and title	Maximum average price	Total net dollar amount charged for deliveries	Total number of units delivered	Weighted average price	Dollar amount of credit	Dollar amount of net surcharge
A-10 women's wool jackets.....	\$6.45	\$8,288.25	1,285	\$6.45	-----	-----
A-26 women's wool dresses.....	7.50	13,400.00	2,000	7.75	-----	-----
A-18 women's wool skirts.....	3.50	8,575.00	2,450	3.50	-----	-----

Signed: ABC Manufacturing Co.
By: GEORGE BLACK,
Title: President.

The three sample reports, above, show how you may arrange your own quarterly and makeup reports. The first report shown is for the first quarter of operation and therefore would be filed within 20 days after the end of the quarter specified in the report. This report shows that in Category A-10 the report-

(vii) Weighted average price for each category;
(viii) Dollar amount of credit or net surcharge, if any, for each category;
(ix) Dollar amount of total surcharge, if any, for all categories combined.
Deliveries made while operating on a makeup basis shall not be included in the above report.

(2) *Makeup reports.* If you have been operating on a makeup basis, you must file with your OPA District Office two copies of a report (signed by an owner, officer, or principal) covering your makeup operation within 10 days after you complete your makeup operation. If you do not make up your total surcharge during the calendar quarter after the quarter in which it was incurred you must file this report instead of the quarterly report for that quarter, and for each succeeding quarter in which you operate wholly on a makeup basis. In addition, you must file a final report of that portion of your makeup operation not previously reported within 10 days after the day on which you completely make up your total surcharge. Each makeup report must contain the following information:

- (i) Your business name and address;
- (ii) The beginning and end dates of the period covered by the report;
- (iii) Your total surcharge at the beginning of the period (total surcharge incurred less any amount previously made up and reported);
- (iv) For each category you delivered during the period:

- (a) Category number and title;
- (b) Maximum average price for the period;
- (c) Total net dollar amount charged during the period;
- (d) Total number of units delivered;
- (e) Dollar amount of surcharge made up;
- (v) Dollar amount of total surcharge you made up in all categories combined during the period.

(3) *Examples of reports under paragraph (b) (1) and (2).* These reporting forms may be duplicated but will not be furnished by the OPA.

entered in columns 2 and 3. By October 17 his deliveries were such that the cumulative dollar amount of surcharge made up was equal to the total surcharge and, therefore, that date is shown on a line drawn across his record to indicate the end of his makeup operation. His record shows that he made additional deliveries on that date which he recorded separately in his record for the remainder of the quarter when he was no longer on a makeup basis.
Since the entries in columns 2 and 3 of the form shown above are cumulative, the entries for the last day's deliveries in the quarter are automatically the final figures for the manufacturer's entire operation in Category A-10 for that quarter. For all deliveries he made during the remainder of that quarter, after he ceased operating on a makeup basis, his record shows that his weighted average price was less than his maximum average price, that is, he had earned a credit in Category A-10. Of course, he will be able to use this credit only at the end of the next quarter (first quarter of 1946) by subtracting it from his surcharge, if any, in Category A-10.

As explained in subparagraph (5) of this section, he can determine his cumulative weighted average price at any time during the quarter by dividing the cumulative net dollar amount charged (column 2) by the cumulative number of units delivered (column 3).

(b) *Reports—(1) Quarterly reports.* Within 20 days after the end of each calendar quarter, you must file with your OPA District Office two copies of a report (signed by an owner, officer or principal) covering all categories which you delivered during the quarter. This report shall contain the following:

- (i) Your business name and address;
- (ii) Calendar quarter covered by the report;
- (iii) Category number and title of each category delivered during the quarter;
- (iv) Maximum average price for each category listed in (iii);
- (v) Total net dollar amount charged for deliveries during the quarter for each category;
- (vi) Total number of units delivered in each category;

ing company's weighted average price was more than its maximum average price for the period and therefore a net surcharge had to be computed and reported. In Category A-26 the company earned a credit because its weighted average price was less than its maximum average price for that category in that period. In Category A-18 the weighted average price equaled the maximum average price.

The second and third sample reports show that the reporting company made up its total surcharge during the fourth calendar quarter of 1945, that is, the quarter following the one in which it was incurred; therefore, the second report would be filed within 10 days after the company completed its makeup and the third report shown would be filed within 20 days after the end of the fourth quarter. The dates specified in the makeup report indicate that the company made up the total surcharge incurred in the previous quarter by October 25, at which time it ceased to operate on a makeup basis. The figures shown in the makeup report indicate that the company made up a portion of the total surcharge in each of the categories delivered during the makeup period. The quarterly report covering the remainder of the fourth quarter when the company was not on a makeup basis shows that neither a credit nor a net surcharge was reported for any category in that quarter. In Category A-26 the weighted average price exceeded the maximum average price but the credit of \$600 earned in this category in the third quarter entirely offset the \$500 surcharge incurred in the fourth quarter, resulting in no net surcharge in this category for the fourth quarter.

SEC. 13. Exemption for small volume sellers. If your total net dollar amount charged for deliveries of all items covered by this order was less than \$5,000 in the first quarter of 1945, you are not subject to this order until the calendar quarter immediately following the first quarter in which the total net dollar amount charged for your deliveries of all items covered by this order equals \$5,000 or more. If in any quarter your total net dollar amount charged for deliveries of such items equals \$5,000 or more, you must file your maximum average price chart (or make application under section 9 if you cannot file a maximum average price chart) within 30 days after the end of that quarter. You must begin operating under this order on the first day of the next quarter after you have received acknowledgment of the filing of your maximum average price chart (or you have received an order under section 9).

SEC. 14. Prohibitions and enforcement—(a) Prohibitions. On and after June 1, 1945, regardless of any contract or other obligation:

(1) *Failing to operate on a makeup basis.* If you have incurred a surcharge in any category in any quarter then, after the thirtieth day of the following quarter and until your total surcharge is made up, you must not deliver any item in any category at a price higher

than your maximum average price for that category in the period in which your delivery is made.

(2) *Indirect price increases.* No person shall, for the purpose of evading the price limitations set forth in this order, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller.

(3) *Indirect violations.* No person shall agree, offer, solicit or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this section.

(b) *Enforcement.* Persons violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 15. Licenses required. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, or regulations or orders. A person whose license is suspended may not, during the period of suspension, make any sale for which his license is suspended.

SEC. 16. How this order may be amended. Any person seeking an amendment of any provisions of this order may file a petition for amendment of general applicability in accordance with the provisions of Revised Procedural Regulation No. 1.⁸

SEC. 17. Orders modifying this order. The provisions of this order, as applied to certain commodities or classes of persons subject to this order, may be modified by special orders under this section.

SEC. 18. Delegation of authority. Any Regional Office of the OPA or such other offices as may be authorized by order issued by the appropriate Regional Office may act on (a) maximum average price charts filed pursuant to section 4; (b) corrections thereof filed pursuant to section 8; (c) revisions of maximum average prices pursuant to section 4; (d) applications for authorization to establish maximum average prices pursuant to section 9; (e) reports on changes in ownership filed pursuant to section 9 (d); and (f) quarterly and makeup reports filed pursuant to section 12 (b) (1) and (2).

SEC. 19. Relation of this order to other price regulations. This order does not supersede any price regulations under which the maximum price for any item covered by this order is determined. This order supplements each of the price regulations listed below which govern the determination of maximum prices of any of the items described and identified in the categories contained in Appendices A through F of this order.

(a) General Maximum Price Regulation⁹ and Supplementary Regulation 14E¹⁰—Mod-

⁸ 8 F.R. 13240.

⁹ 9 F.R. 10476, 13715.

¹⁰ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

¹¹ 10 F.R. 1154, 2014.

ifications of Maximum Prices Established by General Maximum Price Regulation for Certain Textiles, Leather and Apparel.

(b) Maximum Price Regulation 177¹¹—Men's and Boys' Tailored Clothing.

(c) Maximum Price Regulation 220¹²—Certain Rubber Commodities.

(d) Maximum Price Regulation 221¹³—Manufacturers' Prices for Fall and Winter Knitted Underwear.

(e) Maximum Price Regulation 273¹⁴—Certain Articles of Apparel in Which Materials Have Been Replaced.

(f) Revised Maximum Price Regulation 287¹⁵—Manufacturers' Prices for Women's, Girls', Children's, and Toddlers' Outerwear Garments.

(g) Maximum Price Regulation 332¹⁶—Simplified Men's and Boys' Shirts and pajamas.

(h) Maximum Price Regulation 547¹⁷—Maximum Prices for Specified Low Price-Line Garments.

(i) Maximum Price Regulation 570¹⁸—Women's, Misses' and Children's Underwear, Nightwear and Negligee Garments.

(j) Maximum Price Regulation 578¹⁹—Maximum Prices for Certain Garments Produced with War Production Board Priorities Assistance.

(k) Supplementary Order 96²⁰—Maximum Prices for Certain Goods Rejected or Not Delivered Under a War Procurement Contract.

(l) Second Revised Maximum Export Price Regulation.²¹

SEC. 20. Definitions. (a) "Total net dollar amount charged" means the sum of all the prices charged for items delivered, after the deduction of all cash and trade discounts offered, and the deduction of all separate transportation charges, service charges, premiums and any other separate charges appearing on the invoice. Returns are not to be deducted from "total net dollar amount charged".

(b) "Unit" means the number of individual items which are grouped together for the purposes of quoting prices, billing and counting; e. g., a dozen or a gross or one. The same unit must be used for all items within a single category, and in every case the same unit used in computing the maximum average price for a category in the base period must be used consistently for each subsequent computation for that category.

(c) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the War Shipping Administration, the Procurement Division of the Department of the Treasury of the United States, or any agency of the foregoing, and shall be deemed to include stores operated as Army Canteens, post exchanges, or ship's service activities.

(d) "Price regulation" means a price schedule or order effective in accordance

⁸ 8 F.R. 13713.

⁹ 7 F.R. 7282, 8936, 8948, 11111; 8 F.R. 1584, 2667, 4130, 3942, 6043, 7497.

¹⁰ 7 F.R. 7318, 9615, 10719; 8 F.R. 13847, 4514; 9 F.R. 5174, 11758.

¹¹ 7 F.R. 9637.

¹² 8 F.R. 9122, 10001, 10304; 9 F.R. 974, 12590.

¹³ 8 F.R. 2350, 2783.

¹⁴ 9 F.R. 7701, 10875.

¹⁵ 10 F.R. 655, 1788.

¹⁶ 10 F.R. 2388, 2756, 3052.

¹⁷ 9 F.R. 10492.

¹⁸ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201.

with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, or maximum price regulation issued by the OPA, or any amendment thereto or order thereunder.

(e) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and § 1499.20 of the General Maximum Price Regulation, shall apply to the terms used in this order.

SEC. 21. *Categories*—(a) *Description of categories.* The categories of items listed in the following Appendices are in some cases described in terms of fabric content of the item. In your operation under this order, you must include in your records and reports on deliveries of items in each category, only items which, exclusive of linings, bindings and trimmings, are made of the fabric listed for that category, as defined in paragraph (b) below.

However, if your base period records do not show the same distinctions between "wool", "cotton" and "all other fabrics" as are made by the definitions set forth below, you must separate items made of "wool", "cotton" and "all other fabrics" in accordance with your base period records in computing your maximum average price for each category.

(b) *Definitions of fabrics.* (1) Except where otherwise specifically qualified the terms "wool" and "cotton" when used in the descriptions of categories are defined as follows:

(i) "Wool" fabric means any knitted or woven fabric containing 25% or more, by weight, of new, reprocessed or reused wool fibre.

(ii) "Cotton" fabric means any knitted or woven fabric containing less than 25% wool fibre, by weight, but of which 50% or more, by weight, of the remaining fibres are cotton.

(2) Fabrics, knitted or woven, which do not answer the definitions set forth above for "cotton" fabrics and "wool" fabrics are included in "all other fabrics" or in "other yarns and mixtures" wherever such descriptions appear in a category listing. "Other fabrics" and "other yarns and mixtures" include nylon, rayon, aralac, linen, silk, and all other fibres, mixtures or constructions not specifically defined or listed as part of a category description. "Other fabrics" and "other yarns and mixtures" also include either cotton or wool if these fabrics are not specifically listed for the same commodity in another category.

(c) *Combinations of fabrics.* (1) Items made of a combination of two or more fabrics shall be included in the category listing the fabric which represents the largest portion of the yardage incorporated in the item, exclusive of linings, bindings and trimmings.

(2) Items made of a combination of fabrics and other materials, such as leather, plastics, etc. shall be included in the category listing the material of which the largest portion of the surface area of the item is made, exclusive of linings, bindings and trimmings.

APPENDIX A—WOMEN'S AND CHILDREN'S OUTERWEAR

Note 1. Garments whose maximum prices are subject to MPR 572 are not included in Appendix A.

Note 2. Each category includes items made both of knit and of woven materials except where otherwise specified.

Group I. Coats and suits:

Coats: All coats, capes and wraps, trimmed and untrimmed, sport and dress, except waterproof or water repellent rainwear garments. Children's and toddlers' coat-hat sets sold at a unit price are included.
Suits: All two-piece garments, trimmed and untrimmed, consisting of a jacket (having full or partial lining or bound inner seams) and skirt, sold at a unit price. Two-piece dresses are not included.

Categories

- A-1. Women's, Misses' and Juniors'—Wool.
- A-2. Women's, Misses' and Juniors'—Cotton.
- A-3. Women's, Misses' and Juniors'—All other fabrics.
- A-4. Teen-age and Girls'—Wool.
- A-5. Teen-Age and Girls'—Cotton.
- A-6. Teen-Age and Girls'—All other fabrics.
- A-7. Children's and Toddlers'—Wool.
- A-8. Children's and Toddlers'—Cotton.
- A-9. Children's and Toddlers'—All other fabrics.

Group II. Separate jackets:

All jackets including ski, skating and riding jackets, boleros, jerkins and similar garments, except sweaters. Water repellent and waterproof jackets are included.

Categories

- A-10. Women's, Misses' and Juniors'—Wool.
- A-11. Women's, Misses' and Juniors'—Cotton.
- A-12. Women's, Misses' and Juniors'—All other fabrics.
- A-13. Teen-Age and Girls'—Wool.
- A-14. Teen-Age and Girls'—Cotton.
- A-15. Teen-Age and Girls'—All other fabrics.
- A-16. Children's and Toddlers'—Wool.
- A-17. Children's and Toddlers'—All other fabrics.

Group III. Separate skirts:

Categories

- A-18. Women's, Misses' and Juniors'—Wool.
- A-19. Women's, Misses' and Juniors'—Cotton.
- A-20. Women's, Misses' and Juniors'—All other fabrics.
- A-21. Teen-Age and Girls'—Wool.
- A-22. Teen-Age and Girls'—Cotton.
- A-23. Teen-Age and Girls'—All other fabrics.
- A-24. Children's and Toddlers'—Wool.
- A-25. Children's and Toddlers'—All other fabrics.

Group IV. Dresses:

All one-piece dresses, and all two-piece dresses consisting of a skirt and a separate blouse or jacket (without lining or bound inner seams) sold at a unit price. Such garments include dresses used for street, evening, house or utility wear. Jumpers, pinafores, brunch coats, smocks, Hooverette and bungalow aprons, and similar garments are included. Work dresses and women's work uniforms are not included in this Group. They are listed in Appendix E, Group XXII.

Categories

- A-26. Women's, Misses' and Juniors'—Wool.
- A-27. Women's, Misses' and Juniors'—Cotton.
- A-28. Women's, Misses' and Juniors'—All other fabrics.
- A-29. Teen-Age and Girls'—Wool.
- A-30. Teen-Age and Girls'—Cotton.
- A-31. Teen-Age and Girls'—All other fabrics.
- A-32. Children's and Toddlers'—Wool.
- A-33. Children's and Toddlers'—Cotton.
- A-34. Children's and Toddlers'—All other fabrics.

Group V. *Blouses, including polo and basque shirts and blouses with attached undershirts or slips:*

Categories

- A-35. Women's, Misses' and Juniors'—Wool.
- A-36. Women's, Misses' and Juniors'—Cotton.
- A-37. Women's, Misses' and Juniors'—All other fabrics.
- A-38. Teen-Age and Girls'—Wool.
- A-39. Teen-Age and Girls'—Cotton.
- A-40. Teen-Age and Girls'—All other fabrics.
- A-41. Children's and Toddlers'—Wool.
- A-42. Children's and Toddlers'—Cotton.
- A-43. Children's and Toddlers'—All other fabrics.

Group VI. Snow suits and ski suits:

All one-piece and two-piece snow suits and ski suits. Snow suits and ski suits with separate or attached hoods are included when sold at a unit price.

Categories

- A-44. Teen-Age and Girls'—Wool.
- A-45. Teen-Age and Girls'—All other fabrics.
- A-46. Children's and Toddlers'—Wool.
- A-47. Children's and Toddlers'—All other fabrics.

Group VII. Children's and toddlers' legging sets:

Coats or jackets with leggings, with or without hats, hoods or caps sold at a unit price.

Category

- A-48. All sizes—All fabrics.

Group VIII. Separate leggings and ski pants:

Categories

- A-49. Teen-Age and Girls'—Wool.
- A-50. Teen-Age and Girls'—All other fabrics.
- A-51. Children's and Toddlers'—Wool or wool-and-leather combinations.
- A-52. Children's and Toddlers'—All other fabrics.

Group IX. Slack suits, coveralls and beach pajamas:

One- or two-piece garments consisting of slacks and separate or attached blouse sold at a unit price.

Categories

- A-53. Women's, Misses' and Juniors'—Wool.
- A-54. Women's, Misses' and Juniors'—Cotton.
- A-55. Women's, Misses' and Juniors'—All other fabrics.
- A-56. Teen-Age and Girls'—Wool.
- A-57. Teen-Age and Girls'—Cotton.
- A-58. Teen-Age and Girls'—All other fabrics.
- A-59. Children's and Toddlers'—Wool.
- A-60. Children's and Toddlers'—All other fabrics.

Group X. Separate slacks and overalls:

Categories

- A-61. Women's, Misses' and Juniors'—Wool.
- A-62. Women's, Misses' and Juniors'—Cotton.
- A-63. Women's, Misses' and Juniors'—All other fabrics.
- A-64. Teen-Age and Girls'—Wool.
- A-65. Teen-Age and Girls'—Cotton.
- A-66. Teen-Age and Girls'—All other fabrics.
- A-67. Children's and Toddlers'—Cotton.
- A-68. Children's and Toddlers'—All other fabrics.

Group XI. Shorts:

Shorter than knee-length trousered outer-garments without bodice or with bib-top.

Categories

- A-69. Women's, Misses' and Juniors'—Wool.
- A-70. Women's, Misses' and Juniors'—All other fabrics.
- A-71. Teen-Age and Girls'—Wool.
- A-72. Teen-Age and Girls'—All other fabrics.
- A-73. Children's and Toddlers'—Wool.
- A-74. Children's and Toddlers'—All other fabrics.

Group XII. *Playsuits and sunsuits:*

All one-piece and two-piece playsuits and sunsuits. Playsuits and sunsuits with separate skirts, sold at a unit price are included.

Categories

- A-75. Women's, Misses' and Juniors'—Cotton.
 A-76. Women's, Misses' and Juniors'—All other fabrics.
 A-77. Teen-Age and Girls'—Cotton.
 A-78. Teen-Age and Girls'—All other fabrics.
 A-79. Children's and Toddlers'—All fabrics.

Group XIII. *Bathing suits:*

All one-piece and two-piece bathing suits. Bathing suits with separate skirts, sold at a unit price are included.

Categories

- A-80. Women's, Misses' and Juniors'—Wool.
 A-81. Women's, Misses' and Juniors'—All other fabrics.
 A-82. Teen-Age and Girls'—Wool.
 A-83. Teen-Age and Girls'—All other fabrics.
 A-84. Children's and Toddlers'—Wool.
 A-85. Children's and Toddlers'—All other fabrics.

Group XIV. *Sweaters:**Categories*

- A-86. Women's, Misses' and Juniors'—100% wool.
 A-87. Women's, Misses' and Juniors'—Wool blends, 50% or more wool by weight.
 A-88. Women's, Misses' and Juniors'—Wool blends, less than 50% wool by weight.
 A-89. Women's, Misses' and Juniors'—All other yarns and mixtures.
 A-90. Children's—100% wool.
 A-91. Children's—Wool blends, 50% or more wool by weight.
 A-92. Children's—Wool blends, less than 50% wool by weight.
 A-93. Children's—All other yarns and mixtures.

Group XV. *Water repellent and waterproof coats and capes:**Categories*

- A-94. Women's, Misses' and Juniors'—Wool.
 A-95. Women's, Misses' and Juniors'—All other fabrics.
 A-96. Teen-Age and Girls'—Wool.
 A-97. Teen-Age and Girls'—All other fabrics.
 A-98. Children's and Toddlers'—All fabrics.

Group XVI. *Aprons:*

Protective outer garments, household type, which usually extend from waistline or shoulders to below waistline, secured by streamers or buttons. Women's service apparel and uniforms are not included in this group. They are listed in Appendix E, Group XXII.

Category

- A-99. All sizes—All fabrics.

APPENDIX B—WOMEN'S AND CHILDREN'S UNDERWEAR, NIGHTWEAR, AND LOUNGING WEAR

Note 1: Each category includes items made both of knit and of woven materials except where otherwise specified.

Group I. *Slips, petticoats and slackettes:**Categories*

- B-1. Women's, Misses' and Juniors'—Cotton, woven or knit
 B-2. Women's, Misses' and Juniors'—All other woven fabrics
 B-3. Women's, Misses' and Juniors'—All other knit fabrics
 B-4. Children's and Toddlers'—All fabrics

Group II. *Nightgowns and nightshirts:**Categories*

- B-5. Women's, Misses' and Juniors'—Cotton, woven or knit
 B-6. Women's, Misses' and Juniors'—All other woven fabrics
 B-7. Women's, Misses' and Juniors'—All other knit fabrics

Group I. *Slips, petticoats and slackettes—Continued.**Categories*

- B-8. Children's and Toddlers'—Cotton, woven or knit
 B-9. Children's and Toddlers'—All other woven fabrics
 B-10. Children's and Toddlers'—All other knit fabrics

Group III. *Sleeping pajamas and sleepers:**Categories*

- B-11. Women's, Misses' and Juniors'—Cotton, woven or knit
 B-12. Women's, Misses' and Juniors'—All other woven fabrics
 B-13. Women's, Misses' and Juniors'—All other knit fabrics
 B-14. Children's and Toddlers'—Cotton, woven or knit
 B-15. Children's and Toddlers'—Wool, knit
 B-16. Children's and Toddlers'—All other woven fabrics
 B-17. Children's and Toddlers'—All other knit fabrics

Group IV. *Bedjackets:**Categories*

- B-18. Women's, Misses' and Juniors'—All fabrics
 B-19. Children's and Toddlers'—All fabrics

Group V. *Panties, drawers, bloomers, vests, chemises and dance sets.**Categories*

- B-20. Women's, Misses', and Juniors'—Wool, knit
 B-21. Women's, Misses', and Juniors'—All other knit fabrics
 B-22. Women's, Misses', and Juniors'—All woven fabrics
 B-23. Children's and Toddlers'—Cotton, woven
 B-24. Children's and Toddlers'—Wool, knit
 B-25. Children's and Toddlers'—All other woven fabrics
 B-26. Children's and Toddlers'—All other knit fabrics

Group VI. *Union suits:**Categories*

- B-27. Women's and Misses'—Wool, knit.
 B-28. Women's and Misses'—Cotton, knit.
 B-29. Women's and Misses'—Other yarns and mixtures, knit.
 B-30. Children's and Infants'—Wool, knit.
 B-31. Children's and Infants'—Cotton, knit.
 B-32. Children's and Infants'—Other yarns and mixtures, knit.
 B-33. All sizes—All woven fabrics.

Group VII. *Negligees, housecoats, hostess gowns, bathrobes and beach robes:**Categories*

- B-34. Women's, Misses' and Juniors'—Wool.
 B-35. Women's, Misses' and Juniors'—Cotton.
 B-36. Women's, Misses' and Juniors'—All other fabrics.
 B-37. Children's and Toddlers'—Wool.
 B-38. Children's and Toddlers'—Cotton.
 B-39. Children's and Toddlers'—All other fabrics.

Group VIII. *Lounging pajamas, lounging slacks, lounging tunics and cocktail coats:**Category*

- B-40. All sizes—All fabrics.

Group IX. *Brassters:*

Breast-supporting undergarments extending 3 or more inches below the base of the breast.

Category

- B-41. All sizes—All fabrics.

Group X. *Bandeaus:*

Breast-supporting undergarments extending less than 3 inches below the base of the breast.

Category

- B-42. All sizes—All fabrics.

Group XI. *Girdles and garter belts:**Categories*

- B-43. Girdles with closures: All sizes—All fabrics.
 B-44. Girdles without closures: All sizes—All fabrics.
 B-45. Garter belts: All sizes—All fabrics.

Group XII. *Girdle blanks:**Category*

- B-46. All sizes—All fabrics.

Group XIII. *One-piece foundation garments: One-piece undergarment with hip-containing and breast-supporting features.**Category*

- B-47. All sizes—All fabrics.

APPENDIX C—WOMEN'S AND CHILDREN'S ACCESSORIES

NOTE 1: Garments whose maximum prices are subject to RMPR 506 or MPR 572 are not included in Appendix C.

NOTE 2: Each category includes items made both of knit and of woven materials except where otherwise specified.

Group I. *Dickies, halters, guimpes and vestees:**Category*

- C-1. All sizes—All fabrics.

Group II. *Collars, cuffs and collar-and-cuff sets:**Category*

- C-2. All sizes—All fabrics.

Group III. *Shawls, scarves, headscarves and snoods.**Categories*

- C-3. Wool.
 C-4. All other fabrics.

Group IV. *Handbags:**Categories*

- C-5. Women's—All materials.
 C-6. Children's—All materials.

Group V. *Millinery:*

Hats, bonnets, snowsuits and rain hoods sold separately, berets and similar feminine headcoverings, except shawls, scarves and snoods.

Categories

- C-7. Women's and Misses'—All materials.
 C-8. Girls' and Children's—All materials.
 C-9. Toddlers'—All materials.

Group VI. *Hat bodies and skirtings:**Categories*

- C-10. Hat bodies—Fur felt.
 C-11. Hat bodies—Wool felt.
 C-12. Hat skirtings—Fur felt.

Group VII. *Hat-and-handbag combinations: Combinations of hat and handbag sold at a unit price.**Categories*

- C-13. Women's and Misses'—All materials.
 C-14. Children's—All materials.

Group VIII. *Gloves and mittens, dress and sport:*

Boys' gloves are included in categories C-17 and C-18.

Categories

- C-15. Women's—100% leather.
 C-16. Women's—All other materials.
 C-17. Children's—100% leather.
 C-18. Children's—All other materials.

Group IX. *Handkerchiefs:**Categories*

- C-19. Women's—All fabrics.
 C-20. Children's—All fabrics.

Group X. *Belts:**Categories*

- C-21. Women's and Misses'—All materials.
 C-22. Children's—All materials.

Group XI. *Other sets:*

Any combination (not listed above as a set but sold at a unit price) of two or more items, at least one of which is listed in this Appendix.

Categories

- C-23. Women's and Misses'—All materials.
- C-24. Children's—All materials.

Group XII. *Hosiery, except hosiery covered by MPR 95, MPR 274 and 2nd RMPR 339:*

Boys' hosiery is included in categories C-31 to C-36.

Categories

- C-25. Full fashioned: Women's and Misses' full length and knee length—Wool.
- C-26. Full fashioned: Women's and Misses' full length and knee length—All other yarns and mixtures.
- C-27. Seamless: Women's and Misses' full length and knee length—Wool.
- C-28. Seamless: Women's and Misses' full length and knee length—All other yarns and mixtures.
- C-29. Anklets: Women's and Misses' normally sized 8½ and over—Wool.
- C-30. Anklets: Women's and Misses' normally sized 8½ and over—All other yarns and mixtures.
- C-31. Anklets: Children's and Infants'—All yarns and mixtures.
- C-32. Golf hose, ¾ and ⅝: Children's and Infants'—Wool.
- C-33. Golf hose, ¾ and ⅝: Children's and Infants'—All other yarns and mixtures.
- C-34. Boys' socks—All yarns and mixtures.
- C-35. Children's and Infants': All other types—Wool.
- C-36. Children's and Infants': All other types—All other yarns and mixtures.

APPENDIX D—INFANTS' WEAR

NOTE: Each category includes items made both of knit and of woven materials except where otherwise specified.

Categories for infants' hosiery are listed in Appendix C, Group XII.

Group I. *Vests and shirts:*

Categories

- D-1. Cotton.
- D-2. All other fabrics.

Group II. *Bands:*

Categories

- D-3. Cotton.
- D-4. All other fabrics.

Group III. *Waterproof pants except sheet rubber pants:*

Category

- D-5. All fabrics.

Group IV. *Training pants and soakers:*

Categories

- D-6. Cotton.
- D-7. All other fabrics.

Group V. *Nightgowns, sleepers, wrappers, kimonos, and bathrobes:*

Categories

- D-8. Cotton.
- D-9. All other fabrics.

Group VI. *Slips and gertrudes:*

Category

- D-10. All fabrics.

Group VII. *Bonnets and caps:*

Categories

- D-11. Wool.
- D-12. All other fabrics.

Group VIII. *Sweaters and short sacques:*

Categories

- D-13. Cotton.
- D-14. Wool.
- D-15. All other fabrics.

Group IX. *Dresses and Christening Robes:*

Category

- D-16. All fabrics.

Group X. *Creepers, rompers, crawlers, overalls and sunsuits:*

Category

- D-17. All fabrics.

Group XI. *Buntings:*

Category

- D-18. All fabrics.

Group XII. *Sweater-and-legging sets:*

Categories

- D-19. Wool.
- D-20. All other fabrics.

Group XIII. *Coats, snow suits and carriage suits:*

Infants' outerwear garments, sold at a unit price, consisting of coat or snow suit with or without leggings, bonnet, cap, booties or mittens.

Categories

- D-21. Cotton.
- D-22. Wool.
- D-23. All other fabrics.

Group XIV. *Other sets:*

Any combination (not listed above as a set but sold at a unit price) of two or more items, at least one of which is listed in this Appendix.

Category

- D-24. All fabrics.

APPENDIX E—MEN'S AND BOYS' CLOTHING

NOTE 1: Items the maximum prices of which are subject to RMPR 208, RMPR 304, MPR 385, RMPR 506, and MPR 572, and items sold at fixed uniform prices by contractual agreement with the War or Navy Department are not included in this Appendix.

NOTE 2: Each category includes items made both of knit and of woven materials except where otherwise specified.

NOTE: The term "tailored", as used in this Appendix, refers to any garment the maximum price of which is established under MPR 177. The term "non-tailored" refers to any garment the maximum price of which is not established under MPR 177.

NOTE 4: Where an item is sold in a series of sizes, the entire range is to be included in the one category most nearly applicable. Sales of particular sizes should not be separated from sales of other sizes of the same garment. (If, for example, you manufacture junior cotton pants in sizes 6-14, you should include all sales of the line in Category E 56, captioned "Junior, normally sold in sizes 2-12.")

Group I. *Tailored overcoats, detachable-lined topcoats and overcoats, and detachable linings:*

Any tailored coat commonly known as an overcoat, topcoat, reversible coat, fingertip coat, or cape, made of a fabric weighing more than 22 ounces per linear yard computed on a 54-inch width basis; any tailored coat of any weight sold with a detachable lining at a unit price; and any detachable lining sold separately.

Categories

- E-1. Coats: Men's and Young Men's.
- E-2. Coats: Prep and Student.
- E-3. Coats: Boys' and Cadet.
- E-4. Coats: Juvenile or Junior.
- E-5. Coats: Designed and sold for military or naval service use.
- E-6. Detachable linings or warmers, sold separately: All sizes—All fabrics.

Group II. *Tailored topcoats:*

Any tailored coat commonly known as an overcoat, topcoat, reversible coat, fingertip coat, or cape, made of a fabric weighing 22 ounces or less per linear yard computed on a 54-inch width basis.

Categories

- E-7. Men's and Young Men's.
- E-8. Prep and Student.
- E-9. Boys' and Cadet.
- E-10. Juvenile or Junior.
- E-11. Topcoats designed and sold for military or naval service use.

Group III. *Regular-weight tailored suits:*

Any tailored combination, consisting of pants and coat (with or without vest, sweater, cap, or hat) sold at a unit price, made of a fabric weighing more than 11 ounces per linear yard computed on a 54-inch width basis.

Categories

- E-12. Men's and Young Men's.
- E-13. Prep and Student.
- E-14. Cadet.
- E-15. Boys'.
- E-16. Juvenile or Junior.
- E-17. Uniforms (including pants and blouse or coat) designed and sold for military or naval service use.

Group IV. *Summer-weight tailored suits:*

Any tailored combination consisting of pants and coat (with or without vest, sweater, cap or hat) sold at a unit price, made of a fabric weighing 11 ounces or less per linear yard computed on a 54-inch width basis.

Categories

- E-18. Men's and Young Men's.
- E-19. Prep and Student.
- E-20. Cadet.
- E-21. Boys'.
- E-22. Juvenile or Junior.
- E-23. Uniforms (including pants and blouse or coat) designed and sold for military or naval service use.

Group V. *Regular-weight tailored separate coats:*

Any tailored separate coat or jacket made of a fabric weighing more than 11 ounces per linear yard computed on a 54-inch width basis, excluding topcoats and overcoats.

Categories

- E-24. Men's and Young Men's.
- E-25. Prep and Student.
- E-26. Cadet.
- E-27. Boys'.
- E-28. Juvenile or Junior.
- E-29. Coats or blouses designed and sold for military or naval service use.

Group VI. *Summer-weight tailored separate coats:*

Any tailored separate coat or jacket, made of a fabric weighing 11 ounces or less per linear yard computed on a 54-inch width basis.

Categories

- E-30. Men's and Young Men's.
- E-31. Prep and Student.
- E-32. Cadet.
- E-33. Boys'.
- E-34. Juvenile or Junior.
- E-35. Coats or blouses designed and sold for military or naval service use.

Group VII. *Non-tailored jackets:*

Any non-tailored jacket, less than 28 inches in length in men's sizes and less than 26 inches in length in size 16, with other boys' sizes in pro rata lengths. Jackets cut and sewn from water repellent or waterproof fabrics are included.

Categories

- E-36. Men's, normally sold in sizes 36 and larger, or equivalent—Wool.
- E-36. Men's, normally sold in sizes 36 and larger, or equivalent—All other fabrics.
- E-38. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—Wool.
- E-39. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—All other fabrics.

Group VIII. Non-tailored coats:

Any non-tailored coat, 28 inches or more but less than 33 inches in length in men's sizes and 26 inches or more but less than 30 inches in length in size 16, with other boys' sizes in pro rata lengths. Coats cut and sewn from water repellent and waterproof fabrics are included.

Categories

- E-40. Men's, normally sold in sizes 36 and larger, or equivalent—Wool.
- E-41. Men's, normally sold in sizes 36 and larger, or equivalent—All other fabrics.
- E-42. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—Wool.
- E-43. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—All other fabrics.

Group IX. Non-tailored longer coats:

Any non-tailored coat, 33 inches or more in length in men's sizes and 30 inches or more in length in size 16, with other boys' sizes in pro rata lengths. Coats cut and sewn from water repellent and waterproof fabrics are included.

Categories

- E-44. Men's, normally sold in sizes 36 and larger, or equivalent—Wool.
- E-45. Men's, normally sold in sizes 36 and larger, or equivalent—All other fabrics.
- E-46. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—Wool.
- E-47. Boys', normally sold in sizes 4-12 and 8-20, or equivalent—All other fabrics.

Group X. Regular-weight separate pants, except cotton, tailored and non-tailored:

Long pants, knickers, and dress shorts, made of any fabric (other than cotton) weighing more than 11 ounces per linear yard, computed on a 54-inch width basis. Waterproof pants are not included in this Appendix.

Categories

- E-48. Men's.
- E-49. Prep and Student, normally sold in sizes 26-34.
- E-50. Boys', normally sold in sizes 6-20.
- E-51. Junior, normally sold in sizes 2-12.
- E-52. Separate pants designed and sold for military or naval service use.

Group XI. Summer-weight separate pants, except cotton, tailored and non-tailored:

Long pants, knickers, and dress shorts, made of any fabric (other than cotton) weighing 11 ounces or less per linear yard computed on a 54-inch width basis. Waterproof pants are not included in this Appendix.

Categories

- E-53. Men's.
- E-54. Prep and Student, normally sold in sizes 26-34.
- E-55. Boys', normally sold in sizes 6-20.
- E-56. Junior, normally sold in sizes 2-12.
- E-57. Separate pants designed and sold for military or naval service use.

Group XII. Cotton pants, tailored and non-tailored:

Long pants, knickers, and dress shorts made of any cotton fabric. Waterproof pants are not included in this Appendix.

Categories

- E-58. Men's.
- E-59. Prep and Student, normally sold in sizes 26-34.
- E-60. Boys', normally sold in sizes 6-20.
- E-61. Junior, normally sold in sizes 2-12.
- E-62. Separate pants designed and sold for military or naval service use.

Group XIII. Non-tailored combinations, including loafer suits, slack suits, utility suits:

Any non-tailored combination sold at a unit price, consisting of slacks or pants of any length with coat or jacket, or with shirt, middie, or blouse. Waterproof combinations are not included in this Appendix.

Categories

- E-63. Men's—Cotton.
- E-64. Men's—All other fabrics.
- E-65. Boys'—Cotton.
- E-66. Boys'—All other fabrics.
- E-67. Junior—Cotton.
- E-68. Junior—All other fabrics.

Group XIV. Dress or business shirts:

Any shirt of a style customarily sold for dress or business wear, made of a woven fabric other than wool, with shirt tails and neckband, with or without attached collar, usually made with long sleeves and with linings in collar and cuffs.

Categories

- E-69. Men's—All fabrics except wool.
- E-70. Junior, Boys', and Youths'—All fabrics except wool.
- E-71. Shirts, other than white shirts, designed and sold for military or naval service use—All fabrics except wool.

Group XV. Sport shirts and blouses:

Any shirt or blouse with convertible or sport collar, or any middie blouse, made of a woven fabric; and any woven wool shirt. (Shirts made of knit fabrics are classified in Group XX below.)

Categories

- E-72. Men's—Cotton.
- E-73. Men's—All other fabrics.
- E-74. Junior, Boys' and Youths'—Cotton.
- E-75. Junior, Boys' and Youths'—All other fabrics.
- E-76. Shirts designed and sold for military or naval service use—Wool.

*Group XVI. Woven underwear and nightwear:**Categories*

- E-77. Woven union suits: All sizes—All fabrics.
- E-78. Woven undershorts: Men's—All fabrics.
- E-79. Woven undershorts: Boys'—All fabrics.
- E-80. Woven pajamas, nightshirts, and sleepcoats: Men's—All fabrics.
- E-81. Woven pajamas, nightshirts, and sleepcoats: Boys'—All fabrics.

*Group XVII. Knit underwear and nightwear:**Categories*

- E-82. Union suits: Men's, 9 lbs. and over per dozen—Cotton.
- E-83. Union suits: Men's, under 9 lbs. per dozen—Cotton.
- E-84. Union suits: Men's, 9 lbs. and over per dozen—Wool.
- E-85. Union suits: Men's, under 9 lbs. per dozen—Wool.
- E-86. Union suits: Men's—All other yarns and mixtures.
- E-87. Union suits: Boys', 6 lbs. and over per dozen—Cotton.
- E-88. Union suits: Boys', under 6 lbs. per dozen—Cotton.
- E-89. Union suits: Boys', 6 lbs. and over per dozen—Wool.
- E-90. Union suits: Boys', under 6 lbs. per dozen—Wool.
- E-91. Union suits: Boys'—All other yarns and mixtures.

*Group XVII. Knit underwear and nightwear—Continued.**Categories*

- E-92. Athletic shirts: Men's—All yarns and mixtures.
- E-93. Athletic shirts: Boys'—All yarns and mixtures.
- E-94. Balbriggan shirts and drawers: All sizes.
- E-95. Heavyweight drawers and undershirts: Men's and Boys': 4 lbs. per dozen or over calculated on size 42 shirt—Wool.
- E-96. Heavyweight drawers and undershirts: Men's and Boys': 4 lbs. per dozen or over calculated on size 42 shirts—All other yarns and mixtures.
- E-97. Shorts, briefs and lightweight drawers: Men's and Boys'—All yarns and mixtures.
- E-98. Sleeping garments: Men's—All yarns and mixtures.
- E-99. Sleeping garments: Boys'—All yarns and mixtures.

*Group XVIII. Bathing suits, trunks, and outerwear shorts, except dress shorts:**Categories*

- E-100. Men's—Wool.
- E-101. Men's—All other fabrics.
- E-102. Boys'—Wool.
- E-103. Boys'—All other fabrics.

*Group XIX. Sweaters and knitted vests:**Categories*

- E-104. 100% wool, 12 lbs. and over per dozen.
- E-105. 100% wool, 6 lbs. and over but under 12 lbs. per dozen.
- E-106. 100% wool, under 6 lbs. per dozen.
- E-107. Wool blends, 50% or more wool, 12 lbs. and over per dozen.
- E-108. Wool blends, 50% or more wool, 6 lbs. and over, but under 12 lbs. per dozen.
- E-109. Wool blends, 50% or more wool, under 6 lbs. per dozen.
- E-110. Wool blends, less than 50% wool, 12 lbs. and over per dozen.
- E-111. Wool blends, less than 50% wool, 6 lbs. and over, but under 12 lbs. per dozen.
- E-112. Wool blends, less than 50% wool, under 6 lbs. per dozen.
- E-113. All other yarns and mixtures.

*Group XX. Knitted shirts:**Categories*

- E-114. Polo and other utility T-shirts: Men's—All yarns and mixtures.
- E-115. Sweat shirts: Men's—All yarns and mixtures.
- E-116. Knitted shirts other than sweat shirts and utility T-shirts: Men's—All yarns and mixtures.
- E-117. Polo and other utility T-shirts: Boys'—All yarns and mixtures.
- E-118. Sweat shirts: Boys'—All yarns and mixtures.
- E-119. Knitted shirts other than sweat shirts and utility T-shirts: Boys'—All yarns and mixtures.

*Group XXI. Robes, bathrobes, and beach robes:**Categories*

- E-120. Men's—Cotton.
- E-121. Men's—Wool.
- E-122. Men's—All other fabrics.
- E-123. Boys'—Cotton.
- E-124. Boys'—Wool.
- E-125. Boys'—All other fabrics.

Group XXII. Occupational service apparel:

All men's non-tailored and all women's occupational apparel except coated, waterproof, and acidproof occupational apparel.

Categories

- E-126. Smocks and aprons: Men's and Women's: All sizes—All fabrics.
- E-127. Jackets and vests: Men's and Women's: All sizes—All fabrics.

Group XXII. Occupational service apparel—Continued.

Categories

- E-128. Pants or slacks: Men's and Women's: All sizes—All fabrics.
- E-129. Combinations (including pants with smock or jacket): Men's: All sizes—All fabrics.
- E-130. One—or two-piece uniforms: Women's—Wool.
- E-131. One—or two-piece uniforms: Women's—All other fabrics.

APPENDIX F—MEN'S AND BOYS' FURNISHINGS

NOTE 1: Garments whose maximum prices are subject to RMPR 506 or MPR 572 are not included in Appendix F.

NOTE 2: Each category includes items made both of knit and of woven materials except where otherwise specified.

Group I. Neckties, cravats and ascots:

Category

- F-1. All sizes—All fabrics.

Group II. Scarves and mufflers:

Category

- F-2. All sizes—All fabrics.

Group III. Hats:

Categories

- F-3. Men's—Fur felt.
- F-4. Men's—Wool felt.
- F-5. Men's—Straws and synthetic straws.
- F-6. Men's—All other materials.
- F-7. Boys'—Fur felt.
- F-8. Boys'—Wool felt.
- F-9. Boys'—Straws and synthetic straws.
- F-10. Boys'—All other materials.

Group IV. Hat bodies:

Categories

- F-11. Fur felt.
- F-12. Wool felt.

Group V. Caps, helmets, and other headwear except hats:

Caps designed and sold for military or naval service use are not included in this Appendix.

Categories

- F-13. Men's—Leather, wool and leather-and-wool combinations.
- F-14. Men's—All other fabrics except fur.
- F-15. Boys'—Leather, wool and leather-and-wool combinations.
- F-16. Boys'—All other fabrics except fur.

Group VI. Handkerchiefs:

Category

- F-17. All fabrics.

Group VII. Men's hosiery:

Boys' hosiery is not included in this Group. It is listed in Appendix C, Group XII.

Categories

- F-18. Full fashioned—All yarns and mixtures
- F-19. Seamless: half hose—Wool
- F-20. Seamless: half hose—All other yarns and mixtures
- F-21. Seamless: slacks, crew socks and athletic socks—Wool
- F-22. Seamless: slacks, crew socks and athletic socks—All other yarns and mixtures
- F-23. Work socks (bundle socks)—Wool
- F-24. Work socks (bundle socks)—Cotton

Group VIII. Men's gloves and mittens:

Boys' gloves are not included in this Group. They are listed in Appendix C, Group VIII.

Categories

- F-25. Men's—100% leather
- F-26. Men's—All other materials

This Supplementary Order No. 108 shall become effective April 28, 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 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6257; Filed, Apr. 19, 1945; 4:17 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[RMPR 271, Amdt. 35]

POTATOES AND ONIONS

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

Section 26 is amended by adding paragraph (d), to read as follows:

(d) During the period April 21, 1945 to May 20, 1945, inclusive, the prices in Table 5 of section 24 applicable to potatoes produced in the Yuma Mesa Division of the Gila Irrigation Project, Arizona are suspended and a price of \$5.65 per cwt. is substituted therefor.

This amendment shall become effective April 21, 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

Approved: April 21, 1945.

WILSON COWAN,
Assistant War Food Administrator.

[F. R. Doc. 45-6424; Filed, Apr. 21, 1945; 4:12 p. m.]

PART 1377—WOODEN CONTAINERS
[2d Rev. MPR 195, Amdt. 3]

INDUSTRIAL WOODEN BOXES

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.

Second Revised Maximum Price Regulation No. 195 is amended in the following respects:

1. Section 7 is hereby amended to read as follows:

SEC. 7. *Maximum prices; all other cases.* If any seller of industrial wooden boxes or parts cannot figure his maximum price under the provisions of this regulation up to this point, he should write a letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., telling why he cannot. He should describe the box (giving inside dimensions, style of box, number, size, thickness of each piece, and species of lumber; grade requirements of box; whether veneer or sawed; fixtures such as hinges and hasps; any special operations such as hand holes; whether in

¹ 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10689, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154.

shook form, unitized, or set-up; and any other relevant facts), state the requested price and whether it is f. o. b. mill or delivered, and give any information, such as costs, his competitor's price and the like which would be of assistance in determining a proper price. The Office of Price Administration will then approve for him either a specific maximum price or a method of computing a maximum price. When establishing maximum prices under this section the Office of Price Administration will give consideration to such factors as: (1) The October 1944 selling price of the applicant as reflected in bona fide orders taken during that month and his method of determining that price; (2) The competitive level of prices established by this regulation; and (3) The methods used by his competitors in determining their prices or the prices determining methods customarily used in the industry.

On or before May 21, 1945, or within 30 days of the establishment of maximum prices or a price determining method for a seller by the Office of Price Administration under this section, he may request, in writing, that the Office of Price Administration consider his application for price approval as an application for price adjustment under section 13 (b). Thereupon he shall furnish the information required under section 13 (b) and the application shall be deemed filed under section 13 (b) as of the date of the application for maximum prices under this section, and any adjustment granted under section 13 (b) may be applied to all deliveries made after that date, provided he complies with the conditions set forth in section 13 (b) (4).

A seller who has made application for approval of a price or a pricing method does not have to suspend negotiations or deliveries. He may sell and deliver at the price requested by him, but he may not accept final payment until his price has been approved. A price which has not been disapproved within 30 days from receipt of application by this Office shall be considered approved.

Prices which have been specifically approved, prior to November 25, 1944, in writing by the Office of Price Administration, Washington, D. C., may be continued until May 1, 1945, unless modified by the Administrator. If specific approvals have not been given in writing, maximum prices must be established under this section.

2. Section 13 (b) is amended by adding a new subparagraph (4) to read as follows:

(4) *Prices for deliveries made pending disposition of the application.* A seller who files an application under this paragraph (b) may contract to sell and deliver industrial wooden boxes or parts during the pendency of the application at a specific price which is higher than his existing maximum price which he wants adjusted. However, no payment in excess of the existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section the price received for deliveries made subsequent to the filing of the application may not exceed the

maximum prices established by the order. Where the application is disposed of by an amendment of general applicability payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application only as expressly authorized by the Administrator.

A seller who wishes to enter into such an arrangement must specifically state to the buyer:

(i) The existing maximum price and the quoted price.

(ii) That an application for adjustment of the price has been filed with the Office of Price Administration.

(iii) That the quoted price is subject to revision by the Office of Price Administration.

This amendment shall become effective April 31, 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6423; Filed, Apr. 21, 1945;
4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 581, Amdt. 1]

INDUSTRIAL SERVICES

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.

Section 10 (b) (2) of Maximum Price Regulation 581 is amended as follows:

The date April 30, 1945, contained in the last sentence, is amended to read May 31, 1945.

This amendment shall become effective April 21, 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6425; Filed, Apr. 21, 1945;
4:12 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 364, Amdt. 29]

FROZEN FISH AND SEAFOOD

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. 364 is amended in the following respects:

- Section 3 (e) (2) is revoked.
- In section 6 paragraphs (b), (c) and (d) are revoked.
- In section 13, Table of Base Prices, Schedule No. 29 is revoked.

This amendment shall become effective April 28, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6468; Filed, Apr. 23, 1945;
11:26 a. m.]

¹ 10 F.R. 3232.

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 579, Amdt. 4]

CERTAIN SPECIES OF FRESH AND FROZEN
FISH AND SEAFOOD

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. 579 is amended in the following respects:

1. Section 1.6 (b) is amended (by deleting the last sentence) to read as follows:

(b) *Records and reports.* Every seller furnishing, and every purchaser, in the course of trade or business, receiving, a statement pursuant to paragraph (a), shall keep available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, either a copy of such statement or a record of all the information contained in it. In addition, each purchaser of fresh fish from a producer shall keep an accurate record of each such purchase, containing all the information specified in paragraph (a) for statements. Further, each person making a sale, or a purchase in the course of trade or business, subject to this regulation, shall keep all records of the kinds which he has customarily kept relating to such sale or purchase and to his inventories of fresh or frozen fish or seafood.

2. Section 1.12 is amended by inserting the following definition between the definition of "Steak" or "Slice" and the definition of "Tail cut" or "Cut-tail":

"Steak, individual" as applied to swordfish means a steak less than 1 inch in thickness and containing no more than one-fourth of the cross-section.

3. Section 2.11 (d) is amended to read as follows:

(d) *Importer's incoming transportation*—(1) *General rule.* An importer may add to his table price as a transportation allowance the smallest of the following:

(i) The actual transportation cost from the foreign shipper's shipping point to the importer's receiving point.

(ii) The actual transportation cost to the importer's receiving point from the point at which the fish entered the United States or the carload rail rate from the point in the United States nearest the foreign shipper's shipping point, whichever is designated by the importer;

(iii) The transportation cost for the type of shipment used to the importer's receiving point from Boston.

(2) *Atlantic salmon.* Notwithstanding the provisions of subparagraph (1), an importer of fresh Atlantic salmon (Schedule No. 23) may add to his table price as a transportation allowance the actual transportation cost from the foreign shipper's shipping point to the importer's receiving point.

Duty may be added to the table prices for imported fresh Atlantic salmon. Any seller who processes this fish may add to his table price the amount which will

enable him to recover the full amount of the duty paid for the particular lot of fish involved in the processing.

4. Section 2.12 (a) (1) is amended to read as follows:

(1) *Fish other than fillets and steaks.* A primary fish shipper may add to his table price for a sale in a container of fresh fish other than fillets or steaks, an outgoing container allowance in the applicable amount listed in paragraph (e), but only if the container is not returned to him.

A primary fish shipper who paid the producer the allowance provided by section 2.2 (b) for fresh fish which the producer boxed or barreled and shipped may add to his table price for a sale of such fish to a retailer or purveyor of meals the allowance in the amount provided in paragraph (e) for the container in which he received the fish, *Provided*, That such fish is sold without a container or the primary fish shipper is otherwise not entitled to any other container allowance provided in this section 2.12.

5. Section 2.12 (d) is amended to read as follows:

(d) *Special package shipment to outlying country points.* Where a wholesaler packs fresh fish with dry ice, and ships such fish by common carrier to individual retail stores or purveyors of meals located in outlying rural areas, he may add to his table price the actual cost of any special outer shipping case and dry ice used, the total not to exceed 2 cents per pound: *Provided*, That he adds no other outgoing container allowances provided in this section 2.12 except an allowance for the outgoing immediate container (where such is permitted) in the case of fillets and steaks.

6. Section 2.12 (e) is amended to read as follows:

(e) *Container prices.*

	Cents per pound for container
Net weight of fish or seafood:	
5	1 $\frac{3}{4}$
10	1 $\frac{1}{2}$
15	1
20	1
30	1
50	1 $\frac{1}{2}$
75	1 $\frac{1}{4}$
100	1
125	$\frac{7}{8}$
150	$\frac{3}{4}$
200	$\frac{5}{8}$
250	$\frac{1}{2}$
300	$\frac{1}{2}$

PART 1433—FEATHERS AND DOWN
[MPR 318, Amtd. 4]
FEATHERS AND DOWN

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. 318 is amended in the following respects:

- Section 1433.3 (b) is amended to read as follows:
- Processed or manufactured feathers and down. (Shipping terms: F. o. b. processor's plant, packed for shipment.)

TABLE I
[Maximum price per pound]

Waterfowl feathers and down	Down	Small feathers	Large feathers	40/60 mixture	Quills crushed	Quills uncrushed
Domestic & European geese.....	\$5.88	\$1.18	\$0.54	\$2.85	\$0.41	\$0.25
Domestic & European duck.....	4.84	1.08	.48	2.58	.41	.25
China geese.....	4.84	1.08	.48	2.58	.41	.25
China duck.....	4.30	.97	.43	2.30	.41	.25

TABLE II
[Maximum price per pound]

Chicken and turkey	Feathers	Fibre
Body feathers, regardless of the amount of fibre:		
White.....	\$0.13	
Colored.....	.17½	
Fibre:		
Colored.....		\$0.21
White.....		.25

(2) The term "specially processed" as used in subparagraph (1) means that the chicken feathers meet the following specifications:

(1) The feathers shall be first grade curled chicken feathers, fine sorted, containing no wing and tail quills over 5 inches in length. The body feathers shall average 3½ inches in length, and the percent of feathers longer than 4 inches shall not exceed 5 percent. The feathers shall be substantially free of pin feathers and broken quills. After washing and drying the feathers shall be processed in an attrition mill, using curling plates so that the appearance and degree of curling conforms with the standard sample of the Army Quartermaster Corps. The feathers shall be given a fine curl. The feathers shall not be chopped or crushed. The feathers, after processing or curling, shall be well dusted. The finished feathers shall contain not more than 2 percent of residual dust and not more than 2 percent of pith particles or feather stems. Oil or other foreign matter shall not be added to the curled chicken feathers.

(1) The feathers in all other respects shall meet the requirements of Federal Specifications C-F-151a for feathers.

This amendment shall become effective on the 28th day of April 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6470; Filed, Apr. 23, 1945; 11:27 a. m.]

own shipper's shipping point to the importer's receiving point.

Duty may be added to the table prices for imported frozen Atlantic salmon. Any seller who processes this fish may add to his table price the amount which will enable him to recover the full amount of the duty paid for the particular lot of fish involved in the processing.

8. Section 3.12 (c) is amended to read as follows:

(c) *Special package shipments to outlying country points.* Where a processor or wholesaler packs frozen fish with dry ice in special containers and ships such fish by common carrier to individual retail stores or purveyors of meals located in rural areas he may add to his table price the actual cost of any special shipping case and dry ice used, the total not to exceed 2 cents per pound.

9. In section 10.1 (a), Table IA, a new schedule is added to read as follows:

Sched. No.	Species	Item No.	Style of dressing	Size	Season	A	B	C	D	E	F	G
23	Salmon Atlantic.....	1	Round.....	All.....	All year.....	21¼	23	25¾	28¼	29¼	29¼	27¼
		2	Drawn.....	All.....	All year.....	24½	26	28¾	30¼	30¼	30¼	30¼
		3	Dressed.....	All.....	All year.....	27	28½	31¼	33	33	33	33
		4	Steaks.....	All.....	All year.....	31¼	33	36½	36½	36½	36½	36½

10. In section 10.1 (a) at the end of Table IA, footnote 1 is amended to read as follows:

1. Add 1 cent per pound when these species are landed ex-vessel in or shipped by a producer (other than a producer who is also a wholesaler under section 2.2 (d)) to New York City. Any seller other than the producer, who processes this fish (and any subsequent purchaser) may add to his table price for the processed fish that amount which will enable him to recover the full amount of the addition paid for the particular lot of fish involved in the processing.

11. In section 10.1 (b), Table IB, a new schedule is added to read as follows:

Sched. No.	Species	Item No.	Style of dressing	Size	I	II	III	IV	V
23	Salmon, Atlantic.....	1	Round.....	All.....	22½	24	24½	26¼	28¼
		2	Drawn.....	All.....	25½	27	27½	29¼	31¼
		3	Dressed.....	All.....	28	29½	30	31½	33¼
		4	Steaks.....	All.....	32½	34	35	37	40

12. In section 10.2 Schedule 23 is added to the table to read as follows:

Schedule No.	Common name	Scientific name
23.....	Salmon, Atlantic.....	Salmo salar.

This amendment shall become effective April 28, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6466; Filed, Apr. 23, 1945; 11:26 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD
ACCESSORIES
[MPR 584]

FEATHER FILLED PILLOWS AND UPHOLSTERY
CUSHION INNERCASINGS

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

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and the regulation will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and of Executive Orders Nos. 9250 and 9328.

The Price Administrator has advised and consulted with members of the industry which will be affected by this regulation, and he has given consideration to their recommendations.

ARTICLE I—WHAT THIS REGULATION COVERS

Sec.

1. Articles covered by this regulation.
2. Transactions covered by this regulation.

ARTICLE II—SALES BY MANUFACTURERS

3. Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.
4. Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.
5. Maximum prices for sales of new pillows and new upholstery cushion innercasings by manufacturers to jobbers and to government agencies.
6. Tagging.
7. Manufacturers' invoices.
8. Manufacturers to calculate maximum prices on retail sales of new pillows.
9. Tolerance.
10. Maximum prices of manufacturers where provision is not otherwise made.

ARTICLE III—SALES BY JOBBERS

11. Maximum prices for sales by jobbers.
12. Jobbers' invoices.

ARTICLE IV—SALES BY RETAILERS

13. Maximum prices for sales by retailers.
14. Charges for credit.
15. Sales slips and receipts.

ARTICLE V—GENERAL PROVISIONS

16. Definitions.
17. Taxes.
18. Export sales.
19. Compliance with the regulation.
20. Petitions for amendment.
21. Geographical applicability.

APPENDIX A

(a) Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.

(b) Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.

AUTHORITY: § 1373.5 issued under 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.

ARTICLE I—WHAT THIS REGULATION COVERS

SECTION 1. *Articles covered by this regulation.* (a) This regulation covers all new pillows, and new upholstery cushion innercasings, filled in whole, or in part, with new or secondhand feathers or down,

Maximum prices for sales of used pillows or used upholstery cushion innercasings are not covered by this regulation, but are fixed by the provisions of Maximum Price Regulation No. 429¹ as to used pillows and by the General Maximum Price Regulation² as to used upholstery cushion innercasings.

(b) When used in this regulation, the following terms have the following meanings:

(1) "Pillow" means any bag or case used to support the head when sleeping or reclining, made of fabric and filled or stuffed in whole, or in part, with feathers or down.

(2) "Upholstery cushion innercasing" means any bag or case of the type and shape used as a component part of upholstered furniture or of dual-purpose sleeping equipment, made of fabric and filled or stuffed in whole, or in part, with feathers or down.

(3) "Processed secondhand feathers and down" means secondhand feathers and down which have been processed so that they meet the processing specifications set forth in Maximum Price Regulation No. 318³ and in Section 6.1 of Supplementary Regulation No. 14J⁴ to the General Maximum Price Regulation; and those specifications are incorporated by reference into this regulation as if they were set forth here in detail.

SEC. 2. *Transactions covered by this regulation—(a) Sales.* This regulation establishes maximum prices for all offers, sales and deliveries made by any person of new pillows and new upholstery cushion innercasings, on and after the effective date of this regulation.

(b) *Purchases in the course of trade or business.* This regulation covers every purchase in the course of trade or business in connection with a sale covered by this regulation.

(c) The term "person" includes an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any other government, or any of their political subdivisions.

ARTICLE II—SALES BY MANUFACTURERS

SEC. 3. *Maximum prices for sales of new pillows by manufacturers to retailers and to institutional users.* (a) Maximum prices for most sales of new pillows by manufacturers to retailers and to institutional users are set forth in paragraph (a) of Appendix A.

(b) The maximum price for the sale by a manufacturer to a retailer or to an institutional user of any new pillow, not provided for in paragraph (a) of Appendix A, shall be calculated under section 10 of this regulation.

SEC. 4. *Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.* (a) Maximum prices for most sales of new upholstery cushion innercasings by manufacturers to the furniture trade are set forth in paragraph (b) of Appendix A.

¹ 9 F.R. 10420, 13716.

² 9 F.R. 1385, 5169, 6108, 8150, 10193, 11274.

³ 8 F.R. 1682, 2029, 6476, 14349.

⁴ 10 F.R. 1216.

(b) The maximum price for the sale by a manufacturer to the furniture trade of any new upholstery cushion innercasing, not provided for in paragraph (b) of Appendix A, shall be calculated under section 10 of this regulation.

SEC. 5. *Maximum prices for sales of new pillows and new upholstery cushion innercasings by manufacturers to jobbers and to government agencies.* The manufacturer's maximum price for sales of an article covered by this regulation to jobbers and to government agencies shall be his appropriate maximum price established by section 3, 4 or 10, less a discount of 10 percent.

SEC. 6. *Tagging.* (a) (1) After the effective date of this regulation no manufacturer shall sell, offer to sell or deliver a new pillow unless the appropriate tag, described in paragraph (b) of this section, is attached to it.

(2) After the expiration of 60 days from the effective date of this regulation, no jobber or retailer shall sell, offer to sell or deliver any new pillow unless the appropriate tag, described in paragraph (b) of this section, is attached to it.

(3) No person shall sell or buy or offer to sell or buy any new pillow to which a tag must be attached unless such tag is actually attached to it.

(4) The tag referred to in this section shall not be removed before delivery to the ultimate consumer.

(b) The tag shall be of durable white cloth, not less than 2 inches by 4 inches in size, stating the following items in the sequence and in the type sizes listed below:

	[2 inches] Space to attach	Gothic type size 12 point (capitals)
Mfr's Name or Reg. No.:	-----	8 point (small)
Designation of Pillow:	-----	
FINISHED SIZE:	-----	12 point (capitals)
GROSS WEIGHT:	-----	
THIS PILLOW CONTAINS % SECONDHAND FILLING MATERIALS:	-----	14 point (capitals)
OPA RETAIL CEILING PRICE: \$:	-----	

¹ (If the filling components are all new materials substitute "This Pillow contains all new filling materials" in 14 point Gothic type (capitals).)

(c) Every manufacturer shall identify each kind of pillow which he manufactures by a specific name, number or other designation, and he shall keep a record of such name, number or other designation and a description of each kind of pillow (containing all the information listed in section 7 (a) (1) except item (ii)), for examination by the Office of Price Administration.

SEC. 7. *Manufacturer's invoices.* (a) After the effective date hereof, every manufacturer selling any article covered by this regulation shall furnish to each purchaser an invoice or other written evidence of sale and purchase showing:

- The date of purchase.
- The terms of sale and the selling price.
- The seller's name and address.
- The purchaser's name and address.

(1) If the article sold is a new pillow, such invoice or other written evidence of

sale and purchase shall state, also, for each kind of pillow:

- (i) The name, number or other specific designation of the pillow.
- (ii) The number of articles sold.
- (iii) The weight of the feather filling, per pillow.
- (iv) The percentage by weight of each filling component (using the classifications employed in computing the filling allowance).
- (v) The class of cover fabric.
- (vi) Tailoring extras (if any).
- (vii) Finished size.
- (viii) Packing extras (if any).
- (ix) The maximum price.
- (x) West Coast differential (if any).

(2) If the article sold is a new upholstery cushion innercasing, such invoice or other written evidence of sale and purchase shall state, also, for each different upholstery cushion innercasing sold:

- (i) The size class.
- (ii) The number of articles sold.
- (iii) The class of cover fabric.
- (iv) The cover allowance.
- (v) The total filling weight.
- (vi) The percentage by weight of each filling component (using the classifications employed in computing the filling allowance).
- (vii) The filling allowance.
- (viii) The maximum price (item iv) plus item (vii).
- (ix) West Coast differential, (if any).

SEC. 8. *Manufacturers to calculate maximum prices on retail sales of new pillows.* Each manufacturer shall calculate the maximum price for sales by retailers of a single pillow, manufactured by him, by multiplying his maximum price on the sale of that single new pillow exclusive of the quantity differential, by 175 percent in the case of new pillows filled with chicken or turkey feathers or fibre, or mixtures thereof with crushed waterfowl quills, and by 180 percent in the case of all other pillows. The price, so calculated, may be rounded to the nearest five cents.

SEC. 9. *Tolerance.* Because of the peculiar nature of the manufacturing process and the inexactness unavoidable in a sampling analysis, manufacturers are allowed a tolerance of 5 percent from the net filling weight stated on the invoice of sale of any particular pillow or upholstery cushion innercasing, and a tolerance of 10 percent from the per pound value of the components in the filling mixture stated on the invoice of sale of any particular pillow or upholstery cushion innercasing, except that the specification of a filling mixture upon which a maximum price is based shall not conflict with any declaration of specifications for that mixture made on a tag or other writing attached to the pillow whether or not it is required by any State law.

SEC. 10. *Maximum prices of manufacturers where provision is not otherwise made.* After the effective date of this regulation, a manufacturer shall not sell, offer to sell or deliver any article covered by this regulation for sales of which a maximum price has not been established in Appendix A, hereof, until he has applied by letter to the Office of Price Administration, Durable Goods

Price Branch, Washington 25, D. C., for the establishment of a maximum price for sales to retailers, institutional users or to the furniture trade in line with the level of prices established by this regulation.

- (a) The application shall set forth:
 - (1) The name, number or other designation of the article.
 - (2) The size of the article.
 - (3) The gross weight and the net filling weight of the article. (In the case of pillows, the net filling weight shall be determined from the minimum filling weight of the nearest listed size in Appendix A) as the relationship based on the proportion of the surface area of the pillow being priced to the surface area of that nearest listed pillow; and no account will be taken of any filling weight in excess of the net filling weight, so determined.)
 - (4) A statement of whether the filling components are new or secondhand.
 - (5) A statement of each component of filling materials used and the percentage by weight of each component.
 - (6) A computation of the value of the filling which shall be made in the manner set forth in paragraph (b) (1) of Appendix A.
 - (7) A statement of the cost of the fabric cover, based on the f. o. b. mill maximum price or based on cost to the manufacturer, whichever is lower.

(8) The proposed maximum price on sales to retailers and institutional users which shall be the sum of the following:

Pillows

- (i) The value of the filling
- (ii) The cost of the fabric cover multiplied by 125 percent
- (iii) The sum of \$0.34, per pair
- (iv) Tailoring extras or packing extras, if any.

(If a West Coast differential is added to or any of such extras are included in the proposed maximum price, the nature thereof must be set forth in the application.)

Upholstery cushion innercasings

- (v) The value of the filling
- (vi) The cost of the fabric cover multiplied by 125 percent
- (vii) The appropriate one of the following sums:

Size class	Amount
A ¹	\$0.40
B ¹	.60
C ¹	.80
D ¹	1.20

¹ Letter reference is to the designations in Table VI of paragraph (b) (2) of Appendix A.

(If a West Coast differential is added to the proposed maximum price, the nature thereof must be set forth in the application.)

(b) In the absence of a contrary direction from the Office of Price Administration within 15 days after mailing his application, the manufacturer may offer the article in question for sale at the proposed maximum price stated therein. If such proposed maximum price is correctly computed it shall be subject to adjustment (but not retroactively), at any time by order of the Office of Price Administration if it appears that the maximum price so established is out of line with the general level of prices

established by this regulation. If the price is incorrectly computed, the maximum price for a sale, offer to sell, or delivery of an article made pursuant to the incorrect report shall be the maximum price which is properly computed under the formula contained in this section.

ARTICLE III—SALES BY JOBBERS

SEC. 11. *Maximum prices for sales by jobbers.* (a) (1) The maximum price of a jobber for his sale of any article received after the effective date of this regulation shall be 125 percent of either the maximum price of the manufacturer for his sale of the particular article, or of the actual net invoice price, to the jobber, whichever is lower, plus the freight charge paid by the jobber for delivery to him.

(2) In many instances, jobbers will be holding new pillows in their inventories on the effective date of this regulation. For a period ending 60 days after the effective date of this regulation, the maximum price of a jobber for his sales of such pillows shall be his maximum price under the General Maximum Price Regulation.

(i) Prior to the termination of the 60-day period referred to in subparagraph (2), above, the jobber may request the manufacturer to furnish him with tags in the form described in section 6, and he shall attach the appropriate tag to each such pillow he sells. The tag shall set forth the maximum price for retail sales of the particular pillow which the manufacturer shall determine as if the pillow had been sold by him after the effective date of this regulation. The maximum price of the jobber f. o. b. seller's city shall be 64 percent of such retail maximum price.

(ii) However, if the jobber does not secure such a tag from the manufacturer, or if the 60-day period has expired and the jobber continues to have untagged pillows in inventory he shall send a sample to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., and the Office of Price Administration will establish a maximum price for sales by the jobber and by retailers of such pillows, which price will be in line with the prices established by this regulation. After June 27, 1945, the jobber shall not sell any such pillows unless a tag is attached in the form described in section 6.

(b) The maximum prices established in this section are for sales by jobbers to that class of purchaser to which the jobber sold the greatest quantity of the particular article prior to the effective date of this regulation. To such prices, a jobber shall apply all differentials, discounts, trade allowances and terms and conditions of sale which he allowed on sales of the same type of article, during March 1942.

SEC. 12. *Jobber's invoice.* Every jobber selling any article covered by this regulation shall furnish each purchaser for resale with an invoice or other similar written evidence of sale and purchase showing the date of purchase, the seller's name and address, the pur-

chaser's name and address, the terms of sale, the name, number or other specific designation of the article purchased, the size class of the article purchased, the quantity purchased and the price charged per unit. This invoice or other written evidence of sale and purchase must be kept by every purchaser for resale and the jobber shall retain a copy for inspection by the Office of Price Administration.

ARTICLE IV—SALES BY RETAILERS

SEC. 13. Maximum prices for sales by retailers. (a) (1) The maximum price of a retailer for his sale of any new pillow to which a tag setting forth the retailer's maximum price has been affixed pursuant to this regulation shall be the price properly stated to be the retailer's maximum price on the tag attached to the pillow.

(2) In many instances, retailers will be holding new pillows in their inventories on the effective date of this regulation to which no retail maximum price tag shall have been attached. For a period ending 60 days after the effective date of this regulation, the maximum price of a retailer for his sales of such pillows shall be his maximum price under the General Maximum Price Regulation.

(1) Prior to the termination of the 60-day period referred to in subparagraph (2) above, the retailer may request the manufacturer to furnish him with tags in the form described in section 6, and he shall attach the appropriate tag to each such pillow he sells. The tag shall set forth the maximum price for retail sales of the particular pillow which the manufacturer shall determine as if the pillow had been sold by him after the effective date of this regulation. The maximum price of the retailer shall be the retail maximum price properly stated on such tag.

(ii) However, if the retailer does not secure such a tag from the manufacturer, or if the 60-day period has expired, and the retailer continues to have untagged pillows in inventory, he shall send a sample to the Office of Price Administration, Durable Goods Price Branch, Washington 25, D. C., and the Office of Price Administration will establish a maximum price for sales by the retailer of pillows the same as the sample, which price will be in line with the prices established by this regulation. After June 27, 1945, the retailer shall not sell any such pillows unless a tag is attached in the form described in section 6.

SEC. 14. Charges for credit—(a) Credit charges. Charges for the extension of credit may be added to the retail ceiling prices established by this regulation only as follows:

(1) Sellers who, prior to the effective date of this regulation, collected a separately stated additional charge for the extension of credit on sales of new pillows, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in effect prior to the effective date of this regulation on a similar sale on similar terms to the same class of purchaser.

(2) Sellers, who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment-plan sales, and such charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser prior to the effective date of this regulation by the seller's closest competitor who made such a separately stated charge. An installment-plan sale is a sale where the unpaid balance is to be paid in installments over a period of either (i) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(3) All charges for the extension of credit shall be quoted and stated separately.

(4) No seller may require as a condition of sale, that the purchaser must buy on credit.

SEC. 15. Sales slips and receipts. A retailer who customarily gave a purchaser a sales slip, receipt, or other similar evidence of purchase must continue to do so. Upon request, all retailers must give the customer a receipt showing the date of purchase, the retailers name and address, the name, number or other designation of the pillow or upholstery cushion innercasing, the price paid and the kind and amount of any additional charge.

ARTICLE V—GENERAL PROVISIONS

SEC. 16. Definitions. When used in this regulation, the following terms shall have the following meanings:

(a) "Manufacturer" means the person who makes the first sale of the article after it is ready for sale.

(b) "Jobber" means any person who is engaged in the business of buying dry goods, pillows, cushions or other similar items from manufacturers and reselling them to retail dealers, hospitals, hotels or other institutional users.

(c) "Retailer" means any person who sells pillows or cushions to the ultimate user.

(d) "Furniture trade" means manufacturers of bedding or furniture, and industrial users.

SEC. 17. Taxes. Any tax upon or incident to the sale of any commodity covered by this regulation imposed by any statute or ordinance may be added to the maximum price established by this regulation: *Provided*, That the tax is separately stated and charged. The charge for stamps affixed to any commodity pursuant to State law is not a tax within the meaning of this section and no charge therefor may be added to the maximum price otherwise provided.

SEC. 18. Export sales. The maximum price at which persons may sell any commodity covered by this regulation for export is established by Second Revised Maximum Export Price Regulation.⁸

⁸ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923.

SEC. 19. Compliance with the regulation—(a) No selling or buying above maximum prices. Regardless of any contract or other obligation, no person shall sell or deliver any commodity covered by this regulation, to any other person, and, in the course of trade or business, no person shall buy or accept delivery of any commodity covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things. Prices lower than the maximum prices may be charged or paid.

Any charge which is not quoted and billed separately shall, for the purpose of this regulation, be considered as part of the price charged for the article sold.

(b) *Certain practices forbidden.* The following are expressly forbidden:

(1) Any practice or device which has the effect of getting a higher-than-maximum price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-maximum price. This applies, for example, to devices making use of commissions, services, tying agreements and the like.

(2) Removal of a retail ceiling price tag from an article covered by this regulation before it is sold at retail.

(c) *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,⁹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations 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.

(e) *Maximum prices for sales made without required OPA price approval.* If any person covered by this regulation who is required to file a report or application with the Office of Price Administration for approval of a maximum price violates that requirement by making sales or deliveries of the article before the maximum price is approved, the seller's maximum price for these sales or deliveries is the maximum price subsequently approved by the Office of Price Administration, or the properly computed price based upon that maximum price, whichever the applicable provision of the regulation requires.

(f) *Record keeping.* All records required by section 6 and section 12 of this regulation shall be kept for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

SEC. 20. Petitions for amendment. Any person seeking a modification of any provision of this regulation or any ex-

⁹ 8 F.R. 13240.

TABLE I-A—MAXIMUM PRICES PER PAIR AND MINIMUM FILLING WEIGHTS FOR 21 X 27 SIZE PILLOWS CONTAINING SPECIFIED FILLING MIXTURES OF SECOND HAND MATERIALS—CON.

Mixtures of waterfowl and chicken feathers, by percentage weight composition	Mixtures of clusters and waterfowl fibre by percentage weight composition																							
	100% Cl.		80% Cl. 10% Fl.		80% Cl. 20% Fl.		70% Cl. 30% Fl.		60% Cl. 40% Fl.		50% Cl. 50% Fl.		40% Cl. 60% Fl.		30% Cl. 70% Fl.		20% Cl. 80% Fl.		10% Cl. 90% Fl.		100% Fl.			
	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price	Wt. ozs.	Price		
E. 50% waterfowl feathers and 50% chicken feathers:																								
0% feathers in mixture.....	40	\$8.83	42	\$8.47	45	\$8.20	48	\$7.82	52	\$7.46	56	\$6.96	62	\$6.49	68	\$5.81	75	\$4.96	84	\$3.94	96	\$2.65		
10% feathers in mixture.....	43	8.66	45	8.29	48	8.01	51	7.62	55	7.26	59	6.77	65	6.31	70	5.60	77	4.82	86	3.88	97	2.69		
20% feathers in mixture.....	46	8.38	48	8.02	51	7.74	54	7.36	58	7.00	62	6.53	67	6.02	73	5.42	79	4.66	87	3.78	98	2.74		
30% feathers in mixture.....	49	8.01	51	7.66	54	7.37	57	7.02	61	6.68	65	6.24	71	5.83	76	5.22	82	4.51	89	3.72	98	2.77		
40% feathers in mixture.....	53	7.65	55	7.31	58	7.04	61	6.70	65	6.37	69	5.96	74	5.53	79	4.99	84	4.34	91	3.65	99	2.82		
50% feathers in mixture.....	58	7.26	60	6.94	63	6.68	66	6.36	69	5.99	73	5.62	78	5.24	82	4.73	87	4.18	93	3.57	100	2.87		
60% feathers in mixture.....	63	6.70	65	6.41	68	6.18	71	5.90	74	5.58	77	5.21	82	4.90	86	4.48	90	4.00	95	3.48	101	2.92		
70% feathers in mixture.....	70	6.11	72	5.86	75	5.63	77	5.37	80	5.12	83	4.83	86	4.50	90	4.19	93	3.79	97	3.39	101	2.95		
80% feathers in mixture.....	79	5.37	80	5.14	82	4.95	84	4.75	87	4.57	89	4.35	92	4.12	94	3.85	97	3.60	99	3.30	102	3.06		
90% feathers in mixture.....	90	4.40	91	4.28	92	4.15	93	4.02	95	3.91	96	3.77	97	3.63	99	3.51	100	3.35	102	3.22	103	3.06		
100% feathers in mixture.....	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11	104	3.11
F. 75% waterfowl feathers and 25% chicken feathers:																								
0% feathers in mixture.....	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65		
10% feathers in mixture.....	43	8.66	45	8.29	48	7.98	51	7.59	55	7.23	59	6.73	65	6.27	71	5.61	77	4.77	86	3.83	97	2.63		
20% feathers in mixture.....	46	8.33	48	7.96	51	7.67	54	7.28	58	6.92	62	6.48	68	6.00	73	5.33	80	4.60	88	3.71	98	2.61		
30% feathers in mixture.....	49	7.91	51	7.56	55	7.38	58	7.01	62	6.65	65	6.11	71	5.69	76	5.08	83	4.41	90	3.58	99	2.60		
40% feathers in mixture.....	53	7.51	56	7.28	59	6.99	62	6.63	66	6.28	69	5.79	75	5.40	80	4.83	85	4.16	92	3.44	100	2.58		
50% feathers in mixture.....	58	7.07	60	6.75	64	6.56	66	6.14	70	5.83	74	5.45	79	5.04	83	4.51	89	3.96	94	3.29	102	2.58		
60% feathers in mixture.....	64	6.54	66	6.24	69	5.99	72	5.69	75	5.35	79	5.02	83	4.63	87	4.18	92	3.71	97	3.16	103	2.56		
70% feathers in mixture.....	72	5.92	73	5.60	76	5.38	79	5.13	82	4.85	84	4.49	88	4.19	92	3.84	95	3.42	99	3.00	104	2.54		
80% feathers in mixture.....	81	5.06	82	4.82	84	4.61	86	4.39	89	4.19	91	3.94	94	3.70	97	3.44	99	3.14	102	2.84	105	2.52		
90% feathers in mixture.....	92	3.94	93	3.81	95	3.70	96	3.56	98	3.43	99	3.28	101	3.15	102	2.99	103	2.82	105	2.67	107	2.71		
100% feathers in mixture.....	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49	108	2.49
G. 100% chicken feathers:																								
0% feathers in mixture.....	40	8.83	42	8.47	45	8.20	48	7.82	52	7.46	56	6.96	62	6.49	68	5.81	75	4.96	84	3.94	96	2.65		
10% feathers in mixture.....	43	8.66	45	8.29	48	7.98	51	7.59	55	7.19	59	6.69	65	6.24	71	5.57	76	4.67	86	3.77	97	2.57		
20% feathers in mixture.....	46	8.27	48	7.90	51	7.60	54	7.22	58	6.85	62	6.37	68	5.93	74	5.29	80	4.50	88	3.59	99	2.50		
30% feathers in mixture.....	50	7.95	52	7.59	55	7.28	58	6.90	62	6.53	66	6.06	72	5.62	77	4.98	83	4.25	91	3.43	100	2.42		
40% feathers in mixture.....	54	7.50	56	7.14	59	6.84	62	6.47	66	6.11	70	5.67	75	5.20	81	4.67	86	3.98	93	3.23	102	2.35		
50% feathers in mixture.....	59	6.99	61	6.65	64	6.35	67	6.01	71	5.67	75	5.26	80	4.83	85	4.31	90	3.71	96	3.03	103	2.26		
60% feathers in mixture.....	65	6.37	67	6.06	70	5.79	73	5.47	77	5.16	80	4.76	85	4.38	89	3.91	94	3.40	99	2.82	105	2.18		
70% feathers in mixture.....	73	5.66	75	5.38	77	5.09	80	4.82	83	4.52	86	4.19	90	3.85	94	3.48	98	3.06	102	2.59	107	2.10		
80% feathers in mixture.....	82	4.69	84	4.48	86	4.26	88	4.02	91	3.79	93	3.52	96	3.26	99	2.98	102	2.68	105	2.35	108	2.00		
90% feathers in mixture.....	95	3.49	96	3.34	97	3.19	99	3.06	100	2.90	102	2.76	104	2.61	105	2.43	107	2.27	108	2.09	110	1.91		
100% feathers in mixture.....	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82	112	1.82

NOTE: As used in Table I-a, the term "Chicken feathers" includes both chicken and turkey feathers and fibre.

All weights listed in this table are minimum filling weights.

All prices listed in this table are maximum prices to retailers or to institutional users.

The maximum price for sales to retailers or to institutional users of pillows 21 inches by 27 inches in size containing percentage compositions other than those listed in Table I-a shall be the maximum price of that pillow listed in the table having the percentage composition next lowest to that of the

pillow being priced. For example, the maximum price of a pillow with the following specifications:

% of clusters and fibre in mixture, 45; 75% clusters, 25% fibre.

% of feathers in mixture, 55; 85% waterfowl, 15% chicken.

shall be the maximum price listed in Table I-a for the pillow with the specifications set forth below:

% of clusters and fibre in mixture, 40; 70% clusters, 30% fibre.

% of feathers in mixture, 60; 80% waterfowl, 20% chicken.

NOTE: All weights listed are minimum filling weights in ounces. All prices listed are maximum prices.

TABLE II.—MAXIMUM PRICES AND MINIMUM FILLING WEIGHTS FOR NEW PILLOWS OTHER THAN 21 INCHES BY 27 INCHES IN SIZE

Finished pillows size (inches)	Maximum prices		Minimum filling weights
	Pillows with 10 percent down cluster, or more	All other pillows	
	Percent	Percent	Percent
16 x 24*	63	67	57
17 x 24*	65	69	60
17 x 25*	69	73	64
18 x 25*	74	77	69
18 x 26*	78	81	75
19 x 26*	85	86	82
20 x 26*	92	93	90
22 x 28*	112	110	115
19 x 34	124	120	128
20 x 36	147	140	155

NOTE: The maximum price and minimum filling weight of sizes intermediate to those sizes marked with (*) shall be the maximum price and minimum filling weight of the nearest listed size.

TABLE I-B.—MAXIMUM PRICES PER PAIR AND MINIMUM FILLING WEIGHTS FOR 21 X 27 SIZE PILLOWS CONTAINING SPECIFIED FILLING MIXTURES OF ALL NEW MATERIALS

Crushed waterfowl quills, percent by weight of filling mixture	Chicken and turkey feathers				Chicken and turkey fibre			
	Weight, ounces	Price		Weight, ounces	Price			
		White	Colored		White	Colored		
0.....	96	\$2.18	\$1.90	104	\$2.67	\$2.41		
10.....	97	2.24	1.99	104	2.78	2.54		
20.....	98	2.40	2.17	104	2.89	2.67		
30.....	98	2.55	2.35	104	3.00	2.81		
40.....	99	2.71	2.55	104	3.10	2.94		
50.....	100	2.89	2.74	104	3.21	3.08		
60.....	101	3.05	2.94	104	3.32	3.21		
70.....	101	3.22	3.12	104	3.42	3.34		
80.....	102	3.39	3.32	104	3.53	3.48		
90.....	103	3.56	3.54	104	3.64	3.61		
100.....	104	3.75	3.75	104	3.75	3.75		

TABLE VI—UPHOLSTERY CUSHION INCREASES COVER ALLOWANCES

Class size	Class of fabric		
	Fabric with a mill ceiling between 15 cents and 19.99 cents per square yard	Fabric with a mill ceiling between 20 cents and 24.99 cents per square yard	Fabric with a mill ceiling between 25 cents and 29.99 cents per square yard
A. All seat and back cushions for chairs and three-section sofas with widths of 26 inches or less.....	\$0.70	\$0.80	\$0.90
B. All cushions designed for a two-cushion sofa with widths between 30 and 37 inches.....	1.00	1.20	1.35
C. One-piece love-seat cushions with widths between 46 and 57 inches.....	1.40	1.60	1.80
D. One-piece sofa cushions with widths of 60 inches or more.....	2.10	2.40	2.70

1. Section 21 (e) (3) (i) is amended by changing the price for "Bean Sprouts, cleaned," to read as follows:

	Maximum price at wholesale per pound	Maximum price at retail per pound
Bean Sprouts, cleaned.....	\$0.14	\$0.20

T. Section 21 (e) (3) (ii) is amended by adding a new item "7. A, Bean Sprouts, cleaned," to read as follows:

	Maximum price to retail dealers per pound	Maximum price to institutional buyers per pound	Maximum price at retail per pound
7.A Bean Sprouts, cleaned.....	\$0.14	\$0.1470	\$0.20

3. Section 21 (e) (3) (iii) is amended by changing the price of "Bean Sprouts, cleaned," to read as follows:

	Maximum price at wholesale per pound	Maximum price at retail per pound
Bean Sprouts, cleaned.....	\$0.14	\$0.20

4. Section 21 (e) (3) (iv) is amended by adding a new item "Bean Sprouts, cleaned," to read as follows:

	Maximum price at wholesale per pound	Maximum price at retail per pound
Bean Sprouts, cleaned.....	\$0.14	\$0.20

(c) *Terms of sale and zone differentials*—(1) *Terms of sale.* The maximum price of manufacturers established by this regulation are f. o. b. point of shipment, and they are subject to a 2 percent discount for payment within ten days, net thirty days. On sales of less than one dozen new pillows of a single size and kind, an extra charge of 5 percent may be added to the maximum price otherwise provided.

(2) *West Coast differentials.* Manufacturers who manufacture, or sell "delivered", in the states of California, Oregon and Washington may add the following charges to their maximum prices:
New pillows, \$0.30 per pair.
New upholstery cushion innercasings, \$0.04 per pound gross weight.

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

This regulation shall become effective on April 28, 1945.

Issued this 23d day of April, 1945.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6469; Filed, Apr. 23, 1945; 11:27 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 141]

GROCERY ITEMS IN HAWAII

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 373 is amended in the following respects:

TABLE III—DIFFERENTIAL IN FABRIC OTHER THAN "CLASS I" FABRIC IS USED

Finished pillow size (inches)	Fabric		
	Class II	Class III	Class IV
22 x 28, or smaller.....	-\$0.10	+\$0.15	+\$0.30
Larger than 22 x 28.....	-.12	+.20	+.35

TABLE IV—TAILORING EXTRAS

Nature of the tailoring extra	Finished pillow size (inches)	Permitted increase in maximum price
Corded edge.....	All sizes.....	\$0.15 per pair.
Interlining:		
(a) Class I Fabrics:	18 x 26, or smaller.	\$0.60 per pair.
	Larger than 18 x 26.	\$0.75 per pair.
(b) Other fabrics with a thread count 80 x 80, or 72 x 84 or higher.	Larger than 18 x 26.	\$0.70 per pair.
Fancy pillow labels.....	All sizes.....	\$0.85 per pair.
		\$0.05 per pair.

TABLE V—PACKING EXTRAS FOR PILLOWS PACKED SINGLY OR IN PAIRS

Type of container	Permitted increase in maximum price
Paper bags.....	\$0.10 per pair.
Corrugated cartons.....	\$0.25 per pair.
Plain white cartons.....	\$0.35 per pair.

(b) *Maximum prices for sales of new upholstery cushion innercasings by manufacturers to the furniture trade.* The maximum price for sales of new upholstery cushion innercasings by manufacturers to the furniture trade is the sum of the value of the filling, known as the "filling allowance", plus an allowance for the cover.

(1) In order to determine the filling allowance, the manufacturer shall:

(i) Ascertain the net poundage of each feather component used in the filling according to the classification of feathers and down set forth in Maximum Price Regulation No. 318 and section 6 i of Supplementary Regulation No. 147 to the General Maximum Price Regulation; and

(ii) Multiply the net poundage of each feather and down component by the appropriate maximum price provided in those regulations; and

(iii) Multiply the product of (ii) by 103 percent. The resultant figure is the filling allowance.

(2) The allowance for covers is set forth in Table VI below:

5. Section 21 (e) (3) (v) is amended by adding a new item "Bean Sprouts, cleaned," to read as follows:

	Maximum price at wholesale per pound	Maximum price at retail per pound
Bean Sprouts, cleaned.....	\$0.14	\$0.20

6. Section 21 (e) (3) (vi) is amended by changing the price of "Bean Sprouts, cleaned," to read as follows:

	Maximum price at wholesale per pound	Maximum price at retail per pound
Bean Sprouts, cleaned.....	\$0.14	\$0.20

7. Section 41 (f) (2) is amended to read as follows:

(2) "Beans and peas, dried edible" means all bulk or packaged, threshed and dried field or garden beans, peas, and lentils, used for human consumption, except mung beans.

8. Section 41a (n) (17) is amended to read as follows:

(17) "Dried edible beans and peas" means all bulk or packaged, threshed and dried field or garden beans, peas, and lentils used for human consumption, except mung beans.

9. Section 41a, Table A (b) is amended by adding a new item under commodity classification number 31 to read as follows:

Commodity classification number	Grocery items	Maximum wholesale markup over landed cost per unit
31.....	Evaporated Milk, FSCC, 4 7/8 oz. can.	\$0.13

This amendment shall become effective as of April 10, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9323, 8 F.R. 4661.)

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45 6467; Filed, Apr. 23, 1945; 11:26 a. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 14J, Amdt. 4]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN CONSUMER GOODS

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.

Supplementary Regulation No. 14J to the General Maximum Price Regulation is amended in the following respects:

Section 6.1 is amended to read as follows:

SEC. 6.1 *Maximum prices for used feathers and down*—(a) *Scope of this section.* This section establishes maximum prices for all sales or deliveries of secondhand feathers and down of either domestic or foreign origin which are not encased in any ticking, including the secondhand components of any mixture of new and secondhand feathers and down.

(b) *Maximum prices for components of secondhand processed feathers and down.* (1) The maximum prices for sales and deliveries of secondhand processed feathers or down are as follows:

	Per pound
Down clusters.....	\$3.00
Waterfowl feathers.....	.50
Waterfowl fibre.....	.25
Chicken and turkey feathers or fibre.....	.10

Sellers of secondhand processed feathers or down in the states of California, Oregon, and Washington may add 4 cents per pound, to the maximum prices listed above.

(2) The maximum price for all sales or deliveries of a mixture of secondhand processed feathers and down listed above is the price which results by applying the proportionate percentage of such component part of the mixture to the prices set forth above.

(c) *Maximum prices for secondhand unprocessed feathers or down.* The maximum prices for all sales and deliveries of secondhand unprocessed feathers and down, or for any mixture shall be the maximum price of the same feathers when processed, as determined under paragraph (b) less the buyer's cost of processing and shrinking. The cost of processing and shrinking shall be determined at the time of the sale on the basis of the methods ordinarily used in the trade in appraising feather mixtures.

(d) *Maximum prices for imported secondhand feathers and down.* The maximum prices for sales of secondhand feathers and down which are imported are the maximum prices computed under paragraph (b) (1) above. These maximum prices include custom duties, packing charges, the cost of importation to the first port at which the feathers are landed, and any other charges involved in the importation.

(e) *Terms of sale.* These prices are f. o. b. seller's city and they include packing or baling for shipment, and delivery within the processor's metropolitan delivery area. They are subject to a cash

discount of 2 percent for payment within ten days.

(f) *Invoices.* After the effective date of this amendment, every seller of secondhand processed feathers and down shall furnish the purchaser with an invoice or other written evidence of sale and shall retain a copy thereof for inspection by the Office of Price Administration. Each such invoice or other written evidence of sale shall state: The names and addresses of the seller and purchaser; that the feathers are "secondhand processed" feathers; the net weight of each mixture; the percentage by weight of each feather or down component in each mixture; the price charged for each mixture.

(g) *Labeling.* Each processor shall affix to each package containing secondhand processed feathers and down before sale a tag or label which shall state the following:

- (1) The processor's name.
- (2) The net weight of contents.
- (3) The percentage by weight of each component.

(h) *Tolerance.* A seller shall be deemed to have calculated the correct maximum price for any mixture if the per pound value of the mixture is not less than 90% of the per pound value stated and charged on the invoice of sale.

(i) *Definitions.* When used in this section, the term:

(1) "Secondhand" means feathers and down which have been previously used.

(2) "Processed" means feathers and down which, since their last use, have been well dusted, washed, dried, sterilized, and are free from objectionable odors, and meet the cleanliness test prescribed in Federal Specifications No. C-F-151a, paragraph F-2.

(3) "Down clusters" means the soft undercoating of a waterfowl, consisting of light, fluffy filaments extending from one quill point without any quill shaft.

(4) "Waterfowl fibre" means detached barbs or fibres from down clusters or waterfowl feathers.

(5) "Waterfowl feathers" means whole or broken waterfowl body feathers, quills, or stripped feathers.

(6) "Stripped feathers" means the barb of feathers detached or stripped from the quill but not separated into fibre.

(7) "Broken feathers" means any fragment of a feather or feathers with a broken quill shaft.

(j) Any person required to keep any records pursuant to this section 6.1 shall retain such records for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

NOTE: The reporting and record keeping provisions of this section 6.1 have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942, as amended.

This amendment shall become effective on the 28th day of April 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6471; Filed, Apr. 23, 1945; 11:27 a. m.]

Chapter XXIII—Surplus Property Board
[SPB Reg. 1, Amdt. 1]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

Surplus Property Board Regulation No. 1 (10 F.R. 3764), entitled "Designation of Disposal Agencies and Procedures for Reporting Surplus Property Located Within the Continental United States, Its Territories and Possessions", and Orders No. 1, 2 and 3 (10 F.R. 3767, 3769, 3771) thereunder, issued April 2, 1945, effective May 1, 1945, are hereby amended by substituting for the term "Treasury Department" wherever it appears the term "Department of Commerce."

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

APRIL 17, 1945.

Approved under section 21 of the Surplus Property Act of 1944 for disposal of surplus cotton and woolen goods.

MARVIN JONES,
War Food Administrator.

APRIL 20, 1945.

[F. R. Doc. 45-6497; Filed, Apr. 23, 1945; 11:41 a. m.]

TITLE 33—NAVIGATION AND
NAVIGABLE WATERS

Chapter I—Coast Guard, Department of
the Navy

PART 5—REGULATIONS, UNITED STATES
COAST GUARD AUXILIARY

Sec.	
5.7	Preamble.
5.8	Definitions.
5.9	Purpose, organization and administration.
5.10	Personnel.
5.11	Assignment to duty.
5.12	Facilities.
5.13	Reimbursement for operating expenses, damage or loss.
5.14	Benefits, rights and privileges.

AUTHORITY: §§ 5.7 to 5.14, inclusive, issued under 55 Stat. 9, 14 U. S. C., Supp., Chapter 9.

§ 5.7 *Preamble.* The regulations for the United States Coast Guard Auxiliary (53 CFR, Cum. Supp., 5.0 to 5.6), as amended, are hereby revoked and the following regulations are prescribed for the United States Coast Guard Auxiliary. All orders, rules, enrollments, privileges or other benefits made, issued, or granted pursuant to the regulations hereby revoked, and in effect on the date of publication in the FEDERAL REGISTER of §§ 5.7 to 5.14, inclusive, shall continue in effect, if not inconsistent with the Coast Guard Auxiliary and Reserve Act of 1941, as amended, until modified or revoked pursuant to §§ 5.7 to 5.14, inclusive.

§ 5.8. *Definitions.* When used in §§ 5.7 to 5.14, inclusive, the terms:

(a) "Act" means the Coast Guard Auxiliary and Reserve Act of 1941, as amended.

(b) "Auxiliary" means the United States Coast Guard Auxiliary established pursuant to the Act.

(c) "Commandant" means the Commandant of the United States Coast Guard.

(d) "Member" means any person who is a member of the Auxiliary.

(e) "Vessel" means a motorboat or yacht.

(f) "Motorboat" means any documented or numbered vessel propelled by machinery, not more than 65 feet in length measured end to end over the deck excluding sheer.

(g) "Yacht" means either (1) any documented or numbered vessel used exclusively for pleasure, or (2) any sailboat used exclusively for pleasure over 16 feet in length measured from end to end over the deck excluding sheer.

(h) "Radio station" means any equipment (including a building which houses such equipment) the use of which to transmit communications by radio is authorized pursuant to law.

(i) "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

(j) "Secretary" means the Secretary of the Navy when the Coast Guard operates as part of the Navy and the Secretary of the Treasury when the Coast Guard operates in the Treasury Department.

(k) "Facility" or "facilities" means a vessel, aircraft and/or radio station.

§ 5.9 *Purpose, organization and administration*—(a) *Purpose*. The Auxiliary was created in order to assist the Coast Guard, in the language of the Act:

(1) To promote safety and to effect rescues on and over the high seas and on navigable waters;

(2) To promote efficiency in the operation of motorboats and yachts;

(3) To foster a wider knowledge of, and better compliance with, the laws, rules, and regulations governing the operation of motorboats and yachts; and

(4) To facilitate other operations of the Coast Guard.

(b) *Organization*. The Auxiliary is a nonmilitary organization administered by the Commandant, under the direction of the Secretary.

(c) *Administration*. Any authority conferred by these regulations upon the Commandant may be delegated by him to such personnel of the Coast Guard, in such manner and to such extent, as he deems necessary or appropriate for the functioning, organization, and internal administration of the Auxiliary.

§ 5.10 *Personnel*—(a) *Eligibility*. To be eligible for membership in the Auxiliary, a person (male or female) must:

(1) Be a citizen of the United States or of its Territories and possessions, including the Philippine Islands; and

(2) Either (i) own not less than a twenty-five percent interest in a motorboat, yacht, aircraft or radio station; or

(ii) Have had such special training or experience as to qualify him, in the opinion of the Commandant, for duty in the Auxiliary.

No. 81—10

(b) *Membership in military organizations*. Members of the Auxiliary may also be enrolled, enlisted or commissioned in the Coast Guard Reserve. Membership in the Auxiliary is not a bar to membership in any other naval or military organization.

(c) *Applications for membership*. Applications for membership in the Auxiliary shall be made on the prescribed form. The Commandant shall prescribe the qualifications to be met by candidates claiming eligibility under § 5.10 (a) (2).

(d) *Admission to membership*. An applicant who is accepted for membership shall be enrolled in the Auxiliary for a term of three years and shall be issued a membership certificate and identification card. The Commandant shall prescribe the terms under which membership may be renewed, duplicate certificates or cards issued, and other requirements and limitations on the use, display and surrender of such certificates and cards. Mere ownership of such a certificate or card shall not entitle a member of the Auxiliary to be vested with or exercise any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Coast Guard Reserve.

(e) *Disenrollment*. A member of the Auxiliary shall be disenrolled:

(1) On request.

(2) Upon ceasing to possess the qualifications for membership, unless such deficiency shall be remedied within six months thereafter.

(3) For cause.

(4) Upon direction of the Commandant.

(5) Upon death of a member.

The Commandant shall prescribe the terms under which disenrolled members may be re-enrolled, the procedure to be followed for disenrolling for cause (§ 5.10 (e) (3) above), the character of the disenrollment, and the document or documents to be surrendered upon disenrollment.

(f) *Training*. Pursuant to such terms as the Commandant may prescribe, correspondence courses of the Coast Guard Institute may be made available to members of the Auxiliary.

(g) *Ranks, titles, designations, grades*. Members of the Auxiliary shall have such ranks, titles, designations or grades, pursuant to such qualifications, as may be prescribed by the Commandant.

(h) *Advancement*. The Commandant shall prescribe the circumstances and qualifications under which members of the Auxiliary may be advanced.

(i) *Honorary members*. For conspicuous service to or active interest in the Auxiliary, the Commandant may award any person with honorary membership in the Auxiliary. An honorary member of the Auxiliary, solely by reason of such honorary membership, shall not be entitled to any of the rights, benefits, privileges, duties or obligations of regular members of the Auxiliary.

§ 5.11 *Assignment to duty*—(a) *Specific duties*. Members of the Auxiliary shall not be assigned to specific duties until they have been found, after appropriate training and examination, to be competent to perform such duties.

(b) *Assignment to motorboat, yacht, aircraft or radio station*. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty.

(c) *Powers and authorities*. Members of the Auxiliary, when assigned to specific duties shall, unless otherwise limited by the Commandant, be vested with same power and authority, in execution of such duties, as members of the regular Coast Guard assigned to similar duty.

(d) *Training, examination and assignment*. The Commandant shall prescribe the type of training, qualifications and examinations required before a member of the Auxiliary shall be deemed qualified to perform duties, and shall prescribe the circumstances and manner in which members of the Auxiliary shall be authorized to perform regular and emergency specific duties.

§ 5.12 *Facilities*—(a) *Use of facilities*. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property, including air-sea rescue operations, in the patrol of marine parades and regattas, or for any other purpose incident to the carrying out of the functions and duties of the Coast Guard, any motorboat, yacht, aircraft, or radio station placed at its disposition for any of such purposes by any member of the Auxiliary, by any corporation, partnership, or association, or by any State or political subdivision thereof.

(b) *Offer of facilities*. Any member of the Auxiliary, corporation, partnership, or association, or any State or political subdivision thereof, desiring to place a vessel, aircraft, or radio station at the disposal of the Coast Guard pursuant to the Act and §§ 5.7 to 5.14, inclusive, shall communicate with the Coast Guard, indicating in such communication which facility is offered. Except in emergencies, an offer to the Coast Guard must be made on the prescribed form.

(c) *Acceptance of facilities*. No vessel, aircraft or radio station shall be deemed loaned to the Coast Guard until an acceptance, on the prescribed form, has been signed on behalf of the Coast Guard by a person authorized by the Commandant to sign such acceptance.

(d) *Emergencies*. In an emergency, as declared by the Commandant, the offer of a vessel, aircraft, or radio station may be made without the use of the prescribed offer form, and such facility may be accepted on behalf of the Coast Guard without the use of the prescribed acceptance form.

(e) *Public vessels, aircraft and radio stations*. While assigned to Coast Guard duty, as authorized herein:

(1) A motorboat or yacht shall be deemed to be a public vessel of the United States, and within the meaning of the act of June 15, 1936, as amended, shall be deemed to be a vessel of the United States Coast Guard;

(2) An aircraft shall be deemed to be a vessel of the United States Coast Guard within the meaning of the act of June

15, 1936, as amended, and shall be deemed to be a "public aircraft" within the meaning of the act of June 23, 1938, as amended;

(3) A radio station shall be deemed to be a radio station of the United States Coast Guard and a "Government station" within the meaning of the act of June 19, 1934, as amended.

(f) *Return of facility.* A vessel, aircraft, or radio station placed at the disposal of the Coast Guard for a specific period, shall be returned at the expiration of such period, unless circumstances or emergent need make the return impracticable at that time. The Commandant shall prescribe the method, time and documents to be exchanged upon the return to the owner of any facility.

(g) *Flag or pennant.* The flag or pennant, prescribed by the Secretary, may be displayed by any vessel, aircraft or radio station at such times and under such circumstances as may be authorized by the Commandant. The penalty for the unauthorized flying of any flag or pennant of the Auxiliary is set forth in § 5.14 (g).

§ 5.13 *Reimbursement for operating expenses, damage or loss—*(a) *Reimbursement for expenses.* Any person whose vessel, aircraft or radio station has been offered to and accepted by the Coast Guard shall, in accordance with instructions of the Commandant, be reimbursed for the actual necessary expenses of operation of such vessel, aircraft or radio station when assigned to Coast Guard duty. "Actual necessary expenses of operation" includes payment for fuel, oil, power, water, supplies, provisions, and replacement or repair of equipment.

(b) *Damaged equipment or facilities.* The Commandant shall prescribe the nature of reports to be made upon the return of a vessel, aircraft or radio station. If such report shows that the vessel, aircraft or radio station has been damaged, or that any equipment thereof is in need of replacement or repair the Commandant shall cause an investigation to be made. If as a result of such investigation it is found:

(1) That the responsibility for the damage rests with the Coast Guard; and

(2) That the vessel, aircraft or radio station has been offered to and accepted by the Coast Guard; and

(3) That at the time the damage was incurred the facility was assigned, by competent authority, to specific Coast Guard duties;

the damages may be repaired or the equipment replaced, in the discretion of the Commandant, either (1) by the Coast Guard or (2) by the owner of the facility at his own expense for which reimbursement will be made by the Coast Guard.

(c) *Constructive or actual loss.* In case of the constructive or actual loss of a vessel, aircraft or radio station, where such loss is reported to the Coast Guard within six months from the date of such loss, the Commandant shall cause an investigation to be made. If as a result of such investigation it is found:

(1) That the responsibility for the loss rests with the Coast Guard; and

(2) That the vessel, aircraft or radio station had been offered to and accepted by the Coast Guard; and

(3) That at the time of the loss, the facility was assigned, by competent authority, to specific Coast Guard duties; the Coast Guard will make such payment to the owner of the facility, as in the discretion of the Commandant, whose decision shall be final, will compensate such owner for the constructive or actual loss of his vessel, aircraft or radio station.

§ 5.14. *Benefits, rights and privileges—*(a) *Compensation.* No member of the Auxiliary shall receive any compensation for his services as a member of the Auxiliary.

(b) *Traveling expenses and per diem.* A member of the Auxiliary, when assigned to specific duties, may be paid actual necessary traveling expenses, including a per diem allowance of not to exceed \$6 in lieu of subsistence, while traveling and while on duty away from his home. No per diem, however, will be paid for any period during which a member of the Auxiliary is furnished quarters and subsistence by the Government, nor will per diem be paid for any period while a member of the Auxiliary is performing duty on a vessel.

(c) *Medical treatment and hospitalization.* When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing patrol duty or any other specific duty to which he has been assigned, such member or his beneficiary shall be entitled to the same benefits as are now or as may hereafter be provided for temporary members of the Coast Guard Reserve who suffer physical injury or death resulting from physical injury incurred in line of duty. Members of the Auxiliary who contract sickness or disease while performing patrol duty or any other specific duty to which they have been assigned shall be entitled to the same hospital treatment as is afforded members of the Regular Coast Guard.

(d) *Uniforms.* Members of the Auxiliary may purchase from the Coast Guard at actual cost such uniforms as may be prescribed by the Secretary. Such uniforms may be worn by members of the Auxiliary under such circumstances and upon such occasions as may be prescribed by the Commandant.

(e) *Insignia.* Insignia, as prescribed by the Secretary, may be purchased from the Coast Guard at actual cost and may be worn by members of the Auxiliary under such circumstances, at such places, and upon such occasions as may be prescribed by the Commandant.

(f) *Medals.* Under such terms as he may prescribe and of such design as he may approve, the Commandant may make awards, including medals, to members of the Auxiliary.

(g) *Penalties.* Section 302 of the act reads, in part, as follows:

Any person who shall without proper authority, fly from any building, aircraft, motorboat, yacht, or other vessel, any flag or pennant or display any identifying insignia or wear any insignia of the Auxiliary or Reserve, or wear any uniform of the Auxiliary shall, upon conviction thereof, be punished by a fine not exceeding \$500.

(h) *Limitation of rights, privileges and benefits.* Section 12 of the act reads as follows:

Members of the Auxiliary shall be entitled only to such rights, privileges, and benefits as are specifically set forth in this act for them or as may be specifically provided for them in any other law. Any law which grants rights, privileges, or benefits generally to military personnel, or, among others, to personnel of the Coast Guard and the Reserve component thereof, without specifically granting such rights, privileges, or benefits to members of the Auxiliary shall not be deemed applicable to members of the Auxiliary.

Dated: April 20, 1945.

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

Approved:

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-6465; Filed, Apr. 23, 1945;
10:59 a. m.]

TITLE 46—SHIPPING
Chapter III—War Shipping
Administration
[G. O. 48]

PART 303—CONTRACTS FOR CARRIAGE ON
VESSELS OWNED OR CHARTERED BY THE
WAR SHIPPING ADMINISTRATION
PRELIMINARY CONTRACTS

Whereas it has been deemed necessary and appropriate in the efficient exercise of the functions conferred upon the Administrator, War Shipping Administration, that a uniform dock receipt be prescribed evidencing delivery of cargo to piers, docks, wharves or other places for loading and transportation on vessels operated by or for the account of the War Shipping Administration and containing the uniform terms and conditions under which such cargo is received and handled before loading on such vessels. It is accordingly ordered that:

§ 303.40 *Uniform dock receipt, "War-shipdockreceipt 5/15/45".* (a) On and after May 15, 1945, all agents shall issue or cause to be issued a uniform dock receipt in the form herein prescribed and designated Warshipdockreceipt, 5 15 45, whenever shipments of goods are delivered into their custody for transportation by sea and for which General Order 16 and supplements thereto (§§ 303.11 to 303.23, inclusive, and §§ 303.31 to 303.34, inclusive) and future supplements and amendments thereto prescribe the use of uniform bills of lading.

(b) The right is reserved to approve other forms of dock receipts and to make general amendments and approve special provisions appropriate to specific trades, commodities or conditions. Agents upon written authorization from War Shipping Administration may insert such special terms or provisions. Special terms and provisions may be authorized by Traffic Regulations, Traffic Bulletins, Rate Orders and Rate Advices.

(c) Wherever the use of a short form dock receipt has been approved, such form may be issued providing it incorporates by reference the terms and pro-

visions of Warshipdockreceipt. The words "carrier's usual form of dock receipt," or similar expressions as used in any such short form dock receipt, shall mean Warshipdockreceipt.

(d) In accordance with the provisions of paragraph 3 of Warshipdockreceipt, dock receipts shall not be issued in the name of or on behalf of the War Shipping Administration where goods are received for warehousing or storage and they shall not be issued by terminal operators in their capacity as terminal operators.

(e) Agents shall print and maintain a supply of Warshipdockreceipts (or the short form, if authorized) in whatever style or type they deem best suited for their purposes. All matters including and preceding the signature should be printed on the face of the receipt. Agents may add non-contractual provisions under the heading, "Instructions to Shippers," if they so desire.

(f) Warshipdockreceipt shall be in the following form:

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

Receipt No. -----

Warshipdockreceipt
5, 15/45

Dock Receipt, Not Negotiable

XYZ STEAMSHIP COMPANY
Agents for United States of America
(War Shipping Administration)

-----, 194--
(Insert port of loading and date)

Pier -----

Ship: M. S. -----
S. S. -----

Port of discharge from ship -----

Destination of goods -----
(If goods to be transhipped at port of discharge)

Received from -----
for account of ----- (the shipper)
for shipment on the vessel named herein
(or other or substitute vessel or vessels) the
goods or packages said to contain goods in
apparent good order and condition subject
to all the terms, conditions and exceptions
contained herein and in WARSHIPLADING—
7 1,42 (as amended) which are incorpo-
rated herein and shall be considered a part
hereof with the same force and effect as if
herein set forth at length. The goods are
received subject to delay or carrier's inabil-
ity to carry due to accumulation of goods,
lack of conveyances, space or facilities of any
sort, labor disturbances, strikes, lockouts,
riots, war, governmental authority or any
other condition or circumstance whatso-
ever beyond the control of the carrier. Any
valuation in excess of \$500 per package or
customary shipping unit as provided for in
the aforementioned bill of lading shall be
declared in writing by the shipper upon
delivery to the carrier and inserted herein as
well as in the bill of lading and extra freight
paid if required. Nothing in this Dock Re-
ceipt shall operate to limit or deprive the
carrier of any statutory protection or ex-
emption from or limitation of liability.

1. The carrier shall not become responsible for the goods as carried until the goods are actually loaded on the vessel, and until such loading it shall be liable only for loss or damage occasioned by its fault, such as an ordinary bailee is liable for, and such goods while on dock and awaiting shipment are at the risk of the shipper or owner of the goods for

loss or damage by flood and all other risks and causes mentioned in paragraphs (a) to (p) inclusive of subdivision 2 of Section 4 of The Carriage of Goods by Sea Act of the United States, or any other cause whatsoever; but subject also to the terms, conditions, exceptions, and limitations of liability and value contained in the aforementioned bill of lading not inconsistent with the terms of this Dock Receipt. It is agreed that the shippers have acquainted themselves with the terms and provisions of the aforementioned bill of lading and by acceptance of this Receipt have assented to those terms and conditions.

2. The word "carrier," as used herein, shall be deemed to mean and shall include, to the extent of any right, duty or liability to which it or they may be entitled or subject hereunder, the vessel, and its owner and master, the terminal operator, the charterer, and the War Shipping Administration acting in any capacity or any of its or their agents in any capacity.

3. This Dock Receipt shall not be issued for cargo received at or placed on a pier for storage or purposes other than shipment. If so issued it shall be null and void, and not binding on War Shipping Administration.

XYZ STEAMSHIP COMPANY,
Agents for United States of America,
(War Shipping Administration).
By -----
Receiving Clerk

PARTICULARS FURNISHED BY SHIPPER OF GOODS

Leading marks and numbers	Number of packages	Kind of packages	Description of goods

Total measurement ----- Cu. Ft.
Total gross weight ----- lbs.
Shippers are requested to fill measurement and weight detail on reverse side.

INSTRUCTIONS TO SHIPPERS

1. Shipping Marks, Numbers and Port of Destination must be clearly and durably marked by the shipper on each package, in letters and numbers not less than two inches high together with the name of the port of discharge.

2. A separate Dock Receipt must be obtained for each shipment.

3. Bills of Lading and Export Declaration must unless otherwise agreed be presented to freight office not later than two days before sailing.

4. The weight of each piece or package in excess of 4,000 lbs. must be declared by the shipper on shipment and clearly and durably marked on the outside of each such piece or package.

5. Attention of shippers is called to the fact that serious penalties are specified by law for delivery to a carrier of packages containing explosives and other dangerous articles without disclosure of the nature of the contents and that all such goods must be packed and marked in accordance with laws, and regulations pertaining thereto.
(May be printed in margin if desirable.)

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.
War Shipping Administration.

APRIL 21, 1945.

[F. R. Doc. 45-6499; Filed, Apr. 23, 1945;
11:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S.O. 300]

PART 95—CAR SERVICE

ICING RESTRICTION ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of April, A. D. 1945.

It appearing, that the icing of potatoes originating at points in certain States, shipped in refrigerator cars impedes unduly the use, control, supply, movement, and distribution of such cars and contributes to the shortage of equipment and congestion of traffic; the Commission is of opinion an emergency requiring immediate action exists in the eastern section of the country: it is ordered, that:

(a) (1) *Icing restrictions on Maine potatoes.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice, or reice in transit at any point located east of the Mississippi River and north of the southern boundaries of the States of Tennessee and North Carolina, a refrigerator car or cars loaded with potatoes originating at any point or points in the State of Maine.

(2) *Cars of potatoes originating in certain States not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice, or reice in transit, at any point east of the Mississippi River, any refrigerator car or cars loaded with potatoes originating in the States of Alabama, Georgia, Florida, North Carolina, South Carolina, and Virginia (except the Counties of Northampton and Accomac).

(b) *Application.* The provisions of this order shall apply to all such shipments billed or rolling on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein affected by this order.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 a. m., April 23, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1, (10)-(17))

It is further ordered, that a copy of this order and direction shall be served

upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-6360; Filed, Apr. 21, 1945;
11:03 a. m.]

[S. O. 303]

PART 95—CAR SERVICE

ICING RESTRICTIONS ON CABBAGE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of April, A. D. 1945.

It appearing, that the practice of icing with both bunker and top ice, cabbage in refrigerator cars, originating at points in certain States, impedes unduly the use, control, supply, movement, and distribution of such cars and contributes to the shortage of equipment and congestion of traffic; the Commission is of opinion an emergency requiring immediate action exists in the eastern section of the country: it is ordered, that:

(a) *Icing restrictions on cabbage.* (1) No common carrier by railroad subject to the Interstate Commerce Act shall initially bunker ice or reice in transit in bunkers, a refrigerator car or cars loaded with cabbage originating at any point or points in the States of Florida, Georgia, North Carolina and South Carolina, when such car has been top iced or retop iced.

(2) No common carrier by railroad subject to the Interstate Commerce Act shall reice in transit at any point located east of the Mississippi River, a refrigerator car or cars loaded with cabbage originating at any point or points in the States of Florida, Georgia, South Carolina and North Carolina.

(b) *Application.* The provisions of this order shall apply to all such shipments billed on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad affected by this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein affected by this order.

(e) *Special and general permits.* The provisions of this order shall be subject

to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 a. m., April 23, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1, (10)-(17))

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-6362; Filed, Apr. 21, 1945;
11:03 a. m.]

[S. O. 303, Amdt. 1]

PART 95—CAR SERVICE

ICING RESTRICTIONS ON CABBAGE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of April, A. D. 1945.

Upon further consideration of Service Order No. 303 (*supra*) of April 19, 1945, and good cause appearing therefor: *It is ordered, That:*

Service Order No. 303 (*supra*) of April 19, 1945, be, and it is hereby, amended by adding the States of Louisiana and Mississippi to paragraphs (A) (1) and (A) (2) thereof. (40 Stat. 101, sec. 402, 41 Stat. 476, 485, sec. 4, 10, 54 Stat. 901, 912, 49 U.S.C. 1 (10)-(17) 15 (4))

It is further ordered, That this order shall become effective at 12:01 a. m., April 23, 1945; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-6457; Filed, Apr. 23, 1945;
10:55 a. m.]

[6th Rev. S. O. 259, Amdt. 1]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF
IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of April, A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 259 (10 F.R. 4266) of April 19, 1945, and good cause appearing therefor; *It is ordered, That:*

Sixth Revised Service Order No. 259 (10 F.R. 4266) of April 19, 1945, be, and it is hereby, amended by substituting the following paragraph (F) and Appendix A for paragraph (F) and Appendix A thereof:

(F) *Expiration date.* This order shall expire at 12:01 a. m. e. w. t., June 1, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

APPENDIX A

Section No. 1: The county Malheur in the State of Oregon and the State of Idaho except the county of Idaho and all counties north thereof in the State of Idaho.

Section No. 2: Eliminated. (Were certain counties in Oregon and California.)

Section No. 3: The county of Aroostook in the State of Maine.

Section No. 4: Eliminated. (Was State of Colorado.)

Section No. 5: Eliminated. (Were certain counties in Minnesota.)

Section No. 6: Eliminated. (Were certain counties in North Dakota.)

Section No. 7: The counties of Ottawa, Kent, Ionia, Clinton, Saginaw, Bay, and all counties north thereof in the State of Michigan exclusive of that portion of Michigan known as the upper peninsula of Michigan.

Section No. 8: The county Kern in the State of California.

It is further ordered, That this order shall become effective 12:01 a. m., April 23, 1945; that copies of this order shall be served upon the State regulatory bodies of the States of California, Idaho, Michigan, Maine, and Oregon, 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. 45-6456; Filed, Apr. 23, 1945;
10:55 a. m.]

Chapter II—Office of Defense
Transportation

[Supp. Administrative Order ODT 1-5A]

ASSISTANT DIRECTOR, RAILWAY TRANSPORT
DEPARTMENT

DELEGATION OF AUTHORITY

Pursuant to § 533.5, paragraph (b) of Administrative Order ODT 1, as amended (8 F.R. 6001; 9 F.R. 4615):

1. J. E. Carroll, Assistant Director, Railway Transport Department, Office of Defense Transportation, is hereby authorized to execute and issue, in his discretion and subject to such terms and conditions as he may prescribe, and in the name of the Director of the Office of Defense Transportation, the special permits contemplated by § 500.73 of General Order ODT 18A, as amended (8 F.R. 14477; 9 F.R. 116, 7528), and the special permits contemplated by General Order ODT 1, as amended (7 F.R. 3046, 3213, 3753, 9744), or as such orders may be hereafter amended, revised, or reissued.

2. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director of the Office of Defense Transportation and the Director, Railway Transport Department, Office of Defense Transportation.

Supplementary Administrative Order ODT 1-5, as amended (8 F.R. 14871, 15986), is hereby revoked.

Issued at Washington, D. C., this 24th day of April 1945.

J. H. AYDELOTT,
Director,

Railway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 45-6444; Filed, Apr. 23, 1945;
10:47 a. m.]

Notices

NAVY DEPARTMENT.

PUBLIC SALE OF PETROLEUM

CALL FOR BIDS

Invitation to qualified bidders to bid with respect to public sale of petroleum from Naval Petroleum Reserve No. 1 (Elk Hills), Kern County, California.

1. Pursuant to the act of June 4, 1920 (41 Stat. 813), as amended by the act of June 30, 1938 (52 Stat. 1252), and as further amended by the act of June 17, 1944 (Public Law No. 343, 78th Congress, 2d Session); and the Joint Resolution of June 17, 1944 (Public Law No. 344, 78th Congress, 2d Session), the Secretary of the Navy (hereinafter referred to as Navy) will produce from said Reserve and have available for public sale to the highest qualified bidder petroleum in the estimated quantities, at the approximate times and at the places indicated below. Bids for all or any part of such petroleum are requested in compliance with the terms of the above-cited act and Joint Resolution and the conditions and provisions to which reference is herein-after made.

2. The public sale will take place in Room 533, United States Court House and Post Office Building, Temple and Main Streets, Los Angeles 12, California, at 10:00 a. m. (p. w. t.), May 8, 1945. No one will be permitted to bid at such sale who has not, in advance thereof, filed in writing as provided in the Specifications hereinafter described (a) a bid and (b) a statement describing his qualifications.

The bids and statements will be read aloud at said time and place and any interested person may be present and will be heard with respect to the subject matter. A bidder who has complied with the provisions of the Specifications may forthwith, after all proposals have been read, change the price or any other terms of his bid and such change or changes shall immediately be written into his bid. No changes will be permitted, however, which will have the effect of lowering the prices bid. The bids will then be taken under advisement by Navy and an acceptance or acceptances made within 30 days thereafter but such acceptance or acceptances shall be subject, however, to the later approval of the President of the United States as explained in the Specifications described below. Navy reserves the right, in the public interest, to reject all bids and order a new public sale.

3. The petroleum which will be offered for sale consists of all of Navy's share of the petroleum produced from the Shallow Oil Zone at Naval Petroleum Reserve No. 1 (Elk Hills) during the period July 1, 1945 to November 30, 1945, both dates inclusive. It is estimated that Navy's share of such production during said period will amount to a total of 7,191,000 barrels. The quantities that will be available from time to time are subject to (a) a maximum authorized daily rate of production available to Navy of 50,000 barrels, (b) field conditions and (c) causes beyond the control of Navy. The principal place of delivery will be at U. S. Naval Fuel Annex, Elk Hills, in the South Half of Section 16, Township 31, South, Range 24 East, M. D. B. & M., Kern County, California.

4. Navy reserves the right to reduce or stop production at any time when it is no longer required for the national defense and more particularly for the meeting of the critical need for petroleum on the west coast to supply the armed services in the Pacific theater. The contract of sale will, accordingly, contain provisions for partial or total cancellation by Navy.

5. Specifications containing detailed information on quantities offered for sale, form of bids, bond requirements, payments, deliveries, volume measurements, provisions respecting price, gravity determination, form of contract, information to be supplied by bidder, etc., can and should be obtained by prospective bidders from Director, Naval Petroleum and Oil Shale Reserves, Navy Department, Washington, D. C., or the inspector, Naval Petroleum Reserves in California, 402 United States Court House and Post Office Building, Los Angeles 12, California, or the Supply Officer in Command, Naval Supply Depot, San Pedro, California. All proposals must conform to such Specifications.

RALPH A. BARD,

Acting Secretary of the Navy.

APRIL 18, 1945.

[F. R. Doc. 45-6413; Filed, Apr. 21, 1945;
2:32 p. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 25]

RIVERTON IRRIGATION PROJECT

NOTICE OF ANNUAL WATER RENTAL CHARGES

APRIL 13, 1945.

1. *Water rental.* Irrigation water, when available, will be furnished upon a rental basis under approved applications for temporary water service during the irrigation season of 1945 and thereafter until further notice to those lands in private ownership and to those public lands opened under the orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, January 31, 1933, and October 30, 1939, against which lands assessments for water rental were not levied by the Midvale Irrigation District for the year in which the water is to be used.

2. *Charges and terms of payment.* The minimum water rental charge for the irrigation season of 1945 and thereafter until further notice will be as follows:

For public lands entered under orders "opening public land to entry" as described in paragraph 1, \$1.50 per irrigable acre, which charge, shall be payable whether water is used or not;

For lands described in paragraph 1 other than public lands, for which water rental application is made, \$2.50 per irrigable acre (of which \$1.00 per acre will be applied to the construction account);

payment of which will entitle the applicant to not more than 2 acre-feet of water per irrigable acre per annum. Payment of the minimum charge shall be made for the entire irrigable area of each public land farm unit; and for the entire irrigable area of each 40-acre subdivision of private land for which application is made. The minimum charge shall be payable in advance on or before May 1 of each year, and no part of such charge shall be refunded. Additional water, if available, will be furnished during the irrigation season at the rate of \$0.50 for the third acre-foot per acre and at the rate of \$0.75 per acre-foot for all additional water above that amount, payable on December 1 of the year in which such additional water is delivered. When the initial water rental application for any tract of land is submitted and approved after June 15 of any year for said public land and after August 1 of any year for lands in private ownership, the minimum charge payment shall apply as a credit on the minimum charge for the following irrigation season.

3. *Penalty for non-payment.* If payment of the minimum charge is not made on or before May 1 of each year in the case of public lands, and payment for additional water furnished to any lands is not made on or before December 1 of the year in which such additional water is delivered, there shall be added to the amount unpaid a penalty of 1/2 per cent thereof on the first day of the third calendar month after such due date, and there shall be added a like penalty of 1/2 per cent on the first day of each month thereafter so long as such default shall continue, and no water shall be de-

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

La Follette Shirt Company, La Follette, Tennessee; O. D. special flannel shirts, civilian shirts; 10 percent (T); effective April 10, 1945, expiring April 9, 1946.

Lemont Pants Company, Inc., 310 Illinois Street, Lemont, Illinois; boys' longies, boys' overalls, ladies' and girls' slacks, men's pants; 4 learners (T); effective April 9, 1945, expiring April 8, 1946.

Michael Berkowitz Company, Inc., Uniontown, Pennsylvania; Government waists and pajamas, women's and children's pajamas; 10 percent (T); effective April 10, 1945, expiring April 9, 1946.

Salant & Salant, Inc., Washington Street, Paris, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., Parsons, Tennessee; cotton work shirts, cotton work pants; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., Obion, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., South First Street, Union City, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., Lawrenceburg, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., Pine Street, Lexington, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Salant & Salant, Inc., Henderson, Tennessee; cotton work shirts; 10 percent (T); effective April 11, 1945, expiring May 25, 1945.

Valley Garment Company, Inc., 701 Marshall Street, McMechen, Virginia; ladies' dresses, ladies' sportswear; 10 percent (T); effective April 10, 1945, expiring April 9, 1946.

Wilson Shirt Company, 180 Trinity Avenue, S. W., Atlanta, Georgia; shirts; 10 percent (T); effective April 10, 1945, expiring April 9, 1946.

HOSIERY INDUSTRY

W. B. Davis & Son, Inc., Fort Payne, Alabama; seamless hosiery; 10 percent (AT); effective April 11, 1945, expiring October 10, 1945.

Aircraft Hosiery Company, Corinth Division, 1539 Tate Street, Corinth, Mississippi; full-fashioned hosiery; 10 percent (AT); effective April 8, 1945, expiring October 7, 1945.

TEXTILE INDUSTRY

Greenwood Cotton Mill, Greenwood, South Carolina; cotton cloth; 8 percent (T); effective April 7, 1945, expiring April 6, 1946.

Signed at New York, New York, this 12th day of April, 1945.

PAULINE C. GILBERT,
Authorized Representative of
the Administrator.

[F. R. Doc. 45-6364; Filed, Apr. 21, 1945; 11:29 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6754]

CORINTH BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR HEARING IN CONSOLIDATION WITH DOCKET NO. 6747 AND SPECIFYING ISSUES

In re: Application of The Corinth Broadcasting Company, Inc. (New), Corinth, Mississippi, for construction permit; File No. B3-P-3858.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 10th day of April 1945.

The Commission having under consideration an application by The Corinth Broadcasting Company, Inc., for construction permit for a new standard broadcast station at Corinth, Mississippi (File No. B3-P-3858),

It is ordered, That this application be, and it is hereby, designated for hearing, to be consolidated with the hearing on the application of Birney Imes, Jr., (Docket No. 6747), to be held at 10:00 a. m. on the 7th day of May 1945, upon the following issues:

1. To determine the legal, financial, technical, and other qualifications of the applicant corporation to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

3. To determine the character of the program service proposed to be rendered by the applicant, and whether it will meet the requirements of the population and area proposed to be served.

4. To determine the availability, qualifications and character of the personnel who will be employed to operate the proposed station.

5. To determine whether the proposed operation would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of policy, dated January 16, 1945.

7. To determine whether in view of the facts adduced under the foregoing issues public interest, convenience and necessity would be served through a granting of this application, the appli-

cation of Birney Imes, Jr. (Docket No. 6747), or either of them.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE, Secretary.

[F. R. Doc. 45-6440; Filed, Apr. 23, 1945; 9:51 a. m.]

[Docket No. 6752]

JOHN M. SPOTTSWOOD

NOTICE OF HEARING

In re: Application of John M. Spottswood (New); date filed, October 30, 1944, for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Key West, Florida; operating assignment specified: Frequency, 1340 kc; power, 250 w; hours of operation, unlimited time; file no. B3-P-3768.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

4. To determine whether the proposed station would provide primary service of from 25 to 50 millivolts per meter over the business district of Key West.

5. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Stations WWPG, Palm Beach, Florida, and CMCB, Havana, Cuba.

6. To determine the areas and populations which may be expected to lose primary service, particularly from Station WWPG, as a result of the operation of the proposed station and what other broadcast services are available to those areas and populations.

7. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

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

9. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy dated January 16, 1945.

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

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

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

John M. Spottswood, 531 Caroline Street, Key West, Fla.

Dated at Washington, D. C. April 17, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-6438; Filed, Apr. 23, 1945;
9:51 a. m.]

[Docket No. 6753]

FRED O. GRIMWOOD

NOTICE OF HEARING

In re: Application of Fred O. Grimwood (New), date filed March 1, 1945, for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Bloomington, Indiana; operating assignment specified: Frequency, 1490 kc.; Power, 100 w; Hours of operation, unlimited time; File No. B4-P-3856.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the legal, financial, technical, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To obtain full information with respect to the nature and character of the program service proposed and whether it will provide for the program needs of the areas and populations proposed to be served.

4. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and station WDAN, Danville, Illinois, and WKBV, Richmond, Indiana.

5. To determine the areas and populations which would be expected to lose primary service from Stations WDAN and WKBV as a result of the proposed operation and what other broadcast services are available to those areas and populations.

6. To determine whether the applicant is technically and otherwise qualified to

operate the proposed station in view of the nature and character of the technical operation of Station KLCN, Blytheville, Arkansas, during the time he was the licensee of said station.

7. To determine the proposed operation would serve an outstanding public need or national interest within the meaning of the statement of policy issued on January 26, 1944.

8. To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy of January 16, 1945.

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

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

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

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:

Fred O. Grimwood, Elk Building, 4th and Jersey Streets, Quincy, Illinois.

Dated at Washington, D. C., April 18, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-6439; Filed, Apr. 23, 1945;
9:52 a. m.]

[Docket No. 6756]

FINANCIAL, OWNERSHIP AND OTHER REPORTS OF BROADCAST LICENSEES

ORDER SETTING FORTH PROPOSED RULES AND SETTING DATE FOR ORAL ARGUMENT

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1945,

Whereas, the Commission is of the opinion that public interest, convenience and necessity may be served by the deletion of §§ 1.361 and 43.1 and the substitution therefor of the following rules:

§ 1.301 *Financial report.* Each licensee of a broadcast station (standard, FM, television, and international) shall file with the Commission on or before March 1 of each year (on Form 324 or such other form as the Commission may prescribe, together with supporting schedules), a balance sheet showing its

financial condition as of December 31 of the preceding calendar year and an income statement for said calendar year. Each such form shall be subscribed as provided in § 1.121 of the Commission's regulations.

§ 1.302 *Filing of contracts.* Each licensee of a broadcast station (standard, FM, television, and international) shall file with the Commission within 30 days of execution thereof all documents, instruments, contracts (the substance of oral contracts or understandings shall be reduced to writing for submission) together with amendments, supplements, and changes therein and cancellations thereof relating to character of organization and identity of its officials; ownership or control of licensee of station, or of any of licensee's stock, rights or interests therein; the use, management, or operation of licensed facilities; and agreements relating to network service, transcription service or bulk time sales (amounting to two hours or more per day); including but not limited to:

(a) Articles of partnership, association, or incorporation;

(b) By-laws affecting character of organization, control, number or powers of its officers or directors, the classification or voting rights of any stock;

(c) Any document, instrument, or contract relating to or affecting ownership of licensee, rights or interests therein, its stock, or voting rights thereto;

(d) Any contract relating to or affecting control of general program service of the station (such as management contracts, network and transcription contracts, and time sales to brokers, etc.).

§ 1.303 *Ownership reports.*—(a) *Annual ownership reports.* The license of each broadcast station (standard, FM, television, and international) shall file on or before March 1 of each year on FCC Form 323A (a copy of which is attached)¹ an annual ownership report and shall show the following information as of December 31 of the preceding calendar year:²

(1) In the case of an individual, the name of such individual.

(2) In the case of a partnership, the names of the partners and the interest of each partner.³

(3) In the case of a corporation or association:

(i) Capitalization, with a description of the classes of stock authorized and the shares of each class issued and outstanding;

(ii) The name, residence, citizenship, and stockholdings of officers and directors, and stockholders;

(iii) Full information with respect to the interest and identity of any person whether or not a stockholder of record, having any interest, direct or indirect, in the licensee or any of its stock.

¹For the year 1945, an Annual Ownership Report shall be filed with the Commission on FCC Form 323A on or before September 1, 1945, showing the information required by § 1.303 as of June 30, 1945.

²No change in partners nor in their rights may be made without prior consent of the Commission upon an application for consent to assignment of license.

³Filed as part of the original document.

For example: Where A is the beneficial owner or votes stock held by B, the same information should be furnished for A as is required for B.

Where X corporation holds stock in the licensee, the same information should be furnished with respect to X corporation (its capitalization, officers, directors, and stockholders and the amount of stock in X held by each) as is required in the case of the licensee, together with full information as to the identity and citizenship of the person authorized to vote licensee's stock.

The same information should be furnished as to Y corporation if it holds any stock in X and as to Z corporation if it holds any stock in Y, and so on back to natural persons.

(iv) Full information as to family relationship or business association between two or more officials and/or stockholders.

(4) In the case of all licensees:

(i) The name, residence, position and date of appointment of operating personnel determining station policy (such as general manager, program director, etc.).

(ii) A list of all contracts required to be filed with the Commission by § 1.302 showing the date of execution and expiration of each contract.

(iii) Any interest which the licensee may have in any other broadcast station.

(b) *Interim ownership reports.* An interim ownership report shall be filed by each licensee on FCC Form 323B (a copy of which is attached) describing any change in information required in the annual ownership report from that previously reported within 30 days after any such change occurs, including without limitation:

(1) Any change in capitalization or organization.

(2) Any change in officers and directors or in operating personnel determining station policy.

(3) Any transaction affecting the ownership, direct or indirect, of licensee's stock, such as (i) a transfer of stock, (ii) issuance of new stock or disposition of treasury stock, (iii) acquisition of licensee's stock by the issuing corporation.

Provided, however, That in the case of a change in the officers, directors or stockholders of a corporation other than the licensee (such as X, Y or Z corporation described in the example above), such change need not be reported in the interim report unless the corporation directly or indirectly owns 25% or more of the voting stock in the licensee.²

(c) *Exceptions.* Where information is required under paragraph (a) or (b) of this section with respect to a corporation having more than 50 stockholders, the licensee may request a modification of the requirements so far as applicable to the particular case.

§ 1.304 *Definitions.* As used in §§ 1.301-1.303:

¹ Filed as part of the original document.

² Any change in the officers, directors or stockholders of a corporation other than licensee which results in a change in the control of the licensee must secure the Commission's consent under section 310 (b) of the Communications Act.

(a) "Stock" shall include any interest, legal or beneficial in, or right or privilege in connection with stock;

(b) "Officer" and "director" shall include the comparable officials in unincorporated associations;

(c) "Contract" shall include any agreement (including, without limitation, an option, trust, or pledge) or any modification thereof, express or implied, oral or written. The substance of oral contracts, arrangements, and understandings shall be reduced to writing.

Whereas, the Commission is of the opinion that it will best conduce to the proper dispatch of business and to the ends of justice that all interested persons be given an opportunity to file briefs and to appear before the Commission to argue orally why the above proposed rule should not be adopted or why it should not be adopted in the form proposed in this order.

Now, therefore, it is hereby ordered, That upon the written request of any interested person, oral argument be held before the Commission en banc on May 21, 1945 at 10:30 a. m. as to why the above proposed rule should not be adopted or why it should not be adopted in the form proposed by this order. Such requests for oral argument shall be filed on or before May 9, 1945, by all persons desiring to appear and each such request shall be accompanied by a brief. Particular attention is invited to proposed § 1.303 (c). If any person is of the opinion that this section should specify the exceptions contemplated by the rule, specific suggestion should be made as to the form in which the exception should be expressed. Comment is also invited as to whether any or all of the information required to be filed by proposed §§ 1.301 to 1.304, inclusive, should be open for public inspection.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-6441; Filed, Apr. 23, 1945;
9:51 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-627; G-635]

PITTSBURGH & WEST VIRGINIA GAS CO., AND
KENTUCKY WEST VIRGINIA GAS CO.

ORDER INSTITUTING INVESTIGATION, CONSOLIDATING PROCEEDINGS, AND FIXING DATE OF HEARING

APRIL 18, 1945.

City of Pittsburgh, Complainant v. Pittsburgh & West Virginia Gas Company, Kentucky West Virginia Gas Company, Defendants, Docket No. G-627; in the matter of Pittsburgh & West Virginia Gas Company, and Kentucky West Virginia Gas Company, Docket No. G-635.

It appears to the Commission that:

(a) On March 17, 1945, the City of Pittsburgh, Pennsylvania, a municipality within the meaning of the Natural Gas Act, filed in Docket No. G-627, a complaint alleging, among other things; that Kentucky West Virginia Gas Com-

pany is a natural-gas company within the meaning of the Natural Gas Act and is subject to the jurisdiction of this Commission; that Pittsburgh & West Virginia Gas Company is a natural-gas company within the meaning of the Natural Gas Act and is subject to the jurisdiction of this Commission; that Kentucky West Virginia Gas Company is engaged in the sale of natural gas in interstate commerce to Pittsburgh & West Virginia Gas Company; that Pittsburgh & West Virginia Gas Company is engaged in the sale of natural gas in interstate commerce to Equitable Gas Company for resale for ultimate public consumption for domestic, commercial and industrial use in the City of Pittsburgh and surrounding territory; that all or a substantial part of the gas sold by the Kentucky West Virginia Gas Company to Pittsburgh & West Virginia Gas Company is in turn sold by the latter to Equitable Gas Company; that the rates and charges demanded and collected by Kentucky West Virginia Gas Company for the sale of natural gas to Pittsburgh & West Virginia Gas Company are subject to the jurisdiction of this Commission; that the rates and charges demanded and collected by Pittsburgh & West Virginia Gas Company for the sale of natural gas to Equitable Gas Company are subject to the jurisdiction of this Commission, and that the rates and charges demanded and collected by Kentucky West Virginia Gas Company for the sale of natural gas to Pittsburgh & West Virginia Gas Company and by Pittsburgh & West Virginia Gas Company for the sale of natural gas to Equitable Gas Company were not arrived at at arm's length, and are unjust and unreasonable and in contravention of the provisions of the Natural Gas Act.

(b) Complainant further alleges that immediate substantial reductions are warranted in the price of natural gas sold by Kentucky West Virginia Gas Company to Pittsburgh & West Virginia Gas Company, and in the price of natural gas sold by Pittsburgh & West Virginia Gas Company to Equitable Gas Company, and requests this Commission to enter upon an immediate investigation and hearing of the justness and reasonableness of the rates and charges of Kentucky West Virginia Gas Company and Pittsburgh & West Virginia Gas Company.

(c) On April 16, 1945, Kentucky West Virginia Gas Company and Pittsburgh & West Virginia Gas Company filed separate similar answers to the aforesaid complaint of the City of Pittsburgh, in which each of the defendant companies admits that it is a natural-gas company within the meaning of the Natural Gas Act. In its answer, Kentucky West Virginia Gas Company, among other things, denies that the rates and charges at which it sells natural gas to Pittsburgh & West Virginia Gas Company are unjust and unreasonable; and alleges "that said rates and charges were properly determined by arm's length measurement and are no higher than they would have been had there been no affiliation between it and Pittsburgh and West Virginia Gas Company and had the rates and charges actually been determined by arm's length

dealing." Similar denials and allegations are made in the answer of Pittsburgh & West Virginia Gas Company with respect to the rates and charges at which it sells natural gas to Equitable Gas Company.

The Commission finds that:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, upon its own motion, into and concerning all rates, charges, or classifications demanded, observed, charged or collected by Pittsburgh & West Virginia Gas Company and Kentucky West Virginia Gas Company in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges or classifications, as hereinafter ordered.

(2) The proceedings hereinafter ordered at Docket No. G-635 may involve substantially the same issues and facts as are presented in Docket No. G-627, and good cause, therefore, exists for consolidating the matters for purpose of hearing.

Wherefore, the Commission orders that:

(A) An investigation be and it is hereby instituted for the purpose of enabling the Commission:

(i) To determine with respect to Pittsburgh & West Virginia Gas Company and Kentucky West Virginia Gas Company whether, in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, any rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory or preferential;

(ii) If the Commission, after a hearing has been had, shall find with respect to Pittsburgh & West Virginia Gas Company and Kentucky West Virginia Gas Company that any of their rates, charges, classifications, rules, regulations, practices, or contracts, subject to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, to determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force.

(B) Docket Nos. G-627 and G-635 be and they are hereby consolidated for purposes of hearing;

(C) A public hearing in these proceedings be held commencing on June 11, 1945, at 10:00 a. m., in the Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.;

(D) Interested State commissions may participate in the said hearing, as provided for in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission,

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-6357; Filed, Apr. 21, 1945; 9:54 a. m.]

[Docket No. G-634]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

APRIL 20, 1945.

Notice is hereby given that on April 14, 1945, Kentucky Natural Gas Corporation, a Delaware corporation having its principal place of business in Owensboro, Kentucky, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of a 10-inch natural gas pipe line approximately 25 miles in length, extending from a point on its distribution system near Russellville, Kentucky, southwardly to Greenbrier, Tennessee, and to connect at that point with the transmission pipe line system of the Tennessee Gas and Transmission Company.

Applicant asserts that it has made application to the War Production Board to allocate to its system 6,000 Mcf of gas per day from the line of the Tennessee Gas and Transmission Company during the winter of 1945-1946. The Company further states that unless some arrangement can be made for an additional supply of gas before the coming winter, it will be necessary for it to curtail deliveries to municipal distribution systems which are dependent upon it.

It is estimated that the proposed facilities will cost \$280,980.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 9th day of May, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-6430; Filed, Apr. 23, 1945; 9:34 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5303]

HOVDEN FOOD PRODUCTS CORP.

NOTICE OF HEARING

Complaint. The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U. S. C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1: Respondent, Hovden Food Products Corporation, is a corporation organized and existing under and by virtue of the laws of the State of California, with its principal office and place of business located at Ocean View and David Streets, Monterey, California.

PAR. 2: Respondent is now engaged, and for many years prior hereto has been engaged, in the business of packing sardines, mackerel and squid and selling such canned sea food products to numerous buyers, including the buyers hereinafter named.

The respondent sells and distributes its canned sea food products by two separate methods. The first method is by utilizing intermediaries who act for respondent in negotiating the sale of its sea food products at respondent's prices and on respondent's terms and for which services such intermediaries are paid by respondent commissions or brokerage fees. The second method effectuated by the respondent is by selling its sea food products directly to large buyers, such as Allison-Bedford Company, Chicago, Illinois, East Asiatic Company, San Francisco, California, T. W. Holt, Jacksonville, Florida, Koehler-Spalding Company, Louisville, Kentucky, W. M. Meador & Co., Inc., Mobile, Alabama, Morgan, Napier Company, Nashville, Tennessee, North Star Company, Seattle, Washington, Parrott & Company, San Francisco, California, J. R. Poole Company, Boston, Massachusetts, E. J. Rinaud Co., New York City, N. Y., and Loveless-Overton Company, Fort Worth, Texas, to whom respondent pays, directly or indirectly, commissions or brokerage fees on such purchases of sea food products purchased by such buyers in their own name and for their own account.

PAR. 3: The respondent, in the course and conduct of its said business since June 19, 1936, has sold and distributed a substantial portion of its sea food products directly to the buyers named in Paragraph Two hereof, some of which are located in states other than the state in which respondent is located; and as a result of said sales and the respondent's instructions, such sea food products have been shipped and transported across state lines by respondent to said buyers.

PAR. 4: The respondent, since June 19, 1936, in connection with the interstate sale and distribution of sea food products has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation, or allowances or discounts in lieu thereof, to each of said buyers who purchased sea food products in their own name and for their own account.

PAR. 5: While said buyers named in Paragraph Two hereof designate themselves as "brokers", they are not brokers in fact. Contrary to the manner in which a broker operates, said buyers purchase and resell for their own account; they take title to the products so purchased from the respondent and assume all risks incident to ownership. Each of said buyers pays the price of the products purchased from respondent as a condition precedent to delivery of the goods by the carrier to them. If products shipped by respondent are lost or damaged in transit, they file claims with the carrier and collect damages from the carrier for their own account. Upon receipt of the products from respondent, said buyers warehouse them in their own warehouses or in public warehouses and they insure

the products in their own name against loss or damage. Subsequently, some of said buyers have on occasion pledged warehouse receipts and insurance contracts covering these products as security for loans from banks. When such products are sold by said buyers, they are sold at prices, terms and conditions of sale determined by said buyers and are invoiced in the name of said buyers, who assume full and complete credit risks.

Each of said buyers masks these buying operations under the fictionalized designation of "broker", "merchandise broker" or "primary distributor", for the sole purpose of coloring the name and method of its operations, in order to collect commissions or brokerage fees from respondent and from others. Each of said buyers shops the market and purchases products from several sellers, including respondent, and purchases where it is able to secure the most favorable prices and terms, including the payment of commissions and brokerage fees.

PAR. 6: The acts and practices of the respondent in promoting sales of sea food products by paying to Allison-Bedford Company, Chicago, Illinois, East Asiatic Company, San Francisco, California, T. W. Holt, Jacksonville, Florida, Koehler-Spalding Company, Louisville, Kentucky, W. M. Mcador & Co., Inc., Mobile, Alabama, Morgan, Napier Company, Nashville, Tennessee, North Star Company, Seattle, Washington, Parrott & Company, San Francisco, California, J. R. Poole Company, Boston, Massachusetts, E. J. Rinaud Co., New York City, N. Y., and Loveless-Overton Company, Fort Worth, Texas, directly or indirectly, commissions, brokerage or other compensation and allowances, or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 10th day of April, A. D. 1945, issues its complaint against said respondent.

Notice. Notice is hereby given you, Hovden Food Products Corporation, a corporation, respondent herein, that the 18th day of May, A. D. 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceedings the respondent shall, within twenty (20)

days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer without the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, The Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 10th day of April A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-6452; Filed, Apr. 23, 1945;
10:53 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A Special Permit 965]

RECONSIGNMENT OF POTATOES AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, April 18, 1945, by H. Rothstein & Son, of car WFE 61108, potatoes, now on the Pennsylvania Railroad, to Harrisburg Dairy Market, Harrisburg, Pennsylvania. (P. R. R.).

The waybill 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 April 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-6358; Filed, Apr. 21, 1945;
11:03 a. m.]

[S. O. 261-A]

FURNISHING OF COAL CARS NEAR MOOSIC, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of April, A. D. 1945.

Upon further consideration of Service Order No. 261 (9 F.R. 14612 of December 12, 1944, and good cause appearing therefor; *It is ordered*, That:

(A) Service Order No. 261 (9 F.R. 14612) of December 12, 1944, prohibiting the Delaware and Hudson Railroad Corporation from setting coal cars at the Standard Preparation Company ramp, and the Erie Railroad Company from setting coal cars at Benders Dock ramp, both of which ramps are near Moosic, Pennsylvania, for loading with anthracite coal produced at McGinley breaker which also is near Moosic, Pennsylvania, be, and it is hereby, vacated and set aside. (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 at 12:01 a. m., April 21, 1945; that a copy of this order shall be served on the Pennsylvania Public Utility Commission; that a copy of this order and direction shall be served upon the Delaware and Hudson Railroad Corporation and the Erie Railroad 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. 45-6359; Filed, Apr. 21, 1945;
11:03 a. m.]

[Rev. S. O. 300, Gen. Permit 1]

ICING OF POTATOES FROM ALABAMA

Pursuant to the authority vested in me by paragraph (E) of the first ordering paragraph of Amended Service Order No. 300 of April 19, 1945 (10 F.R. 4109), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in Alabama, to

provide the first or initial icing at an icing station not beyond Atlanta, Georgia, or Jackson, Memphis or Nashville, Tennessee, and to reice once in transit to full bunker capacity at the first regular icing station en route beyond the station where car was initially iced:

This general permit shall become effective at 12:01 a. m., April 23, 1945, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire at 11:59 p. m., June 30, 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 19th day of April 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-6361; Filed, Apr. 21, 1945;
11:03 a. m.]

[S. O. 70-A, Special Permit 966]

RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, April 7 or 8, 1945, by Dwinell Brothers Orchards, of car ART 18278, apples, on the Great Northern Railway, to Chicago, Illinois.

The waybill 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 9th day of April, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-6453; Filed, Apr. 23, 1945;
10:55 a. m.]

[S. O. 70-A, Special Permit 967]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 19, 1945, by E. E. Fadler Company, of car NRC 4443, tomatoes, now on the Missouri Pacific Railroad, to Blauer Commission Company, St. Joseph, Missouri. (Mo. Pac.).

The waybill 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 19th day of April 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-6454; Filed, Apr. 23, 1945;
10:55 a. m.]

[S.O. 300, Special Permit 3]

ICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (E) of the first ordering paragraph of Service Order No. 300 of April 13, 1945 (10 F.R. 4109), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 300 insofar as it applies to the initial icing, at Chicago, Illinois, April 19 or 20, 1945, of car NWX 4561, Maine potatoes, now on the Wood Street Terminal, as ordered by National Produce Company, account reconsigned to Cameron, Texas (A. T. & S. F.).

The waybill 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 19th day of April 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-6455; Filed, Apr. 23, 1945;
10:55 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 3]

POSTPONEMENT OF RESPONSIBILITY OF DISPOSAL AGENCIES FOR CARE AND HANDLING OF SURPLUS PERSONAL PROPERTY

Surplus Property Board Regulation No. 1 (10 F.R. 3764), as amended, effective May 1, 1945, designates the Department of Commerce, Reconstruction Finance Corporation, War Food Administration, Maritime Commission, and Department of the Interior (in the territories and possessions) as disposal agencies for surplus personal property. These agencies will at that time not be fully prepared to undertake the care and handling of the surplus property assigned to them. This order is issued pursuant to the authority of section 11 (d) of the Surplus Property Act which provides that under such circumstances the Board may postpone the responsibility of any disposal agency to assume its duty of care and handling for such period as the Board deems necessary. *It is hereby ordered, That:*

1. The responsibility of the Department of Interior, Department of Commerce, Reconstruction Finance Corporation, War Food Administration, and Maritime Commission as disposal agencies for the care and handling of all personal property declared to them as surplus is postponed pending completion of their arrangements for the assumption of such responsibility.

2. Each such agency shall assume responsibility for the care and handling of as much of such property as possible with the facilities and personnel available to them and preparations shall be actively carried forward for the assumption of complete responsibility for such care and handling.

3. On June 1, 1945, and thereafter on the first day of each month, each such agency shall advise the Surplus Property Board in writing the degree to which it is assuming responsibility for care and handling and its progress in preparing to assume total responsibility.

This order shall become effective on May 1, 1945.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

APRIL 23, 1945.

[F. R. Doc. 45-6498; Filed, Apr. 23, 1945;
11:41 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-60]

PROVIDENCE, R. I., AND TAUNTON, MASS.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Cowell Coach Line, Inc., Providence, Rhode Island, and Interstate Transportation Co., Taunton, Massachusetts, (hereinafter called "carriers"), respectively, in the interstate transportation of passengers on the routes served by them between Providence, Rhode Island, and Taunton, Massachusetts, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies, and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Cowell Coach Line, Inc., and Interstate Transportation Co., Inc., shall operate a through interstate service of not to exceed nineteen (19) round trips daily between Providence, Rhode Island, and Taunton, Massachusetts, unless any existing carrier between such points increases its existing service, in which event the parties may apply for a review of this limitation.

3. The parties will pool the gross revenues respectively derived by them from the interstate transportation of passengers, express, and newspapers between Providence, Rhode Island, and Taunton, Massachusetts, and intermediate points. Each of the parties shall

be entitled to that percentage of the pool as the percentage which the interstate mileage operated by said party between Providence, Rhode Island, and Taunton, Massachusetts, and intermediate points bears to the mileage operated by both parties between Providence, Rhode Island, and Taunton, Massachusetts, and intermediate points as aforesaid. Each party shall pay to the other out of its gross revenues, the amount which it derives from said transportation between Providence, Rhode Island, and Taunton, Massachusetts, and intermediate points that is in excess of the share of the pool to which it is entitled as aforesaid.

4. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

6. The provisions of this order shall be subject to any special permit issued by the Division Director, Passenger Operations Division, Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-60".

7. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-60".

This Special Order ODT B-60 shall become effective April 20, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 20th day of April 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-6343; Filed, Apr. 20, 1945; 3:30 p. m.]

[Special Order ODT E-15]

WACO, TEX., AREA

EXPEDITING COLLECTION AND DELIVERY OF LINE-HAUL SHIPMENTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war, and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of motor transportation equipment, materials, and supplies for defense, and for private account and for export, and it being deemed necessary and appropriate in the public interest and to promote the national defense, it is hereby ordered, that:

1. *Applicability.* The provisions of this order shall be applicable only to the collection and delivery by or for the account of common carriers in the Waco, Texas, Area of shipments of property transported in line-haul service.

2. *Definitions.* As used in this order, the term:

(a) "Waco Area" means and includes the municipalities of Waco, Castle Heights, and Beverly Hills, Texas, and the territory immediately adjacent thereto and commercially a part thereof.

(b) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any Federal or State statute.

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(d) "Line-haul service" means the transportation of property by any facility of transportation between a point within the Waco Area and a point outside that area.

(e) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation and includes the acceptance of property from the shipper, or the shipper's agent, at the terminal or other facility maintained by the carrier for the acceptance of property.

(f) "Delivery" or "deliver" means relinquishing possession of property at the consignee's dock, warehouse, or other point which the consignee has designated for receiving delivery of the property and includes acceptance of the property by the consignee, or the consignee's agent, at the terminal or other

facility maintained by the carrier for the delivery of property.

(g) "Truckload traffic" means a shipment moving from one consignor to one consignee in one day under a truckload or volume rate, subject to a stated minimum weight of not less than 10,000 pounds, and covered by one bill of lading.

(h) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle.

(i) "Vehicle" means any facility capable of being used for the transportation of property.

(j) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted machinery.

3. Collections of property; availability and restrictions. (a) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper thereof as to the time when and the place where the property will be available for collection.

(b) No common carrier shall collect, or cause the collection of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and then only when the order for the collection thereof is received by the carrier prior to 2 p. m. of such day; or

(2) Between the hours of 8 a. m. and 1 p. m. on any Saturday and then only when the order for the collection thereof is received by the carrier prior to 12 noon of such day.

(c) No common carrier shall make, or cause to be made, more than one collection of property from any one dock, warehouse, or other collection point, for the account of any one shipper in any one calendar day: *Provided*, That the collection of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (c).

4. Designation of collection point; preparation of property for shipment. No common carrier shall attempt the collection of property from a shipper unless and until the shipper, prior to the time agreed upon by the carrier and shipper for the collection of such property, shall have:

(a) Designated the point at which the property will be available for collection;

(b) Prepared the property for shipment including, in respect of two or more shipments, the segregation and separation of such shipments to permit prompt checking and identification by the carrier; and

(c) Placed the property for collection at the point so designated.

5. Failure to prepare property for shipment; collection deferred. Whenever a shipper fails, prior to the time agreed upon by the carrier and shipper, to prepare and place property for collection in the manner specified in paragraph 4 of this order, no common carrier shall collect, or cause the collection of the property thereafter during the same calendar day.

6. Restrictions on deliveries. (a) No common carrier shall deliver, or cause

the delivery of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday;

(2) Between the hours of 8 a. m. and 1 p. m. on any Saturday.

(b) When delivering two or more shipments to a consignee at one time, the common carrier shall segregate or separate such shipments to permit prompt checking and identification of such shipments by the consignee.

(c) In effecting deliveries of property no common carrier shall:

(1) Sort or separate any shipment as to sizes, brands, flavors, or other characteristics, for the use of the consignee; or

(2) Deliver a single shipment, or part thereof, to more than one receiving point on or within the premises of the consignee.

(d) No common carrier shall make, or cause to be made, more than one delivery of property to any one destination point for the account or benefit of any one consignee in any one calendar day: *Provided*, That the delivery of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (d).

7. Placement of vehicles for collections or deliveries; restrictions. No common carrier for the purpose of collecting or delivered property shall place, or spot, or cause to be placed or spotted, or permit or allow to remain, any vehicle on, at, or near the premises of a shipper or consignee (or other point or place designated by agreement for the collection or delivery of property) at any time during which collections, by virtue of the terms of paragraph 3 of this order, or deliveries, by virtue of the terms of paragraph 6 of this order, are prohibited.

8. Truckload deliveries; notification of consignee. A common carrier shall notify the consignee as to any truckload consignment before delivery thereof is attempted in order that the consignee may make provision for the prompt unloading of the vehicle or vehicles.

9. Places for collections and deliveries of property. Collections and deliveries of property shall be made only at places which physically are accessible to vehicles. Loading and unloading of vehicles shall be limited to places customarily used in collecting and delivering property at docks or street level.

10. Prohibited collections and deliveries; when may be made. (a) A common carrier, while making any collection or delivery not prohibited by the terms of the foregoing paragraphs of this order, may make any collection or delivery which is made without operating the collecting or delivering vehicle any additional distance.

(b) A common carrier, who actually has commenced the collection of property at a shipper's dock, warehouse, or other point where the property is available as defined in paragraph 4 of this order, within the time not prohibited by the terms of paragraph 3 of this order, may complete the collection of such property: *Provided*, That the time re-

quired to complete such collection does not exceed an additional half hour beyond the time specified in said paragraph 3.

(c) A common carrier who actually has commenced the delivery of property at the premises of a consignee within the time not prohibited by the provisions of paragraph 6 of this order, may complete the delivery of such property.

11. Exemptions. The provisions of this order shall not apply in respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined in General Order ODT 43 (9 F.R. 3261);

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health, or public safety;

(d) Any shipment of property, the transportation of which requires special equipment;

(e) Any shipment of livestock;

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks;

(g) Any shipment of property moving in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act;

(h) Any shipment of property during the course of its transfer between the terminals of carriers incidental to line-haul service; and

(i) Any shipment of perishable commodities, the expedited movement of which is necessary to prevent spoilage or other damage from deterioration.

12. Filing of tariffs. Every common carrier required by law to file tariffs of rates, charges, rules, regulations, and practices forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and publish and file in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of the carriers which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

13. Carrier not relieved from other laws or regulations. The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office of Defense Transportation.

14. Special permits. The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent

undue hardship. Application for a special permit shall be made in conformity with the provisions of Administrative Order ODT 14 (9 F.R. 1184).

15. *Communications.* Communications concerning this order should refer to it by the special order number which appears in the caption hereof, and unless otherwise directed should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. Code App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 3009)

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 21st day of April 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-6342; Filed, Apr. 20, 1945; 3:30 p. m.]

[Supp. Order ODT 3, Rev. 635]

KANSAS CITY, MO., AND GREAT BEND, KANS.

COORDINATED OPERATIONS OF CERTAIN
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected

by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,

Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

C. E. Whitworth, Wichita, Kans.
Ira Crouse, Dodge City, Kans.

[F. R. Doc. 45-6350; Filed, Apr. 20, 1945; 3:32 p. m.]

[Supp. Order ODT 3, Rev. 640]

NORTH CAROLINA

COORDINATED OPERATIONS OF
CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissi-

¹ Filed as part of the original document.

ble, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the

Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

F. O. Nunn, Greenville, N. C.
C. A. Coward, Greenville, N. C.

[F. R. Doc. 45-6351; Filed, Apr. 20, 1945;
3:32 p. m.]

[Supp. Order ODT 3, Rev. 641]

FLORIDA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations

governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

¹ Filed as part of the original document.

APPENDIX 1

Fidelity Storage and Warehouse Co., Inc., Orlando, Fla.
Fulford Van and Storage Co., Inc., Orlando, Fla.

R. K. Howard, doing business as Howard Transfer Van and Storage Co., Orlando, Fla.
Suddath Moving and Storage Co., Inc., Orlando, Fla.

[F. R. Doc. 45-6345; Filed, Apr. 20, 1945; 3:30 p. m.]

[Supp. Order ODT 3, Rev. 642]

FLORIDA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

¹ Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Yarnall Warehouse and Transfer Co., Inc., Lakeland, Fla.

B. E. Holland, doing business as Holland Transfer and Storage, Lakeland, Fla.

[F. R. Doc. 45-6346; Filed, Apr. 20, 1945; 3:31 p. m.]

[Supp. Order ODT 3, Rev. 643]

MINNESOTA AND SOUTH DAKOTA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to

any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Federal Manager of the Properties of Wilson Storage and Transfer Co., Minneapolis, Minn.

Harry E. Reynolds, doing business as Tri-State Transportation Co., Sioux Falls, S. Dak.

Rohweder Truck Lines, Inc., Pipestone, Minn.

[F. R. Doc. 45-6347; Filed, Apr. 20, 1945; 8:31 p. m.]

[Supp. Order ODT 6A-105]

VIRGINIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intra-

¹ Filed as part of the original document.

state operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

The Baltimore Transfer Company of Baltimore City, Richmond, Va.
Cochrane Transportation Company, Richmond, Va.

[F. R. Doc. 45-6344; Filed, Apr. 20, 1945; 3:30 p. m.]

[Supp. Order ODT 6A-111]

PAINTED POST AND ELMIRA, N. Y.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible

diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation,

APPENDIX 1

Nagle Transportation, Inc., Binghamton, N. Y.
Elmer H. Crants, Corning, N. Y.

[F. R. Doc. 45-6348; Filed, Apr. 20, 1945; 3:31 p. m.]

[Supp. Order ODT 6A-112]

BRIDGETON AND PORT ELIZABETH, N. J.,
COORDINATED OPERATIONS OF CERTAIN
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for

¹ Filed as part of the original document.

examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 26, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Wooleyhan Transport Company, Wilmington, Del.

Luther L. Weber, doing business as Weber's Motor Freight Express, Bridgeton, N. J.

[F. R. Doc. 45-6349; Filed, Apr. 20, 1945; 3:32 p. m.]

[Supp. Order ODT 20A-205]

COOS BAY AND NORTH BEND, OREG., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Correction

In Federal Register Document 45-6091, appearing at page 4165 of the issue for Wednesday, April 18, 1945, the bracketed agency designation heading should read as set forth above.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 749]

HARLEY W. CRUM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pur-

suant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Harley W. Crum, 225 N. Broadway, Barnesville, Ohio (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
Pittsburgh Bank	-----	50	Per M \$44	Cents 2 for 11
I & I	-----	50	75	10
Walt Mason	-----	50	56	7
La Gora	-----	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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6316; Filed, Apr. 20, 1945; 11:51 a. m.]

[MPR 260, Order 750]

A. SENSENBRENNER SONS

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) A. Sensenbrenner Sons, 1220 Maple Avenue, Los Angeles 15, 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
Santa Fe	Epleures Supreme	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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6317; Filed, Apr. 20, 1945; 11:56 a. m.]

[MPR 260, Order 751]

RICARDO PENALVER

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) Ricardo Penalver, 134 East 110th Street, New York 29, N. Y. (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
Corona	5"	50	Per M \$60	Cents 2 for 15
Londre Chico	4 3/4"	50	72	9

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6318; Filed, Apr. 20, 1945; 11:54 a. m.]

[MPR 260, Order 752]

JOSE E. REYES & 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) Jose E. Reyes & Co., 108 E. Jefferson Street, Quincy, 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
Flor de Jose E. Reyes & Co. & La Herma.	Perfectos Grande.	50	Per M \$82.50	Cents 11
	Perfectos Chicos.	50	75.00	10

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6319; Filed, Apr. 20, 1945; 11:54 a. m.]

[MPR 260, Order 753]

FRANK E. HIEDEL

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) Frank E. Hiedel, 1920 Quarry Street, Covington, Ky. (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
C. N. & O.....	50	Per M \$60	Cents 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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6320; Filed, Apr. 20, 1945; 11:48 a. m.]

[MPR 260, Order 754]

L. E. PEARSONS

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) L. E. Pearsons, 4045 N. McVicker Avenue, Chicago 34, 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
B-Stage.....	4 1/2.....	50	Per M \$20	Cents 2 for 5
A-Stage.....	3 3/4.....	60	20	2 for 5

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6321; Filed, Apr. 20, 1945; 11:52 a. m.]

[MPR 260, Order 755]

FRANK E. HIEDEL

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) Frank E. Hiedel, 1920 Quarry Street, Covington, Ky. (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
Upper Deck.....	50	Per M \$2	Cents 7
Doo Little.....	50	50	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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6322; Filed, Apr. 20, 1945; 11:48 a. m.]

[MPR 260, Order 756]

B. V. S. 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) B. V. S. Cigar Company, 503 West 9th Street, Covington, Ky., (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
La Carino #2.....	50	Per M \$60	Cents 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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6323; Filed, Apr. 20, 1945; 11:48 a. m.]

[MPR 260, Order 757]

LAWRENCE F. GERAGHTY

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) Lawrence F. Geraghty, 37 Centennial Avenue, Hanover, 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
High Life	Queens.....	50	Per M \$115	Cents 15
Rey de Cuba.....	Queens.....	50	115	15
El Siboney.....	Queens.....	50	115	15
Embassy Club.....	Queens.....	50	115	15
Penn Athletic Club.....	Queens.....	50	115	15
La Festine.....	Queens.....	50	115	15
Carlton.....	Queens.....	50	115	15
Avon.....	Queens.....	50	115	15
La Mora.....	Queens.....	50	115	15
Alona.....	Queens.....	50	115	15
Gene Voll.....	Queens.....	50	115	15
Prado de Cuba.....	Queens.....	50	115	15
North Castle.....	Queens.....	50	115	15
High Life.....	High Life.....	50	93.75	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 Administration at any time.

This order shall become effective April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6324; Filed, Apr. 20, 1945;
11:49 a. m.]

[MPR 260, Order 758]

JULES M. HOCKLEY

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) Jules M. Hockley, 106 W. 13 St., New York 11, 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
Wernado.....	Fancy Tales..	25	\$368.50	50
	Perfectos.....	25	266.25	28
	Americans.....	25	161.50	20
	Panetelitas.....	50	115.00	15
	Petit Centros.....	50	176.00	22
	Couchas.....	50	135.00	18
Londres.....	50	151.00	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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6325; Filed, Apr. 20, 1945;
11:52 a. m.]

[MPR 260, Order 759]

ESTRELLA 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) Estrella Cigar Factory, 2802 22d 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
Estrella.....	Little Kings..	50	\$75.00	10
	Little Blunts..	50	64.00	8
	Panatela Extra..	50	90.00	12
	Kings.....	50	97.50	13
	Panetelas.....	50	64.00	8
James Curtis....	Londres.....	50	154.00	20
	Media Corona..	50	177.00	23
	Brevas.....	50	169.00	22
	Palmas.....	50	200.00	26
	Epicures.....	50	138.00	18
	Queens.....	50	161.50	21
Renas.....	80	154.00	20	

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6326; Filed, Apr. 20, 1945;
11:52 a. m.]

[MPR 260, Order 760]

BENATAR'S CUT RATE DRUGS

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) Benatar's Cut Rate Drugs, 807 Market St. at 4th, San Francisco 3, Calif. (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 im-

ported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Wernado.....	Fancy Tales..	25	\$368.50	50
	Coronas.....	25	330.00	44
	Half Coronas..	25	214.50	28
	Agullas.....	50	145.00	3 for 53
	Tacos.....	50	135.00	18
	Perfectos.....	25	206.25	28
	Belvederes.....	50	176.00	22
	Londres.....	50	115.00	15
	Conchas.....	50	135.00	18
	Londres Finos	50	151.00	20
	Panetelitas...	50	115.00	15
Petit Cetros...	50	176.00	22	

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6327; Filed, Apr. 20, 1945; 11:52 a. m.]

[MPR 260, Order 761]

J. B. M. IMPORT & 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) J. B. M. Import & Export Co., 7655 Hollywood Blvd., Hollywood 46, Calif. (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	Size or frontmark	Packing	Maximum list price	Maximum retail price
Wernado.....	Corona Grande	25	\$385.00	55
	Fancy Tales..	25	368.50	50
	Corona de Luxe.	25	330.00	44
	Kings Own...	25	214.50	28
	Petit Corona..	50	145.00	3 for 53
	Panetela.....	50	135.00	18
	Perfectos.....	25	206.25	28
	Belvedere.....	50	176.00	22
	Coronitas....	50	145.00	3 for 55
	Panetelitas...	50	115.00	15
	Conchas.....	50	135.00	18

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6328; Filed, Apr. 20, 1945; 11:51 a. m.]

[MPR 260, Order 762]

ANTHONY GERACE

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) Anthony Gerace, 2822 Chestnut Street, Oakland 8, 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
Don Rey.....	Embassador...	50	\$82.50	11
	Invincible....	50	56.00	7
	Panetelas....	50	48.00	6
El Cubano.....	Perfecto.....	50	48.00	6
Don Rey.....	Aristocrats...	50	64.00	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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6329; Filed, Apr. 20, 1945;
11:51 a. m.]

[MPR 260, Order 763]

BIG FOUR 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) Big Four Cigar Factory, 5834 South State Street, Chicago 21, 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
Big 4 Cigar.....	Straight and shaped.	50	Per M \$72	Cents 9

(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 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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6330; Filed, Apr. 20, 1945;
11:51 a. m.]

[MPR 260, Order 764]

OTTO SKALLERUP

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) Otto Skallerup, 1502 N. Albany Avenue, Chicago 22, 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
Community.....	Londres.....	50	Per M \$72	Cents 9

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6331; Filed, Apr. 20, 1945;
11:50 a. m.]

[MPR 260, Order 765]

MANHATTAN NOVELTY 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) Manhattan Novelty Company, 263 Canal St., New York 13, 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
El Coral.....	Rolando #9...	50	\$135.00	18
	Havana Club...	50	154.00	3 for 55
	Rolando #5...	50	161.50	20
	Rolando #16...	50	161.50	20
	Rolando #6...	25	176.00	22
	Rolando #11...	25	200.00	28
	Rolando #10...	25	330.00	44
	Rolando #12...	25	330.00	44
	Rolando #15...	25	385.00	55
	Rolando #9...	50	135.00	18
	Havana-Club...	50	154.00	3 for 55
	Rolando #5...	50	161.50	20
	Rolando #16...	50	161.50	20
	Rolando #6...	25	176.00	22
	Rolando #11...	25	200.00	28
Aguilas.....	Rolando #10...	25	330.00	44
	Rolando #12...	25	330.00	44
	Rolando #15...	25	385.00	55
	Rolando #9...	50	135.00	18
	Havana-Club...	50	154.00	3 for 55
	Rolando #5...	50	161.50	20
	Rolando #16...	50	161.50	20
	Rolando #6...	25	176.00	22
	Rolando #11...	25	200.00	28
	Rolando #10...	25	330.00	44
	Rolando #12...	25	330.00	44
	Rolando #15...	25	385.00	55
	Rolando #9...	50	135.00	18
	Havana-Club...	50	154.00	3 for 55
	El Comarco.....	Rolando #5...	50	161.50	20
Rolando #16...		50	161.50	20
Rolando #6...		25	176.00	22
Rolando #11...		25	200.00	28
Rolando #10...		25	330.00	44
Rolando #12...		25	330.00	44
Rolando #15...		25	385.00	55
Rolando #9...		50	135.00	18
Havana-Club...		50	154.00	3 for 55
Rolando #5...		50	161.50	20
Rolando #16...		50	161.50	20
Rolando #6...		25	176.00	22
Rolando #11...		25	200.00	28
Rolando #10...		25	330.00	44
Rolando #12...		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 im-

porter 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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6332; Filed, Apr. 20, 1945;
11:57 a. m.]

[MPR 260, Order 766]

EL VEGUERO HAVANA BLEND 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) El Veguero Havana Blend Cigar Company, 1818 12th Avenue, 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
Perez-Sfontes....	Brevas.....	50	Per M \$169	Cents 22
	Epicures.....	50	154	20
	Reina.....	50	154	20
	Bostons.....	50	106	14

(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 April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6333; Filed, Apr. 20, 1945;
11:56 a. m.]

[MPR 188, Order 3655]

KELLER TOOL AND SUPPLY 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 Maximum Price Regulation No. 188, *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Keller Tool and Supply Company, of 1364 Poplar Avenue, Memphis, Tennessee.

(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	Maximum prices for sales by—			
	Manufacturer to—		Sellers other than manufacturer to—	
	Wholesalers (jobbers)	Retailers	Retailers	Consumers
Insert pin and punch.	Each \$0.24	Each \$0.32	Each \$0.32	Each \$0.48
Insert pin (only).....	.04	.05	.05	.08

These maximum prices are for the articles described in the manufacturer's application dated December 8, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$-----
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6374; Filed, Apr. 21, 1945; 11:51 a. m.]

[MPR 188, Order 3656]

NIFTY ROLLER 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Nifty Roller Company, 1206 West Lincoln Avenue, Milwaukee 4, Wis.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Cigarette roller.....	101	Dozen \$1.89	Dozen $2.52	Each $0.35

These maximum prices are for the articles described in the manufacturer's application dated February 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6375; Filed, Apr. 21, 1945; 11:53 a. m.]

MPR 188, Order 3657]

ADMIRAL INDUSTRIES

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 Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Admiral Industries, 173 West Madison Street, Chicago 2, 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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Cigarette roller.....	1060	Dozen \$1.89	Dozen $2.52	Each $0.35

These maximum prices are for the articles described in the manufacturer's application dated March 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales

by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6376; Filed, Apr. 21, 1945; 11:53 a. m.]

[MPR 188, Order 3658]

BOND CIGARETTE ROLLER CASE 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bond Cigarette Roller Case Company, 963 South Main Street, Akron 11, Ohio.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller and case.....	2	Dozen \$4.50	Dozen \$6.40	Each \$0.89

These maximum prices are for the articles described in the manufacturer's application dated March 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.89 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6377; Filed, Apr. 21, 1945; 11:53 a. m.]

[MPR 188, Order 3659]

GEORGE V. COSTELLO

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by George V. Costello, 620 Lansing Street, Chesaning, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6378; Filed, Apr. 21, 1945; 11:53 a. m.]

[MPR 188, Order 3660]

CARL H. KREIDLER

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Carl H. Kreidler, 810 Madison Street, La Porte, Ind.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6379; Filed, Apr. 21, 1945;
11:54 a. m.]

[MPR 183, Order 3661]

S. F. S. COMPANY

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 Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the S. F. S. Company, 17369 Murray Hill, Detroit 19, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette Roller.	"Rol-it"...	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6380; Filed, Apr. 21, 1945;
11:54 a. m.]

[MPR 188, Order 3662]

JOYLAND TOYS

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 order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Joyland Toys, 2016 South 11th Street, Salt Lake City 5, Utah.

(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	
		Each	Each
Juvenile table.....	L.....	\$2.67	\$3.14
Juvenile chair.....	L.....	1.52	1.79
Juvenile table.....	S.....	2.35	2.76
Juvenile chair.....	Z.....	1.30	1.53
Juvenile rocker.....	X.....	2.01	2.37
Juvenile cupboard.....	XII.....	8.51	10.02
Juvenile desk.....	XIII.....	6.93	8.16
Plenic table and benches.	XX-XXII..	17.72	20.85

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 undated application received in the Office of Price Administration on November 20, 1944.

(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 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 order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6381; Filed, Apr. 21, 1945;
11:54 a. m.]

[MPR 188, Order 3663]

FORT WORTH SALES MANUFACTURING 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 Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Fort Worth Sales Manufacturing Company, 1109 Commerce Street, Fort Worth, Tex.

(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	Maximum prices for sales by manufacturer to—		Maximum prices for sales by seller other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
Cookie sheet..	11" x 16 1/4"...	Each \$0.51	Each \$0.63	Each \$0.63	Each \$0.94

These maximum prices are for the articles described in the manufacturer's application dated February 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.95 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6382; Filed, Apr. 21, 1945;
11:55 a. m.]

[MPR 188, Order 3668]

Twix Mfg. 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Twix Manufacturing Company, 40-09 Twenty-first Street, Long Island City, 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.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than retailers	Manufacturer to consumers
		Wholesalers (jobbers)	Retailers		
Combination square	#100 #101	Each \$0.75 .62	Each \$1.00 .83	Each \$1.00 .83	Each \$1.50 1.24

These maximum prices are for the articles described in the manufacturer's application dated December 30, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$.....
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6383; Filed, Apr. 21, 1945;
11:55 a. m.]

[MPR 188, Order 3669]

ORVAL WILLIAMS

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Orval Williams, Manson, Iowa.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label, to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6384; Filed, Apr. 21, 1945;
11:56 a. m.]

[MPR 188, Correction to Order 2513]

AUTO-BYE CO.

APPROVAL OF MAXIMUM PRICES

Correction

In Federal Register Document 45-5124, appearing on page 3487 of the issue for Saturday, March 31, 1945 the second paragraph should read as follows:

The article specified in that order as "Baby Bath" is corrected to read "Bas-sinct".

[MPR 188, Order 3670]

HOLLAND FURNACE SERVICE

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 Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Holland Furnace Service, of P. O. Box 1104, Reno, Nev.

(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	Maximum prices for sales by—			
	Manufacturer to—		Sellers other than manufacturer to—	
	Wholesalers (jobbers)	Retailers	Retailers	Consumers
Garden trowel.....	Dozen \$0.70	Dozen \$0.93	Dozen \$0.93	Each \$0.12

These maximum prices are for the articles described in the manufacturer's application dated March 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with a freight allowance of not more than 50 cents per 100 pounds on shipments of 100 pounds or more, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.12
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6385; Filed, Apr. 21, 1945; 11:56 a. m.]

[MPR 188, Order 3671]

ELLIS MANUFACTURING 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Ellis Manufacturing Company, of 358 Cass Avenue, Mt. Clemens, Mich.

(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.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Lawn sprinkler..	"Showermaster."	Each \$1.08	Each \$1.44	Each \$1.44	Each \$2.16

These maximum prices are for the articles described in the manufacturer's application dated February 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with freight allowance of 50 cents per hundred pounds on shipments of one hundred pounds or over, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$2.16
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6386; Filed, Apr. 21, 1945; 11:56 a. m.]

[MPR 188, Order 3672]

LEVERMATIC CORP.

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Levermatic Corporation, of 174-176 Friend Street, Boston 14, Mass.

(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.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Chain stores	Other retailers	Consumers
Industrial scraper.....	#20	Per dozen \$0.06	Per dozen \$0.79	Per dozen \$0.88	Each \$0.11

These maximum prices are for the articles described in the manufacturer's application dated January 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, with \$1.00 freight allowed per hundred pounds on shipments of one hundred pounds or more, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.11
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6387; Filed, Apr. 21, 1945; 11:56 a. m.]

[MPR 188, Order 3673]

MACMAWEB INDUSTRIES

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Macmaweb Industries, 19763 Schaefer Highway, Detroit 21, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.35	Dozen \$1.80	Each \$0.25

These maximum prices are for the articles described in the manufacturer's application dated March 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.25 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6388; Filed, Apr. 21, 1945; 11:57 a. m.]

[MPR 188, Order 3674]

THE ELECTRONOME CORP.

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by: The Electronome Corporation, 401 Chapel Street, New Haven, Connecticut (Electric Metro-nome).

(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:

MAXIMUM PRICES FOR SALES MADE BY THE MANUFACTURER

To exclusive distributors.....	Each \$4.18
To jobbers.....	5.63
To retailers.....	7.50

MAXIMUM PRICES FOR SALES MADE BY PERSONS OTHER THAN THE MANUFACTURER

To jobbers.....	\$5.63
To retailers.....	7.50
To consumers.....	12.50

These maximum prices are for the articles described in the manufacturer's application dated October 28, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries from the effective date of this order.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$12.50
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6389; Filed, Apr. 21, 1945;
11:57 a. m.]

[MPR 188, Order 3675]

HARRY M. RIGHTER

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Harry M. Righter, 10111 Nanford Road, Cleveland 2, Ohio.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette maker.....	1	Each \$0.72	Each \$0.96	Each \$1.59

These maximum prices are for the articles described in the manufacturer's application dated February 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$1.59 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6390; Filed, Apr. 21, 1945;
11:57 a. m.]

[MPR 188, Order 3676]

CLARENCE JAMES ABBOTT

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Clarence James Abbott, 2740 Clara Avenue, Bremerton 1, Washington.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6391; Filed, Apr. 21, 1945;
11:58 a. m.]

[MPR 188, Order 3677]

SULCO PRODUCTS CORP.

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sulco Products Corporation, 2033 Park Avenue, Detroit 26, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller...	"Zip-O"....	Dozen \$2.43	Dozen \$3.24	Each \$0.45

These maximum prices are for the articles described in the manufacturer's application dated March 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The

maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.45 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6392; Filed Apr. 21, 1945;
11:58 a. m.]

[MPR 188, Order 3678]

GEORGE F. BILLEY

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by George F. Billey, 19544 Hamburg Street, Detroit, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6393; Filed, Apr. 21, 1945;
11:58 a. m.]

[MPR 188, Order 3679]

WALD MANUFACTURING 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Wald Manufacturing Company, 1200 South La Cinnega Boulevard, Los Angeles 35, Calif.

(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	Number	Maximum price for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter.....	101	Each \$0.45	Each \$0.60	Each \$1.00

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.00 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6394; Filed, Apr. 21, 1945;
11:58 a. m.]

[MPR 188, Order 3680]

LYON METAL PRODUCTS, 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lyon Metal Products, Inc., Aurora, 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	Maximum price for sales by manufacturer to—		Maximum price for sellers other than the manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
Ironing board...	15" x 54" x 32" A.	Each \$2.82	Each \$3.53	Each \$3.53	Each \$5.89

These maximum prices are for the articles described in the manufacturer's application dated February 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$5.89
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6395; Filed, Apr. 21, 1945; 11:59 a. m.]

[MPR 188, Order 3681]

CORONA MANUFACTURING 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Corona Manufacturing Company, 37-42 Junction Boulevard, Corona, Long Island, 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	Maximum price for sales by manufacturer to—			Maximum price for sellers other than manufacturer to—	
		Jobber	Government	Retailer	Retailer	Consumer
Nail clipper.....	2 1/2"	Doz. \$2.25	Doz. \$1.80	Doz. \$3.00	Doz. \$3.00	Ea. \$0.40

These maximum prices are for the articles described in the manufacturer's application dated March 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.40
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6396; Filed, Apr. 21, 1945; 11:59 a. m.]

[MPR 188, Order 3682]

WALTER E. KEENE MFG. 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Walter E. Keene Mfg. Company, 109 West Baltimore Street, Baltimore, Md.

(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	Number	Maximum price for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter...	"Sta - Put Safety."	Each \$0.45	Each \$0.60	Each \$1.00

These maximum prices are for the articles described in the manufacturer's application dated February 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6397; Filed, Apr. 21, 1945;
12:00 m.]

[MPR 188, Order 3683]

LANG TOOL AND DIE 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lang Tool and Die Company, of 747 West Wilson Avenue, Glendale, Calif.

(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.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Garden trowel.....	1	doz. \$1.49	doz. \$1.99	doz. \$1.99	each \$0.25

These maximum prices are for the articles described in the manufacturer's application dated January 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.25
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6398; Filed, Apr. 21, 1945;
12:00 p. m.]

[MPR 188, Order 3684]

R. E. CHATEL & 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the R. E. Chatel & Company, Suite 957, 208 South La Salle Street, Chicago 4, 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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$2.43	Dozen \$3.24	Each \$0.45

These maximum prices are for the articles described in the manufacturer's application dated February 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% for 10 days, net 30 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price, \$0.45 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6399; Filed, Apr. 21, 1945;
12:00 p. m.]

[MPR 188, Order 3625]

R. H. DEYOUNG 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the R. H. deYoung Company, 1435 Ridgeway Avenue, Rochester 13, 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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller....	"Cigaral"....	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are

f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—\$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6400; Filed, Apr. 21, 1945; 12:00 p. m.]

[MPR 188, Order 3686]

TAILOR MADE MANUFACTURING 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Tailor Made Manufacturing Company, 1422 East Michigan Avenue, Lansing 12, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.35 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6401; Filed, Apr. 21, 1945; 12:01 p. m.]

[MPR 188, Order 3687]

A. B. PAYTON & 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by A. B. Payton & Company, 1425 McPherson Avenue, Council Bluffs, Iowa.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller.....	1	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price, \$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6402; Filed, Apr. 21, 1945; 12:01 p. m.]

[MPR 188, Order 3688]

E. BOETTCHER & SONS TOOL & ENGINEERING 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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by E. Boettcher & Sons Tool & Engineering Company, Bridgeport, Mich.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller...	"Victory"...	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—\$.35 Each
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3688; Filed, Apr. 21, 1945; 12:01 p. m.]

[MPR 188, Order 3689]

MIDGET ENTERPRISES

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 Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Midget Enterprises, Room 305, York Hotel, St. Louis, Mo.

(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	Number	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette roller...	"Midget"...	Dozen \$1.89	Dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated March 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) 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 authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price, \$0.35 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 23d day of April 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6404; Filed, Apr. 21, 1945; 12:01 p. m.]

[MPR 188, Order 3589]

FRIE COOLING CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 45-5470, appearing on page 3731 of the issue for Friday, April 6, 1945, the word "Erie", which appears in the heading and paragraphs (a) and (c), should read "Frie".

[MPR 260, Order 767]

COLONIAL CIGAR CO.

APPROVAL 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) Colonial Cigar Company, 148 Postal Avenue, Newark, Ohio (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
Colonial Dutch...	50	Per M \$28	Cents 2 for 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 April 23, 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6372; Filed, Apr. 21, 1945; 11:51 a. m.]

[MPR 260, Order 768]

DIAZ & BORREGO CIGAR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.10 2(b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Diaz & Borrego Cigar Company, 2705 12th Street, 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
Ritz.....	Corona Extra.	50	Per M \$105	Cents 14

(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 al-

lowed 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 April 23, 1945.

Issued this 21st day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6373; Filed, Apr. 21, 1945; 11:51 a. m.]

[MPR 260, Order 710]

JUAN GALLO

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 45-5715, appearing on page 3929 of the issue for Wednesday, April 11, 1945, the second size or frontmark shown for Oxford Arms brand of domestic cigars in the table in paragraph (a) should read "Smokers." In paragraph (b) the fourth from the last line in the middle column should be deleted.

[RMPR 136, Order 432]

AXELSON MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 432 under Revised Maximum Price Regulation No. 136. Machines, parts, and industrial equipment, Axelson Manufacturing Company, Docket No. 6083-136.25a-211.

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 No. 136; *It is ordered*:

(a) The maximum prices of Alexson Manufacturing Company, Los Angeles, California, for its sales of its outside and inserted type collars for Axelson tubing type liner pumps to any class of its purchasers shall be determined by applying to the following catalog prices the discounts, allowances and other terms of delivery which it had in effect to a purchaser of the same class on October 1, 1941:

Part No.:	Catalog price
1494	\$3.60
16559	3.60
1495	4.60
1525	5.65
1508	7.10
16852	7.10
1527	9.25
1514	11.25
17096	11.25
1501	9.00
16561	9.00
1529	12.60
1504	14.65
17095	14.65
16886	14.65
1531	23.85

(b) The maximum prices for sales by resellers of the collars enumerated in paragraph (a) hereof shall be determined by increasing or decreasing the maximum prices which they had in effect just prior to the issuance of this order by the same percentage by which their net invoiced costs of the respective items have been increased or decreased as a result of this order.

(c) Axelson Manufacturing Company shall give written notice to its purchasers who buy the collars enumerated in paragraph (a) hereof for resale of the amounts by which their respective prices therefor have been increased or decreased, and of the percentages by which such resellers may increase or must decrease their maximum prices for resale. A copy of each such notice shall be filed with the Office of Price Administration, Washington 25, D. C., within thirty days after the effective date of this order together with the names of the purchasers to whom they were sent. Where from time to time additional purchasers are given such notification, their names shall be filed as above within five days after such notification has been given.

(d) On or before November 15, 1945, Axelson Manufacturing Company shall file with the Office of Price Administration a report setting forth all sales made at prices authorized in this order up to September 30, 1945, of the subject parts, directly comparing the income from such sales with the income that would have been realized from their sales at the selling prices in effect before this adjustment.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6473; Filed, Apr. 23, 1945; 11:31 a. m.]

[MPR 154, Order 10]

SOUTHERN PROPERTIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under Maximum Price Regulation No. 154, as amended. Ice. Adjustment of maximum prices for artificial ice manufactured and sold by Southern Properties, Inc., Docket No. 6035-154.8 (e)-1.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended; *It is ordered:*

(a) Southern Properties, Inc., 6360 Richmond Avenue, Dallas, Texas, may sell and deliver artificial ice from its plant located in Palestine, Texas, to the American Refrigerator Transit Company to be used for icing and re-icing railroad refrigerator cars at the usual locations; and the American Refrigerator Transit Company may buy and receive artificial ice from Southern Properties, Inc., at Palestine, Texas, to be used for such purposes at prices not to exceed \$5.50 per ton of ice placed in bunkers of railroad refrigerator cars.

(b) Southern Properties, Inc., may sell and deliver artificial ice from its plant in Palestine, Texas, to the International-Great Northern Railroad at Palestine, Texas, to be used for air conditioning passenger cars and general railroad use at the usual locations; and the International-Great Northern Railroad may buy and receive artificial ice from Southern Properties, Inc., at Palestine, Texas, to be used for such purposes at prices not to exceed \$4.33 per ton of ice placed on baggage trucks or similar devices.

(c) Order No. 5, issued by the Price Administrator of the Office of Price Administration, and dated June 17, 1944, granting the applicant maximum prices at \$4.75 per ton and \$3.92 per ton on sales of artificial ice at its Palestine, Texas plant to the American Refrigerator Transit Company and the International-Great Northern Railroad, respectively, for a period of one year from April 29, 1944, is hereby revoked.

(d) This order may be revoked, amended or corrected at any time by the Price Administrator.

(e) This Order No. 10 shall become effective as of April 15, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6474; Filed, Apr. 23, 1945;
11:23 a. m.]

[MPR 188, Amdt. 2 to Order B-1]

CLAY CONDUIT AND CLAY ACCESSORIES

ADJUSTMENT PROVISIONS FOR MANUFACTURERS OF SPECIFIED BUILDING MATERIALS

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

Paragraph (g) (2) is amended to add a new subdivision to read as follows:

(xvi) Clay conduit and clay accessories thereof.

No. 81—15

This amendment shall become effective April 26, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6489; Filed, Apr. 23, 1945;
11:26 a. m.]

[MPR 188, Order 3690]

H. B. SALTER MFG. 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 § 1499.153 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the H. B. Salter Manufacturing Company of Marysville, Ohio, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the H. B. Salter Manufacturing Company of Marysville, Ohio.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the H. B. Salter Manufacturing Company of Marysville, Ohio, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery during March 1942 the identical unplated unpolished brass fittings and trimmings manufactured by the H. B. Salter Manufacturing Company of Marysville, Ohio.

(c) The maximum list prices determined by the H. B. Salter Manufacturing Company of Marysville, Ohio, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 50 percent.

(d) In addition to the discount enumerated in (c) above all sellers shall extend or render discounts, allowances and services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) The H. B. Salter Manufacturing Company of Marysville, Ohio, shall notify in writing each of its purchasers at or before the time of the first invoice of the maximum prices established by this order for the H. B. Salter Manufacturing Company on sales to such purchasers, and the maximum resale prices established for such purchasers.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc., 45-6485; Filed, Apr. 23, 1945;
11:32 a. m.]

[MPR 188, Order 3691]

DEARBORN BRASS 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Dearborn Brass Company of Cedar Rapids, Iowa, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the Dearborn Brass Company of Cedar Rapids, Iowa.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the Dearborn Brass Company, Cedar Rapids, Iowa, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by the Dearborn Brass Company of Cedar Rapids, Iowa, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 45 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except a retailer, shall notify in writing each of its purchasers at or before the time of the first invoice, of the seller's maximum prices established by this order, as well as the maximum prices established for such purchasers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6486; Filed, Apr. 23, 1945;
11:32 a. m.]

[MPR 188, Order 3692]

SOLOMON APOGI

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 prices, f. o. b. Forest Hills, Queens, New York, for sales by Solomon Apogi of the Aristocrat 3 panel perforated steel radiator enclosure 11" x 28" x 40" cold rolled steel, sprayed enameled finish, assembled with bolts and double locking soldered seams, shall be:

	Each
On sales to distributors.....	\$10.05
On sales to all others.....	16.75

(b) The manufacturer may add 10 cents per inch for increasing length of enclosure beyond 40 inches on sales to distributors and 17 cents per inch on sales to all others.

(c) The maximum price for sales by distributors to any person of the steel radiator enclosure, 11" x 28" x 40" sprayed enameled finish, assembled with bolts and double locking soldered seams, shall be: \$16.75 each.

(d) Distributors may add to the maximum price established in (c) for the steel radiator enclosure 17 cents per inch for each inch beyond 40 inches.

(e) The maximum prices established by this order shall be subject to discounts and allowances, including transportation allowances and price differentials and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) Each seller of the commodity covered by this order shall notify each of his purchasers who buys for resale, in writing, at or before issuance of the first invoice after the effective date of this order, of the seller's maximum prices established by this order as well as the maximum price of each such purchaser upon resale.

(g) Solomon Apogi shall stencil on the inside of the enclosure priced by this order the retail maximum price thereof.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 24, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6487; Filed, Apr. 23, 1945;
11:32 a. m.]

[MPR 188, Order 3693]

FROST 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by the Frost Company, Kenosha, Wisconsin, which were not delivered or offered for delivery by such person during March, 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by the Frost Company, Kenosha, Wisconsin.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the Frost Company, Kenosha, Wisconsin, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by the Frost Company, Kenosha, Wisconsin, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 50 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) The Frost Company, Kenosha, Wisconsin, shall notify in writing each of its purchasers at or before the time of the first invoice the maximum prices established by this order for the Frost Company, on sales to such purchasers, and the maximum resale prices established for such purchasers.

(g) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective April 24, 1945.

Issued this 23d day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6488; Filed, Apr. 23, 1945;
11:29 a. m.]

Regional and District Office Orders.

[Region I Supp. Order 8 Under RMPR 122,
Amdt. 5]

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 § 1340.260 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. In paragraph (c) the provisions for and the reference to "East Bear Ridge" is hereby deleted.

2. Paragraph (c) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 1/10 ton
Packer No. 5:				
Broken, egg, stove, chestnut, and pea	Cents 40	Cents 20	Cents 10	None
Buckwheat and rice	35	20	10	None
Barley	15	10	None	None

This Amendment No. 5 shall become effective as of April 1, 1945.

Issued this 9th day of April 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-6411; Filed, Apr. 21, 1945;
12:03 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 34]

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. In the provision for "William Penn" in subparagraph (2) of paragraph (e), the note relating to the expiration date for said provision is hereby deleted.

This Amendment No. 34 shall become effective as of midnight, March 31, 1945.

Issued this 6th day of April 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-6409; Filed, Apr. 21, 1945;
12:03 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 35]

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. The words "East Bear Ridge" are deleted wherever they appear in subparagraph (2) of paragraph (e) and in subparagraph (9) of paragraph (1), and the words "Packer No. 5" are substituted in each instance in lieu thereof.

2. Subparagraph (20) of paragraph (1) is amended to read as follows:

(20) "Packer No. 5" means that Pennsylvania Anthracite which is produced by Rose Valley Coal Company, prepared at its Packer No. 5 Colliery, sold as "Packer No. 5 Anthracite", and which meets the quality and preparation standards established by Revised Order No. 24 under Maximum Price Regulation No. 112.

This Amendment No. 35 shall become effective as of midnight, March 31, 1945.

Issued this 9th day of April 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-6403; Filed, Apr. 21, 1945; 12:03 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 36]

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 1/2 ton	Per 1/4 ton	Per 100 lbs.
Raven Run: Broken, egg, stove, chestnut, pea, buck-wheat and rice.....	\$0.30	\$0.15	\$0.10	None

2. Subparagraph (9) of paragraph (1) is amended by adding the words "Raven Run".

3. Subparagraph (46) is added to paragraph (1) to read as follows:

(46) "Raven Run" means that Pennsylvania Anthracite produced by the Hazle Brook Coal Co., and Raven Run Coal Co., and prepared at its Mid Valley Breaker and which meets the quality and preparation standards established by Order No. L-12 under Maximum Price Regulation No. 112.

This amendment No. 36 shall become effective as of April 4, 1945.

Issued this 9th day of April 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-6410; Filed, Apr. 21, 1945; 12:03 p. m.]

[Jackson Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI AREA

For the reasons set forth in an opinion issued simultaneously herewith, and un-

der the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, It is hereby ordered:

(1) Section 1 of Revised Order No. G-1 under General Order No. 50, issued by the District Director of the Jackson (Mississippi) District Office of the Office of Price Administration on January 18, 1945, is hereby amended so that the same as amended shall read as follows instead of as originally written, to-wit:

SECTION 1. Purpose of order. Order No. G-1 under General Order 50, issued by the District Director of the Jackson (Mississippi) District Office of the Office of Price Administration on the 5th day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 is redesignated Revised Order No. G-1 under General Order 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are established only for on premises sales, and for the further purpose of clarifying and strengthening the order.

(2) Section 10 of said Revised General Order No. G-1 is hereby amended so that the same as amended shall read as follows instead of as originally written, to-wit:

SEC. 10. Posting of prices. (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order, you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your Local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

(3) Section 17 of said Revised Order No. G-1 is hereby amended so that the

same as amended shall read as follows instead of as originally written, to-wit:

SEC. 17. Definitions. (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of 1/2 barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sell, sale, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(4) Appendix A and Appendix B of said Revised Order No. G-1 are hereby amended so that the same as amended shall read as follows instead of as originally written, to-wit:

APPENDIX A

BOTTLED BEERS AND ALES: GROUP 1B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
	Cents	Cents
<i>Beer</i>		
Barbarosa.....	25	51
Bay State.....	25	51
Budweiser.....	25	51
Canadian Ace.....	25	51
Down's Art & Art.....	25	51
Dorquest.....	25	51
Embassy Club.....	25	51
Gold Coast.....	25	51
Gold Medal Tivoli.....	25	51
Lambic.....	25	51
Old Brew.....	25	51
Oxford.....	25	51
Pabst Blue Ribbon.....	25	51
Peter Hand Extra Pale.....	25	51
Pioneer Victory.....	25	51

APPENDIX A—Con.

BOTTLED BEERS AND ALES: GROUP 1B—CON.

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer		
Ritz	25	51
Schlitz	25	51
Van Wyck	25	51
Ziegler's 520	25	51
Ale		
Ballentine	25	51
Carling's Red Cap	25	51
Imported beer and ale		
Carta Blanca Beer	35	
Cerveza Victoria Beer (6½ oz. bottle), 0.25		
Corona Beer (11 oz. bottle), 0.32		
Doran's Export Beer	35	
Doran's Export Ale	35	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale	20	46

Commodity and brand or trade name	Cents
Draught Beer and Ale:	
8 ounce glass	09
10 ounce glass	11
12 ounce glass	13
14 ounce glass	15
16 ounce glass	17

All Federal and State taxes are included in above prices except:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature, of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

BOTTLED BEERS AND ALES: GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer		
Barbarosa	21	47
Bay State	21	47
Budweiser	21	47
Canadian Ace	21	47
Down's Art & Art	21	47
Dorquest	21	47
Embassy Club	21	47
Gold Coast	21	47
Gold Medal Tivoli	21	47
Lamble	21	47
Old Brew	21	47
Oxford	21	47
Pabst Blue Ribbon	21	47
Peter Hand Extra Pale	21	47
Pioneer Victory	21	47
Ritz	21	47
Schlitz	21	47
Van Wyck	21	47
Ziegler's 520	21	47
Ale		
Ballentine	21	47
Carling's Red Cap	21	47
Imported Beer and Ale		
Carta Blanca Beer	32	
Cerveza Victoria Beer (6½ oz. bottle), 0.22		
Corona Beer (11 oz. bottle), 0.29		
Doran's Export Beer	32	
Doran's Export Ale	32	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale	16	41

Commodity and brand or trade name	Cents
Draught Beer and Ale:	
8 ounce glass	08
10 ounce glass	10
12 ounce glass	12
14 ounce glass	14
16 ounce glass	16

All Federal and State taxes are included in above prices except:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

BOTTLED BEERS AND ALES: GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer		
Barbarosa	20	42
Bay State	20	42
Budweiser	20	42
Canadian Ace	20	42
Down's Art & Art	20	42
Dorquest	20	42
Embassy Club	20	42
Gold Coast	20	42
Gold Medal Tivoli	20	42
Lamble	20	42
Old Brew	20	42
Oxford	20	42
Pabst Blue Ribbon	20	42
Peter Hand Extra Pale	20	42
Pioneer Victory	20	42
Ritz	20	42
Schlitz	20	42
Van Wyck	20	42
Ziegler's 520	20	42
Ale		
Ballentine	20	42
Carling's Red Cap	20	42
Imported Beer and Ale		
Carta Blanca Beer	30	
Cerveza Victoria Beer (6½ oz. bottle)		
Corona Beer (11 oz. bottle)	27	
Doran's Export Beer	30	
Doran's Export Ale	30	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale	15	37

Commodity and brand or trade name	Cents
Draught Beer and Ale:	
8 ounce glass	8
10 ounce glass	10
12 ounce glass	12
14 ounce glass	14
16 ounce glass	16

All Federal and State taxes are included in the above prices except:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of the prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Beer				
Burger Brau	Ounces			
Birks Trophy	12	0.20	0.18	0.17
Black Hawk Topping	12	20	18	17
Capital	12	20	18	17
Commander	12	20	18	17
D. R. Premier	12	20	18	17
Ebling's Extra	12	20	18	17
Fredericks 4 Crown Special	12	20	18	17
Gold Label (Frontier Brewery)	12	20	18	17
Heinie's	12	20	18	17
Koller's Topaz	12	20	18	17
Lang's	12	20	18	17
Morlein	12	20	18	17
Nectar	12	20	18	17
Perples	12	20	18	17
Red Fox	12	20	18	17
Sepp'l Brau	12	20	18	17
Silver Fox	12	20	18	17
Silver Fox DeLuxe	12	20	18	17
Six Horse	12	20	18	17
Staats	12	20	18	17
Yankee	12	20	18	17
Burger Brau	32	46	43	39
Birks Trophy	32	46	43	39
Black Hawk Topping	32	46	43	39
Capital	32	46	43	39
Commander	32	46	43	39
D. R. Premier	32	46	43	39
Ebling's Extra	32	46	43	39
Fredericks 4 Crown Special	32	46	43	39
Gold Label (Frontier Brewery)	32	46	43	39
Heinie's	32	46	43	39
Koller's Topaz	32	46	43	39
Lang's	32	46	43	39
Morlein	32	46	43	39
Nectar	32	46	43	39
Red Fox	32	46	43	39
Sepp'l Brau	32	46	43	39
Silver Fox	32	46	43	39
Silver Fox DeLuxe	32	46	43	39
Six Horse	32	46	43	39
Staats	32	46	43	39
Yankee	32	46	43	39
Ale				
Spearman's English Type	12	20	18	17
Red Fox	12	20	18	17
Spearman's English Type	32	46	43	39
Red Fox	32	46	43	39

All Federal and State taxes are included in the above prices except:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

This amendment becomes effective April 2, 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; G.O. 50, 8 F.R. 4808)

Issued at Jackson, Mississippi, this 27th day of March 1945.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 45-6405; Filed, Apr. 21, 1945; 12:02 p. m.]

[Region III Supp. Order 8 Under RMPR 122, Amdt.]

SOLID FUEL AREA PRICING ORDERS IN CLEVELAND REGION

Correction

In Federal Register Document 45-5514, which appears on page 3741 of the issue for Friday, April 6, 1945, the first two entries in the list of area solid fuel pricing orders in paragraph (b) should read as follows:

Revised Order No. G-5... Akron, Barberton, and Cuyahoga Falls, Ohio
Order No. G-21..... Alliance, Ohio

[Region VI Order G-57 Under MPR 329]

FLUID MILK IN HAWLEY, MINN.

For the reasons set forth in the accompanying Opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which distributors in Hawley, Minnesota may pay to producers for milk sold for human consumption in fluid form shall be 74¢ per pound butterfat in whole milk.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Hawley, Minnesota, or who sell within that city 50% or more of the milk sold by them.

(c) *Addition of transportation charges.* (1) The maximum price established in paragraph (a) is the maximum price for milk f. o. b. purchaser's plant. Where the transportation charge or any part thereof is paid by the purchaser, the total amount paid for transportation plus the amount received by the producer shall not be in excess of the maximum price set forth in paragraph (a).

(2) Where the purchaser hauls the milk to his plant in a conveyance owned, leased or operated by him, he shall deduct from the maximum price set forth in paragraph (a) of this order the cost of such transportation. The "cost of such transportation" shall be the lowest maximum price which may be charged by milk haulers or other transportation companies for the hauling of milk to the purchaser's plant.

(d) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Definitions.* Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(f) *Revocability.* This order may be revoked, amended or corrected at any time. This order has been approved by

the Midwest Field Representative, Dairy and Poultry Branch, Office of Distribution of the War Food Administration.

This order shall be effective the 16th day of April 1945.

Issued this 10th day of April 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-6406; Filed, Apr. 21, 1945; 12:02 p. m.]

[Region VII Order G-7 Under Supp. Order 94]

FISHBACK MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order No. 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-4 is issued.

(a) *What this order does.* This Order No. G-4 establishes the maximum prices at which The Fishback Manufacturing Co. of 1731 Arapahoe Street, Denver, Colorado, can sell to retailers and to ultimate consumers the war surplus commodities hereinafter specified, and the maximum prices at which retailers purchasing such war surplus commodities from The Fishback Manufacturing Co. can resell the same to ultimate consumers.

(b) *Geographical applicability.* This Order No. G-4 shall apply only to sales made in this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and 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 Coconino and Mohave in the State of Arizona lying north of the Colorado River.

(c) *War surplus commodities defined.* The war surplus commodities covered by this Order No. G-4 are Canvas Tool Rolls in sets of four separate items, all made of 10-ounce duck, OD color, and consisting of:

- 1 carpenter's tool roll, size 21" x 33", with tie straps and 9 pockets;
- 1 harness maker's tool roll, size 12" x 27", with tie straps and 6 pockets;
- 1 horseshoer's tool roll, size 26" x 28", with tie straps and 5 pockets;
- 1 top load roll, size 16" x 23", without tie straps or pockets.

Each set as above designed is one of a lot of 457 sets purchased from the War Department by The Fishback Manufacturing Co., through the Procurement Division of the Treasury Department, as evidenced by Sales Invoice No. 02796, dated February 15, 1945.

(d) *Maximum prices.* (1) When sold by The Fishback Manufacturing Co., f. o. b. Denver, Colorado, to retailers, in case lots of 35 sets, \$1.00 per set.

(2) When sold by The Fishback Manufacturing Co., f. o. b. Denver, Colorado, to retailers, in less than case lots, \$1.25 per set.

(3) When sold to an ultimate consumer by The Fishback Manufacturing

Co. or any reseller on an f. o. b. basis, \$2.25 per set.

(4) When sold to an ultimate consumer by The Fishback Manufacturing Co. or any reseller on an f. o. b. basis in broken sets, 60¢ per roll.

(e) *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 Order No. G-4. A seller's license may be suspended for violation of the license or 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.

(f) *Right to revoke or amend.* This Order No. G-4 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This Order No. G-4 shall become effective on the 2d day of April 1945.

Issued this 5th day of April 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-6407; Filed, Apr. 21, 1945; 12:02 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

CHARLES E. GREENE & CO.

FINDINGS AND ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of April, A. D., 1945.

In the matter of Charles E. Greene & Company, 613 Aurora National Bank Building, Aurora, Illinois.

1. Charles E. Greene & Company, a partnership composed of Charles Edwin Greene and Jeanette Theresa Greene, hereinafter referred to as registrant, is registered as a broker and dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

2. The Commission, on the basis of facts reported to it, instituted this proceeding under section 15 (b) to determine whether the registration of the registrant should be revoked. The facts alleged, if true, tended to show that the registrant is permanently enjoined by a decree of the District Court of the United States for the Northern District of Illinois, Eastern Division, entered on or about November 10, 1944 from engaging in or continuing certain conduct and practices in connection with the purchase and sale of securities.

3. After appropriate notice a hearing was held, at which there was introduced in evidence "an answer and consent to revocation", in which registrant acknowledged service of adequate notice, waived its opportunity to be heard, admitted the facts alleged in the order for proceedings, and consented to the entry of an order by the Commission revoking its registration as a broker and dealer. The record shows, and the Commission finds,

that the registrant is permanently enjoined by a decree of the District Court of the United States for the Northern District of Illinois, Eastern Division, entered on or about November 10, 1944, from engaging in or continuing certain conduct and practices in connection with the purchase and sale of securities. Among other things, the decree of permanent injunction enjoins the registrant from soliciting and accepting customers' orders for the purchase and sale of securities or the deposit of money or securities from customers while its liabilities exceed its assets and registrant is unable to meet its current liabilities; the unauthorized sale of customers' securities; the hypothecation of customers' unencumbered securities; the sale to and purchase from customers of securities at prices bearing no reasonable relationship to the prevailing market prices thereof without disclosing such prevailing market prices; the effecting of purchases or sales of securities from, to and for customers with whom a trust and confidential relationship exists without disclosing to such customers the interest and profit of registrant; the failure to make prompt delivery to customers of the proceeds from the sale of their securities; the failure promptly to credit the accounts of customers with the proceeds of the sale of customers' securities and the appropriation of such proceeds to the account of partners of registrant.

4. In view of the foregoing, the Commission finds that revocation is in the public interest.

Accordingly, *It is ordered*, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of Charles E. Greene & Company be, and the same hereby is, revoked effective April 23, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6414; Filed, Apr. 21, 1945;
3:11 p. m.]

E. H. ROLLINS & SONS, INC., AND WALTER
CECIL RAWLS

ORDER DENYING MOTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of April, A. D. 1945.

In the matter of E. H. Rollins & Sons, Incorporated, 44 Wall Street, New York, New York, and Walter Cecil Rawls, 314 North Broadway, St. Louis, Missouri.

E. H. Rollins & Sons, Incorporated, having been suspended from membership in the National Association of Securities Dealers, Inc., by order of the Commission, for a period of 60 days from March 6, 1945, and having subsequently filed a motion requesting the Commission to shorten said period of suspension;

The Commission having received evidence and heard oral argument on the motion, and having this day issued its findings and opinion thereon;

In accordance with said findings and opinion *It is ordered*, That said motion be and it hereby is denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6415; Filed, Apr. 21, 1945;
3:11 p. m.]

[File No. 1-2729]

ROBERTS PUBLIC MARKETS, INC.

ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of April A. D. 1945.

The Roberts Public Markets, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Capital Stock, \$2 Par Value, from listing and registration on the Los Angeles Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on April 30, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6416; Filed, Apr. 21, 1945;
3:11 p. m.]

[File No. 50-11]

ATLANTIC UTILITY SERVICE CORP. AND
CAMBRIDGE ELECTRIC LIGHT CO., ET AL.

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of April, A. D. 1945.

A joint application having been filed pursuant to Rule U-100 (a), promulgated under the Public Utility Holding Company Act of 1935, for exemption from the requirements of Rules U-42 and U-43, promulgated under sections 12 (c) and 12 (f) of the act, with respect to the transfer of an aggregate of 15,520 shares of its outstanding common stock to Atlantic Utility Service Corporation, a subsidiary of the Trustees of Associated Gas and Electric Corporation, a registered holding company, by the following companies, each of which is a subsidiary of New England Gas and Electric Association, also a registered holding company:

Name of owner and number of shares

Cambridge Electric Light Co.....	3,046
Cambridge Gas Light Co.....	1,442
Cambridge Steam Corp.....	255
Cape & Vineyard Electric Co.....	1,178
Dedham and Hyde Park Gas & Electric Light Co.....	273
Marion Gas Co.....	12
New Bedford Gas & Edison Light Co.....	4,597
Plymouth County Electric Co.....	840
Plymouth Gas & Light Co.....	73
Provincetown Light & Power Co.....	108
Western Hancock Electric Co.....	1

Worcester Gas Light Co.....	2,305
The Derry Electric Co.....	274
The Lamprey River Improvement Co.....	31
New Hampshire Gas & Electric Co.....	884
International Power Co.....	30
Kittery Electric Light Co.....	69
St. Croix Electric Co.....	82

15,520

It appearing to the Commission that the requirements of Rules U-42 and U-43, as applied to such proposed transactions, are not necessary or appropriate in the public interest or for the protection of investors or consumers;

It is ordered, Pursuant to the provisions of said Rule U-100 (a), that said application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6417; Filed, Apr. 21, 1945;
3:11 p. m.]

[File No. 70-1026]

NORTH WEST UTILITIES CO. AND LAKE
SUPERIOR DISTRICT POWER CO.

ORDER GRANTING APPLICATIONS AND PERMITTING
DECLARATIONS 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 19th day of April, A. D., 1945.

North West Utilities Company (North West), a registered holding company, and its subsidiary, Lake Superior District Power Company (Lake Superior), having filed joint applications and declarations pursuant to sections 7 and 10 of the Public Utility Holding Company Act of 1935 and the applicable rules thereunder regarding the following proposed transactions:

Lake Superior proposes to issue and to sell to North West (the owner of all the presently outstanding common stock of Lake Superior) for \$75 in cash, one additional share of common stock of the company of the par value of \$75 thereby increasing the total number of outstanding shares to 35,600 shares of the par value of \$75 each; and North West proposes to acquire for \$75 in cash, one additional share of the common stock of Lake Superior of \$75 par value.

Lake Superior proposes upon the issuance of the one additional share (a) to reduce and change its authorized capital from \$11,235,025 composed of 70,000 shares of preferred stock of a par value of \$100 each and 56,467 shares of the common stock of a par value of \$75 each to an authorized capital of \$11,235,000 composed of 70,000 shares of preferred stock of the par value of \$100 each, and 211,750 shares of common stock of a par value of \$20 each; (b) to change the outstanding 35,600 shares of common stock of the par value of \$75 each into 133,500 shares of common stock of the par value of \$20 each by splitting each share of the par value of \$75 into 3.75 shares of a par value of \$20; and (c) to amend and restate Article Third of the Articles of Organization of the company to reflect the above changes in the authorized capital

stock of the company; to eliminate from Article Third reference now contained therein to shares of preferred stock which have been retired and are no longer either authorized or outstanding shares of the company; to reduce the amount of unsecured debt which may be issued without authorization of the preferred stockholders; to grant preemptive rights to the common stock, except in certain cases; and to change the voting rights of the preferred stock and the common stock, as provided in the applications and declarations filed in this matter.

Said applications and declarations having originally been filed on February 2, 1945 and subsequently amended 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 applications and declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations to become effective and finding with respect to said declarations under section 7 of the act that the requirements of section 7 (e) are satisfied and that no adverse findings are necessary under section 7 (d); and finding with respect to said applications under section 10 of the act that the requirements of said section are satisfied and that no adverse findings are necessary under section 10 (b) and section 10 (c):

It is hereby ordered. Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said applications and declarations be respectively granted and permitted to become effective, forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-6418; Filed, Apr. 21, 1945;
3:12 p. m.]

[File No. 70-1047]

VIRGINIA ELECTRIC AND POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of April 1945.

Virginia Electric and Power Company, a subsidiary of Engineers Public Service Company, a registered holding company, having filed with this Commission an application and amendments thereto for exemption from the provisions of section 6 (a) of the Public Utility Holding Company Act of 1935, pursuant to the third sentence of section 6 (b) of said act, of the proposed issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$59,000,000 principal amount of its First and Refunding Mortgage Bonds, Series E, due March 1, 1975, the interest rate, price to be received by the company and the underwriter's

spread to be determined by the competitive bidding, and the proceeds from the proposed sale of bonds, together with funds held by the indenture trustee and general funds from the treasury of the company, to be used to redeem applicant's outstanding \$37,500,000 principal amount of First and Refunding Mortgage Bonds, Series B, 3½%, due 1968, at the current call price of 105, plus accrued interest, \$3,000,000 principal amount of First and Refunding Mortgage Bonds, Series C, 3⅞%, due 1971, at the current call price of 109, plus accrued interest, and \$23,000,000 principal amount of First and Refunding Mortgage Bonds, Series D, 3%, due 1974, at the current call price of 106¼, plus accrued interest;

A public hearing having been held after appropriate notice, the Commission having considered the record and having entered its findings and opinion herein;

It is ordered. That said application for exemption from the provisions of section 6 (a) of the act, pursuant to the third sentence of section 6 (b) of said act, of the issue and sale of the First and Refunding Mortgage Bonds, Series E, be and hereby is granted subject, however, to the terms and conditions prescribed by Rule U-24 and subject also to the further conditions:

(1) That the proposed issuance and sale of the First and Refunding Mortgage Bonds, Series E, shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by the Commission to impose such terms and conditions as may then be appropriate and to consider the price to be paid to Virginia Electric and Power Company, the interest rate and the underwriter's compensation and allocation thereof.

(2) That Virginia Electric and Power Company shall make the results of its studies with respect to its proposed change in depreciation policy and other pertinent data a matter of record in this proceeding and shall not consummate its proposed change in depreciation policy until a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by this Commission to impose such further terms and conditions as may then be appropriate and to consider whether or not the proposed change or other changes with respect to Virginia Electric and Power Company's depreciation policy is in the public interest and in the interest of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-6419; Filed, Apr. 21, 1945;
3:12 p. m.]

[File Nos. 31-7, 60-21]

LONG ISLAND LIGHTING CO., ET AL.

ORDER MODIFYING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 21st day of April 1945.

In the matters of Long Island Lighting Company, Kings County Lighting Company, Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company, Long Beach Gas Company, Inc., File No. 31-7; Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation, Lauridel Corporation, Delaware Olmsted Company, jointly and severally, respondents, File No. 60-21.

The Commission having by order dated March 27, 1936, pursuant to section 3 (a) (1) of the Public Utility Holding Company Act of 1935, granted an application for an exemption to Long Island Lighting Company on behalf of itself as a holding company and each of its subsidiary companies as such from the provisions of the act; and having, pursuant to the applicable provisions of the act, particularly sections 3 (a) (1), 3 (c) and 20 (a) thereof, instituted a proceeding to determine whether the continuance of said exemption is detrimental to the public interest or the interest of investors or consumers, and, generally, whether said order of March 27, 1936, should be revoked or in any wise amended or modified; and

The Commission having, pursuant to section 2 (a) (7) (B) of the act, instituted a proceeding to determine whether Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation, Lauridel Corporation, and Delaware Olmsted Company, or any one or more of them, directly or indirectly exercise (either alone or pursuant to an arrangement or understanding with one or more other persons) such a controlling influence over the management or policies of Long Island Lighting Company and its subsidiary companies as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that said persons, or any one or more of them, be subject to the obligations, duties and liabilities imposed in said act upon holding companies; and

Said proceeding pursuant to sections 3 (a) (1), 3 (c) and 20 (a) of the act and said proceeding pursuant to section 2 (a) (7) (B) of the act having been consolidated, and the Commission having reserved jurisdiction to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which might arise in the consolidated proceedings, and to take such other action as may appear to be necessary or appropriate to the orderly and economical disposition of the issues involved; and

Hearings in said consolidated proceedings having been held after appropriate notice in which the respective respondents and all other interested persons were afforded opportunity to be heard; and the filing of briefs, requests for specific findings, and oral argument having been waived with respect to the issues involved in the section 3 proceeding (designated as File No. 31-7); and

The Commission having considered the record as to the proceeding instituted pursuant to section 3 (a) (1) (designated as File No. 31-7), and having entered its

findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to modify the exemption previously granted Long Island Lighting Company on behalf of itself as a holding company and each of its subsidiary companies as such:

It is hereby ordered, That said proceeding, instituted pursuant to sections 3 (a) (1), 3 (c), and 20 (a) of the act (designated as File No. 31-7), and said proceeding instituted pursuant to section 2 (a) (7) (B) of the act (designated as File No. 60-21) be, and hereby are, separated for disposition.

It is further ordered, That the order of the Commission dated March 27, 1936, granting to Long Island Lighting Company, on behalf of itself as a holding company and every subsidiary company thereof as such, exemption from the provisions of the Public Utility Holding Company Act of 1935 be, and is hereby modified so as to terminate such exemption in respect of the provisions of sections 4, 5, 6, 7, 11 (a), 11 (b) (2), 11 (c), 11 (d), 11 (e), 11 (f), 11 (g), 12 (c), 12 (d), 12 (e) and 12 (f) of said act.

It is further ordered, That jurisdiction be and is hereby reserved with respect to all the issues in the proceeding instituted pursuant to section 2 (a) (7) (B) of the act (designated as File No. 60-21) with respect to Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation, Lauridel Corporation, and Delaware Olmsted Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6431; Filed, Apr. 23, 1945;
9:35 a. m.]

[File Nos. 52-26, 70-1056]

YORK RAILWAYS CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING
AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of April 1945.

In the matters of York Railways Company, File No. 52-26; York Railways Company, Edison Light and Power Company, York Steam Heating Company, Glen Rock Electric Light and Power Company, Metropolitan Edison Company, NY PA NJ Utilities Company, File No. 70-1056.

Notice is hereby given that an application has been filed by York Railways Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 ("the Act"), for the approval of a plan of reorganization of York Railways Company.

Notice is further given that a joint application-declaration, with respect to the transactions involved in and related to said plan of reorganization of York Railways Company, has been filed pursuant to various provisions of the act by NY PA NJ Utilities Company ("NY PA NJ") and its subsidiaries, Metropolitan Edison

Company ("Metropolitan"), Glen Rock Electric Light and Power Company ("Glen Rock"), York Railways Company ("York Railways"), and the latter's two subsidiaries, Edison Light and Power Company ("Edison Light") and York Steam Heating Company ("York Steam").

All interested persons are referred to said filings, which are available in the office of the Commission, for the provisions of the plan of reorganization of York Railways and for a statement of the transactions involved in and related to said plan, which may be summarized as follows:

On November 30, 1937, York Railways filed a petition for reorganization under section 77B of the Bankruptcy Act, as amended, in the District Court of the United States for the Eastern District of Pennsylvania, and after a hearing on said petition was duly continued as Debtor in Possession. York Railways states that its original plan of reorganization, although approved by holders of the requisite amount of its securities, has proved to be impracticable of consummation, and now proposes the plan described below:

The outstanding securities of York Railways, as at December 31, 1944, and the distribution of such securities as between the general public and affiliated companies of York Railways, are as follows:

(a) First Mortgage (and Collateral Trust) Thirty-Year, Five Per Cent Gold Bonds ("Bonds"), issued under and secured by a trust indenture, dated December 2, 1907, as amended, held in principal amount as follows:

Public.....	\$4,387,000
Edison Light.....	537,000
NY PA NJ.....	45,000
Total	\$4,969,000

(b) Five per cent cumulative Preferred stock, \$50 par value, held by:

	Shares
Public.....	3,186
NY PA NJ.....	23,050
Metropolitan.....	5,764
Total	32,000

(c) Common Stock, \$50 par value, held by:

	Shares
Public.....	87
NY PA NJ.....	49,913
Total	50,000

The plan provides that all indebtedness of York Railways, other than the Bonds held by Edison Light and NY PA NJ, which will be surrendered and cancelled as set forth below, will be paid by York Railways or assumed and paid by Metropolitan in cash. Such indebtedness includes the \$4,387,000 principal amount of Bonds held by the public, plus accrued interest to the effective date of the plan, and indebtedness and liabilities estimated to aggregate \$100,000 represented by accounts payable, liabilities incurred by York Railways in the normal course of business, the cost of administration approved by the Court, and claims of the United States and the Commonwealth of Pennsylvania and any political subdivision thereof.

The plan further provides for the payment to the public holders of York Rail-

ways' 3,186 shares of five per cent cumulative Preferred Stock (\$50 par value) of the full liquidation value of such stock, namely \$50 per share and accrued unpaid dividends to the effective date of the plan, which dividends amounted at January 1, 1945, to \$20 per share. NY PA NJ will make a capital contribution to Metropolitan of its holdings of 23,050 shares of such Preferred Stock.

Metropolitan will assume all the then remaining liabilities of York Railways which will then be liquidated, and Metropolitan, as the sole remaining holder of York Railways' five per cent cumulative Preferred Stock, consisting of 28,814 shares, will receive such assets of York Railways, if any, as it may then have.

The plan provides no participation for holders of the Common Stock of York Railways.

II. In connection with said plan of reorganization of York Railways, the joint application-declaration, already referred to, proposes the following transactions:

(1) York Railways will sell all its physical property to its subsidiary, Edison Light, for \$77,248 in cash. Edison Light will surrender to York Railways, for cancellation, its holdings of \$537,000 principal amount of York Railways Bonds in consideration of the surrender by York Railways of such amount of its notes and other indebtedness held by York Railways as will equal the principal and interest upon such Bonds at the time of settlement; and York Railways will reduce the interest on the remaining notes of Edison Light, estimated to be in the principal amount of \$421,000, to 3½% per annum.

(2) York Steam will sell all its franchises and property to Edison Light for a base price of \$238,298.27, subject to adjustments. Edison Light will assume all liabilities of York Steam, excepting the indebtedness of York Steam to York Railways, which indebtedness, amounting to \$154,033.52 at December 31, 1944, will be satisfied by York Steam. York Steam will thereupon be liquidated and will distribute the balance of the proceeds of said sale to its sole stockholder, York Railways.

(3) NY PA NJ will make capital contributions (a) to Edison Light of all NY PA NJ's holdings of securities of Glen Rock consisting of 2,000 shares of Glen Rock common stock (of the par value of \$50 per share) and 1,000 shares of Glen Rock preferred stock (of the par value of \$50 per share); (b) to York Railways of \$45,000 principal amount of York Railways Bonds; and (c) to Metropolitan of 23,050 shares of York Railways preferred stock.

(4) Glen Rock will merge into Edison Light, and Edison Light will assume Glen Rock's First Mortgage Bonds, 3½% Series, due 1966, outstanding in the principal amount of \$325,000 at December 31, 1944.

(5) York Railways will sell to Metropolitan its holdings of 13,010 shares of Edison Light common stock (of the par value of \$100 per share) and all the promissory notes and other indebtedness of Edison Light which it then holds in consideration for the payment by Metropolitan of such sum as will be sufficient to enable York Railways to provide for

the obligations of York Railways under the proposed plan of reorganization, over and above its other resources, which sum has been estimated to be \$3,830,000; and Metropolitan will assume all the then remaining liabilities of York Railways which will liquidate and dissolve.

Consummation of the plan is made contingent upon:

(1) The approval of the plan and the transactions above summarized by such regulatory bodies as may have jurisdiction over such matters; and

(2) Confirmation of the plan by the Court pursuant to the applicable provisions of the Bankruptcy Act.

Applicants-declarants have designated sections 6 (b), 9 (a), 9 (b), 10, 11 (f), 12 (c) and 12 (f) of the act, and Rules U-42, U-43 and U-45 promulgated thereunder, as applicable to the proposed plan and the transactions contemplated therein, and have requested that the Commission enter an order (a) determining that consummation of said transactions is necessary or appropriate to effectuate the provisions of section 11 (b) of the act, (b) ordering consummation thereof, and (c) conforming to, and containing the recitals and specifications required by, designated provisions of the Internal Revenue Code as amended.

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 plan of reorganization of York Railways Company, and with respect to the transactions proposed in said application-declaration filed by NY PA NJ, Metropolitan, Glen Rock, York Railways, Edison Light and York Steam, and that said application-declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It further appearing that the transactions proposed in said application-declaration (File No. 70-1056) are related to the proposed plan of reorganization (File No. 52-26), and that the evidence offered in respect to each of such matters will have a bearing upon the other, and that substantial savings of time and expense will result if the proceedings are consolidated:

It is hereby ordered, That the proceeding in respect of the application for approval of the plan of reorganization (File No. 52-26) and the proceeding in respect of the joint application-declaration (File No. 70-1056) be, and hereby are, consolidated.

It is further ordered, That a hearing on such consolidated proceedings, under the applicable provisions of the act and rules of the Commission, be held on May 15, 1945, at 11:00 a. m., e. w. t., 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 such hearing will be held.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted

to the Commission under section 18 (c) of the said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues to be considered in these consolidated proceedings, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed plan is fair and equitable to the persons affected;

2. Whether the proposed plan is feasible;

3. To what extent, if any, the proposed plan should be modified or amended to render it feasible and fair and equitable to the persons affected;

4. Whether each of the proposed transactions is necessary or appropriate to effectuate the provisions of section 11 (b) of the act;

5. Whether each of the proposed transactions and the consideration proposed to be paid and received in connection with the various transfers and sales meet the requirements of the applicable sections of the act, particularly sections 10, 11 and 12 thereof, and the rules and regulations promulgated thereunder, and of the Bankruptcy Act, as amended, including (but without limitation) the proposals as to the following matters:

(a) The sale of York Railways' physical property to Edison Light;

(b) The sale of York Steam's franchises and property to Edison Light;

(c) The merger of Glen Rock into Edison Light;

(d) The sale by York Railways of its holdings of indebtedness and common stock of Edison Light to Metropolitan.

6. The propriety of the proposed accounting treatment on the books of the Applicants-Declarants to reflect the proposed transactions;

7. To what extent, if any, it is necessary or appropriate in the public interest to impose terms or conditions with respect to the accounts of any of the Applicants-Declarants, or otherwise, in connection with any or all of the proposed transactions.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order, by registered mail, to York Railways Company, to each of the Applicants-Declarants herein, and to the Pennsylvania Public Utility Commission; and that, on or before May 1, 1945, York Railways Company shall serve notice of said hearing (1) by mailing copies of this order, by registered mail, to all parties of record in the reorganization proceedings under section 77B of the Bankruptcy Act, Bankruptcy No. 20123 in the District Court of the United States for the Eastern District of Pennsylvania, and (2) by mailing copies of this order to all security holders of York Railways Company insofar as their names and addresses are known or available to York Railways Company.

It is further ordered, That notice of the hearing aforesaid shall be given further to all interested persons by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of

1935, and by publication of this order in the FEDERAL REGISTER not less than ten (10) days prior to the date fixed herein as the date of hearing.

It is further ordered, That any person desiring to be heard or otherwise to participate in this matter shall file with the Secretary of the Commission, on or before May 10, 1945, his application therefor, as provided in Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6432; Filed, Apr. 23, 1945;
9:35 a. m.]

[File Nos. 7-782, 7-783, 7-784]

CONTINENTAL MOTORS CORP. ET AL.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of April, A. D. 1945.

In the matter of Applications by the San Francisco Stock Exchange to Extend Unlisted Trading Privileges to Continental Motors Corporation, Common Stock, \$1 Par Value, File No. 7-782; Graham-Paige Motors Corporation, Common Stock, \$1 Par Value, File No. 7-783; Willys-Overland Motors, Inc., Common Stock, \$1 Par Value, File No. 7-784.

The San Francisco Stock Exchange having made application to the Commission pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to Continental Motors Corporation Common Stock, \$1 Par Value, Graham-Paige Motors Corporation Common Stock, \$1 Par Value, and Willys-Overland Motors, Inc. Common Stock, \$1 Par Value;

A public hearing having been held after appropriate notice;

The Commission, being duly advised, finds:

(1) That each of these securities is listed and registered on the New York Stock Exchange and that the common stocks of Continental Motors Corporation and Graham-Paige Motors Corporation are also listed and registered on the Detroit Stock Exchange;

(2) That sufficient public distribution of and sufficient public trading activity in these securities exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.¹

¹ In view of the fact that Willys-Overland common has been admitted to unlisted trading privileges on the Los Angeles Stock Exchange since 1939, we cannot accept the contention of Willys-Overland Motors, Inc., that "trading in San Francisco two or three hours after the close of the exchanges in the East might result in detriment to stockholders located in the East and not conversant with the quotations on the San Francisco Exchange."

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the San Francisco Stock Exchange for permission to extend unlisted trading privileges to:

Continental Motors Corporation Common Stock, \$1 Par Value.

Graham-Paige Motors Corporation Common Stock, \$1 Par Value.

Willys-Overland Motors, Inc., Common Stock, \$1 Par Value.

be and the same are hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6433; Filed, Apr. 23, 1945;
9:34 a. m.]

[File No. 70-1064]

CONSOLIDATED ELECTRIC AND GAS 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 20th day of April, A. D. 1945.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, has filed a declaration with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

Consolidated proposes to sell, at competitive bidding pursuant to the provisions of Rule U-50 promulgated under the act, its entire investment in Mobile Gas Service Corporation ("Mobile"), consisting of 100,000 shares, no par value, common stock, with an aggregate stated value of \$430,701.47.

It is represented that the securities of Mobile owned by Consolidated are pledged with the Continental Illinois National Bank and Trust Company of Chicago, trustee under the indenture securing the Collateral Trust Bonds of Consolidated. Consolidated proposes to deposit the proceeds of this sale with the said trustee and thereafter to withdraw such funds in connection with the retirement of a corresponding amount of Collateral Trust Bonds of Consolidated which are to be purchased from brokers in the open market or from holders thereof but without solicitation at the lowest price obtainable but not to exceed the principal amount of said bonds exclusive of brokerage fees. All such purchased bonds will be surrendered for cancellation by Consolidated to Continental Illinois National Bank and Trust Company of Chicago, as trustee under the indenture securing said bonds.

Consolidated requests that the Commission find the proposed divestment of the securities of Mobile owned by Consolidated and the use of the proceeds derived from such sale, in the manner

above described, appropriate to effectuate the provisions of section 11 (b) of the act and requests that any order or orders approving the proposed transactions contain the recitals and specifications prescribed by sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended.

The filing designates sections 12 (c) and 12 (d) of the act and Rules U-42 and U-50 as being applicable to the proposed transactions.

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 be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing under the applicable provisions of the Act and rules promulgated thereunder be held on May 2, 1945 at 11:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Secretary of the Commission on or before April 30, 1945, a written request relative thereto as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Consolidated Electric and Gas Company, Mobile Gas Service Corporation, and the Alabama Public Service Commission and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty 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 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 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 comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and rules and regulations promulgated thereunder;

(2) Whether the consideration to be received by Consolidated from the sale of its interests in Mobile is reasonable;

(3) Whether the fees and expenses to be paid by Consolidated in connection with the proposed sale of its interests in Mobile are reasonable;

(4) Whether the use of the proceeds of the sale of the securities of Mobile in the manner proposed by Consolidated is appropriate and in the interest of investors and consumers and in conformity with the applicable provisions of the act and rules promulgated thereunder;

(5) Whether the accounting entries to be made in connection with the proposed transactions are proper; and

(6) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6434; Filed, Apr. 23, 1945;
9:34 a. m.]

[File No. 70-1041]

AMERICAN POWER & LIGHT CO. AND TEXAS ELECTRIC SERVICE CO.

ORDER GRANTING JOINT APPLICATION AND DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of April, A. D. 1945.

Texas Electric Service Company, a public utility company, and its corporate parent, American Power & Light Company, a registered holding company, have filed a joint application and declaration and amendments thereto under the Public Utility Holding Company Act of 1935 and particularly sections 6 (a), 7, 9, 10, and 12 thereof and Rules U-42 and U-45 thereunder, regarding (a) the transfer by American Power & Light Company to Texas Electric Service Company and the acquisition by the latter of \$7,000,000 in cash and of 4,294,966.366 shares of no par value common stock of Texas Electric Service Company; (b) the cancellation by Texas Electric Service Company of the common stock to be received by it from American Power & Light Company and the restatement of the property, capital, and other accounts of Texas Electric Service Company; (c) the issue and sale by Texas Electric Service Company, in accordance with Rule U-50 (b) promulgated under said act, of \$18,000,000 principal amount of First Mortgage Gold Bonds to mature 1975, and the issue and private sale of \$2,500,000 principal amount of Promissory Notes payable in 20 equal semi-annual instalments beginning October 1945, said notes to be sold at par and bear interest at the rate of 2½% per annum, and the use of the proceeds of such sales together with treasury cash for the redemption of the First Mortgage Gold Bonds of Texas Electric Service Company presently outstanding; and

Applicants-declarants having requested that the Commission enter an order finding that the proposed transactions are necessary and appropriate to effectuate the provisions of 11 (b) of the act and that such order conform to the pertinent requirements of the Internal Revenue Code as amended, including section 1808 (f) and Supplement R thereof; and

A public hearing having been held on said application and declaration after appropriate notice, and the Commission having examined the record and having

made and filed its Findings and Opinion based thereon:

It is ordered, That the said joint application and declaration, as amended, be and the same hereby is granted and permitted to become effective forthwith except as to the price to be paid for said bonds, their redemption prices, the underwriter's spread and its allocation, and all legal fees to be paid in connection with the proposed transactions, as to which matters jurisdiction be, and the same hereby is, specifically reserved, and subject to the terms and conditions contained in Rule U-24 and the following additional terms and conditions:

(1) That the amount proposed by Texas Electric Service Company to be credited to Account No. 252—Reserve for Amortization of Electric Plant Acquisition Adjustments, shall be charged to Account 537—Miscellaneous Amortization beginning 30 days after the date of this order and continuing for a period of fifteen years without prejudice, however, to the right of Texas Electric Service Company to contest the validity of any definitive order with respect to such items as may be ultimately issued.

It is further ordered, That the following transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are necessary and appropriate to the integration or simplification of the holding company system of which both American Power & Light Company and Texas Electric Service Company are members:

(1) The investment by American Power & Light Company of \$7,000,000 from the funds received by American Power & Light Company in the sale by it of Glacier Production Company oil properties as approved by our order dated November 30, 1944, File No. 70-925, as a contribution to the capital of Texas Electric Service Company and the receipt and use by Texas Electric Service Company of such cash.

(2) The transfer by American Power & Light Company to Texas Electric Service Company of 4,294,996.366 shares of common stock of Texas Electric Service Company and the receipt and cancellation by the latter of such shares.

(3) The issue and sale by Texas Electric Service Company of \$18,000,000 principal amount of its First Mortgage Bonds ---% Series due 1975 and \$2,500,000 principal amount of its 2 1/8% Promissory Notes payable in 20 semi-annual installments beginning October 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6435; Filed, Apr. 23, 1945; 9:34 a. m.]

[File No. 70-1034, 31-532]

ENGINEERS PUBLIC SERVICE CO. AND DONNER ESTATES, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATIONS FOR EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 18th day of April 1945.

Engineers Public Service Company, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and an application pursuant to Rule U-50 promulgated thereunder, with respect to the following:

(1) The sale by said company of all of its investment in Savannah Electric and Power Company, a subsidiary electric utility company, to the Wilmington Trust Company, Delaware Trust Company and The Union Trust Company of Pittsburgh, as Trustees under certain trusts created by William H. Donner for members of his family, and International Cancer Research Foundation, which trusts and charitable organization are represented by Donner Estates, Inc., such investment consisting of 5,500 shares of First Preferred or Debenture Stock, Series A (8%), and 133,146 shares of Common Stock, for the cash consideration of \$3,387,500 plus certain adjustments to the closing date; and

(2) Exemption of such sale of the Common Stock of Savannah from the provisions of Rule U-50 (b) and (c); and

Donner Estates, Inc., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having filed an application for exemption as a holding company pursuant to section 3 (a) (3) of said act if and in the event that said trust companies and International Cancer Research Foundation acquire said securities of Savannah; and

The proceedings relating to the above-described transactions having been ordered consolidated; and

Engineers Public Service Company having requested that the Commission's order conform to the requirements of sections 373 (a) and 1803 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held on such matters after appropriate notice, the Commission having considered the record, and having filed its findings and opinion;

It is ordered, That the aforesaid declaration and application of Engineers Public Service Company, pursuant to the provisions of section 12 (d) and Rule U-50, respectively be, and hereby is, permitted to become effective and be, and hereby is, granted, subject to the terms and conditions in Rule U-24.

It is further ordered, That the sale of Engineers Public Service Company's investment in Savannah Electric and Power Company to certain trusts and International Cancer Research Foundation represented by Donner Estates, Inc. is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to effectuate and comply with a certain divestment order issued by the Commission on September 16, 1942, pursuant to said section, in a proceeding entitled "In the Matter of Engineers Public Service Company and Its Subsidiary Companies, Respondents, File No. 59-4."

It is further ordered, That the said Donner Estates, Inc., if and in the event

the said trust companies and International Cancer Research Foundation acquire the said securities of Savannah, be, and it hereby is, exempted from all those provisions of the Public Utility Holding Company Act of 1935 which would require it to register under said act because of its directly or indirectly owning, controlling, or holding with power to vote 10% or more of the outstanding voting securities of Savannah Electric and Power Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6436; Filed, Apr. 23, 1945; 9:34 a. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

YELL COUNTY, ARK.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follows:

REGION VI

ARKANSAS

Yell County

Locality I: Consisting of the townships of Bluffton, Briggsville, Centerville, Compton, Danville, Dardanelle, Delaware, Ferguson, Galla Rock, Gilkey, Lamar, Reed Keathly, Rover, Ward, and Wilson.....	\$3,160
Locality II: Consisting of the townships of Crawford, Dutch Creek, Gravelly Hill, Herring (Ions Creek Lower Lafave, Richland, Riley, and Waveland.....	1,789
Locality III: Consisting of the townships of Chickalah, Magazine, Mountain, Prairie, and Sulphur Springs..	1,428
Locality IV: Consisting of the townships of Dawson, Mason, and Rose Creek	1,418

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: April 20, 1945.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 45-6421; Filed, Apr. 21, 1945; 3:21 p. m.]

BATON ROUGE, LA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Baton Rouge Area is hereby prescribed, pursuant to

§ 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," (8 F.R. 11338, 9 F.R. 5400, 12917) effective December 16, 1944.

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Provision for employment ceilings.
12. Exclusions.
13. Appeals.
14. Content of statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Amendments.
20. Effective date.

SECTION 1. Purpose. The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration.
- (c) The direction of the flow of scarce labor where most needed in the war program.
- (d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program: (a) The "Baton Rouge Area" is the area comprised of the parishes of Ascension (portion east of Mississippi River), East Baton Rouge, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, St. Martin, St. Mary (except Morgan City and Berwick), Tangipahoa, West Baton Rouge, and West Feliciana.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For

the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments means his principal employment.

(h) "Locality of new employment" as used in section 10, paragraph (a) of this plan means within reasonable daily commuting distance.

(i) The term "Veteran of World War II" means any individual who has served in the active service of the armed forces of the United States subsequent to December 7, 1941, and who has been discharged or released therefrom under conditions other than dishonorable.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Baton Rouge Area shall be conducted in accordance with this employment stabilization program.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Baton Rouge Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program and to make recommendations to the Area Manpower Director.

SEC. 5. Use of existing hiring channels and special authorization to designated Government agencies. To the maximum degree consistent with this stabilization program, local initiative and cooperative effort shall be encouraged and utilized and maximum use made of existing hiring channels such as: Private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the departmental or field service of the United States Government, by the Railroad Retirement Board to a worker who is or most recently was employed with an employer in the railroad industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal, or inter-coastal merchant marine industry, as authorized by the Chairman of the War Manpower Commission.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to

aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship.

SEC. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

(c) An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from the U. S. Employment Service if:

(1) Such employment is or was at a wage or salary or under working conditions below standards established by state or federal law or regulation, or

(2) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 9. Referral in case of under-utilization. If an individual is employed at less than full-time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request,

refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service when:

(a) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(b) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(c) If the new employee is a male.

SEC. 11. Provision for employment ceilings. The Area Manpower Director may fix for all or any establishments in the Baton Rouge Area, fair and reasonable employment ceilings and allowance, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

SEC. 12. Exclusions. No provisions of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, state, county, or municipal government, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has

indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic work, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) The hiring of Veterans of World War II.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Content of statements of availability. A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

SEC. 17. Representation. Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Amendments. This plan may be amended at any time after consultation with Area Management-Labor Committee of the Baton Rouge Area upon approval by the Regional War Manpower Commission Director.

SEC. 20. Effective date. This program shall supersede the Limited Employment Stabilization Plan for Region X promulgated April 29, 1943 in the Baton Rouge

Area. This plan shall become effective at 12:01 a. m. December 16, 1944.

WILLIAM G. CALDWELL, Jr.,
Area Director.

FEBRUARY 9, 1945.

Approved: February 23, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-6337; Filed, Apr. 20, 1945;
2:46 p. m.]

LAKE CHARLES, LA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Lake Charles Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, as amended, "Governing Employment Stabilization Programs," (8 F.R. 11338, 9 F.R. 5400, 9 F.R. 12917) effective October 15, 1943.

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Use of existing hiring channels and special authorization to designated Government agencies.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Amendments.
19. Effective date.

Section 1. Purpose. The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) The "Lake Charles Area" is the area comprised of the parishes of: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron, Catahoula, Concordia, Jeff Davis, Grant, LaSalle, Rapides, Sabine, Vermilion, Vernon.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the

cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Locality and new employment" as used in section 10, paragraph (b) of this plan, means within reasonable daily commuting distance.

Sec. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Lake Charles Area shall be conducted in accordance with this employment stabilization program.

Sec. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Lake Charles Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations to the Area Manpower Director.

Sec. 5. Use of existing hiring channels and special authorization to designated Government agencies. To the maximum degree consistent with this stabilization program local initiative and co-operative effort shall be encouraged and utilized, and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, government agencies.

Statements of availability may be issued in accordance with this program by the United States Civil Service Commission to a worker who is or most recently was employed in the departmental or field service of the United States Government, by the Railroad Retirement Board, to a worker who is or

most recently was employed with an employer in the railroad industry, by the War Shipping Administration to a worker who is or most recently was employed with an employer in the off-shore, coastal or inter-coastal Merchant Marine industry, as authorized by the Chairman of the War Manpower Commission.

Sec. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work in which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

Sec. 7. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship.

Sec. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(c) An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from the United States Employment Service if:

(1) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(2) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Sec. 9. Referral in case of under-utilization. If an individual is employed at less than full-time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

Sec. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

Sec. 11. Exclusions. No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work, but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration.

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii:

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-division, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Con-

stitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. Content of statements of availability. A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 15. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

SEC. 16. Representation. Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 17. General referral policies. No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with the approved policies and instructions of the War Manpower Commission.

SEC. 18. Amendments. This plan may be amended at any time after consultation with Area Management-Labor Committee of the Lake Charles Area upon approval by the Regional War Manpower Commission Director.

SEC. 19. Effective date. This program shall supersede the Limited Employment Stabilization Plan for Region X promulgated April 29, 1943 in the Lake Charles Area. This plan shall become effective October 15, 1943.

Dated: January 24, 1945.

ERNEST S. CLEMENTS,
Area Director.

Approved: February 23, 1945.

J. H. BOND,
Regional Director.

[F. R. Doc. 45-6338; Filed, Apr. 20, 1945; 2:46 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF ORDERS STOPPING CONSTRUCTION ON CERTAIN PROJECTS

The War Production Board has issued certain orders stopping construction on the projects listed below. Thereafter certain of these revocation orders have been cancelled, as indicated below. For the effect of each such revocation order, and cancellation thereof if any, upon the construction of the projects, upon the use of priorities assistance for materials for the projects and upon the delivery of materials therefor, the respective builders and suppliers affected shall refer to the specific order issued to the builder.

Issued this 21st day of April 1945.

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

LIST OF PROJECTS

Authorization serial No.	Name and address of builder	Location of project	Date of issuance of action and Action taken
GA-1456; 102,591...	Bureau of Reclamation, U. S. Department of Interior, Washington, D. C.	Lovelock, Pershing County, Nev.	Feb. 10, 1945; revocation
GA-1456; 108,437...	do.	Missoula County, Mont.	Feb. 10, 1945; revocation
GA-1456; 125,079...	Farm Security Administration, U. S. Department of Agriculture, 950 Broadway, Denver, Colo.	do.	Feb. 10, 1945; revocation.
GA-1456; 132,389...	Clintonville Community Hospital, Clintonville, Wis.	Clintonville, Wis.	Feb. 10, 1945; revocation
GA-1456; 131,992...	Buckingham Community, Inc., Arlington, Va.	Arlington, Va.	Feb. 23, 1945; revocation.
GA-1456; 132,369...	J. B. Tubb, Box 337, Monahans, Tex.	Monahans, Tex.	Feb. 28, 1945; revocation.
52,682	Civil Aeronautics Administration, U. S. Department of Commerce, Washington, D. C.	Wilkes-Barre; Scranton, Pa.	Mar. 2, 1945; revocation. Apr. 3, 1945; cancellation of revocation.
52,688	do.	Georgetown, Tex.	Mar. 2, 1945; revocation. Apr. 3, 1945; cancellation of revocation.
137,251	do.	Denton, Tex.	Mar. 2, 1945; revocation. Apr. 3, 1945; cancellation of revocation.
137,252	Civil Aeronautics Administration, U. S. Department of Commerce, Washington, D. C.	Canton, Ohio.	Mar. 2, 1945; revocation. Apr. 4, 1945; cancellation of revocation.
GA-1456; 23,665	Grain Processing Corporation, Muscatine, Iowa.	Muscatine, Iowa.	Mar. 5, 1945; revocation.
GA-1456; 132,272	Cheverly Theatre, Inc., Washington, D. C.	Washington, D. C.	Mar. 5, 1945; revocation.
GA-1456; 131,824	U. S. Plywood Corporation, New York, N. Y.	New York, N. Y.	Mar. 13, 1945; revocation.
GA-1456 petroleum; 131,295.	Phillips Petroleum Co.; 982 National Press Bldg., Washington, D. C.	Rice, Franklin County, Kans.	Apr. 7, 1945; revocation.

[F. R. Doc. 45-6426; Filed, Apr. 21, 1945; 4:24 p. m.]

[Certificate 96, Revocation]

PURCHASERS OF LOGGING SERVICES AND STUMPAGE

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated July 16, 1943, concerning

a program for joint action and discussion by purchasers of logging services and stumpage relating to the preparation of petitions for area pricing under Maximum Price Regulation 348, as amended.

J. A. KRUG,
Chairman.

Date: April 18, 1945.

[F. R. Doc. 45-6443; Filed, Apr. 23, 1945; 10:35 a. m.]

[Certificate 56, Revocation]

PURCHASERS OF LOGS AND BOLTS

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat 357), I hereby withdraw the certificate and finding dated April 24, 1943, concerning a program for joint action and discussion by the purchasers of logs and bolts relating to the preparation of petitions for area pricing under Maximum Price Regulation 348, as amended.

J. A. KRUG,
Chairman.

Date: April 18, 1945.

[F. R. Doc. 45-6442; Filed, Apr. 23, 1945;
10:35 a. m.]

[C-300]

DEWEY W. JOHNSON

CONSENT ORDER

Dewey W. Johnson is a construction contractor. He has his place of business at 1447 South Milwaukee Street, Denver, Colorado. War Production Board issued

a charging letter in which he was charged with violating Conservation Order L-41 in that between September 13, 1944 and December 1, 1944, he began and carried on construction work for Douglas H. Lawrence in the remodeling of his residence at 4151 Montview Boulevard, Denver, Colorado, at an estimated and actual cost in excess of \$4,000., in addition to the cost of used materials and of the repair and maintenance of that residence, and that such construction work was done without authorization of War Production Board and in violation of Conservation Order L-41.

Dewey W. Johnson admits the said violations of Conservation Order L-41 and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Dewey W. Johnson, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of all lumber to Dewey W. Johnson, his successors and assigns, the supply and distribution of which is governed by any order of the War Production Board, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or ex-

tended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Dewey W. Johnson, his successors or assigns of any lumber, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the said Dewey W. Johnson, his 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) This order shall take effect on April 23, 1945, and shall expire on July 23, 1945.

Issued this 13th day of April 1945.

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

[F. R. Doc. 45-6496; Filed, Apr. 23, 1945;
11:41 a. m.]