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The President

Regulations

CONTENTS

EXECUTIVE ORDER 9302

TRANSFERRING TO THE COMMISSIONER OF INTERNAL REVENUE CERTAIN FUNCTIONS RELATING TO TAXES AND PENALTIES IMPOSED FOR VIOLATIONS OF THE NATIONAL PROHIBITION ACT

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), and as President of the United States, it is ordered as follows:

1. The functions, duties, and powers of the Attorney General and of the Department of Justice with respect to (a) the determination of Internal Revenue taxes and penalties (exclusive of the determination of liability guaranteed by permit bonds) arising out of violations of the National Prohibition Act occurring prior to the repeal of the Eighteenth Amendment to the Constitution, and (b) the compromise, prior to reference to the Attorney General for suit, of liability for such taxes and penalties, are hereby transferred to the Commissioner of Internal Revenue, Department of the Treasury: Provided, That any compromise of such liability shall be effected in accordance with the provisions of section 3761 of the Internal Revenue Code.

2. All files and records of the Department of Justice used primarily in the administration of the functions transferred by this order are hereby made available to the Commissioner of Internal Revenue for use in the administration of such functions.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 9, 1943.

[F. R. Doc. 43-2234; Filed, February 11, 1943; 11:05 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

DESIGNATION OF FOREST SERVICE AS AGENCY WITHIN DEPARTMENT OF AGRICULTURE TO ADMINISTER, PROTECT AND MANAGE CERTAIN LANDS IN PUERTO RICO

ADMINISTRATIVE ORDER

By virtue of and pursuant to the authority vested in me by Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), and Executive Order No. 7908, dated June 9, 1938, all lands in the Territory of Puerto Rico which have been transferred by Executive Order No. 9288 of December 24, 1942 (7 F.R. 10900), from the Puerto Rican Reconstruction Administration to the jurisdiction of the Secretary of Agriculture, are hereby entrusted to the Forest Service of the Department of Agriculture for protection, administration and management, under the rules and regulations applicable to national forest lands insofar as consistent with the powers and authority vested in the Secretary of Agriculture by the aforesaid Executive Order and Title III of the Bankhead-Jones Farm Tenant Act, until the future status of said lands is established by law or by Presidential Proclamation.

The rules and regulations providing for the protection, occupancy, use and administration of the national forests, as hitherto approved by the Secretary or Acting Secretary of Agriculture and now effective in relation to national forest land, are herewith adopted and promulgated as rules and regulations for the protection, occupancy, use and administration of the above described lands insofar as is practical and consistent with the Acts of Congress under which said lands were or are being acquired.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

FEBRUARY 11, 1943.

[F. R. Doc. 43-2243; Filed, February 11, 1943; 11:22 a. m.]

THE PRESIDENT

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PART 505—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 13	
EXEMPTION OF CERTAIN PERSONS FROM PROHIBITIONS OF GENERAL ORDER 13	
Section 505.1, Regulation No. 1 under General Order No. 13 (7 F.R. 9477), is	

hereby amended by deleting paragraph (a) and inserting in lieu thereof a new paragraph (a) as hereinafter set forth, so that such regulation, as amended, shall read as follows:

§ 505.1 Regulation 1 under General Order 13. Any person within the following categories shall be regarded, for the purposes of General Order No. 13, as a person within the United States who is not a national of any foreign country designated in section 3 of Executive Order No. 8389, as amended, except as such person shall be specifically excluded by the Alien Property Custodian from the effect of this regulation:

(a) Any individual who is (1) A resident of the United States on the date of (i) Making application in the United States Copyright Office for a registration or renewal of a copyright, or (ii) Executing any instrument recordable in the United States Copyright Office; and who is also (2) A national of a foreign country designated in section 3 of Executive Order No. 8389, as amended, solely by reason of the fact that such individual has been domiciled in, or a subject, citizen or resident of a foreign country designated in section 3 of Executive Order No. 8389, as amended, at any time on or since the effective date of that order.

(b) Any partnership, association, corporation or other organization which is a national of a foreign country designated in section 3 of Executive Order No. 8389, as amended, solely by reason of the interest therein of a person or persons described in paragraph (a) hereof.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on February 8, 1943.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2238; Filed, February 11, 1943; 11:07 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

ACQUISITION OF PROPERTY BY THE WAR DEPARTMENT FROM OTHER AGENCIES OF THE GOVERNMENT

In Circular Letter No. 675, Supplement No. 1, January 15, 1943, the Procurement Division of the Treasury Department announced that its activities relative to transfer of property, which have previously been centralized in its Washington office, would be decentralized, effective February 1, 1943. There will be established regional offices of the Procurement Division which will have jurisdiction over the issuance of catalogs, the appraisal of property, and the issuance of transfer documents and

other operations of the so-called Federal Property Utilization Program in the respective regions in which such offices are located. Typewriters have been excepted from the decentralization program.

At the request of the Procurement Division, Treasury Department, and in order to conform with the decentralization effected by that Division, it has been determined that the War Department procedure with respect to acquisition of property through the Procurement Division, Treasury Department, will be decentralized. Accordingly, paragraphs (d), (e), (f) and (g) of § 81.613 are rescinded, paragraph (h) is redesignated (j), and, effective immediately, the following amendments are substituted for the rescinded paragraphs:

§ 81.613 *Purchases of property of other agencies through the Procurement Division, Treasury Department.* * * *

(d) *Procedure for acquiring property which is surplus to the needs of another agency.* The procedure for the transfer of surplus property has been set forth in Circular Letter No. 675 (November 18, 1942) of the Procurement Division, Treasury Department, as amended by Circular Letter No. 675, Supplement No. 1, issued under date of January 15, 1943.

(e) *Regional property offices of Procurement Division.* Pursuant to Circular Letter No. 675, Supplement No. 1, the operations of the Procurement Division, Treasury Department, which had previously been centralized in Washington, D. C. were decentralized. The following regional offices were established:

REGION I

Regional office

Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont. Regional Property Officer, U. S. Treasury Department, 76th Ninth Ave., New York, N. Y.

REGION II

Metropolitan District of Columbia. Regional Property Officer, U. S. Treasury Department, 7th & D Sts. SW., Washington, D. C.

REGION III

Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia. Regional Property Officer, U. S. Treasury Department, 10 Forsyth St. Bldg., Atlanta, Ga.

REGION IV

Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, North Dakota, Ohio, South Dakota, Wisconsin. Regional Property Officer, U. S. Treasury Department, 222 West North Bank Dr., Chicago, Ill.

REGION V

Arkansas, Kansas, Missouri, Nebraska, Oklahoma, Texas. Regional Property Officer, U. S. Treasury Department, 6th Fl., Porter Building, Kansas City, Mo.

REGION VI

Colorado, New Mexico, Utah, Wyoming. Regional Property Officer, U. S. Treasury Department, 810 14th St., Denver, Colo.

REGION VII

Arizona, California, Nevada. Regional Property Officer, U. S. Treasury Department, 49 Fourth St., San Francisco, Calif.

REGION VIII

Idaho, Montana, Oregon, Washington. Regional Property Officer, U. S. Treasury Department, Alaska Building, Seattle, Wash.

(f) *Catalog of available property.* Once each month, and more frequently if necessary, the Procurement Division through its regional offices, will issue catalogs showing the location, description, and transfer price of property reported to it as surplus within specified areas. It is the responsibility of the chief of each supply service to see that all stations under his command, which would be interested in obtaining equipment surplus to the needs of other agencies, is supplied with the current catalog relating to the region where the station is located. Such catalogs will, if requested, be mailed directly to any station making a request of the appropriate regional office of the Procurement Division, Treasury Department.

(g) *Surplus property not as yet reported.* When information is obtained

as to the existence of property surplus to the needs of another Government agency, a supply service should, if it desires such property, communicate with the holding agency and establish definitely that the property is available. If the property has not yet been reported by the holding agency to the regional office of the Procurement Division, Treasury Department, in the region where the property is located, and has not been declared surplus to the needs of the holding agency by the Director of the Bureau of the Budget pursuant to subparagraph (c) of Executive Order 9235 (see paragraph (a) of this section), the property may be purchased directly from the holding agency pursuant to Public Law No. 670, 77th Congress (see § 81.612). If, however, the holding agency desires to effect the transfer through the Procure-

ment Division, Treasury Department, it should be requested to declare the property as surplus on the forms prescribed by the Procurement Division, Treasury Department. The declaration should be forwarded to the appropriate regional office with a statement that the property is wanted by the station concerned. The property should then be requested by the supply service in accordance with paragraph (h) of this section.

(h) *Direct communication with Procurement Division authorized.* The chiefs of the supply services are authorized to communicate directly with the Procurement Division, Treasury Department, with reference to any property which has been reported to that Division by other agencies of the Government; and are authorized to make requests for any such property directly to the appropriate regional office of the Procurement Division, Treasury Department. The request will be made on Purchase Authority Form (issued by the Procurement Division, Treasury Department) or on such other document or form as is customarily used for ordinary purchases. Whatever form is used should carry the capitalized heading **REQUEST FOR TRANSFER OF PROPERTY.** The request should contain the following information:

(1) Complete and specific reference as to date of Catalog of Available Property in which property appeared. If property has not yet been listed in a catalog there should be substituted the present location of the property, the transferring agency's declaration number, and a complete description of the property.

(2) Shipping instructions or information that the property will be picked up.

(3) The symbol and title of the appropriation, appropriations, or fund from which the costs of acquisition and any transportation charges incident to delivery to the supply service will be paid.

The chiefs of the supply services will decentralize to their field agencies the authority to communicate with the regional offices of the Procurement Division, Treasury Department, to the greatest extent consistent with efficiency and the proper safeguarding of the public interest.

(i) *Surplus Property Officer.* Although direct communication by the supply services with the Procurement Division, Treasury Department is authorized, the Surplus Property Officer, Purchases Division, Headquarters, Services of Supply, is still available for consultation when the supply services desire assistance in their negotiations with the Procurement Division, Treasury Department. That officer should be promptly advised whenever it comes to the attention of a supply service that property desired by such service has been requested by an agency of the Government other than the War Department.

(j) *Disposition of surplus property to other Government agencies.* * * *

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Pow-

ers Act 1941, 55 Stat. 938, 50 U.S.C. Sup. 601-622) [Memorandum No. S5-26-43, dated February 4, 1943]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2226; Filed, February 11, 1943;
9:52 a. m.]

Chapter X—Areas Restricted for National Defense Purposes

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

[Public Proclamation No. 6]

RESTRICTED LIGHTING IN ALASKA

JANUARY 5, 1943.

Headquarters Alaska Defense Command, Office of the Commanding General, c/o Postmaster, Seattle, Washington. To: The people within the Territory of Alaska and the public generally:

Whereas by Public Proclamation No. 1,¹ dated April 7, 1942, this Headquarters, the entire Territory of Alaska was designated and established as a Military Area; and

Whereas the armed forces of the enemy have made attacks upon vessels of the United States traveling along the Pacific Coastal waters and upon land installations within said Military Area, and it is expected that such attacks will continue; and

Whereas it is necessary to provide maximum protection for war utilities, war materials and war premises located within the Territory of Alaska against enemy attacks by sea and by air;

Now, therefore, I, Simon Bolivar Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Alaska Defense Command do hereby declare that:

§ 102.3 *Zone of restricted lighting; Alaska.* (a) The present situation requires as a matter of military necessity that a zone of restricted lighting be established within the Territory of Alaska and that all illumination within said zone of restricted lighting be extinguished or controlled in such a manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.

(b) Pursuant to the determination and statement of military necessity in paragraph (a) hereof, a zone of restricted lighting, comprising that portion of the Territory of Alaska which lies west of the 158th parallel of longitude and/or south of the 62nd parallel of latitude, is hereby designated and established. Illumination within the entire area of said zone of restricted lighting shall be extinguished or controlled at all times at night from sunset to sunrise as follows:

(1) *Interior lighting.* All interior lighting of every description shall be reduced or controlled so that it does not contribute more than one foot candle of illumination upon any outdoor area.

¹ 7 F.R. 4859.

Interior light sources which emit rays above the horizontal out-of-doors, shall be extinguished.

(2) *Signs, floodlighting, display lighting.* Illuminated signs and ornamental lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs, shall be extinguished.

(3) *Illumination of street and highway lights.* All street and highway lights will be reduced to the minimum necessary for safety as determined by Territorial Director, Civilian Defense. All such light sources will be shielded by shades or otherwise, so as to prevent the upward dissipation or reflection of light above a plane inclined downwards 10° from the horizontal.

(4) *Navigation and railroad lights.* Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights and headlights of railroad locomotives when in motion and airport boundary and obstruction lights, are hereby excepted from all the provisions of this proclamation.

(c) In addition to the restrictions hereinbefore imposed, illumination within that part of the Territory of Alaska which is visible from the sea, as hereinafter defined, shall be further diminished or obscured at all times at night from sunset to sunrise, as follows:

(1) *Residential, commercial and industrial windows.* No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(2) *Street and highway lights.* Street and highway lights in areas which are normally visible from the sea shall be so shielded that they are not visible from the sea at night.

(3) *Street and highway traffic.* Within areas visible from the sea, but subject to the exceptions hereinafter stated, vehicles shall operate at night with no more than two lighted driving lamps, regardless of the direction of travel, and each such lamp shall provide a maximum of not more than 250 beam candlepower (dim beam). Normal rear lights, license plate lights and clearance lights (where required by law) are permitted. Vehicles which are classified as authorized emergency vehicles under the applicable Federal, Territorial or local law, when operated by authorized personnel, and when displaying an illuminated red spotlight, and when responding to a fire alarm, or when in the immediate pursuit of an actual or suspected violator of the law, or when going to or transporting a person who is in apparent need of immediate emergency medical or surgical care, or when responding to some other emergency involving the protection of life or property, shall be excepted from the foregoing provisions.

(4) *Other illumination.* Except as hereinabove provided in this paragraph (c), all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.

(5) *Industrial and protective illumination.* Variations from these requirements may be permitted in the case of

illumination for industrial and protective purposes, whether interior or exterior (but not including street or highway lights), only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Territorial Director, Civilian Defense, obtained in advance.

(6) *Definition of "visible from the sea."* The phrase "visible from the sea," as used herein, is intended and shall be construed to mean and include points visible at any time from navigable waters of the Pacific Ocean and the Bering Sea including bays, straits, sounds, passages, canals, inlets and estuaries thereof located on the shoreline of the Territory of Alaska.

Waters are considered navigable if depth and ice conditions permit the passage of surface craft of four feet draft or more at low tide. Otherwise they are not navigable within the meaning of this paragraph.

(d) Any person violating any of the provisions of this proclamation or orders issued pursuant thereto is subject to immediate exclusion from the Territory of Alaska, and to the criminal penalties provided in Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for the Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones."

(e) It is desired that the Territorial Director, Civilian Defense, act as the primary agency to aid in the enforcement of the foregoing provisions with the assistance of civil law enforcement agencies of Territorial and local governmental bodies.

(f) This proclamation shall become effective February 1, 1943.

[SEAL]

SIMON BOLIVAR BUCKNER, JR.,
Major General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2227; Filed, February 11, 1943;
9:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter II—Bureau of Narcotics

[T.D. 34]

PART 203—ORDER OF THE SECRETARY OF THE TREASURY RELATING TO THE ENFORCEMENT OF THE OPIUM POPPY CONTROL ACT OF 1942

§ 203.1 *Delegation of authority.* There are hereby conferred and imposed upon the Commissioner of Narcotics, subject to the general supervision and direction of the Secretary of the Treasury, all the rights, privileges, powers and duties conferred or imposed upon said Secretary by the Opium Poppy Control Act of 1942 (Public Law 797, 77th Congress, Second

Session) so far as such rights, privileges, powers and duties relate to:

(a) The issuance, renewal, revocation and denial of licenses to produce the opium poppy or to manufacture opium or opium products therefrom.

(b) The destruction of any opium poppies seized by and forfeited to the United States, or delivery of such opium poppies for medical or scientific purposes to any department, bureau, or other agency of the United States Government.

(c) The limitation or prohibition of the importation or bringing in of crude opium under the provisions of the Narcotic Drugs Import and Export Act (U.S.C., Title 21, secs. 171-184) to the extent that the Commissioner of Narcotics shall find the medical and scientific needs of the United States for opium or opium products are being, or can be, supplied by opium poppies produced in accordance with the Opium Poppy Control Act of 1942.

(d) The providing, whenever in the opinion of the Commissioner of Narcotics the medical and scientific needs of the Nation for narcotic drugs will not be met by importation of crude opium or licensed production of opium poppies, for the acquisition of opium poppy seed, for the production of the opium poppy, for the manufacture of opium or opium products, and for the use, sale, giving away, or other proper distribution of opium poppy seed, opium poppies, opium, or opium products by the United States Government either directly or through and with the approval of the head of any agency of the Government, including any Government-owned or controlled corporation.

(e) The making, prescribing, and publishing, with the approval of the Secretary of the Treasury, of all necessary rules and regulations for carrying out the provisions of the Opium Poppy Control Act of 1942.

§ 203.2 *Enforcement.* The enforcement of the Opium Poppy Control Act of 1942, including the investigation and detection, and presentation to prosecuting officers of evidence, of violations of said Act, and also including the arrest and delivery into the custody of the United States marshal or other officer having jurisdiction of violators of the Opium Poppy Control Act of 1942 or laws supplementary thereto, shall be the duty of the Commissioner of Narcotics and the assistants, agents, inspectors, or employees under his direction.

§ 203.3 *Effective date.* The effective date of this order shall be February 9, 1943, which is the effective date of the Opium Poppy Control Act of 1942.

(Sec. 8 (b), 8 (c), and 11 (a), Pub. Law 797, 77th Cong.)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2216; Filed, February 10, 1943; 2:50 p. m.]

[Narcotic Regulations 7]

PART 204—NARCOTIC DRUGS

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204.17	Penalties.
204.18	Effective date.

AUTHORITY: §§ 204.1 to 204.18 inclusive issued under secs. 6, 8 (e), and 11 (a) of Pub. Law 797, 77th Cong.

§ 204.1 *Definitions.* As used in these regulations:

(a) The term "person" includes a partnership, company, association, or corporation, as well as a natural person or persons.

(b) The terms "produce" or "production" include the planting, cultivation, growth, harvesting, and any other activity which facilitates the growth of the opium poppy.

(c) The term "opium poppy" includes the plant *Papaver somniferum*, any other plant which is the source of opium or opium products, and any part of any such plant.

(d) The term "opium" includes the inspissated juice of the opium poppy, in crude or refined form.

(e) The term "opium products" includes opium and all substances obtainable from opium or the opium poppy, except the seed thereof.

(f) The term "license" means a license to produce the opium poppy or to manufacture opium or opium products, duly issued by the Commissioner.

(g) The term "Commissioner" means the Commissioner of Narcotics.

(h) The term "Act" means the Opium Poppy Control Act of 1942.

§ 204.2 *Policy.* It shall be the policy of the Commissioner to administer and enforce the provisions of the Act in such manner as will carry out the obligations of the United States under the treaties and conventions mentioned therein. The Commissioner shall not issue licenses to produce the opium poppy unless such production is essential to supply narcotic drugs for the medical and scientific needs of the United States. If such production becomes necessary, the Commissioner shall exercise sound discretion in the issuance of licenses to the end that there shall be no opportunity for the spread of drug addiction.

§ 204.3 *Production.* No person who is not the holder of a license shall produce the opium poppy. Licenses shall be issued only for the production of the

opium poppy to supply the medical and scientific needs of the United States for narcotic drugs. No licenses shall be issued for the production of the opium poppy solely for poppy seed.

§ 204.4 *Application for license to produce.* Any person who desires to produce the opium poppy to supply medical and scientific needs of the United States for narcotic drugs shall file an application, in duplicate, for a license with the Commissioner at Washington, D. C. The application shall show the name and address of the applicant, the quantity, in pounds, of opium poppies desired to be produced, the acreage and exact location of the land desired to be devoted to opium poppy production, the type of soil desired to be devoted to opium poppy production, whether such applicant owns, rents, or leases such land and the type of equipment owned by the applicant to be used in cultivating and harvesting opium poppies. The applicant shall also submit proof that he is of good moral character, that his financial standing and farming experience are such as will reasonably insure that he can produce the acreage of opium poppies called for in the application, that there is or will be, at the time of harvesting, a market for the opium poppies desired to be produced and that the land to be devoted to opium poppy production is readily accessible to law enforcement officers at all times.

§ 204.5 *Issuance of license to produce.* (a) The Commissioner shall issue a license to produce the opium poppy only when, in his opinion, the medical and scientific needs of the United States for narcotic drugs cannot be met by the importation of crude opium. A license to produce the opium poppy shall be issued only to a person whom the Commissioner finds (1) to be of good moral character; (2) to be of suitable financial standing and farming experience to render reasonably probable that such person will produce the quantity of opium poppies specified in the license; (3) to be the owner of or to control suitable farm land to be used as a production area, in such locality, as will, in the judgment of the Commissioner, render reasonably probable efficient and diligent performance of the operations of producing the opium poppy in the quantity specified; (4) to have facilities for safeguarding the opium poppy crop which will reasonably insure that the opium poppies will not be diverted to illicit channels.

(b) Each such license shall be non-transferable and shall be valid only to the extent of the production area and maximum weight of opium poppy yield specified in the license, shall state the locality of the production area, and shall be effective for a period of one year from the date of issue, and may be renewed, at the discretion of the Commissioner, for a like period.

§ 204.6 *Production in excess of quantity named in license.* If a licensee produces opium poppies in excess of the quantity called for in his license, such excess quantity may be seized and for-

feited to the United States, or, the Commissioner may, if he deems it appropriate and finds that such excess opium poppies were produced in good faith, amend the license so as to cover all or part of such excess quantity, and allow them to be disposed of under the Act.

§ 204.7 *Application for license to manufacture.* Any person who desires to manufacture opium or opium products from opium poppies shall file an application, in duplicate, for a license with the Commissioner at Washington, D. C. The application shall show the name and address of the applicant, the exact location of the applicant's manufacturing facilities desired to be devoted to the manufacture of opium or opium products from opium poppies, the quantity of opium poppies to be processed, and the quantity of opium or opium products expected to be manufactured from such opium poppies. The applicant shall also submit proof that he is of good moral character, possesses a method and facilities deemed satisfactory to the Commissioner for the efficient and economical extraction of opium or opium products from opium poppies, and has such experience in manufacturing and marketing other medicinal drugs as to render reasonably probable the orderly and lawful distribution of opium or opium products of suitable quality to supply medical and scientific needs. The application shall show also that the applicant has such facilities for safeguarding opium poppies and opium and opium products as will insure that none of such opium poppies, opium, or opium products will be diverted to illicit channels, and what experience, if any, the applicant has had in the extraction of opium and opium products from opium poppies.

§ 204.8 *Issuance of license to manufacture.* (a) No license to manufacture opium or opium products from opium poppies shall be issued by the Commissioner unless he finds that the medical and scientific needs of the United States for narcotic drugs are not being or cannot be supplied from crude opium obtained by importation.

(b) A license to manufacture opium or opium products shall be issued only to a person whom the Commissioner finds (1) to be of good moral character; (2) to be of such financial standing as will reasonably insure the success of the manufacturing operation; (3) to possess a method and facilities deemed satisfactory to the Commissioner for the efficient and economical extraction of opium or opium products from opium poppies; (4) to have such experience in manufacturing and marketing other medicinal drugs as to render reasonably probable the orderly and lawful distribution of opium or opium products of suitable quality to supply medical and scientific needs; and (5) to have such facilities as will insure that the opium poppies and opium and opium products shall be properly safeguarded and not diverted to illicit channels.

(c) No license shall be issued to any person unless the Commissioner finds

that existing facilities for the manufacture of opium or opium products from crude opium or opium poppies cannot supply the medical and scientific needs of the United States for narcotic drugs.

§ 204.9 *Limitation.* All licenses issued by the Commissioner shall be limited to such number, localities, and areas as the Commissioner shall determine to be appropriate to supply the medical and scientific needs of the United States for opium or opium products, with due regard to provision for reasonable reserves. It shall be the policy of the Commissioner, so far as practicable, to confine the production and manufacture of opium poppies and opium and opium products to such areas as will permit efficient and economical enforcement of the narcotic laws and regulations.

§ 204.10 *Change of address or other facts shown in application.* Any person to whom a license has been issued shall immediately notify the Commissioner of any change of the address or any other fact shown in his application, and of any subsequent change of address or other fact.

§ 204.11 *Revocation or renewal of licenses.* (a) The Commissioner may revoke or refuse to renew any license issued under the Act if after due notice to the licensee and an opportunity for hearing he finds that the licensee has failed to comply with any of the qualifications found to exist at the time of the issuance of such license, if he finds that such licensee has failed to comply with the Federal or State narcotic laws and regulations, or laws supplementary thereto, or if he finds that the revocation or refusal to renew any license shall be in the public interest.

(b) If it is the intention of the Commissioner to revoke or refuse to renew any license, he shall immediately notify the licensee thereof and his reasons therefor by registered letter addressed to his last address reported by him to the Commissioner. The licensee shall be advised by the Commissioner in such registered letter that he has thirty days from the date of the letter in which to submit his reasons showing cause why the Commissioner should not revoke or refuse to renew the license. The licensee shall be further advised in such registered letter that upon his request, filed with the Commissioner within the same thirty days, a hearing will be granted. If, within such thirty days, the licensee fails to submit reasons showing cause why the Commissioner should not revoke or refuse to renew the license, the Commissioner may revoke or refuse to renew his license without further proceedings. If, within such thirty days, the licensee fails to request a hearing, but submits reasons purporting to show cause, the Commissioner shall consider the reasons and decide the matter and communicate his decision to the licensee within fifteen days from the receipt of the reasons purporting to show cause.

§ 204.12. *Hearing.* (a) If a hearing is requested, the Commissioner shall

notify the licensee of the time and place where such hearing will be conducted and held. The hearing shall be conducted and held at a place deemed by the Commissioner to be reasonably convenient to the licensee. The hearing may be conducted by the Commissioner or his duly authorized representative. The Bureau of Narcotics shall introduce at the hearing the evidence on which reliance is to be had for revocation of or refusal to renew the license. The licensee shall have an opportunity at the hearing to examine the evidence submitted and to confront and cross-examine any witnesses for the Bureau of Narcotics.

(b) The licensee shall be afforded an opportunity to present all his evidence and argument on the matter and shall have the privilege of being represented by counsel of his own choice. The licensee shall be permitted fifteen days from the date of the conclusion of the hearing to submit a written brief to the Commissioner or his duly authorized representative.

(c) If the hearing is conducted by a representative of the Commissioner, such representative shall file with the Commissioner a stenographic report of the evidence and the arguments presented and any briefs submitted, together with his findings and recommendation. The Commissioner, after considering this report and the briefs shall render his decision and communicate the same to the licensee within forty-five days from the date of the conclusion of the hearing.

(d) If any person is aggrieved by the decision of the Commissioner or by the failure of the Commissioner to rule upon or decide the matter, he may appeal to the Secretary of the Treasury under the provisions of section 5 of the Act of June 14, 1930, as amended, (U.S.C., Title 5, sec. 282 (c)), and the regulations promulgated thereunder (21 C.F.R., 1939 Supp., (201.1-201.7)).

§ 204.13. *Commissioner not required to issue or renew license.* The Commissioner shall not be required to issue or renew any license or licenses under the provisions of the Act: *Provided, however,* That the Secretary of the Treasury, on appeal, may require the Commissioner to issue or renew a license.

§ 204.14 *Returns required of producers.* (a) Every person licensed as a producer of opium poppies shall render an annual return to the Commissioner on or before the 15th day of January, for the annual period ending December 31 of the preceding year, reporting all transfers and dispositions of opium poppies and fully accounting for all opium poppies produced or otherwise obtained. Such returns shall be prepared on forms furnished by the Commissioner, and shall include, for each such period, (1) a complete accounting for all poppy seed received, planted, produced, harvested, or otherwise acquired or disposed of, and the seed on hand at the beginning and end of the period; (2) a complete reporting of the areas planted and harvested and the areas under cultivation at the beginning and end of the period; and (3) a full and complete accounting for

all quantities of opium poppies produced, harvested, received, sold, or otherwise acquired or disposed of, and those on hand at the beginning and end of the period.

§ 204.15 *Returns required of manufacturers.* Every person licensed as a manufacturer of opium or opium products from opium poppies shall render quarterly returns on forms furnished by the Commissioner, reporting and accounting for all such manufacturing operations in the same manner as is required of persons producing such substances from opium imported into the United States. See Articles 123 to 132, inclusive, Narcotic Regulations No. 5: *Provided, however,* That the Commissioner may, in any instance, specify such changes and modifications in such forms as the variations in manufacturing procedures and other circumstances may require.

§ 204.16 *Disposition of forfeited opium poppies.* Opium poppies forfeited to the United States under the provisions of the Act shall be destroyed by the Commissioner or his authorized representative or may be delivered to any department, bureau, or other agency of the United States Government upon proper application addressed to the Commissioner. Such application shall show the name, address, and official title and department, bureau, or agency of the person to whom the narcotics are to be delivered, the quantity of opium poppies desired and the purpose for which they are intended. The delivery of such opium poppies may be ordered by the Commissioner if in his opinion the purpose for which they are intended is medicinal or scientific.

§ 204.17 *Penalties.* (a) Persons who violate the Act shall be guilty of a felony and upon conviction thereof, be fined not more than \$2,000, or imprisoned not more than five years, or both, in the discretion of the court.

(b) Any person who wilfully makes, aids, or assists in the making of, or procures, counsels, or advises in the preparation or presentation of, a false or fraudulent statement in any application for a license under the provisions of the Act shall (whether or not such false or fraudulent statement is made by or with the knowledge or consent of the person authorized to present the application) be guilty of a misdemeanor, and, upon conviction thereof, be fined not more than \$2,000 or imprisoned for not more than one year, or both.

§ 204.18 *Effective date.* These regulations shall take effect on the day of their approval.

[SEAL] H. J. ANSLINGER,
Commissioner of Narcotics.

Approved: February 10, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-2215; Filed, February 10, 1943; 2:51 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1820]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT No. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of the Hi-Grade Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Hi-Grade Mine (Mine Index No. 1351) of the Hi-Grade Coal Company, Inc., for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 *Alphabetical list of code members—Supplement R*

Mine index No.	Code member	Mine	Seam	Sub-district	Freight origin group	Price group	Shipping point	Railroad
1351	Hi-Grade Coal Co., Inc.....	Hi-Grade.....	VI	LS	60	7	Midland.....	CI&L.

NOTE: Mine Index No. 1351 shall be included in Price Group 7 and shall take the same f. o. b. mine prices as other mines in Price Group 7 in Price Schedule No. 1, District No. 11, For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as Mine Index No. 1. Mine Index No. 1351 shall be accorded the same prices for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck, as are shown for Mine Index No. 1.

[F. R. Doc. 43-2169; Filed, February 10, 1943; 11:17 a. m.]

[Docket No. A-1837]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT No. 11

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11, for an additional shipping point for coals produced from Mine Index Nos. 895 and 634.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of an additional shipping point, for the coals of the Golden Glow Mine, Mine Index No. 895 and the Jackson Mine, Mine Index No. 634, of the Bi-County Coal Company, Incorporated.

It appearing that a reasonable showing of necessity has been made for the

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: January 26, 1943.

[SEAL] DAN H. WHEELER,
Director.

granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.5 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 334.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 334.24 (General prices for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered. Dated: January 20, 1943.

DAN H. WHEELER, Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334. Minimum Price Schedule for District No. 14 and supplements thereto.

the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered. Dated: January 28, 1943.

DAN H. WHEELER, Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331. Minimum Price Schedule for District No. 11 and supplements thereto.

Table with 11 columns: Mine No., Code member, Mine, Seam, Subdistrict, Freight or Price group, Shipping point, Railroad. Rows include Bl-County Coal Co., Jackson, Golden Glow, etc.

NOTE: Mine Index Nos. 634 and 895 shall be included in Price Group 7 and shall take the same f.o.b. mine prices as other mines in Price Group 7 in Price Schedule No. 1, District No. 11, for All Shipments Except Truck. They shall also take the same adjustments in f.o.b. mine prices on account of differences in freight rates as Mine Index No. 70 or other mines in Freight Origin Group No. 64 of the Linton Sullivan Subdistrict having the same freight rate. Mine Index Nos. 634 and 895 shall be accorded the same price for railroad locomotive fuel as shown in § 331.10 in Minimum Price Schedule, District No. 11, For All Shipments Except Truck as are shown for Mine Index No. 70.

[F. R. Doc. 43-2168; Filed, February 10, 1943; 11:17 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334. Minimum Price Schedule for District No. 14 and supplements thereto.

[Docket No. A-1806]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinbefore set forth; and No petitions of intervention having been filed with the Division in the above-entitled matter; and The following action being deemed necessary in order to effectuate the purposes of the Act;

FOR RAIL SHIPMENTS § 334.5 Alphabetical list of code members—Supplement R

Table with 11 columns: Code member, Mine index No., Mine name, Prod. group No., Shipping point, Railroad, Freight origin group No., Price classification by size group (1-18).

* Previously classified for these size groups. No changes requested.

FOR TRUCK SHIPMENTS
§ 334.24 General prices for shipment into all market areas—Supplement T

Code member index	Mine index No.	Mine	Sub-district No.	County																	
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bates Coal Co., J. M. (J. M. Bates)	170	No. 2	5	Sebastian																	
Bokoshe Coal Co. (Chester R. Oglesby)	621	Bokoshe Coal Co. #2	7	LeFlore									(*)							(*)	
Bokoshe Coal Co. (Chester R. Oglesby)	622	Bokoshe Coal Co. #3	7	LeFlore	400								330	330					165	300	
Stewart, A. L.	616	No. 1	2	Franklin	435								345	345					165	345	
Williams & Johnson Coal Co. (Linus A. Williams)	620	No. 1	1	Johnson	455								330	330					165	380	
					480	455												280	230	230	480

*Previously priced for these size groups. No changes requested.

[F. R. Doc. 43-2167; Filed, February 10, 1943; 11:17 a. m.]

TITLE 32—NATIONAL DEFENSE
Chapter VIII—Board of Economic Warfare
Subchapter B—Export Control
[Amendment 7]

PART 804—INDIVIDUAL LICENSES
APPLICATIONS FOR LICENSES

Section 804.2 *Applications for licenses* is hereby amended by adding the following new section:

§ 804.2 *Applications for licenses.*

(g) An applicant must not submit more than one application for a license to export commodities designated under one Department of Commerce Schedule B number and for which the applicant has a single firm order, unless authorized by the Office of Exports.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 11, 1943.
PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2244; Filed, February 11, 1943; 11:29 a. m.]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE
INDIVIDUAL LICENSE PROCEDURE

Subparagraph 2 of paragraph (d) of § 805.4 *Individual license provisions* is hereby amended to read as follows:

§ 805.4 *Individual license procedure.*

(d) * * * *
(2) In the case of exportations to selected destinations on vessels departing from Canadian ports, the exporter must prepare an extra copy of his export declaration, and must note thereon both the license number and the control number. This copy of the export declaration must be verified by the collector of customs at the point of exit from the United States.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

Dated: February 11, 1943.
PAUL CORNELL,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-2245; Filed, February 11, 1943; 11:29 a. m.]

GENERAL REVISION OF EXPORT REGULATIONS
Correction

The following changes should be made in the general revision appearing in the issue for Thursday, February 4, 1943. List A contains additions or deletions to be made in § 801.2 under the column "Shipping Priority Rating". List B contains corrections to be made in other parts of the revision.

List A
Page 1495 Insert "D" after "Almonds, sweet."
1495 Insert "B" after "Ampoules."

List A—Continued
Insert "D" after "Amusement park and playground devices."

1495 Insert "D" after "Horses, for breeding."
1495 Insert "D" after "Horses, other."
1495 Insert "D" after "Live animals, n. e. s. (include goats and fur bearing animals)."
1495 Insert "D" after "Mules, asses, and burros."
1495 Insert "C" after "Shells, mother-of-pearl, unmanufactured."
1495 Insert "C" after "Shells, other unmanufactured."
1495 Insert "C" after "Animal products, inedible, n. e. s. (include fish essence, fish for bait, crude catgut, and gelatin for photographic use)."
1495 Insert "D" after "Cattle for breeding."
1495 Insert "D" after "Cattle, other."
1495 Insert "D" after "Hogs (swine)."
1495 Insert "D" after "Poultry, live."
1495 Insert "D" after "Sheep (include Karakul sheep)."

1495 Insert "D" after "Egg albumen."
1495 Insert "B" after "Egg products, dried."
1495 Insert "B" after "Egg products, frozen."
1495 Insert "B" after "Egg products, otherwise preserved."
1495 Insert "D" after "Eggs, in the shell."
1495 Insert "D" after "Gelatin."
1495 Insert "B" after "Meat extracts and bouillon cubes."

1495 Insert "D" after "Animal products, edible, other (see Rennet)."
1495 Insert "D" after "Antiques."
1495 Insert "B" after "Apple pomace."
1495 Insert "D" after "Apricot pits & kernels."
1495 Insert "D" after "Apricots."
1498 Delete "D" after "Bonechar."
1498 Insert "D" after "Bonnets, fur-felt."
1505 Insert "C" after "Vanillin."
1505 Insert "D" after "Wax, floor, wood, & furniture polishes".

1527 Insert "B" after "Middlings."
1527 Insert "B" after "Blankets & bedding, exported for relief or charity."

List A—Continued
Insert "C" after "Molleton padding".

1530 The Shipping Priority Ratings for the following commodities should read:
Ink, other, n. e. s.----- O
Ink, writing----- B
Paste & mucilage, n. e. s.----- C
Pencil parts----- O
Penholders & parts, n. e. s.----- D
Delete "B" after "Root, tuba".
1537 Insert "D" after "Tangerines".
1542 Insert "D" after "Tapestry materials".
1546 Delete "K" after "Washers, mica, processed".

List B
1504 Chemicals. Under this heading the "potassium chlorate" Dept. of Comm. No. should read "8369.08".
1542 Synthetic Textiles. Under this heading the Dept. of Comm. No. for "Rayon fabrics, printed, woven spun," Unit "Sq. Yd." should read 3649.61.

1549 § 802.1 The quotation mark should be around "General license" only.
1549 § 802.2 (a) Under British West Africa the third name is misspelled; should be corrected to "Gambia".
1550 § 802.2 (a) The abbreviation following "Les Saintes Is." should be "Fr. W. Indies".

1550 § 802.3 (a) Heading of the country groups following Group C should be Group K. (This correction was published in Federal Register of Feb. 6.)
1551 § 802.3 (a) In Group K the country following eru should read: Pitcairn Island (Oceanic, British) 54

1554 § 802.10 (a) One commodity is misspelled; should be "Chlorobenzenes".
1554 § 802.10 (a) Under Schedule B Nos. for Belladonna 8180.93 should read 8180.93.

- Page List B—Continued
- 1554 § 802.10 (a) The Schedule B numbers that should follow the heading "Equipment for the production of aviation lubricating oil" are "7750.01, 7750.03".
- 1555 § 802.10 (a) One commodity is misspelled; should be "hexamethylene-tetramine".
- 1555 § 802.10 (a) Under Schedule B numbers for "Radio tubes or valves for receiving sets" 7089.05 should read "7078.05".
- 1555 The first Schedule B number for "potassium chlorate and perchlorate" should read "8359.08".
- 1556 § 802.10 (b) One commodity misspelled; should be "homatropine".
- 1559 § 803.1 (a) (4) The number following "Soda lime" should read "8379.01".
- 1560 § 803.2 (b) The title of Automobile wrenches and parts under "Iron and Steel Mfrs.—Tools" should read "Automotive wrenches and parts".
- 1561 § 802.3 (c) Title of the first commodity under Machinery should read "For Mfr.—Aviation Lubricating Oil".
- 1563 § 803.3 Under heading Pharmaceutical Products the word following "Fruit" should be "salts".
- 1566 § 804.7 (a) The fourth word from the end should be singular "shipment".
- 1566 § 804.7 (d) (1) The word "weight" should be singular.
- 1568 § 804.8 (b) Under heading "Arsenicals" the second Schedule B number of "Paris Green" should be "8397.02".
- 1569 Schedule B No. "8359.09" following "potassium chlorate" should be deleted.
- 1572 § 806.2 (d) (2) The last sentence should read as follows: "No such publication may be exported as a commodity, such as mixed books, over-issue magazines and No. 1 heavy books and magazines under this general license."

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

Part 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Supplementary Limitation Order L-30-a, as Amended Feb. 11, 1943]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

§ 1052.2 *Supplementary Limitation Order L-30-a—(a) Definitions.* For the purposes of this order:

- (1) "Restricted" when applied to any products or articles, means made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.
- (2) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.
- (3) "Garbage, rubbish and ash receptacles" or "garbage cans and pails" do not include:
 - (i) Cans which are both specifically designed for, and of a type customarily used for, the disposal of oily waste or film scrap; or

- (ii) Cans produced in fulfillment of preferred orders, provided such cans are constructed in accordance with United States Army Specifications Nos. 29-91 (dated October 18, 1939) or 29-91A (dated March 3, 1942), Federal Specification No. RR-C-81 (as amended May, 1936), Emergency Alternate Federal Specification No. E-RR-C-81 (dated April 30, 1941), or Bureau of Ships Specification No. 42C23 (INT) (dated June 1, 1942).

(4) "Pails," "buckets" or "tubs" do not include:

- (i) Any pails, buckets or tubs designed expressly for use as packing or shipping containers; or

- (ii) Any buckets produced in fulfillment of preferred orders, provided such buckets are constructed in accordance with Federal Specification No. RR-B-771a (dated March 3, 1939) or Emergency Alternate Federal Specification No. E-RR-B-771a (dated December 11, 1941).

(5) "Funnels" do not include any funnels produced in fulfillment of preferred orders, provided such funnels are constructed in accordance with Bureau of Ships Ad Interim Specification 41-F-6 (INT) For Funnels (dated December 1, 1941), or with Chemical Warfare Service Drawings Nos. E-81-5-6 (dated September 11, 1941), B-18-41-2 (revised January 27, 1942) or E-18-41-1 (revised November 22, 1941) or any subsequent drawings designed for Chemical Warfare Service needs.

(6) "Manufacturer" means any person who produces or assembles any restricted product or article, or any part for such product or article.

(7) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(8) "Base period" means the twelve months ending June 30, 1941.

(b) *Restrictions on miscellaneous articles.* Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any of the following restricted articles:

- (1) Watering pots,
- (2) Radiator and tractor filling cans (other than blitz cans),
- (3) Foot baths,
- (4) Liquid and dry measures (other than oil measures with flexible spouts), except in fulfillment of preferred orders,
- (5) Dippers, except in fulfillment of preferred orders,
- (6) Ash sifters,
- (7) Coal hods and scuttles,
- (8) Utility baskets.

(c) *Restrictions on garbage, rubbish and ash receptacles.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted garbage, rubbish or ash receptacles except garbage cans and pails as permitted in Schedule A attached to this order.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of restricted garbage cans and pails permitted under Schedule A:

- (i) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles; or

- (ii) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted garbage, rubbish and ash receptacles.

(d) *Restrictions on pails, buckets and tubs.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted pails, buckets or tubs (other than fire buckets) except pails and buckets and wash tubs as permitted under Schedule A.

(2) On and after January 1, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted fire bucket.

(3) Except in fulfillment of preferred orders and orders placed by Rubber Reserve Corporation, U. S. Commercial Corporation and Defense Supplies Corporation, during the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall

(i) Put into process more iron and steel, by weight, in the production of

(a) Restricted pails and buckets permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted pails and buckets (other than fire buckets and wringer buckets); or

(b) Restricted wash tubs permitted under Schedule A than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted wash tubs; or

(ii) Put into process under either subdivision (a) or (b) of this paragraph (d) (3) more open-hearth steel than one third of his total quota of iron and steel under such subdivision.

(e) *Restrictions on wash boilers and fire shovels.* (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any:

(i) Restricted wash boiler except as permitted in Schedule A; or

(ii) Restricted fire shovel more than 22 inches in length.

(2) No manufacturer shall put into process more iron and steel, by weight, in the production of:

(i) Restricted wash boilers permitted under Schedule A:

(a) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not); or

(b) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him in the base period in the production of wash boilers (whether restricted or not).

(ii) Restricted fire shovels:

(a) During the period from November 1, 1942 to December 31, 1942, inclusive, than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels; or

(b) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, than three times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted fire shovels.

(f) Restrictions on funnels, refrigerator pans and cans designed for the storage of oil, gasoline or kerosene. (1) Except as provided in paragraph (g), on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of any restricted funnel except as permitted in Schedule A.

(2) On and after January 15, 1943, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in the production of:

(i) Any restricted funnels or refrigerator pans; or

(ii) Any restricted cans, with a capacity of one to five gallons, inclusive, designed for the storage of oil, gasoline or kerosene, except

(a) In fulfillment of preferred orders, (b) Cans commonly known as safety cans, used for the storage of inflammable liquids, or

(c) Cans used as operating supplies by railroads or other common carriers, provided that all such cans are produced and sold only in fulfillment of purchase orders from railroads or other common carriers;

(3) During the period from November 1, 1942 to December 31, 1942, inclusive, no manufacturer shall put into process in the production of:

(i) Restricted funnels, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted funnels;

(ii) Restricted refrigerator pans more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of restricted refrigerator pans; or

(iii) Restricted cans designed for the storage of kerosene with a capacity of

from one to five gallons, inclusive, more than two times 50% of the average monthly amount of iron and steel, by weight, put into process by him during the base period in the production of such restricted cans.

(g) Exceptions. Notwithstanding the provisions of paragraphs (b), (c) (1), (d) (1), (e) (1) and (f) (1), a manufacturer may produce any restricted article mentioned in these paragraphs from iron and steel which, on November 12, 1942, had been cut or blanked to size for such restricted article by him or by any other person: *Provided*, That such restricted article is completed on or before December 7, 1942, except for the application of a zinc or other coating and the attaching of bails, handles, spouts or ears, which may be done thereafter.

(h) Applicability of other orders. The provisions of this order shall supersede the provisions of Limitation Order L-30 in respect to restricted articles covered by this order, but nothing in this order shall be deemed in any way to affect the provisions of said Order L-30 and other orders in respect to any other articles or products. In so far as any other order restricts the use of any material in the production of any restricted articles to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

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

(j) Appeal. Any appeal from the provisions of this order should be made on Form PD-500, directed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L-30-a.

(k) Avoidance of excessive inventories. No manufacturer shall accumulate, for use in the manufacture of restricted articles covered by this order, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of such restricted articles as permitted by this order.

(l) Records. All persons affected by this order shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(m) Audit and inspection. All records required to be kept by this order shall,

upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) Reports. (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(2) Each manufacturer shall file with the War Production Board, on or before the tenth day of each calendar month, beginning December 10, 1942, a report on Form PD-655 showing all shipments of restricted articles covered by this order made during the preceding calendar month, together with a statement of stocks of such articles on hand at the beginning and end of such month.

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

(p) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref: L-30-a.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Under paragraphs (c) (1), (d) (1), (e) (1) and (f) (1) of Limitation Order L-30-a, except as provided in paragraph (g) of that order, on and after November 12, 1942, no manufacturer shall process, fabricate, work on or assemble any iron or steel for use in certain restricted articles unless such restricted articles fall within the permissible sizes and other limitations set forth in this schedule. When a manufacturer is permitted by this schedule to make more than one size of any restricted article, each size he manufactures shall fall within a different one of the size ranges specified.

Articles	Number of sizes permitted each manufacturer	Size (actual capacity or dimensions)	Gauges
Garbage cans and pails (covers must not be zinc-coated).	4	5-7 gallons..... 9-11 gallons..... 20 gallons*..... 27 gallons*.....	26-31 gauge. 26-31 gauge. 26-31 gauge. 22-24 gauge.
Pails and buckets (other than fire buckets and wringer buckets).	2	10 quarts*..... 14 quarts*.....	28 gauge and lighter. 28 gauge and heavier.
Wash tubs (without stands or legs)....	1	14 gallons*.....	28 gauge and lighter.
Wash boilers.....	1	11 to 14½ gallons.....	28 gauge and lighter.
Funnels (with or without wire strainers).	Unlimited	10' to 15' in diameter of bowl by 9½' to 12½' deep.	Unlimited.

*The capacity or dimensions of these sizes may vary 10% from the figures stated.

PART 1247—CHURCH GOODS

[Limitation Order L-136, as Amended Feb. 11, 1943]

Section 1247.1 *Limitation Order L-136* is hereby amended to read as follows:

§ 1247.1 *Limitation Order L-136*—(a) *Definitions*. For the purposes of this Order:

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have definite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means aluminum, cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, magnesium, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M-21-a, as amended).

(5) "Iron" and "steel" shall not include minimum amounts used in screws, nails, rivets, bolts, wire, strapping or other essential items of joining hardware.

(6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.

(7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.

(b) *General restrictions*. (1) No manufacturer shall process, fabricate, work on or assemble any restricted materials for use in the production of church goods, or manufacture or assemble any new church goods or parts therefor (including repair parts) containing any restricted materials, except that in the production of Class A products the following restricted materials may be used:

(i) Lead;

(ii) Tin for soldering purposes used in accordance with the provisions of Order M-43-a, as amended.

(iii) Chromium used for plating directly on iron and steel; and

(iv) The polishing or finishing with a non-metallic coating of church goods which were otherwise completely manufactured prior to June 23, 1942.

(2) During the period of three months beginning January 1, 1943, and during each succeeding period of three months, no manufacturer shall put into process in the production of Class A products or parts therefor (including repair parts) more iron and steel, by weight, than 12½% of the aggregate weight of iron, steel and other metals except gold and silver put into process by him in the production of Class A products and parts

therefor (including repair parts) during 1940.

(3) On and after February 16, 1943 no manufacturer shall put any iron or steel into process in the production of any Class B products or parts therefor (including repair parts).

(c) *Inventory restrictions*. No manufacturer shall accumulate for use in the production of church goods, or parts therefor, inventories of raw materials, semi-processed materials or finished parts in excess of the minimum amount necessary to maintain production as permitted by this order. Manufacturers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and other applicable orders and regulations.

(d) *Applicability of other orders*. In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, including Conservation Order M-199, restricts the use of any material in the production of church goods or parts therefor to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

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

(f) *Records*. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection*. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

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

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

(j) *Appeals*. Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consum-

ers Durable Goods Division, Washington, D. C., Ref: L-136.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2229; Filed, February 11, 1943; 10:54 a. m.]

PART 1276—PLYWOOD

[Limitation Order L-150-a as Amended Feb. 11, 1943]

SOFTWOOD PLYWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1276.6 *Limitation Order L-150-a*—(a) *Definitions*. For the purpose of this order:

(1) "Producer" shall mean any manufacturer of softwood plywood, but shall not include any distribution warehouse of any manufacturer.

(2) "Softwood plywood" shall mean a built-up board of laminated veneers of any species of softwood united with a bonding agent.

(3) "Distributor" shall mean any wholesaler, jobber, retailer or other person who in the regular course of his business sells softwood plywood.

(b) *General restrictions*. No distributor shall sell, ship or deliver or cause to be sold, shipped or delivered, any softwood plywood except upon orders rated AA-5 or higher, except that this restriction shall not apply

(1) To sales, shipments or deliveries by producers to distributors;

(2) To sales, shipments or deliveries of softwood plywood:

(i) Which has been rejected by grading process, while still in the possession of a producer, as not meeting commercial standards;

(ii) Which has been produced by a producer by "cutting-back" rejects;

(iii) In the form of strips, odd sizes and scrap resulting from the processing for use of standard panels.

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

(d) *Communications*. Communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Lumber and Lumber Products Division, Washington, D. C. Ref: L-150-a.

(e) *Violations*. Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction

may be punished by fine or imprisonment or both. In addition, the Director General for Operations may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as he deems appropriate.

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

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2230; Filed, February 11, 1943; 10:54 a. m.]

PART 3166—BRUSHES

[Limitation Order L-251]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bristles, rubber and of the various metals used in the manufacture of brushes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3166.1 *Limitation Order L-251—*

(a) *Issuance of schedules of simplification of brushes.* The Director General for Operations may from time to time issue schedules establishing simplified practices with respect to the manufacture, types, sizes, forms or other specifications of brushes. From and after the effective date of any such schedule, no person shall commence the manufacture of any brushes affected except those that conform to the issued schedule and except as specifically permitted by such schedule.

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

(c) *Applicability of other orders.* Insofar as any other order of the Director General for Operations, heretofore or hereafter issued, restricts the use of any material to a greater extent than the limitations imposed by this order or any schedule issued hereunder the restrictions of such other order shall govern, unless otherwise specified therein.

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

(e) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: L-251, Schedule —.

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

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2231; Filed, February 11, 1943; 10:57 a. m.]

PART 3166—BRUSHES

[Schedule I to Limitation Order L-251]

PAINTERS', DECORATORS' AND CERTAIN INDUSTRIAL BRUSHES

§ 3166.2 *Limitation Order L-251—(a) Definitions.* For the purposes of this schedule:

(1) "Paint brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade, including all types of brushes specified in List A and all brushes of similar construction or use.

(2) "Ferrule" means the metal band by which the bristles of a paint brush are attached to the handle.

(b) *Limitations.* (1) No person shall commence the manufacture of any ferrule:

(i) Of a size other than that specified in List A with respect to each paint brush;

(ii) With an assembly containing an inner band, a bridge and a spout;

(iii) Which is seamless, except for a shipbottom, stencil, oval varnish or oval sashtool brush;

(iv) Which is embossed.

(2) No person shall commence the manufacture of any paint brush:

(i) Of a type other than that specified in List A;

(ii) With a ferrule not conforming to the limitations provided in paragraph (b) (1);

(iii) With a handle finished in more than one color.

(c) *Exceptions.* Notwithstanding the provisions of paragraph (b) (2), any person may use in the manufacture of any paint brush ferrules and handles completely fabricated on or before February 11, 1943.

(d) *Records.* Each person using or disposing of any ferrules or handles which do not conform to the limitations of paragraph (b), completely fabricated on or before February 11, 1943, shall re-

tain in his files records showing his inventory of such parts as of February 11, 1943, and of his subsequent purchases or sales of such parts. Such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

Issued this 11th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[All dimensions are inside dimensions, in inches, with a maximum of 1/16-inch variation allowable from the dimensions specified]

Type of brush	Fed. Spec. No.	Trade standard reference	Width of ferrule	Thickness of ferrule	Depth of ferrule
Artist.....	H-B-241.	#1	1 1/2	3/16	1 1/2
			3/4	3/8	1 3/8
			1 1/4	3/8	1 1/2
			1 1/2	3/4	2 1/4
Color-single-thickness.....	.....	#2	1 1/2	1/4	1 1/4
			1	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	1/2	1 1/4
Flattening-wall-master.....	.....	#5	4 3/4	1 1/2	1
			5	1 1/2	1
			6	1 1/2	1
			6 1/2	1 1/2	1
Flattening-wall-utility.....	.....	#6	5	1 1/2	1
			6	1 1/2	1
Flowing fitch-single-thickness.....	H-B-256	#3	1	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	3/2	1 1/4
			2 1/2	3/2	1 1/4
Ox hair & civet hair flowing.....	.....	#4	1	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	1/2	1 1/4
			2 1/2	1/2	1 1/4
Glue-flat.....	H-B-291	#8	1	7/16	1 1/4
			2	9/16	1 1/4
			3	1 1/16	1 1/4
Glue-round.....	H-B-301	#7	1 3/16	1 3/16	1 1/2
			1	1	1 1/2
			1 3/16	1 3/16	1 1/2
			1 1/2	1 1/2	1 1/2
Kalsomine-Dutch.....	.....	#9	7/4	2 1/4	1
			7	3/8	1 1/4
Kalsomine-flat.....	H-B-141	#10	8	3/8	1 1/4
			8	3/8	1 1/4
Lacquering-flat.....	H-B-351	.....	3/4	3/8	1 3/16
			1 1/2	3/8	1 3/16
			1 3/4	3/8	1 3/16
			2 1/2	3/8	1 3/16
Lettering.....	38 B 28 (Navy).	.....	3/16	3/32	1 3/8
			3/16	3/32	1 3/8
			3/16	3/32	1 3/8
			3/16	3/32	1 3/8
Marking.....	H-B-371	.....	3/16	3/32	1 3/8
			3/16	3/32	1 3/8
			3/16	3/32	1 3/8
			3/16	3/32	1 3/8
Mottling.....	H-B-391	.....	3/4	1 3/16	1 1/4
			1 1/4	1 1/4	1 1/4
			1 1/4	1 1/4	1 1/4
			2 3/4	5/16	1 1/4
Mucilage and paste: Type I: (Min. dimen. inside ferrule).	.....	.....	3/8	1/16	1
		
		
		
Type II: (Min. dimen. inside ferrule).	.....	.....	1 1/16	1/16	1
		
		
		
Painters' duster-flat.....	H-B-211	#12	4	1 1/4	1 1/2
		
		
		
Painters' duster-round.....	H-B-216	#11	2 1/2	2 1/2	1 1/2
		
Plasterers'.....	.....	#13	7 1/2	1 1/2	1 1/2
		
Radiator.....	H-B-451	#14	1	1/4	1 1/4
		
Sashtool-flat.....	.....	#16	1	1/4	1 1/4
		
		
		

*Dimensions shown in "thickness of ferrule" column and "width of ferrule" column in the case of lettering brushes and marking brushes are understood to mean "size of ferrule at handle end" and "size of ferrule at hair end," respectively.

LIST A—Continued

[All dimensions are inside dimensions, in inches, with a maximum of 1/16-inch variation allowable from the dimensions specified]

Type of brush	Fed. Spec. No.	Trade standard reference	Width of ferrule	Thickness of ferrule	Depth of ferrule
Sash-tool-oval (seamless).	H-B-491	#15	1 3/16	1/4	1 1/4
			1 1/8	5/16	1 1/4
			1 1/4	3/4	1 1/4
			1 1/2	7/8	1 1/4
Shipbottom (seamless or soldered wire ferrule).	-----	#17	2 3/4	2 3/8	1
			-----	-----	-----
Signwriters'	-----	#20	1/4	5/16	1 1/4
			1/2	1 3/16	1 1/4
			3/4	1 3/8	1 1/4
			1	1 3/4	1 1/4
Smoothing paper hanger (2 rows).	-----	#18	1 1/2	2 3/16	1 1/4
			12	1/2	1 1/2
Smoothing paper hanger (3 rows).	-----	#19	12	5/8	1 1/4
			-----	-----	-----
Stencil (seamless ferrule).	H-B-621 & H-B-626	#23	3/4	3/4	1
			1	1	1
			1 1/4	1 1/4	1
			1 1/2	1 1/2	1
Stucco-open center	-----	#21	3	1 1/4	5/8
			3 1/2	1 1/4	5/8
			4	1 1/4	5/8
			4 1/2	1 1/4	5/8
Stucco-solid center	-----	#22	5	1 1/4	5/8
			3 1/2	1 1/4	5/8
			4	1 1/4	5/8
			4 1/2	1 1/4	5/8
Varnish-flat-double	H-B-701	#32	1 1/2	1 1/2	1 1/4
			2	1 1/2	1 1/4
			2 1/2	1 1/2	1 1/4
			3	1 1/2	1 1/4
Varnish-oval (seamless ferrule).	H-B-711	#34	1 5/8	1 1/4	1
			1 7/8	1 1/2	1
			2 1/16	1 1/2	1
			2 3/16	1 1/2	1
Varnish-flat-single	H-B-696	#30	1 1/2	1 1/4	1 1/4
			1 3/4	1 1/4	1 1/4
			2	1 1/4	1 1/4
			2 1/2	1 1/4	1 1/4
Varnish-flat-single X	-----	#31	1	1 1/4	1 1/4
			1 1/2	1 1/4	1 1/4
			2	1 1/4	1 1/4
			3	1 1/4	1 1/4
Varnish-flat-triple	H-B-706	#33	2 1/2	1 1/4	1 1/4
			2	1 1/4	1 1/4
			2 1/2	1 1/4	1 1/4
			3	1 1/4	1 1/4
Wall-master A	H-B-421	#27	3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
			4 1/2	1	1 1/4
Wall-master B	H-B-421	#28	5	1	1 1/4
			3	1	1 1/4
			3 1/2	1	1 1/4
			4	1	1 1/4
Wall-medium	H-B-431	#26	5	1	1 1/4
			3 1/2	1 1/4	1 1/4
			4	1 1/4	1 1/4
			4 1/2	1 1/4	1 1/4
Wall-syndicate	-----	#24	3	1 1/4	1 1/4
			3 1/2	1 1/4	1 1/4
			4	1 1/4	1 1/4
			4 1/2	1 1/4	1 1/4
Wall-utility	H-B-436	#25	6	1 1/4	1 1/4
			3	1 1/4	1 1/4
			3 1/2	1 1/4	1 1/4
			4	1 1/4	1 1/4
Whitewash	H-B-731	#29	7	1 1/8	1

[F. R. Doc. 43-2232; Filed, February 11, 1943; 10:54 a. m.]

PART 3177—MOTOR TRUCK AND TRAILER BODIES

[Limitation Order L-253]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of iron, steel and other materials required in the

production of motor truck and trailer bodies for defense, for private account and export, the following limitation order is deemed necessary and appropriate in the public interest:

§ 3177.1 Limitation Order L-253—(a) Definitions. For the purposes of this order:

(1) "Truck" means a motor truck chassis designed for use on or off the highway for the transportation of property or materials.

(2) "Trailer" means a semi-trailer chassis or full trailer chassis designed for use on or off the highway for the transportation of property or materials.

(3) "Body" means a superstructure, including built-in parts, produced for mounting on a truck or trailer, or built integrally as a trailer by the attachment of axle and wheel equipment, but does not include concrete and asphalt mixers, crushing plants and similar items of construction and machinery.

(i) "Dump body" means a body designed to transport solid materials in bulk and to unload by tipping, through bottom openings or otherwise by gravity.

(ii) "Tank body" means a body produced to transport liquid or gaseous materials in bulk.

(4) "Built-in parts" means parts which are integral parts of a body, or parts which are not readily detachable from such bodies including but not limited to cabinets, hanger rails, inside wheelhouses, partitions, racks, and shelving.

(5) "Producer" means any individual, partnership, association, corporation, or other organization engaged in the production of bodies.

(6) "Iron and steel" means any material, the principal ingredient of which is ferrous metal not including screws, nails, bolts, rivets, and other joining hardware.

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

(b) Limitations on use of iron and steel in bodies. (1) On and after March 1, 1943, no producer shall, unless as authorized in paragraphs (e) and (j) of this order, use any iron or steel in the manufacture of bodies, except in the following:

(i) Parts to reinforce (but not to cover) frames and platforms; body outrails; iron castings; trailer coupling devices; cross and longitudinal frame members (but not body cross bolsters); electrical equipment, including lights, fixtures, or signaling devices; essential body hardware; reflectors; louver or static type ventilators; wheelhouse mudguards and frames.

(ii) Parts necessary in the mounting of bodies, including but not limited to brackets, drive-shaft guards, chassis frame extensions and reinforcements, outriggers, spring leaves and auxiliary springs.

(2) Steel used in any of the parts enumerated in subparagraphs (1) (i) and (ii) above shall in no instance be alloy steel.

(c) Limitations on dimensions and weights of dump bodies. (1) On and after March 1, 1943, no producer shall, except as provided in paragraphs (e) and (j) of this order, produce any dump body which does not conform to the following dimensions and weights:

(i) Light dump bodies: an inside length of not less than seven (7) or more than eight (8) feet and a capacity of not less than two and one-half (2 1/2) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of nine hundred and twenty-five (925) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(ii) Medium dump bodies: an inside length of not less than nine (9) or more than ten (10) feet and a capacity of not less than four (4) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of one thousand six hundred fifty (1650) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(d) Prohibition of production of tank bodies. On and after February 10, 1943, no producer shall produce any tank body except as specifically authorized by the Director General for Operations, or as provided for in paragraph (e) of this order.

(e) Army and Navy exemptions. In respect to bodies sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States:

(1) Until May 1, 1943, the provisions of paragraphs (b), (c) and (d) shall not apply to such bodies.

(2) On and after May 1, 1943, the provisions of paragraphs (b), (c) and (d) of this order shall not apply to any body of a type listed on Schedule A to this order, as amended from time to time, provided that where a date is stated on Schedule A in connection with any listed type of body, the restrictions of paragraphs (b) and (c) shall apply to such type of body on and after the date stated.

(f) Records. Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(g) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information, to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(j) *Appeals.* An appeal from the provisions of this order shall be made by filing Form PD-792, in triplicate with the War Production Board, Automotive Division, Ref.: L-253, referring to the particular provision appealed from and stating fully the information called for by Form PD-792.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-253.

Issued this 10th day of February 1943.
CURTIS E. CALDER,
Director General for Operations.

SCHEDULE A

Dates on and after which the provisions of paragraphs (b) and (c) shall apply.

Body type:		
Ambulance—Field, ½ ton chassis.....	½	No date
Amphibian—¼ ton, 4 x 4 chassis.....	4	No date
Amphibian—¼ ton cargo.....	ton	No date
Amphibian—¼ ton, 4 x 4 chassis.....	4	No date
Amphibian—2½ ton, 6 x 6 chassis.....	6	No date
Armored.....		No date
Bomb Service—½ ton, 4 x 4 chassis.....	4	No date
Command Reconnaissance, ¾ ton, 4 x 4 chassis.....	4	August 1, 1943
Distributor, 800 gal.—4 ton, 6 x 6 chassis.....	4	No date
Garbage, tamper type.....		No date
Hydrogen Cylinder.....		No date
Pilot.....		No date
Surgical Operating—2½ ton, 6 x 6 chassis.....	2½	No date
Tank, Gasoline, 750 gal.—2½ ton, 6 x 6 chassis.....	2½	No date
Tank, Water, 700 gal.—2½ ton, 6 x 6 chassis.....	2½	No date
Torpedo Compressor.....		No date
Torpedo Crane.....		No date
Truck—5-6 ton, 4 x 4 chassis.....	4	August 1, 1943

This Schedule will be amended from time to time by the addition or removal of body types or changes in dates, or otherwise.

[F. R. Doc. 43-2217; Filed, February 10, 1943; 3:51 p. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 280,¹ Amendment 11]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amend-

¹ 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468.

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new § 1351.807a is added as set forth below:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except processed cheese of all kinds, Cheddar cheese covered by Maximum Price Regulation No. 289,² aged Cheddar cheese covered by Maximum Price Regulation No. 280 and cheese of less than 20% butterfat content in the water free substance, may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof.

This amendment shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.
PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2203; Filed, February 10, 1943; 12:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 289,² Amendment 3]

DAIRY PRODUCTS

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

Section 1351.1519 (e) (2) of Maximum Price Regulation No. 289 is amended to read as follows:

§ 1351.1519 * * *
(e) * * *

(2) *Sales of aged or cured Cheddar cheese.* All sales of aged or cured Cheddar cheese are exempt from the provisions of this section. Maximum prices for sales of aged or cured Cheddar cheese shall be determined under the provisions of Maximum Price Regulation No. 280.¹ Aged or cured Cheddar cheese is Cheddar cheese which has been permitted to stand under a controlled temperature for such a length of time that it has acquired a clean, pleasant, mild aroma, a pleasing nutty flavor, a mellow, silky, meaty body, and a close, solid, uniformly colored interior. For purposes of this Maximum Price Regulation No. 289, no Cheddar cheese shall be considered aged or cured unless the same has remained in the possession of either an assembler, or a wholesaler under controlled temperature conditions for at least six months: *Provided, however,* That the maximum price for the sale to the United States Government or any agency thereof of Cheddar cheese which has been subjected to aging or curing by remaining in the possession of an assembler or wholesaler under controlled temperature conditions for two months or longer, shall be governed by the provisions of Maximum Price Regulation No. 280. The provisions of this subparagraph shall not

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

² 7 F.R. 10996; 8 F.R. 490, 1458.

be effective after April 1, 1943. After April 1, 1943 Cheddar cheese whether or not aged or cured shall be subject to the specific maximum prices provided in § 1351.1519 of this regulation.

This amendment shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7-F.R. 7871)

Issued this 10th day of February 1943.
PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2204; Filed, February 10, 1943; 12:43 p. m.]

PART 1377—WOODEN CONTAINERS

[Revocation of MPR 160¹]

SEASONAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the revocation of Maximum Price Regulation No. 160 is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 160 is hereby revoked.

This revocation shall become effective February 11, 1943.

Issued this 10th day of February 1943.
PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2205; Filed, February 10, 1943; 12:42 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 320]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

AUTHORITY: §§ 1377.201 to 1377.216, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1377.201 *Sales of Eastern and Central wooden agricultural containers at higher than maximum prices prohibited.* (a) On and after February 11, 1943, regardless of any contract or obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern and Central wooden agricultural containers at prices higher than the maximum prices fixed by this Maximum Price Reg-

¹ 7 F.R. 4337, 4852, 5462, 5564, 8937.

ulation 320, and no person shall agree, offer or attempt to do any of these things.

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

§ 1377.202 *To what products, transactions and persons this regulation applies—*(a) *Products covered by the regulation.* This regulation, under the term "Eastern and Central wooden agricultural containers," covers the following types of containers manufactured in the states of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Nebraska, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Wisconsin, and West Virginia:

(1) All veneer and combination veneer and sawn lumber agricultural containers; (2) all sawn lumber agricultural containers specifically listed in the price tables in the Appendix (§ 1377.216) of this regulation; and (3) all sawn lumber agricultural containers, whether or not listed in the price tables, manufactured in factories whose 1942 container production was at least 25 per cent in agricultural veneer packages. The term "agricultural container" means any assembled or unassembled box, crate, tray, lug, cup, hamper, basket, carrier, or similar container made principally of wood and customarily used for picking, handling, storing or shipping fresh fruits and vegetables. It includes any constituent part (partial shook) of the kind of containers mentioned, if it is ready to be assembled into the container, and also includes carstrips, riser sticks and tomato stakes.

This regulation does not cover coopered products, veneer and plywood drums, or used containers.

(b) *Transactions covered by the regulation.* This regulation covers all sales and purchases (in the course of trade and business) of Eastern and Central wooden agricultural containers.

(c) *Persons covered by the regulation.* Any person who sells or purchases (in the course of trade or business) Eastern and Central wooden agricultural containers is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1377.203 *Explanation of basic maximum prices for Eastern and Central agricultural containers—*(a) *Basic maximum prices.* The "basic maximum prices" for Eastern and Central agricultural containers are listed in the price tables of the Appendix (§ 1377.216) of this regulation. These ceiling prices are for direct factory sales of containers

(1) Shipped in any quantity by rail, or

(2) Pick-up at the factory or shipped by truck in amounts of not less than a minimum truckload.

(b) *What is a "direct factory sale".* A "direct factory sale" is a sale in which

the shipment of containers originates at a container manufacturing plant, no matter who the seller is, and no matter whether he is usually known as a factory operator, wholesaler, dealer, distributor, agent, or anything else. A shipment is regarded as originating at a factory if the containers reach the purchaser without ever becoming an integral part of the stock of a warehouse.

(c) *Additions to basic maximum price.* Additions to the basic maximum price can be made (in accordance with the next four sections) for:

(1) Containers shipped from a warehouse,

(2) Delivery of containers more than 50 miles from the supplying factory or warehouse,

(3) Pick-up sales and truck shipments of less than a minimum truckload of containers,

(4) Resale of certain containers stocked by a factory which did not manufacture them.

§ 1377.204 *Addition for warehouse sales—*(a) *What is a "warehouse sale".* A "warehouse sale" is a sale in which containers are shipped to the purchaser out of the stocks of a warehouse that is not located next to, or ordinarily considered as a part of, a factory. A shipment is considered to be made out of the stocks of a warehouse only if the containers were a part of the regular warehouse stock at the time the sale was made.

(b) *Addition to basic maximum price.* In warehouse sales the following two items can be added to the basic maximum price:

(1) Average inbound freight (on the particular size and type of container) at the carload rail rate (including freight tax) from producing factory to warehouse. The average inbound freight on each size and type of container is to be weighted by the quantity in the warehouse inventory (at the time of sale) that had been received from each different factory. No inbound freight can be added for containers received from factories within 50 miles of the warehouse. The average is to be figured, at least once every two weeks during the normal selling season for the particular container.

(2) A 6 percent mark-up on the sum of the basic maximum price and the average inbound freight.

§ 1377.205 *Addition for delivery—*(a) *Free delivery zone.* No charge can be added for delivery of containers anywhere within 50 miles of the factory, in direct factory sales, or within 50 miles of the warehouse, in warehouse sales.

(b) *Shipments by common or contract carrier outside the free delivery zone.* Where containers are shipped by contract or common carrier beyond the 50 mile free delivery zone, the seller (in either a direct factory sale or a warehouse sale) may add to the basic maximum price the actual transportation charges (including freight tax) paid by seller, or transportation charges based on the actual freight rate and the approximate weights in the price tables in the Appendix (§ 1377.216).

(c) *Shipments by private truck outside the free delivery zone.* Where con-

tainers are shipped by private truck (one that is owned or controlled by the seller), beyond the 50 mile free delivery zone the seller (in either a direct factory sale or a warehouse sale) may add to the basic maximum price the actual cost of transportation. The actual cost shall be figured by the method which the seller used during the year 1942, but each factor of cost may be charged in at its present price or value. In no event shall the charge for transportation be more than 80 per cent of the common carrier truck charge at the truckload rate for a similar shipment. If the seller is unable to figure the actual cost of private truck transportation, the seller may apply by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C. for permission to charge for all private truck shipments, beyond the free delivery zone, an amount not greater than 80 percent of the common carrier truck charge at the truckload rate for a similar shipment. Permission can be granted by letter.

§ 1377.206 *Addition for pick-up sales and truck shipments of less than minimum truckload amount—*(a) *What is a "minimum truckload" amount.* The minimum truckload amount for many containers is set out in the price tables in the Appendix (§ 1377.216). Where a shipment includes more than one size and type container, it is a minimum truckload amount if the part truckloads of each size and type container total a whole truckload. For example, a shipment of a half truckload of bushel baskets and a half truckload of berry cups is a minimum truckload.

(b) *Addition to basic maximum price.* In pick-up sales and truck shipments of less than a minimum truckload amount, the following addition may be made to the basic maximum price (in either direct factory sales or warehouse sales):

(1) If the sale involves less than 25 percent of a minimum truckload amount, an addition of 10 percent of the basic maximum price.

(2) If the sale involves more than 25 percent of a minimum truckload amount, but less than a minimum truckload amount, an addition of 5 per cent of the basic maximum price.

(c) *Pool truck shipments.* A pool truck shipment is one which includes the orders of more than one purchaser.

(1) If the pool truck shipment is to one location, the maximum price for each order included in the shipment is the same as the ceiling price which would apply if all the containers in the shipment were bought by a single purchaser.

(2) If the pool truck shipment is to more than one location, the maximum price for each part of the shipment delivered to a different location is the ceiling price which would apply if that part were sold and delivered alone.

§ 1377.207 *Addition where a factory stocks the containers of another factory.* Where a factory stocks containers or container parts manufactured by another factory, the maximum resale price is the ceiling price which would apply if the containers were manufactured by the factory making the resale. However, in

the case of complete containers or complete bundled shooks handled in this manner, the reselling factory may add to the basic maximum price inbound transportation at the carload rail rate if, and only if, each container or bundle of container shooks is individually marked with the actual manufacturer's name or number. No inbound transportation may be added if the two factories are 50 miles or less apart.

§ 1377.208 *Basic maximum prices for containers not specifically priced.* Eastern and Central wooden agricultural containers not specifically listed in the price tables in the Appendix (§ 1377.216) are nevertheless subject to this regulation.

The basic maximum price for any of these containers is a price which bears the 1941 shipping season relation to the price of the most similar container (called the "yardstick" container) which is specifically listed in the price tables in the Appendix. The manufacturer of the container being priced should find the difference between the price received for that container and the yardstick container in 1941 shipping season. This difference is then to be added to or subtracted from the basic maximum price for the yardstick container. The result is the basic maximum price for the containers produced by the particular manufacturer (but not by other manufacturers of the same container). This price, with a complete description of the container and the way the price was computed, must be reported to the Office of Price Administration, Washington, D. C. The price may be ordered reduced if it is found excessive. But if the price is not disapproved within 20 days of the receipt of the report, it is approved.

If the manufacturer cannot figure a maximum price under this section, he should write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the thing to be priced, his requested price, and any facts supporting the request. The Office of Price Administration will then by letter give him either a specific basic maximum price or instructions on how to compute it.

A manufacturer using this pricing provision cannot make deliveries of the container being priced until the basic maximum price has been approved or established by the Office of Price Administration.

Once a basic maximum price for a container has been approved or established by the Office of Price Administration under the pricing provision, the manufacturer must tell the basic maximum price to each warehouse operator, dealer or broker who sells the manufacturer's production of this container.

§ 1377.209 *What the invoice must contain—(a) Description of container.* All invoices must contain a sufficiently complete description of the containers or parts to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

(b) *Number of containers.* The invoice must show the number of contain-

ers or footage of shooks involved in the particular sale.

(c) *Addition for delivery charges.* The invoice must show separately any addition to the basic maximum prices which the seller makes for delivery beyond the 50-mile free delivery zone (in accordance with § 1377.205 *Addition for delivery*).

(d) *Warehouse sales.* In warehouse sales the invoice must contain the words "warehouse sale."

§ 1377.210 *Prohibited practices—(a) General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on October 1, 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. In all cases, if the sale is on cash terms, the maximum price must be reduced by the same amount as the sale price would have been reduced for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is \$10.00 and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days, the ceiling cash price in sales to purchasers of this class is \$9.80. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(3) Charging a purchasing or selling commission based on quantity or value of containers purchased or sold, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(4) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations set forth in this regulation.

(5) Making the purchaser buy something he does not want in order to get what he does want.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect sometime after delivery of the containers has been completed. The price may be made adjustable to the maximum price in effect at the time of delivery.

§ 1377.211 *Applications for adjustment and petitions for amendment—(a) Government contracts.* (1) The term "government contracts" is here used to include any contract with the United

States or any of its agencies, or with the government of any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that the maximum price established in this regulation is impeding or threatens to impede production of Eastern and Central wooden agricultural containers which are essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,¹ issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,² issued by the Office of Price Administration.

§ 1377.212 *Records and reports—(a) Records.* All persons making sales covered by this regulation must keep records which will show a complete description of the containers sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought at least \$200 worth of Eastern and Central wooden agricultural containers. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1377.213 *Enforcement.* (a) Persons violating any provision of this maximum price regulation 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 regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, State or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War Procurement Agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to War Procurement Agencies are, however, subject to all the liabilities imposed by this regulation. "War Procurement Agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procure-

¹ 7 F.R. 5087, 5664.

² 7 F.R. 8961.

ment Division of the Treasury Department, or any of their agencies.

§1377.214 *Relation to other regulations*—(a) *General Maximum Price Regulation.*⁷ Any sale or delivery covered by this Maximum Price Regulation No. 320 is not subject to the General Maximum Price Regulation.

(b) *Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers).*⁴ Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers) ceases to be in effect after this Maximum Price Regulation No. 320 becomes effective.

(c) *Revised Maximum Export Price Regulation.*⁵ The maximum price for export sales of Eastern and Central wooden agricultural containers is governed by the Revised Maximum Export Price Regulation.

§ 1377.215 *Effective date.* (a) This regulation (§§ 1377.201 to 1377.216, inclusive) shall become effective February 11, 1943. However, in the case of 32-

⁷ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5783, 5775, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

⁴ 7 F.R. 4337, 4852, 5462, 5564, 8937.

⁵ 7 F.R. 5059, 7242, 8829, 9000, 10530.

quart bean hampers sold for delivery in the State of Florida according to the terms of Order No. 7⁶ under section 18 (c), as amended, of the General Maximum Price Regulation, the seller may at his option continue to deliver according to the terms of that order until March 10, 1943.

(b) If Eastern or Central wooden agricultural containers have been received before February 11, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or Maximum Price Regulation 160 (Seasonal Wooden Agricultural Containers), which covered it at the time the containers were turned over to the carrier.

§ 1377.216 *Appendix A: Basic maximum prices for Eastern and Central wooden agricultural containers*—(a) *Price zones.* Table I describes the price zones for Eastern and Central wooden agricultural containers. In all sales, including warehouse sales, the correct zone to use in figuring maximum prices is the zone in which the producing factory is located.

⁶ 8 F.R. 1317.

TABLE I

PRICE ZONES

Zone 1: The States of: Florida; Georgia; Alabama; South Carolina; North Carolina; Virginia; West Virginia; Maryland; Delaware.

Zone 2: The States of: New Jersey; New York; Pennsylvania; Ohio.

Zone 3: The States of: Texas; Arkansas; Oklahoma; Louisiana; Mississippi.

Zone 4: The States of: Tennessee; Kentucky; Southern Missouri, including the counties of McDonald, Barry, Stone, Christian, Taney, Douglas, Ozark, Howell, Oregon, Ripley, Butler, Dunklin, Pemiscot, New Madrid, Stoddard, Mississippi, Scott, Cape Girardeau, Perry, Ste. Genevieve and Jefferson; Southern Illinois, including the counties of Monroe, Randolph, Perry, Franklin, Hamilton, White, Johnson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski and Massac.

Zone 5: The States of: Indiana; Iowa; Kansas; Nebraska; Northern Missouri, that part which is not included in zone 4; Northern Illinois, that part which is not included in zone 4.

Zone 6: The States of: Minnesota; Michigan; Wisconsin.

(b) *Basic maximum prices.* The basic maximum prices for Eastern and Central wooden agricultural containers are set out in price tables II to VI, inclusive. These tables also show the approximate weights and minimum truckload amounts of the containers priced.

TABLE II

EXPORT TUBS; CONTINUOUS STAVE BASKETS; COVERS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
				Pounds	Dozens				
1 bu. export tubs—Solid bottom.....	Dozen.....	58	125	\$2.76	\$2.82	\$2.28	\$2.40	\$2.49	\$2.61
1 bu. export tubs—Stitched in bottom.....	Dozen.....	52	125	2.76	2.82	2.28	2.40	2.49	2.61
1 bu. export tubs—Loose bottom—EZ-Pak.....	Dozen.....	52	125	2.76	2.82	2.28	2.40	2.49	2.61
1 bu. continuous stave—Bent bottom—3 hoop.....	Dozen.....	51	125	2.40	2.43	2.13	2.25	2.34	2.46
1 bu. continuous stave—Improved—3 hoop.....	Dozen.....	51	125	2.34	2.37	2.07	2.19	2.28	2.40
1 bu. continuous stave—Round bottom—2 hoop.....	Dozen.....	49	125	2.25	2.28	1.98	2.10	2.19	2.31
3/4 bu. continuous stave—Round bottom—2 hoop—No covers or loop fasteners.....	Dozen.....	24	250		1.59				
1/2 bu. export tubs—Solid bottom.....	Dozen.....	37	175	2.52	2.58	2.04	2.16	2.25	2.37
1/2 bu. export tubs—Stitched in bottom.....	Dozen.....	33	175	2.52	2.58	2.04	2.16	2.25	2.37
1/2 bu. continuous stave—Bent bottom—3 hoop.....	Dozen.....	33	175	2.16	2.19	1.89	2.01	2.10	2.22
1/2 bu. continuous stave—Improved—3 hoop.....	Dozen.....	33	175	2.10	2.13	1.83	1.95	2.04	2.16
1/2 bu. continuous stave—Round bottom—2 hoop.....	Dozen.....	33	175	2.01	2.04	1.74	1.86	1.95	2.07
1/2 bu. continuous stave—Round bottom—Picking basket—No covers or loop fasteners.....	Dozen.....	24	200					1.89	1.89
3/4 bu. continuous stave—Round bottom—2 hoop.....	Dozen.....	16	300	1.74	1.77	1.60	1.63	1.77	1.77
1/2 bu. continuous stave—Round bottom—2 hoop.....	Dozen.....	9	300	1.65	1.68	1.51	1.53	1.68	1.68
1 bu. full or Georgia crown covers.....	Dozen.....	18		.81	.81	.72	.75	.78	.81
1 bu. star crown covers.....	Dozen.....	16		.75	.75	.66	.69	.72	.75
1 bu. star flat covers.....	Dozen.....	15		.69	.69	.60	.63	.66	.69
1 bu. octagon covers.....	Dozen.....	13		.57	.57	.48	.51	.54	.57
1 bu. rimless covers—with 4 loops.....	Dozen.....	15		.81	.81	.72	.75	.78	.81
1 bu. moon covers.....	Dozen.....	14		.66	.66	.57	.60	.63	.66
3/4 bu. full or Georgia crown covers.....	Dozen.....	13		.75	.75	.66	.69	.72	.75
1/2 bu. star crown covers.....	Dozen.....	12		.69	.69	.60	.63	.66	.69
1/2 bu. star flat covers.....	Dozen.....	11		.63	.63	.54	.57	.60	.63

NOTES

1. All baskets and tubs are priced with full or Georgia crown covers, 2 handles and 2 loop fasteners, unless otherwise specified.
2. All covers are priced with 2 loop fasteners, unless otherwise specified.
3. For baskets without covers (except 3/4 bu. picking baskets and 3/4 bu. baskets which are already priced without covers) deduct full or Georgia crown cover price and add 12¢ per dozen.
4. For all customer printing add 1/4¢ per impression; die charge extra for customer's account.
5. For baskets without side loop fasteners deduct 6¢ per dozen.
6. For baskets without handles deduct 6¢ per dozen.

7. For 2 extra side loop fasteners add 6¢ per dozen.
8. For 2 extra handles add 6¢ per dozen.
9. For covers other than full or Georgia crown covers deduct the following from basket prices as listed:
 - a. Star crown covers—deduct 6¢ per dozen.
 - b. Star flat covers—deduct 12¢ per dozen.
 - c. Octagon covers—deduct 24¢ per dozen.
 - d. Moon covers—deduct 15¢ per dozen.
 - e. For flat covers with 4 loop fasteners, prices are to be the same as baskets with full or Georgia crown covers.

TABLE III
HAMPER: COVERS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		<i>Pounds</i>	<i>Each</i>						
1½ bu. (48 qt.) hampers—27" height—9" bottom—keg hoops.....	Hundred.....	600	1,500	\$22.50	\$22.50	\$21.25	\$22.50	\$23.00	\$23.00
1½ bu. (48 qt.) hampers—27" height—9" bottom—vener hoops.....	Hundred.....	600	1,500	21.00	21.00	19.75	21.00	21.50	21.50
1½ bu. (48 qt.) hampers—24" height—10" bottom.....	Hundred.....	600	1,500	20.00	20.00	18.75	20.00	20.50	20.50
1½ bu. (40 qt.) hampers—20" height—10" bottom.....	Hundred.....	500	1,750	19.50	19.50	18.25	19.50	20.00	20.00
1 bu. (32 qt.) bean hampers—wire or loop fasteners.....	Hundred.....	450	2,000	19.00	19.00	17.75	19.00	19.50	19.50
1 bu. (32 qt.) hampers—wire or loop fasteners.....	Hundred.....	450	2,000	18.00	18.00	16.75	18.00	18.50	18.50
1 bu. (32 qt.) hampers—tin fasteners.....	Hundred.....	450	2,000	17.50	17.50	16.25	17.50	18.00	18.00
1 bu. (32 qt.) hampers—handmade—cross brace.....	Hundred.....	450	2,000	22.50	22.50	21.25	22.50	23.00	23.00
¾ bu. (24 qt.) hampers.....	Hundred.....	350	2,250	17.50	17.50	16.25	17.50	18.00	18.00
¾ bu. (20 qt.) hampers—machine made—vener hoops—no covers.....	Hundred.....	250	3,000	12.50	12.50	11.25	12.50	13.00	13.00
¾ bu. (20 qt.) hampers—machine made—keg hoops—no covers.....	Hundred.....	250	3,000	14.00	14.00	12.75	14.00	14.50	14.50
¾ bu. (20 qt.) hampers—hand made—cross brace—vener hoops—no covers.....	Hundred.....	250	3,000	14.00	14.00	12.75	14.00	14.50	14.50
¾ bu. (20 qt.) hampers—hand made—cross brace—keg hoops—no covers.....	Hundred.....	250	3,000	15.50	15.50	14.25	15.50	16.00	16.00
½ bu. (16 qt.) hampers—no covers.....	Hundred.....	200	3,500	10.50	10.50	10.00	10.50	10.75	10.75
¼ bu. (8 qt.) hampers—no covers.....	Hundred.....	150	4,500	10.00	10.00	9.50	10.00	10.25	10.25
¼ bu. (4 qt.) hampers—no covers.....	Hundred.....	100	6,000	9.50	9.50	9.00	9.50	9.75	9.75
1½ bu. (48 qt.) regular flat hamper covers.....	Hundred.....	150	-----	5.50	5.50	5.50	5.50	5.50	5.50
1 bu. (32 qt.) regular flat hamper covers.....	Hundred.....	100	-----	5.00	5.00	5.00	5.00	5.00	5.00

NOTES

1. For 1½ bu. hampers without covers, deduct listed price for 1½ bu. hamper covers and add \$1.00 per hundred.
2. For 1 bu. hampers without covers, deduct listed price for 1 bu. hamper covers and add \$1.00 per hundred.

3. For 1 bu. and 1½ bu. hampers with crown covers add \$1.50 per hundred to listed price for these hampers with regular flat hamper covers.
4. For all customer printing add ¼¢ per impression; die charge extra for customer's account.

TABLE IV
CLIMAX BASKETS; BERRY CUPS; TILL BASKETS

Container description	Units	Approximate weight	Minimum truckload	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
		<i>Pounds</i>							
2 qt. climax baskets—vener covers—wire handles.....	Thousand.....	750	8,000	\$39.50	\$39.50	\$35.00	\$39.50	\$42.00	\$42.00
2 qt. climax baskets—vener covers—wood handles.....	Thousand.....	-----	-----	40.50	40.50	36.50	40.50	43.00	43.00
2 qt. climax baskets—wire handles—no covers.....	Thousand.....	-----	-----	34.50	34.50	30.00	34.50	37.00	37.00
2 qt. climax baskets—no handles or covers.....	Thousand.....	-----	-----	31.50	31.50	27.00	31.50	34.00	34.00
2 qt. climax vener covers only.....	Thousand.....	-----	-----	6.50	6.50	6.50	6.50	6.50	6.50
2 qt. climax wire handles only.....	Thousand.....	-----	-----	4.00	4.00	4.00	4.00	4.00	4.00
2 qt. climax wood handles only.....	Thousand.....	-----	-----	5.00	5.00	5.00	5.00	5.00	5.00
4 qt. climax baskets—vener covers—wire handles.....	Thousand.....	1,000	8,000	49.50	49.50	45.00	49.50	52.00	52.00
4 qt. climax baskets—vener covers—wood handles.....	Thousand.....	-----	-----	50.50	50.50	46.00	50.50	53.00	53.00
4 qt. climax baskets—wire handles—no covers.....	Thousand.....	-----	-----	42.50	42.50	38.00	42.50	45.00	45.00
4 qt. climax baskets—no handles or covers.....	Thousand.....	-----	-----	39.50	39.50	35.00	39.50	42.00	42.00
4 qt. climax vener covers only.....	Thousand.....	-----	-----	8.50	8.50	8.50	8.50	8.50	8.50
4 qt. climax wire handles only.....	Thousand.....	-----	-----	4.00	4.00	4.00	4.00	4.00	4.00
4 qt. climax wood handles only.....	Thousand.....	-----	-----	5.00	5.00	5.00	5.00	5.00	5.00
12 qt. climax baskets—Flat slatted covers—Wire handles.....	Thousand.....	2,500	4,000	99.50	99.50	90.00	99.50	92.00	92.00
12 qt. climax baskets—Raised slatted covers—Wire handles.....	Thousand.....	-----	-----	104.50	104.50	95.00	104.50	97.00	97.00
12 qt. climax baskets—Flat slatted covers—Wood handles.....	Thousand.....	-----	-----	101.00	101.00	91.50	101.00	93.50	93.50
12 qt. climax baskets—Raised slatted covers—Wood handles.....	Thousand.....	-----	-----	106.00	106.00	96.50	106.00	98.50	98.50
12 qt. climax baskets—Wire handles—No covers.....	Thousand.....	-----	-----	87.50	87.50	78.00	87.50	80.00	80.00
12 qt. climax baskets—Wood handles—No covers.....	Thousand.....	-----	-----	89.00	89.00	79.50	89.00	81.50	81.50
12 qt. climax baskets—No handles or covers.....	Thousand.....	-----	-----	84.50	84.50	75.00	84.50	77.00	77.00
12 qt. climax slatted covers only.....	Thousand.....	-----	-----	16.00	16.00	16.00	16.00	16.00	16.00
12 qt. climax raised slatted covers only.....	Thousand.....	-----	-----	21.00	21.00	21.00	21.00	21.00	21.00
12 qt. climax wire handles only.....	Thousand.....	-----	-----	6.00	6.00	6.00	6.00	6.00	6.00
12 qt. climax wood handles only.....	Thousand.....	-----	-----	7.50	7.50	7.50	7.50	7.50	7.50
1 qt. American berry cups—Pre-dried.....	Thousand.....	90	60,000	7.75	7.75	7.75	7.75	7.75	7.75
1 qt. American berry cups—Wet.....	Thousand.....	90	60,000	7.50	7.50	7.50	7.50	7.50	7.50
1 qt. American berry cups—Tight corners.....	Thousand.....	90	60,000	8.75	8.75	8.75	8.75	8.75	8.75
1 qt. hallock berry cups.....	Thousand.....	110	60,000	8.75	8.75	8.75	8.75	8.75	8.75
1 pt. American berry cups—Pre-dried.....	Thousand.....	70	70,000	7.50	7.50	7.50	7.50	7.50	7.50
1 pt. American berry cups—Wet.....	Thousand.....	70	70,000	7.25	7.25	7.25	7.25	7.25	7.25
1 pt. oblong berry cups.....	Thousand.....	70	60,000	7.75	7.75	7.75	7.75	7.75	7.75
½ pt. American berry cups.....	Thousand.....	45	80,000	7.75	7.75	7.75	7.75	7.75	7.75
½ pt. oblong berry cups.....	Thousand.....	45	80,000	7.75	7.75	7.75	7.75	7.75	7.75
1 qt. till baskets.....	Thousand.....	135	40,000	14.50	14.50	14.50	14.50	14.50	14.50
2 qt. till baskets.....	Thousand.....	210	30,000	17.50	17.50	17.50	17.50	17.50	17.50
3 qt. till baskets.....	Thousand.....	340	25,000	19.50	19.50	19.50	19.50	19.50	19.50
4 qt. till baskets.....	Thousand.....	360	20,000	21.50	21.50	21.50	21.50	21.50	21.50

NOTES

1. For Climax Baskets with 2 loops, add \$2.00 per thousand.

2. All Berry Cups are priced packed in cartons.

TABLE V
MARKET BASKETS: COVERS

Table with columns: Container description, Units, Approximate weight (Pounds), Minimum truckload (Dozens), and Zones 1 through 6. Lists various basket types and their pricing across different zones.

NOTES

1. All market baskets are priced without covers, unless otherwise specified.

TABLE VI
CRATES; PARTS; MISCELLANEOUS

Table with columns: Freight container bureau No., Container description, Units, Approximate weight, Minimum truckload, and Zones 1 through 6. Lists various crate types and their pricing across different zones.

TABLE VI—Continued
CRATES; PARTS; MISCELLANEOUS—Continued

Freight container bureau No.	Container description	Units	Approximate weight	Minimum truck-load	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
			Pounds							
	Citrus riser sticks—Straight—Tangerine.....	Hundred.....			\$0.55		\$0.55			
	Citrus riser sticks—Straight—Orange.....	Hundred.....			.75		.75			
	Citrus riser sticks—Straight—Grapefruit.....	Hundred.....			.95		.95			
	Citrus riser sticks—Beveled—Tangerine.....	Hundred.....			.80		.80			
	Citrus riser sticks—Beveled—Orange.....	Hundred.....			1.00		1.00			
	Citrus riser sticks—Beveled—Grapefruit.....	Hundred.....			1.20		1.20			
253	24 qt. American berry crate parts:									
	Ends.....	Hundred.....			5.06	\$5.54	4.04	\$5.42	\$5.42	\$5.42
	Sides.....	Hundred.....			2.78	3.04	2.72	2.98	2.98	2.98
	Tops.....	Hundred.....			3.25	3.56	3.18	3.48	3.48	3.48
	Bottoms.....	Hundred.....			2.47	2.68	2.40	2.62	2.62	2.62
252	24 pint American berry crate parts:									
	Ends.....	Hundred.....					3.50		4.11	4.11
	Sides.....	Hundred.....					2.00		2.35	2.35
	Tops.....	Hundred.....					1.92		2.23	2.23
	Bottoms.....	Hundred.....					1.58		1.85	1.85
	1 3/8 bushel nail citrus crate parts:									
	Ends.....	Hundred.....			4.50		4.50			
	Centers.....	Hundred.....			5.00		5.00			
	Sides.....	Hundred.....			3.58		3.70			
	Tops.....	Hundred.....			3.57		3.70			
	Bottoms.....	Hundred.....			3.27		3.40			
679	4/5 bushel nail citrus crate parts:									
	Ends.....	Hundred.....			3.70		3.71			
	Centers.....	Hundred.....			4.11		4.12			
	Sides.....	Hundred.....			2.94		3.05			
	Tops.....	Hundred.....			2.93		3.05			
	Bottoms.....	Hundred.....			2.68		2.81			
1416-1417	Pepper crate parts:									
	Ends.....	Hundred.....			4.75		4.75			
	Sides.....	Hundred.....			3.80		3.80			
	Tops.....	Hundred.....			2.70		2.70			
	Bottoms.....	Hundred.....			2.70		2.70			
1235-1236	Potato crate parts:									
	Ends.....	Hundred.....			4.50		4.50	4.61		
	Sides.....	Hundred.....			2.75		2.75	2.82		
	Tops.....	Hundred.....			2.75		2.75	2.82		
	Bottoms.....	Hundred.....			2.75		2.75	2.82		
	Celery crate—Ransbottom type—20" x 10" x 22"—Parts:									
	Ends.....	Hundred.....			6.00					
	Sides.....	Hundred.....			5.00					
	Tops.....	Hundred.....			1.50					
	Bottoms.....	Hundred.....			2.50					
485	Celery crate—Standard—20" x 10" x 22"—Parts:									
	Ends.....	Hundred.....			6.00					
	Sides.....	Hundred.....			4.00					
	Tops.....	Hundred.....			1.50					
	Bottoms.....	Hundred.....			2.50					
480	Celery crate—16" x 10" x 22"—Parts:									
	Ends.....	Hundred.....			5.00					
	Sides.....	Hundred.....			4.00					
	Tops.....	Hundred.....			3.00					
	Bottoms.....	Hundred.....			3.00					
1040-1025	Tomato lug parts:									
	Ends.....	Hundred.....			3.23		3.23	3.32		
	Sides.....	Hundred.....			1.60		1.60	1.64		
	Tops.....	Hundred.....			4.23		4.23	4.35		
	Bottoms.....	Hundred.....			3.51		3.51	3.61		
	Cleats.....	Hundred.....			.80		.80	.81		
1550	Radish crate—7 1/2" x 15" x 18 3/4"—Parts:									
	Ends.....	Hundred.....			4.25		4.25			
	Sides.....	Hundred.....			2.40		2.40			
	Tops.....	Hundred.....			3.60		3.60			
	Bottoms.....	Hundred.....			3.60		3.60			

NOTES

- All crates are priced unitized but knocked down, unless otherwise specified.
- All dimensions on crates are inside, unless otherwise specified.
- For all stock and customer printing add 1/4¢ per impression; die charge extra for customer's account.
- All berry crates are priced complete with cups and dividers.
- All berry crates sold without cups or dividers, deduct 4¢ per crate and ceiling price of cups.
- For dyed cleats add 1/4¢ per crate.
- For curved sides on 1 3/8 bushel nail type citrus crates add 1 1/4¢ per crate.
- For curved sides on 4/5 bushel nail type citrus crates and lugs add 1¢ per crate.
- For all nail type celery crates with 22" x 10" head frames add 2¢ per crate.
- For making up crates (except those already priced made-up) add 1 1/4¢ per crate.
- All parts are complete or unitized units, not sets.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2206; Filed, February 10, 1943; 12:47 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 1 to Order 190 Under § 1499.3
(b) of GMPR]

PENNSYLVANIA SALT MFG. CO. AND CHIPMAN
CHEMICAL CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) of § 1499.1426 to Order No. 190 is amended and new paragraphs (e) and (f) are added to § 1499.1426 to read as set forth below:

§ 1499.1426 Approval of maximum prices for sales of sodium chlorate by the Pennsylvania Salt Manufacturing Company of Washington and by the Chipman Chemical Company, Inc. (a) The maximum prices for sales by the Pennsylvania Salt Manufacturing Company of Washington and by its agent, Chipman Chemical Company, Inc., of sodium chlorate manufactured at the Portland, Oregon, plant of the Pennsylvania Salt Manufacturing Company of

Washington are established as set forth below, f. o. b. Portland, Oregon:

(1) Contract sales.

Quantity delivered at one time:	Per cwt
20 tons or more.....	\$8.50
10 up to 20 tons.....	8.65
1 up to 10 tons.....	9.40
Less than 1 ton.....	9.90

(2) Spot sales. \$1.00 per cwt. may be added to maximum prices established for contract sales in subparagraph (1) above.

(3) *Definitions.* (a) "Contract sale" means a sale to a single agency of the United States under a contract to purchase at least fifty tons of sodium chlorate or a sale to any other person under a contract to purchase at least fifty tons of sodium chlorate in approximately equal monthly installments over a period of one year from the date of such contract.

(ii) "Spot sale" means a sale other than a contract sale.

(e) By August 1, 1943 the Pennsylvania Salt Manufacturing Company of Washington shall submit to the Office of Price Administration in Washington, D. C., a report for the six month period ending June 30, 1943, showing the costs of production of sodium chlorate in its Portland, Oregon, plant and sales of such sodium chlorate in tons and in dollars during such period and including a profit and loss statement for that plant for such period.

(f) This Amendment No. 1 (§ 1499.1426 (a) (e) and (f)) to Order No. 190 under § 1499.3 (b) of the General Maximum Price Regulation shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2196; Filed, February 10, 1943; 12:41 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 275 Under § 1499.3 (b) of GMPR]

SCOVILL MANUFACTURING COMPANY

Approval of maximum prices for certain steel battery caps.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1711 *Authorization to Scovill Manufacturing Company for sale of certain steel battery caps.* (a) On and after the effective date of this Order No. 275, Scovill Manufacturing Company, of Waterbury, Connecticut, is authorized to sell and deliver and offer to sell and deliver to Ray-O-Vac Company steel caps for No. 2 size dry cell batteries at a price not to exceed \$0.2867 per thousand, and Ray-O-Vac Company may buy and receive such steel caps as above. The price set forth above is f. o. b. seller's factory.

(b) This Order No. 275 may be revoked or amended at any time by the Office of Price Administration.

(c) This Order No. 275 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2197; Filed, February 10, 1943; 12:46 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 193 Under § 1499.18 (b) of GMPR]

PENNSYLVANIA WHOLESALE DRUG CO.

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

§ 1499.1094 *Adjustment of maximum prices for Witch Hazel N. F. Pint Size, M. D. Brand sold by Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania.* (a) The maximum prices for Witch Hazel N. F. Pint size, M. D. Brand sold by Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania, shall be as follows:

Per pint bottle
On sales by Pennsylvania Wholesale Drug Co., Wilkes-Barre, Pennsylvania, \$1.95 per case of 12 bottles.

On sales by retailers after their present maximum price or purchases from Pennsylvania Wholesale Drug Co., Wilkes-Barre, Pennsylvania, whichever is higher, \$0.35 per bottle.

(b) All discounts, allowances, and trade practices, in effect during March 1942 with respect to sales of Witch Hazel N. F. Pint Size, M. D. Brand, by the Pennsylvania Wholesale Drug Company, and by retailers purchasing from such company, shall remain in effect under this Order No. 193.

(c) At the time of the first delivery of Witch Hazel N. F. Pint size, M. D. Brand made to each retailer under the price specified in this Order No. 193, Pennsylvania Wholesale Drug Company shall furnish each such purchaser with a copy of the following notice:

The Office of Price Administration has permitted us by Order No. 193 under § 1499.18 (b) of the General Maximum Price Regulation to raise our maximum price of N. F. Witch Hazel, M. D. Brand in pint bottles to \$1.95 per case of 12 bottles. This Order also provides that each retailer purchasing from Pennsylvania Wholesale Drug Company, Wilkes-Barre, Pennsylvania, may adjust its maximum price to \$0.35 per pint bottle if its present maximum price is a lower figure.

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

(e) This Order No. 193 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 193 (§ 1499.1094) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 193 (§ 1499.1094) shall become effective February 11, 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2202; Filed, February 10, 1943; 12:47 p. m.]

PART 1400—RATIONING OF FOOTWEAR
[Ration Order 6, Amendment 9]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES; RATIONING REGULATIONS

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

Section 1404.37a, paragraph (b) of § 1404.39 and paragraph (b) of § 1404.43 are amended; new §§ 1404.37b and 1404.37c, new paragraph (c) of § 1404.31 and new paragraph (i) of § 1404.71 are added, as set forth below:

Acquisition and Transfer by Retailer, Distributor, and Manufacturer

§ 1404.31 *Transfer of rubber footwear to exempt persons.* * * *

(c) *A retailer or distributor may get certificates to acquire rubber footwear for an exempt agency.* (1) A person owning a registered retail or distributing establishment which has an order from or for the account of one of the agencies enumerated in paragraph (b) may get Parts I of certificates to enable him to get the rubber footwear necessary to fill the order. Application shall be made (on OPA Form R-604) to the Board with which the establishment is registered and shall be accompanied by a copy of the purchase order and, if the rubber footwear is to be acquired for the account of one of the enumerated agencies, the applicant shall display to the Board a copy of the war order or other evidence that title to the rubber footwear will vest in and remain with the agency. (2) If the Board is satisfied that the rubber footwear is to be transferred to or for the account of one of the agencies enumerated in paragraph (b), it may issue to the applicant certificates for such types and in such denominations as will enable the applicant to get the necessary rubber footwear. (3) If the order is cancelled or if, for any reason, the rubber footwear is not transferred to or for the account of one of the agencies enumerated in paragraph (b), the applicant shall surrender to the Board for cancellation certificates equivalent to those issued pursuant to this paragraph.

§ 1404.37a *Retailer or distributor may exchange certificates for one type of rubber footwear for certificates of another type—*(a) *Application is made to the State Director.* A person owning a registered retail or distributing establishment may, on approval of the State Director, exchange certificates for one or more types of rubber footwear for certificates for the same number of pairs of rubber footwear of a different type. Application shall be made (on OPA Form R-604) to the State Director of the State in which the establishment is registered and the application shall be accompanied by the Parts I of the certificates which the applicant wants to exchange. An applicant may surrender certificates for exchange only if he may validly use them to order stock. An establishment may not get another exchange within

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

17 F.R. 7749, 7967, 8363, 8809, 9084, 9736, 10581, 10781; 8 F.R. 548.

one year after making a similar application unless the State Director, in his discretion, approves the second application because of some unusual condition justifying it.

(b) *State Director to exchange certificates.* The State Director may issue certificates to the applicant for a number of pairs of rubber footwear, of the types desired, equal to the number of pairs represented by the certificates given up. The newly issued certificates shall be dated as of the date of their issuance.

(c) *Applicant to make necessary changes on his copy of his inventory.* When certificates are exchanged, the retailer or distributor shall immediately change the copy of his inventory (OPA Form R-601A) in his possession by adding the number of pairs of rubber footwear of each type represented by the newly issued certificates and subtracting the number of pairs of rubber footwear of each type represented by the certificates given up.

§ 1404.37b *Retailer or distributor may apply for an increased stock—(a) Application is made to the State Director.* A registered retail or distributing establishment whose stock of rubber footwear (including certificates) is not large enough to service its customers, may get certificates for the number of extra pairs of rubber footwear needed. Application shall be made (on OPA Form R-604) to the State Director of the State in which the establishment is registered.

(b) *Information to be submitted to the State Director with the application.* The applicant shall submit with his application (1) a copy of the latest inventory (OPA Form R-601A) in his file, (2) a statement in writing of the number of pairs of rubber footwear transferred by him during the year ending September 29, 1942, the number of pairs transferred by him since September 29, 1942, and the number of pairs he expects to transfer during the next six months, and (3) information necessary to satisfy the State Director that the applicant's stock of rubber footwear is too low to service his customers.

(c) *Basis for State Director's action.* If upon all the information submitted to him by the applicant, the State Director decides that certificates should be issued permitting the applicant to add to his stock of rubber footwear, the State Director shall issue Parts I of certificates to allow the applicant to get rubber footwear of such types and in such quantities as the State Director shall, in his discretion, deem proper.

(d) *Applicant to make necessary changes on his copy of his inventory.* When certificates are issued to allow a retailer or distributor to add to his stock of rubber footwear, he shall immediately change the copy of his inventory (OPA Form R-601A) in his possession by adding the number of pairs of rubber footwear, by types, represented by the certificates issued to him.

§ 1404.37c *Opening of new outlets—(a) Application is made to the State Director.* Any person wishing to get a

stock of rubber footwear for resale is eligible to get certificates to permit him to acquire the rubber footwear needed to service his customers upon application (on OPA Form R-604) to the State Director of the State in which the new outlet is to be located.

(b) *Information to be submitted to the State Director with the application.* The applicant shall submit with his application a statement of the number of pairs of rubber footwear he expects to transfer from the new outlet during the next six months.

(c) *Basis for State Director's action.* The State Director may issue Parts I of certificates to allow the applicant to get rubber footwear of such types and in such quantities as the State Director shall, in his discretion, deem necessary to service the customers of the new outlet.

(d) *New establishments are required to file an inventory.* If the State Director issues certificates for the new establishment, the retailer or distributor shall immediately prepare in duplicate an inventory (on OPA Form R-601A) dated as of the date of issuance of the certificates. The original of the inventory shall be sent to the State Director and the copy shall be kept by the applicant.

(e) *State Director to issue certificate of registration.* When the State Director receives the original of the applicant's inventory, he shall issue to the applicant a serially numbered certificate of registration (OPA Form R-602).

Exceptions

§ 1404.39 *Voluntary or involuntary transfer of an establishment.* * * *

(b) A person acquiring rubber footwear on the authority of this section shall be subject to all the provisions of Ration Order No. 6 and must file an inventory and receive a certificate of registration as provided in § 1404.37c. However, if the newly acquired rubber footwear is added to the stock of a registered establishment, the transferee must immediately prepare in duplicate an inventory (on OPA Form R-601A) dated as of the date of acquisition of the added rubber footwear. The original of the inventory shall be sent to the Central Inventory Unit, Office of Price Administration, Empire State Building, New York City and the copy shall be kept by the establishment.

§ 1404.43 *Other excepted transfers.* * * *

(b) *Transfers to exempt persons.* (1) Any person may, without the surrender of certificates, transfer rubber footwear to or for the account of any of the agencies enumerated in § 1404.31 (b); or to any persons acquiring such rubber footwear for export to and use in any foreign country, or as slop-chest supplies for the use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or intercoastal trade; or may ship or otherwise send rubber footwear to a Territory, possession, or dependency of the United States (except the District of Columbia).

(2) A person who transfers rubber footwear for the account of any of the

agencies enumerated in § 1404.31 (b), on the authority of this paragraph, must first get a copy of the war order or other evidence that the title to the rubber footwear will vest in and remain with the agency.

Effective Date

§ 1404.71 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§§ 1404.31 (c), 1404.37a, 1404.37b, 1404.37c, 1404.39 (b), 1404.43 (b)) shall become effective February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; W.P.B. Directive 1, 7 F.R. 562 and Supplementary Directive 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2207; Filed, February 10, 1943; 12:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 21 to Supp. Reg. 41 to GMPR:]

CALCIUM CARBIDE

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (29) is added to paragraph (a) of § 1499.29 as set forth below:

§ 1499.29 * * *

(a) * * *

(29) Sales or deliveries of calcium carbide by the Defense Supplies Corporation to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or any agency of any such Government.

(d) * * *

(21) Amendment No. 21 (§ 1499.29 (a) (29)) to Supplementary Regulation No. 4 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2198; Filed, February 10, 1943; 12:41 p. m.]

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

7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

PART 1499—COMMODITIES AND SERVICES

[Amendment 107 to Supp. Reg. 14¹ to
GMPR²]

FERROCHROMIUM

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

A new subparagraph (65) is added to § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(65) *Ferrochromium*—(i) *Carload lots, packed in barrels or drums.* On sales of ferrochromium in carload lots, packed in barrels or drums at the request of and for the convenience of the buyer, the seller's maximum price, as determined under section 2 of the General Maximum Price Regulation, may be increased by \$7.00 per gross ton.

(ii) *Special packing expenses permitted to be added to the maximum price of ferrochromium on sales to procurement agencies.* On sales or deliveries of ferrochromium to a procurement agency of the United States there may be added to the maximum domestic price for such commodity an additional charge for packing to the specifications set by the buyer. This additional charge shall not exceed \$3.00 per gross ton if the material is packed in 50 gallon drums or barrels or \$6.00 per gross ton if the material is packed in smaller drums or barrels. This addition shall be in lieu of the special packing expenses permitted to be added by Supplementary Order No. 34* and Supplementary Order No. 34 shall not apply to any sale of ferrochromium.

(iii) *Definitions.* For the purposes of this § 1499.73 (a) (65):

(a) "Ferrochromium" means any alloy principally of iron and chromium con-

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

¹ 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005, 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

* 7 F.R. 10779.

taining not more than 75% or less than 55% chromium.

(b) *Effective dates of amendments.*

(108) Amendment No. 107 (§ 1499.73 (a) (65)) to Supplementary Regulation No. 14 to the General Maximum Price Regulation shall become effective February 16, 1943.

(Pub. Laws 471 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2199; Filed, February 10, 1943;
12:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 108 to Supp. Reg. 14¹ to
GMPR²]STORAGE AND DISTRIBUTION OF AVIATION
GASOLINE

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.*

A new subparagraph (66) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(66) *Services connected with storage and distribution of aviation gasoline for War Department and Department of the Navy*—(i) *Maximum prices.* Maximum prices for services involved in connection with the storage and distribution of aviation gasoline for the War Department and the Department of the Navy, including the services of arranging for shipment to and from supply and storage

¹ 7 F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7293, 7365, 7401, 7400, 7510, 7536, 7604, 7538, 7453, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 8899, 9391, 9395, 9495, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5775, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

points, handling through terminals and bulk plants, delivery to points of consumption, and services incidental thereto, shall be either (a) the maximum prices established for such services by § 1499.2 of the General Maximum Price Regulation or (b) prices agreed upon by the seller and the purchaser of such services and reported to the Office of Price Administration by such seller within 10 days of the date on which such agreement is made or of the date of this amendment, whichever is later.

(ii) *Adjustment of maximum prices by Office of Price Administration.* Maximum prices established pursuant to subdivision (i) (b) hereof shall be deemed to have been established and approved as maximum prices for the services to which they relate unless the Office of Price Administration disapproves or modifies such prices by an order mailed to the seller, within 30 days after receipt of the report described in subdivision (iii) hereof. Such disapproval or modification shall become effective five days after the date of mailing of such order.

(iii) *Form of report.* The report required by inferior subdivision (i) (b) hereof shall be mailed in duplicate to the Office of Price Administration, Transportation and Public Utilities Division, Washington, D. C., shall be entitled "Report of Maximum Prices for Storage and Distribution of Aviation Gasoline for Armed Services Under § 1499.73 (a) (66) of Supplementary Regulation No. 14", and shall contain the following information.

(a) The name and address of the supplier of the service;

(b) Either a complete copy of the agreement between the supplier of the service and the War Department or the Department of the Navy or a statement describing in full the service or services to be performed, the price to be charged therefor, the location at which each service is to be performed, and the volume of aviation gasoline to be handled at each such location; and

(c) In the event the contract provides for the payment of a single price for two or more services, a statement of the amount calculated for each service in determining such single price.

(iv) *Definitions.* As used in this subparagraph (66), the term "aviation gasoline" means gasoline with an octane rating of 87 or higher.

(109) Amendment No. 108 (§ 1499.73 (a) (66)) to Supplementary Regulation No. 14 shall become effective February 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2200; Filed, February 10, 1943;
12:41 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 111 to Supp. Reg. 14¹ to GMFR²]

OLEOMARGARINE IN OKLAHOMA

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.*

A new subparagraph (69) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(69) *Oleomargarine*—(i) *Maximum prices for sales of oleomargarine in the state of Oklahoma.* The maximum prices for sales of oleomargarine in the state of Oklahoma shall be as follows:

(a) *Sales by wholesalers.* The maximum price that a wholesaler may charge for sales of an item of oleomargarine in the state of Oklahoma shall be the wholesaler's "net cost" of that item per pound plus 3¢ for each pound.

(b) *Sales by a retailer.* The maximum price that a retailer may charge for sales of an item of oleomargarine in the state of Oklahoma shall be the retailer's "net cost" of that item per pound plus 4¢ for each pound.

(ii) *Definitions.* For the purpose of this subparagraph (69) the following terms have the following meanings:

(a) "Oleomargarine" shall mean all those products labelled and sold as oleomargarine.

(b) "Item" shall mean any brand, kind, grade, container size and container type of oleomargarine and a separate maximum price shall be figured for each brand, kind, grade, container size and container type.

(c) "Wholesaler" means a person who buys oleomargarine and resells the same to commercial, industrial or institutional users or to retailers, located in the state of Oklahoma, without materially changing the form of the item.

(d) "Retailer" means a person who buys oleomargarine and resells the same

to the ultimate consumer without materially changing the form of the item.

(e) "Net cost" shall mean the amount paid for an item of oleomargarine delivered at the wholesaler's or retailer's (as the case may be) customary receiving point less all discounts except the discount for prompt payment; however, no charge or cost for local unloading or local trucking shall be included. "Net cost" shall be based on the most recent purchase. A retailer may not base his "net cost" on purchases from another retailer. A wholesaler's "net cost" may not be based on purchases from another wholesaler.

This amendment shall become effective on February 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2201; Filed, February 10, 1943; 12:45 p. m.]

PART 1340—FUEL

[MPR 121, Amendment 10]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

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

A new subparagraph (3) is added to § 1340.249 (d) as set forth below:

§ 1340.249 *Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.* * * *

(d) * * *

(3) A producer or distributor of beehive oven coke produced in Pennsylvania and in the counties of Monongalia, Preston and Upshur, West Virginia may add to the maximum prices determined under paragraphs (a), (b) or (c) of this section for sales of such coke, a sum not to exceed fifty cents per ton.

This Amendment No. 10 shall become effective as of February 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2219; Filed, February 10, 1943; 4:45 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 3 to Supp. 1 to Ration Order 5C¹]

MILEAGE RATIONING: GASOLINE REGULATIONS

Paragraph (a) of § 1394.8401 is amended, and a new paragraph (e) is

added to § 1394.8401, as set forth below:

(e) "Net cost" shall mean the amount paid for an item of oleomargarine delivered at the wholesaler's or retailer's (as the case may be) customary receiving point less all discounts except the discount for prompt payment; however, no charge or cost for local unloading or local trucking shall be included. "Net cost" shall be based on the most recent purchase. A retailer may not base his "net cost" on purchases from another retailer. A wholesaler's "net cost" may not be based on purchases from another wholesaler.

added to § 1394.8401, as set forth below:

§ 1394.8401 *Designation of unit value in gallons of gasoline.* (a) The unit value of any coupon in the hands of a dealer or distributor, other than a coupon issued to him as a ration, shall be that value which such coupon had at the time and place it was surrendered by a consumer in exchange for gasoline. The value of the unit represented by coupons in Class A, B, C, D, E, R, T-1 and T-2 ration books, when surrendered by a consumer in exchange for gasoline, is hereby designated and fixed as follows:

(1) (i) Four (4) gallons of gasoline, with respect to Class A, B and C book coupons outside of the gasoline shortage area. Class A book coupons numbered 4, 5 and 6 and Class B and C book coupons shall have a value of three (3) gallons of gasoline within the gasoline shortage area.

(ii) "Gasoline shortage area" means the States of Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia except the portion which lies within the corporate limits of the City of Bristol, the District of Columbia, the portion of West Virginia which lies within and east of the counties of Mineral, Grant and Pendleton, and the State of Florida except the area which lies west of the counties of Gadsden, Liberty and Franklin.

(2) One and five-tenths (1.5) gallons of gasoline, with respect to Class D book coupons:

(3) One (1) gallon of gasoline, with respect to Class E book coupons;

(4) Five (5) gallons of gasoline, with respect to Class R, T-1 and T-2 book coupons.

(e) Amendment No. 3 (§ 1394.8401 (a)) to Supplement No. 1 to Ration Order No. 5C shall become effective at 12:01 a.m. on February 10, 1943, and shall continue in force and effect until amended by further order or direction of the Office of Price Administration.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2218; Filed, February 10, 1943; 4:45 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C, Amendment 21]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

* 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10767, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1182, 1366, 1318, 1588.

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

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7739, 7677, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8534, 8652, 8707, 8881, 8899, 8950, 8954, 8955, 8953, 9043, 9082, 9131, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9900, 9901, 1069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10895, 11005; 8 F.R. 276, 429, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5575, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

Subparagraph (44) of paragraph (a) of § 1394.7551, paragraph (b) of § 1394.8113, subparagraph (1) of paragraph (a) of § 1394.8207 and § 1394.8211 are amended; a new paragraph (d) to § 1394.8206b, a new paragraph (e) to § 1394.8207, new paragraphs (f) and (g) to § 1394.8215, and a new paragraph (u) to § 1394.8352 are added; as set forth below:

Definitions

§ 1394.7551 Definitions. (a) * * *

(44) "Gasoline shortage area" means the States of Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia except the portion which lies within the corporate limits of the City of Bristol, the District of Columbia, the portion of West Virginia which lies within and east of the counties of Mineral, Grant and Pendleton, and the State of Florida except the area which lies west of the counties of Gadsden, Liberty and Franklin.

Expiration, Revocation and Redetermination of Rations

§ 1394.8113 *Revocation, review, modification and redetermination of rations by Boards and District, State and Regional Officers in territory formerly within gasoline shortage area.* * * *

(b) Upon such review, the Board, or the District Manager, State Director or Regional Administrator shall receive and consider any evidence presented by the holder of the ration and may require him to appear for examination and to produce such witnesses or evidence as the Board or such officer may deem material. Upon redetermination, the Board or such officer may require that any coupons or coupon books be surrendered, and shall issue a ration of the class or quantity to which the holder is entitled. Within forty-eight (48) hours of receiving notice requiring the surrender of any coupons or coupon books pursuant to this section, the person holding the coupons or coupon books shall surrender them to the Board or officer from whom he received such notice. Any person may appeal from an adverse decision under this section, pursuant to Procedural Regulation No. 9.

Ration Banking

§ 1394.8206b Deposits. * * *

(d) A depositor shall not list for deposit on a single slip coupons of the same class which have different values. He shall list such coupons upon separate slips according to their value.

Restrictions on Transfers Between Dealers and Distributors

§ 1394.8207 Restriction on transfers to dealers. (a) * * *

(1) Except as provided in § 1394.8209, no dealer or distributor shall transfer or offer to transfer gasoline to a dealer, and no dealer shall receive a transfer of gasoline, except in exchange for a quantity of coupons or other evidences at the time of the actual delivery of the gasoline or in advance thereof, equal in gallonage

value to the quantity of the gasoline transferred, or, in cases in which gasoline is regularly transferred to him on a temperature adjustment basis, equal in gallonage value to the adjusted quantity of gasoline transferred: *Provided*, That transfers of gasoline may be made only in exchange for coupons which bear the notations required by paragraphs (d) and (e) of § 1394.8004, paragraph (c) of § 1394.8006 and paragraph (b) of § 1394.8206, and which have been affixed to coupon sheets containing the name, address, date of surrender and unit value of the coupons as prescribed in § 1394.8211.

(e) Notwithstanding any other provision of Ration Order No. 5C, no dealer or distributor shall make or accept an exchange of a coupon for gasoline, and no distributor shall deposit a coupon for a credit, except in an amount equal to the gallonage value which such coupon had at the time and place it was surrendered in exchange for gasoline by a consumer.

§ 1394.8211 *Preservation of coupons; coupon sheets.* Each dealer and distributor shall affix all coupons received by him in exchange for transfers or returns of gasoline to coupon sheets (Form OPA R-120). Only coupons which are of the same class or type and which were received at the same unit value shall be affixed to a single sheet. Prior to deposit in a bank or any transfer of such coupons, the dealer or distributor who first accepted such coupons from a consumer shall write, stamp or print upon the coupon sheet his business or firm name, as registered at the Board, his business address, the name of the county where his place of business is located, the unit value of the coupons and the date on which such coupon sheet is surrendered by him to a dealer or distributor for replenishment or, when it has never been so surrendered, the date on which such coupon sheet is deposited for credit in a ration bank account.

§ 1394.8215 Transfer and surrender of expired coupons. * * *

(f) On and after February 10, 1943, but not later than March 1, 1943, each dealer who operates a place of business within the portion of the State of West Virginia which lies west of the counties of Mineral, Grant, and Pendleton or the portion of the State of Florida which lies west of the counties of Gadsden, Liberty, and Franklin or the corporate limits of the City of Bristol, Virginia, who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline at a time when such coupons had a value at the place of transfer of three (3) gallons of gasoline each, shall list all such coupons on Form OPA R-541 at a value of three (3) gallons each and deliver them to the Board having jurisdiction over the place of business at which such coupons were received. The Board shall issue to the dealer, in exchange for such coupons, inventory coupons equal in gallonage value to the listed value of coupons surrendered.

(g) On and after February 10, 1943, but not later than March 1, 1943, each

distributor who has in his possession or control Class A, B, or C ration coupons received by him in exchange for transfers of gasoline made within the portion of the State of West Virginia which lies west of the counties of Mineral, Grant, and Pendleton or the portion of the State of Florida which lies west of the counties of Gadsden, Liberty, and Franklin or the corporate limits of the City of Bristol, Virginia, at a time when such coupons had, at the place of transfer, a value of three (3) gallons of gasoline each, shall list all such coupons on a separate deposit slip and deposit them for credit at a value of three (3) gallons each, in appropriate ration bank accounts maintained by him.

Effective Dates

§ 1394.8352 Effective dates of amendments. * * *

(u) Amendment No. 21 (§§ 1394.7551 (a) (44), 1394.8113 (b), 1394.8206b (d), 1394.8207 (a) (1) and (e), 1394.8211, and 1394.8215 (f) and (g)) to Ration Order No. 5C shall become effective February 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2220; Filed, Feb. 10, 1943; 4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 267 Under § 1499.3 (b) of GMPR]

MAJOR VITAMINS, INC.

Correction

In the document appearing on page 1686 of the issue for Saturday, February 6, 1943, the ceiling price for 1,000 tablets of "Major B Brand Vitamin B Complex" in the second table in § 1499.1703 (e) (ii) should be 7.25.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGES IN BAYOU D'INDE, LA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the following special regulations are prescribed to govern the operation of the State of Louisiana highway bridge and the railway bridge of the Defense Plant Corporation, Cities Service Refining Corporation, Agent.

§ 203.512 *Bayou D'Inde, La.; State of Louisiana highway bridge, and Defense Plant Corporation, Cities Service Refining Corporation, Agent, railroad bridge.*

(a) The owners of, or agencies controlling, the bridges will not be required to

keep tenders in constant attendance at the above-named bridges.

(b) Whenever a vessel unable to pass under the closed highway bridge desires to pass through the draw, at least 43 hours advance notice of the time the opening is required shall be given, by telephone or otherwise, to the District Engineer, Department of Highways, State of Louisiana, at Lake Charles, Louisiana, or to a designated representative.

(c) Whenever a vessel unable to pass under the closed railroad bridge desires to pass, at least 72 hours advance notice of the time opening is required shall be given to the owners of, or agency controlling, the bridge.

(d) Upon receipt of such notice, the authorized representatives, in compliance therewith, shall arrange for the prompt opening of the bridge at the time specified in the notice for the passage of the vessel.

(e) The owners of, or agencies controlling, each bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge in such manner that it can easily be read at any time, a copy of these regulations, together with a notice stating exactly how the representatives specified in paragraphs (b) and (c) may be reached.

(f) The operating machinery of the highway bridge draw shall be maintained in a serviceable condition, and the draw opened and closed at least once every four months to make certain that the machinery is in proper order for satisfactory operation. [Regs. January 29, 1943 (CE 823 (D'Inde Bayou—Calcasieu Parish, La.) (Mile 2.2)—SPEON)]

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

[F. R. Doc. 43-222; Filed, February 11, 1943; 9:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

QUARTERLY REPORTS OF PERSONS FURNISHING CARS TO OR ON BEHALF OF CARRIERS BY RAILROAD OR EXPRESS COMPANIES

ORDER

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 18th day of January, A. D. 1943.

The subject of the requirement of reports from persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, and the corresponding section of the Code of Federal Regulations being under consideration:

It is ordered, That the order of this Commission dated January 19, 1942, in the matter of quarterly reports of persons furnishing cars or protective service to or on behalf of any carriers by railroad or express company be, and it is

hereby vacated and set aside, effective January 1, 1943.

§ 120.71 *Quarterly reports of persons furnishing cars to or on behalf of carriers by railroad or express companies.* (a) Beginning with the three months' period ending March 31, 1943, and quarterly thereafter, until further order of this Commission, all persons furnishing cars to or on behalf of carriers by railroad or express companies, subject to the provisions of section 20, Part I of the Interstate Commerce Act, and owning 10 or more cars, are required to file reports in accordance with form QCL, which is hereby approved and made a part of this order.¹

(b) Each such quarterly report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within 60 days after the close of the period to which it relates.

(Sec. 13, 54 Stat. 917; 49 U.S.C. 20 (6))

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2247; Filed, February 11, 1943; 11:47 a. m.]

Notices

DEPARTMENT OF AGRICULTURE AND BOARD OF ECONOMIC WARFARE.

JOINT ORDER CLARIFYING FUNCTIONS AND RESPONSIBILITIES

PUBLIC PURCHASE OF FOOD AND FACILITIES NECESSARY FOR WAR EFFORT AND CIVILIAN ECONOMY

Executive Order No. 9280 of December 5, 1942 (7 F.R. 10179), directs that the Secretary of Agriculture "assume full responsibility for and control over the nation's food program," that "in exercising such authority, he shall," among other things, "promulgate policies to govern the purchase and procurement of food by all other Federal agencies," and that "existing methods for the purchase and procurement of food by other Federal agencies shall continue until otherwise determined by the Secretary pursuant to this Executive Order." Executive Order No. 9280 further provides that "with respect to the issuance of the directives for the importation of food heretofore issued to the Board of Economic Warfare by the Chairman of the War Production Board under Executive Order No. 9128 of April 13, 1942 (7 F.R. 2809), the Secretary shall issue those directives which relate to the importation of food for human and animal consumption, and the Chairman of the War Production Board and the Secretary shall jointly issue those directives which relate to the importation of food for industrial uses." Executive Order No. 9128 of April 13, 1942, provides that the Board

¹ Form filed as part of the original document.

of Economic Warfare "receive and be responsible for executing directives . . . as to quantities, specifications, delivery time schedules, and priorities of materials and commodities . . . required to be imported for the war production effort and the civilian economy," and that the Board "determine the policies, plans, procedures and methods of the several Federal departments, establishments, and agencies with respect to the procurement and production of such commodities, including the financing thereof." Executive Order No. 9280 provides that "any provision of any executive order or proclamation conflicting with this Executive Order is superseded to the extent of such conflict."

In order to clarify the respective functions of the Secretary of Agriculture and the Board of Economic Warfare, to avoid duplication and multiplicity of Government procurement agencies operating in foreign countries, and to insure the effective utilization of the existing foreign procurement organization and facilities of the Board and of the Department of Agriculture, respectively, the following joint order is issued:

1. The Secretary, or whenever so required by Executive Order No. 9280, the Secretary and the Chairman of the War Production Board jointly, shall issue directives to the Board as to the quantities, specifications, delivery time schedules, and priorities of food and food facilities required to be obtained by public purchase in foreign countries for the war effort and the domestic civilian economy.

2. The Board shall receive such directives and be responsible for the initiation, preparation, negotiation, or amendment of any contracts, agreements, or arrangements necessary to fulfill such directives. In addition, the Board shall supervise and administer all food production programs under such contracts and agreements. The officers of the Board shall, insofar as practicable, without duplication of effort, consult with the officers of Commodity Credit Corporation regarding the method of procurement involved prior to the conclusion of any contract, agreement or arrangement establishing the method of procurement.

Commodity Credit Corporation, however, shall be responsible for transacting current spot purchases of food and food facilities abroad offered in the United States. Any spot offerings made abroad to the representatives of the Board shall be communicated by the Board to the Commodity Credit Corporation in the United States. Commodity Credit Corporation shall be authorized to execute purchase contracts with respect to spot offerings of food or food facilities from foreign sources for which no directive for public purchase has been issued by the Secretary, but shall first consult with the Board with respect to such purchases. Upon advice from the Board, Commodity Credit Corporation will suspend spot purchases of any foods or food facilities in specific countries pending the initiation or negotiation of contracts or agreements by the Board relating to such foods or food facilities.

3. Commodity Credit Corporation shall execute such contracts and agreements

as may be negotiated by the Board hereunder for the Corporation's account and shall be responsible for the acceptance of delivery and for the disbursement of funds under such contracts and agreements, as well as the necessary accounting with respect to such disbursement, and the inspection, storage, handling, or disposition on and after delivery. The Corporation shall be guided by such policies as the Board may recommend for the coordination in foreign countries of warehousing and transportation plans and procedure.

4. The services of the Board's foreign field personnel shall be made available to the Corporation to such extent as the Corporation may request in the performance of its responsibilities hereunder. In order to avoid duplication of personnel, the Corporation shall, so far as is feasible, avail itself of the Board's staff in foreign countries.

5. All contracts negotiated by the Board for the procurement or development of food or food facilities (as these terms are defined in Executive Order No. 9280) in foreign countries shall be negotiated for the account of Commodity Credit Corporation except, however, the Board may procure food or food facilities for the account of the U. S. Commercial Corporation or other appropriate agency in areas that may be agreed upon or in instances where the primary purpose is not the procurement of food for human, animal, or industrial uses.

6. With respect to any foreign procurement of wool, cotton, sugar, or other food produced in the United States, the Board of Economic Warfare and the Commodity Credit Corporation shall collaborate in determination of all policies and, insofar as practicable, the Board shall consult Commodity Credit Corporation regarding terms of contracts, which policies or terms, if adopted with respect to foreign procurement, might affect the domestic procurement of such commodities.

CLAUDE R. WICKARD,
Secretary of Agriculture.

H. A. WALLACE,
Chairman, Board of
Economic Warfare.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2233; Filed, February 11, 1943;
10:58 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SUGAR AND RELATED PRODUCTS INDUSTRY MINIMUM WAGE RECOMMENDATION

Notice or hearing on the minimum wage recommendation of Industry Committee No. 50 for the Sugar and Related Products Industry to be held March 4, 1943.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on October 5, 1942, by Administrative Order No. 162 ap-

pointed Industry Committee No. 50 for the Sugar and Related Products Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 50, on January 5, 1943, recommended a minimum wage rate for the Sugar and Related Products Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on January 8, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas, the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 50 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 50 is as follows:

Wages at a rate of not less than forty cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Sugar and Related Products Industry (as defined in Administrative Order No. 162) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Sugar and Related Products Industry as set forth in Administrative Order No. 162, issued October 5, 1942, is as follows:

The production of sugar, molasses, and syrups, of all types, made wholly or in part from maple sap, sugar beets, sugarcane, sorgo, or any derivative therefrom, and the production of beet pulp, bagasse, lime cake, and related by-products: *Provided, however,* That fountain syrups commonly and commercially so known shall not be included in this definition.

The production of any products covered under this definition shall be deemed to begin with the loading of the raw materials at the farm.

The definition of the sugar and related products industry covers all occupations in the industry which are necessary to the production of the products covered by this definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That in a wholesaling or selling department of a manufacturing establishment clerical, maintenance, shipping and selling employees, the greater part of whose work relates to the sale of articles which have been purchased for resale or of articles not covered by this definition shall not be deemed to be covered by this definition, and *Provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are

kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 50 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street N.E.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1007 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.

Cleveland, Ohio, Main Post Office, West 3d and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Scott Building, 1150 Griswold Street.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title and Trust Building, 10th and Walnut Streets.

St. Louis, Missouri, 316 Old Customs House.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 800 Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, 1st Floor.

New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on March 4, 1943, before Major Robert N. Campbell, Presiding Officer, at 10:00 a. m. in Hotel Roosevelt, New Orleans, Louisiana, for the purpose of taking evidence on the following question:

1. Whether the recommendation of Industry Committee No. 50 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Indus-

try Committee No. 50 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than February 27, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 50.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 50 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following document relating to the Sugar and Related Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on the Establishment of Minimum Wages in the Sugar and Related Products Industry*, prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, December 1942.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request

of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request on the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments

shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 9th day of February, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2242; Filed, February 11, 1943; 11:16 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment to Vesting Order 340]

KNOOP, LANGE & Co., INC.

Whereas, pursuant to Vesting Order Number 340 of November 6, 1942, the undersigned vested certain shares of stock in Knop, Lange & Co., Inc., more particularly described in such order; and

Whereas, in setting forth in said order the beneficial owners of such stock the name of Karl Ludwig Lange (whose last known address was represented to the undersigned as being Germany and who is a national of a designated enemy country, Germany) was inadvertently omitted;

Now, therefore, Vesting Order Number 340 of November 6, 1942 is hereby amended as follows and not otherwise:

By inserting immediately following the name "Karl Heinz Lange" appearing therein, the name "Karl Ludwig Lange."

All other provisions of such Vesting Order Number 340 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2235; Filed, February 11, 1943; 11:07 a. m.]

[Vesting Order 637]

ELASTIC RAIL SPIKE CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Max Rueping, whose last known address was represented to the undersigned as being Frankfurt, Germany, is a

citizen of Germany and is a national of a designated enemy country (Germany);

2. Finding that all of the issued and outstanding capital stock of Elastic Rail Spike Corporation, a Delaware corporation, New York, New York, consisting of 1,000 shares of Class A common stock and 1,000 shares of Class B common stock, are registered in the names of Oscar M. Bernuth and George T. Fields, as Voting Trustees under a Voting Trust Agreement dated June 1, 1939;

3. Finding that said Max Rueping is the beneficial owner of the 1,000 shares of Class A common stock hereinbefore referred to, and that the voting trust certificate representing his interest in such shares and in the voting trust agreement is registered in his name;

4. Finding that the aforesaid corporation is a business enterprise within the United States and that said 1,000 shares of Class A common stock constitutes a substantial part (namely, 50%) of all the outstanding capital stock of said business enterprise and represent an interest therein;

5. Determining, therefore, that said business enterprise is a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian (a) the aforesaid 1,000 shares, together with any stock certificate or certificates issued in connection therewith and presently outstanding, and (b) all the right, title, and interest of said Max Rueping in and to the aforesaid voting trust certificate and agreement, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision, and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision, or control or to terminate same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on January 6, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2236; Filed, February 11, 1943;
11:07 a. m.]

[Vesting Order 731]

REINHARD SEGEBADE, ET AL.

Re: Interest of Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg in certain trust property.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg, whose last known addresses are Oldenburg, Mittenwalde, Hamburg and Altona Gross Flottbeck, Germany, respectively, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that the property described in subparagraph 3 hereof is payable or deliverable to, or claimed by, the aforesaid persons;

3. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of whatsoever kind or nature of said Reinhard Segebade, Paul Segebade, Ferdinand Creutzenberg, and Heinrich Creutzenberg, and each of them, and of each and all of other nationals, whomsoever they may be, of any and all designated enemy countries, in and to that certain property held in trust by the Safe Deposit and Trust Company of Baltimore, Maryland, as trustee under the will of Ferdinand Meyer, dated November 25, 1933,

is property which is in the process of administration by a person acting under judicial supervision and which is payable or deliverable to, or claimed by, nationals of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should

be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on January 23, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2237; Filed, February 11, 1943;
11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 17 Under MPR 152]

PORTALES CANNING COMPANY

DENIAL OF PETITION FOR ADJUSTMENT OF
MAXIMUM PRICES

Order No. 17 under Maximum Price Regulation No. 152—Canned Vegetables.

On October 19, 1942 the Portales Canning Company filed a petition pursuant to Procedural Regulation No. 6 issued by the Office of Price Administration, for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 2 and No. 10 size cans of snap beans which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered, That:*

(a) The petition of Portales Company for adjustment of its maximum prices for snap beans packed in No. 2 and No. 10 size cans as established under Maximum Price Regulation No. 152 be, and it is hereby, denied.

(b) Any contract entered into by the Portales Canning Company at the price requested in the petition shall be revised in accordance with the terms of this order, and any payment made to the Portales Canning Company in excess of the maximum price established shall be refunded to the purchaser, and within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration to the effect that such contracts were revised in accordance with the terms of this order, and wherever required refunds were made.

(c) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(e) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2186; Filed, February 10, 1943; 12:43 p. m.]

[Order 18 Under MPR 152]

FLOTILL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICE

Order No. 18 under Maximum Price Regulation No. 152—Canned Vegetables.

The Flotill Products Company has filed application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the applicant with respect to the packing of fancy unpeeled tomatoes in tomato juice and concentrated tomato paste in certain sizes.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) The Flotill Products Company, Stockton, California, may sell, offer to sell, or deliver, and any person may buy, offer to buy, or receive the following commodities at the maximum prices indicated:

Size or number of container	Commodity	Authorized maximum price f. o. b. factory
No. 1 Tall.	Fancy unpeeled tomatoes in tomato juice.	Per dozen \$1.19
No. 2½	Fancy unpeeled tomatoes in tomato juice.	1.87
No. 10	Fancy unpeeled tomatoes in tomato juice.	6.38
6¼ ounce.	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.89
6½ ounce.	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.86
6¾ ounce.	Fancy concentrated tomato paste made from pear shaped tomatoes, 33% solids, 1.1422 specific gravity.	.82
6½ ounce.	Fancy heavy tomato paste made from pear shaped tomatoes, 30% solids, 1.129 specific gravity.	.83
6½ ounce.	Fancy heavy tomato paste made from pear shaped tomatoes, 30% solids, 1.129 specific gravity.	.80
6¾ ounce.	Fancy heavy tomato paste made from pear shaped tomatoes, 30% solids, 1.129 specific gravity.	.77
No. 10	Fancy concentrated tomato paste 33% solids, 1.1422 specific gravity.	14.04

(b) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Flotill Products Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2187; Filed, February 10, 1943; 12:43 p. m.]

[Order 19 Under MPR 152]

E. PRITCHARD, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 19 under Maximum Price Regulation No. 152—Canned Vegetables.

On December 12, 1942 E. Pritchard, Inc., North Pearl Street, Bridgeton, New Jersey, filed a petition pursuant to Procedural Regulation No. 6, issued by the Office of Price Administration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sales to the armed forces of the United States.

Due consideration has been given the information submitted by applicant with respect to the packing in 14-ounce size glass bottles of extra standard tomato catsup which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reason set forth in the opinion which accompanies this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered, That:*

(a) E. Pritchard, Inc., may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army may buy, offer to buy or receive 14-ounce size glass bottles of extra standard tomato catsup at a price no higher than the maximum price of \$1.17 per dozen, f. o. b. factory.

(b) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2188; Filed, February 10, 1943; 12:43 p. m.]

[Order 21 Under MPR 152]

JOHN H. DULANY AND SON

APPROVAL OF MAXIMUM PRICES

Order No. 21 under Maximum Price Regulation No. 152—Canned Vegetables.

John H. Dulany and Son, Fruitland, Maryland, have filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 2 size cans of extra standard 75 percent Green, and 25 percent White Fordhook Variety Fresh Lima Beans.

For the reason set forth in the opinion which accompanies this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) John H. Dulany and Son may sell, offer to sell or deliver, and any person may buy, offer to buy or receive No. 2, size cans of extra standard 75 percent Green, and 25 percent White Fordhook Variety Fresh Lima Beans at a price no higher than the maximum price of \$2.00 per dozen f. o. b. factory.

(b) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, John H. Dulany and Son, shall not change its customary allowances, discounts or price differentials unless such changes result in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the term used herein.

(e) This order shall become effective on 11th day of February 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2189; Filed, February 10, 1943; 12:44 p. m.]

[Order 22 Under MPR 152]

VAL VITA FOOD PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 22 under Maximum Price Regulation No. 152—Canned Vegetables.

The Val Vita Food Products, Inc., Fullerton, California, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in 10½ ounce size cans of fancy tomato sauce meeting the density specification of 1.045 specific gravity.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive

Order No. 9250, *It is hereby ordered, That:*

(a) The Val Vita Food Products, Inc., may sell, offer to sell or deliver, and any person may buy, offer to buy, or receive 10½ ounce size cans of tomato sauce, of a density of 1.045 specific gravity at a price no higher than the maximum price of .56 cents per dozen, f. o. b. factory.

(b) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(c) The applicant Val Vita Food Products, Inc., shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

This order shall become effective on 11th day of February 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2190; Filed, February 10, 1943;
12:42 p. m.]

[Order 23 Under MPR 152]

GILLETTE CANNING COMPANY
APPROVAL OF MAXIMUM PRICES

Order No. 23 under Maximum Price Regulation No. 152—canned vegetables.

The Gillette Canning Company, Gillette, Wisconsin, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 1 size can of fancy ungraded as to sieve size sweet peas.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) The Gillette Canning Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive fancy ungraded as to sieve size sweet peas at a price no higher than the maximum price of \$.96 per dozen f. o. b. factory for the No. 1 size can.

(b) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Gillette Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This order shall become effective on 11th day of February, 1943.

Issued this 10th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2191; Filed, February 10, 1943;
12:44 p. m.]

[Order 24 Under MPR 152]

P. J. RITTER COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 24 under Maximum Price Regulation No. 152—Canned Vegetables.

On December 23, 1942, P. J. Ritter Company, Bridgeton, New Jersey, filed a petition pursuant to Procedural Regulation No. 6 issued by the Office of Price Administration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sale to the armed forces of the United States.

Due consideration has been given the information submitted by applicant with respect to the packing in 12 ounce size glass bottles of fancy tomato catsup which applicant proposes to sell to the Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to Procedural Regulation No. 6, *It is hereby ordered, That:*

(a) P. J. Ritter Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army may buy, offer to buy or receive 12 ounce size glass bottles of fancy tomato catsup at a price no higher than the maximum price of \$1.23 per dozen, f. o. b. factory.

(b) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This order shall become effective on February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2192; Filed, February 10, 1943;
12:44 p. m.]

[Order 7 Under MPR 157]

FORT DODGE TENT & AWNING Co.

ORDER GRANTING ADJUSTMENT

Order No. 7 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-47.

On July 3, 1942, Fort Dodge Tent & Awning Company, of Fort Dodge, Iowa, filed an application, under Maximum

Price Regulation No. 157, for adjustment of its maximum prices for small wall tents, complete without pins, poles or flies. Due consideration has been given to said application and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Fort Dodge Tent & Awning Company may sell and deliver to any war procurement agency, under Maximum Price Regulation No. 157, the following commodity at a price not in excess of the following price:

\$4.90 each for small wall tents, complete without pins, poles or flies, conforming to specifications of Jeffersonville Quartermaster Depot, Jeffersonville, Indiana, No. 56 (Stock No. 24-T-323).

(b) With respect to deliveries of the commodity described in paragraph (a), on and after July 3, 1942, Fort Dodge Tent & Awning Company may receive payments under Maximum Price Regulation No. 157 at a price not exceeding \$4.90 each.

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

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1378.10 of Maximum Price Regulation No. 157 shall apply to the terms used herein.

This Order No. 7 shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2182; Filed, February 10, 1943;
12:44 p. m.]

[Order 8 Under MPR 157]

WELLS LAMONT SMITH CORP.

ORDER DENYING ADJUSTMENT

Order No. 8 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket No. 3157-26.

On October 21, 1942, Wells Lamont Smith Corporation, Chicago, Illinois, filed an application under Maximum Price Regulation No. 157 for adjustment of the maximum price of its special cotton glove made of jersey material. Due consideration has been given to the application, and an opinion in support of this Order No. 8 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Or-

der No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The application for adjustment is hereby denied.

(b) Wells Lamont Smith Corporation shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Wells Lamont Smith Corporation shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 8 was mailed to it, Wells Lamont Smith Corporation shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 8.

(e) This Order No. 8 shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2183; Filed, February 10, 1943; 12:45 p. m.]

[Order 9 Under MPR 157]

GIBBS UNDERWEAR COMP. NY
DENYING ADJUSTMENTS

Order No. 9 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes—Docket Nos. 3157-17, 3157-37.

On September 24 and on November 16, 1942, Gibbs Underwear Company, Philadelphia, Pennsylvania, filed separate applications under Maximum Price Regulation No. 157 for adjustment of the maximum prices for sleeveless athletic shirts and its cotton wool mixed drawers. Due consideration has been given to the applications, and an opinion in support of this Order No. 9 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered*, That:

(a) The applications for adjustment are hereby denied.

(b) Gibbs Underwear Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final

No. 30—5

settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Gibbs Underwear Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 9 was mailed to it, Gibbs Underwear Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 9.

(e) This Order No. 9 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2184; Filed, February 10, 1943; 12:43 p. m.]

[Order 157 Under MPR 168]

COLUMBUS HEATING AND
VENTILATING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 157 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of maximum prices of fittings and connectors to be used in the installation of "Formdux", for the Columbus Heating and Ventilating Company.

For the reasons set forth in an opinion which has been issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered* That:

(a) The Columbus Heating and Ventilating Company of Columbus, Ohio, may sell and deliver to Chrysler Airtemp Sales Corporation fittings and connectors to be used in the installation of "Formdux" at the maximum prices set forth in paragraph (b) below, f. o. b. Columbus, Ohio.

(b) This Order No. 157 is applicable to the following types and sizes of such fittings and connectors, and the maximum prices therefor are as indicated.

No. 101—Collar connection:	Sizes as follows
6" x 8"	.358
9" x 8"	.4444
12" x 8"	.5061
15" x 8"	.5802
18" x 8"	.6419
21" x 8"	.716
24" x 8"	.7777
27" x 8"	.8394
30" x 8"	.95
6" x 6"	.30
6" x 9"	.36

No. 101—Collar connection—Con.	Sizes as follows
6" x 12"	.45
6" x 15"	.52
6" x 18"	.60
6" x 21"	.68
6" x 24"	.75
6" x 27"	.82
6" x 30"	.90
8" x 30"	.95
10" x 6"	.49
10" x 9"	.48
10" x 12"	.55
10" x 15"	.63
10" x 18"	.70
10" x 21"	.77
10" x 24"	.85
10" x 27"	.93
10" x 30"	1.00
12" x 6"	.45
12" x 7"	.592
12" x 9"	.52
12" x 12"	.60
12" x 15"	.68
12" x 18"	.75
12" x 21"	.82
12" x 24"	.90
12" x 27"	.98
12" x 30"	1.05

No. 102—Stack collar—including scoop:	
8" x 3 1/4"	.2543
12" x 3 1/4"	.2963
10" x 3 1/4"	.28
14" x 3 1/4"	.36

No. 103—Collar take-off:	
8" x 6"	.4198

No. 104—El take-off with 6" scoop:	
8" x 6" to 8" x 6"	.6913
8" x 6" to 8" x 3 1/4"	.6913
12" x 6" to 12" x 3 1/4"	.8148
6" x 8"	.64
6" x 9"	.72
6" x 12"	.96
8" x 9"	.96
8" x 12"	1.28
12" x 9"	1.44
12" x 12"	1.92
10" x 6"	.80
10" x 9"	1.20
10" x 12"	1.60
6" x 10" to 10" x 3 1/4"	.80
6" x 14" to 14" x 3 1/4"	1.12

No. 105—Trunk top or bottom connector:	
33"	.2469

No. 106—Trunk side connector:	
6"	.06
8"	.0741
10"	.69
12"	.11

No. 107—Wall stack connector:	
10" x 3 1/4"	.2469
14" x 3 1/4"	.32
8" x 3 1/4"	.2346
12" x 3 1/4"	.2469

No. 108—Trunk reducer:	
3" x 8"	.3358
6" x 8"	.3629
9" x 8"	.3901
12" x 8"	.4872
3" x 6"	.16
3" x 10"	.27
3" x 12"	.32
6" x 6"	.32
6" x 10"	.54
6" x 12"	.65
9" x 6"	.49
9" x 10"	.82
9" x 12"	.98

No. 109—Top or side take-off with scoop:	
8" x 6" to 8" x 3 1/4"	.6173
8" x 6" to 12" x 3 1/4"	.7160

No. 110—Transition to metal:	
8" x 6" to 8" x 3 1/4"	.5062
8" x 6" to 12" x 3 1/4"	.9135

No. 111—Transition:	
6" x 8" to 8" x 3 1/4"	.5050
6" x 8" to 12" x 3 1/4"	.9127

No. 112—90° horizontal stack ell, to metal:	
8" x 3 1/4"-----	.5234
12" x 3 1/4"-----	.5802
No. 113—90° horizontal stack ell:	
8" x 3 1/4"-----	.6345
12" x 3 1/4"-----	.6913
No. 114—90° vertical stack ell:	
8" x 3 1/4"-----	.5234
12" x 3 1/4"-----	.5802
No. 115—45° vertical angle, to metal:	
8" x 3 1/4"-----	.4247
12" x 3 1/4"-----	.4444
No. 116—45° vertical angle:	
8" x 3 1/4"-----	.4247
12" x 3 1/4"-----	.4244
No. 117—90° horizontal stack ell, to metal:	
8" x 3 1/4"-----	.6345
12" x 3 1/4"-----	.6913
No. 118—Vertical stack head with damper:	
8" x 3 1/4"-----	.5802
12" x 3 1/4"-----	.6913
No. 119—Horizontal stack head with damper:	
8" x 6" to 12" x 6"-----	.8086
8" x 3 1/4" to 6" x 8"-----	.5502
12" x 3 1/4" to 6" x 12"-----	.6913
No. 120—End cap:	
6" x 8"-----	.2864
9" x 8"-----	.2938
12" x 8"-----	.3037
15" x 8"-----	.3209
18" x 8"-----	.3437
21" x 8"-----	.3950
24" x 8"-----	.4197
27" x 8"-----	.4568
30" x 8"-----	.78
6" x 6"-----	.12
6" x 9"-----	.18
6" x 12"-----	.24
6" x 15"-----	.26
6" x 18"-----	.35
6" x 21"-----	.41
6" x 24"-----	.47
6" x 27"-----	.53
6" x 30"-----	.58
9" x 10"-----	.19
9" x 12"-----	.29
12" x 10"-----	.39
15" x 10"-----	.49
18" x 10"-----	.58
21" x 10"-----	.68
24" x 10"-----	.78
27" x 10"-----	.88
30" x 10"-----	.97
12" x 9"-----	.35
12" x 12"-----	.47
12" x 15"-----	.52
12" x 18"-----	.70
12" x 21"-----	.82
12" x 24"-----	.94
12" x 27"-----	1.05
12" x 30"-----	1.17
No. 121—Wall stack end cap:	
8" x 3 1/4"-----	.3358
12" x 3 1/4"-----	.3481
No. 126—Formdux side rail:	
32"-----	.3235
33"-----	.3235

(c) The Columbus Heating and Ventilating Company shall make such reports as the Office of Price Administration may from time to time request.

(d) This Order No. 157 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 157 shall become effective February 11, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2195; Filed, February 10, 1943; 12:45 p. m.]

[Order 13 Under RPS 53]

VEGETABLE OIL PRODUCTS CO., INC.
ORDER ESTABLISHING MAXIMUM PRICES

Order No. 13 under Revised Price Schedule No. 53—Fats and Oils.

Establishing Maximum Prices for Vegetable Oil Products Company, Inc., Wilmington, California, on its Vop, White Cap, Cream Flake, and Vegetable Pastry, Shortenings—Docket No. 1053-27-P.

On November 7, 1942 Vegetable Oil Products Company, Inc., of Wilmington, California, filed a Protest against the provisions of § 1351.151 (b) (12) (vi). On or about December 6, 1942, it filed a request, duly verified December 2, 1942, that its protest be considered not only as a protest but as an application for adjustment.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) VOP Standard Shortening. The maximum delivered prices of Vegetable Oil Products Company, Inc.'s "Vop" standard shortening, in the area defined in § 1351.151 (b) (12) (viii) as "Pacific Coast," shall be the following prices:

Drums (per pound)-----	16.75 cents.
Cartons:	
12/4 lbs. (per case)-----	\$8.20.
48/1 lbs. (per case)-----	\$8.35.

(b) "White Cap", "Cream Flake", and "Vegetable Pastry", hydrogenated shortenings. The maximum delivered prices of Vegetable Oil Products Company, Inc.'s, "White Cap", "Cream Flake", and "Vegetable Pastry", hydrogenated shortenings, in that area defined in § 1351.151 (b) (12) (viii) as "Pacific Coast", shall be the following prices:

Drums (per pound)-----	17.50 cents
------------------------	-------------

(c) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this Order for the shortenings hereinabove named.

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

(e) This Order No. 13 may be revoked or modified by the Price Administrator at any time.

This Order No. 13 shall become effective February 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2185; Filed, February 10, 1943; 12:46 p. m.]

[Order 32 Under RPS 57]

BIGELOW SANFORD CARPET CO.
APPROVAL OF MAXIMUM PRICE

Order No. 32 under Revised Price Schedule No. 57—Wool Floor Coverings.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is hereby ordered:*

(a) Bigelow Sanford Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Warfield at prices no higher than those set forth below:

Warfield at \$2.43 per square yard f. o. b. mill roll.
Warfield at \$29.50 per 9 x 12 size f. o. b. mill.

subject to discounts, allowances, and rebates no less favorable than those in effect as to Fervak under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Warfield shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Fervak.

(b) This Order No. 32 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

This order shall become effective on the 11th day of February, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2193; Filed, February 10, 1943; 12:46 p. m.]

[Order 70 Under RPS 64]

PREMIER STOVE COMPANY
APPROVAL OF MAXIMUM PRICE

Order No. 70 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On January 9, 1943, the Premier Stove Company, Belleville, Illinois, completed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model coal and wood range designated in the application as model 60.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No 9250, *It is hereby ordered:*

(a) Premier Stove Company may sell, offer to sell, transfer or deliver its model

60 coal and wood range at a price no higher than \$45.30 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to its model F41-16 as established under Revised Price Schedule No. 64.

(b) This Order No. 70 may be revoked or amended by the Price Administrator at any time.

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

(d) This Order No. 70 shall become effective on the 11th day of February 1943. Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2194; Filed, February 10, 1943; 12:45 p. m.]

[Order 5 Under Restriction Order 2]

PUERTO RICO

RICE RESTRICTION

Pursuant to the authority vested in the Director of the Office of Price Administration for Puerto Rico by Directive No. 1 of the War Production Board issued January 24, 1942, by Supplementary Directive 1-J, as amended, issued October 29, 1942, and by Restriction Order No. 2 issued by the Office of Price Administration on December 10, 1942, *It is hereby ordered:*

(a) *Quotas.* (1) Quota Period No. 5 shall commence on February 8, 1943 and shall end on February 21, 1943.

(2) The amount of rice to be distributed during Quota Period No. 5 is approximately 8,000,000 pounds.

(3) Each retailer shall be entitled to receive from the War Price and Rationing Board having jurisdiction purchase certificates (OPA Form PRF-3) authorizing him to accept transfers of rice in amounts totalling not more than 25% in pounds of rice sales reported by such retailer for the month of November, 1941 on OPA Form PRF-1 (the number of 100 pound sacks equals the dollar volume of sales of rice reported divided by \$5.00) or such lesser percentage of such sales as may be required by the limitations of the quota of the Board.

(4) The Director shall assign to each Board a quantity of rice for Quota Period No. 5 equal in pounds to the population of the area of its jurisdiction as reported by the latest United States Census for Puerto Rico multiplied by four subject to necessary adjustments among Boards because of variations in requirements due to proven trade practices.

(5) Each institutional and industrial user shall be entitled to receive from the Board having jurisdiction purchase certificates (OPA Form PRF-3) authorizing it to accept transfers of rice in amounts totalling not more than 25% in pounds of the amount of rice purchases reported by it for the month of November, 1941 on OPA Form PRF-1.

(6) Each Board shall have the right to require a person to furnish it with

such proof as shall be necessary to substantiate the amount which such person may claim to be entitled to receive out of the total quota allotted to such Board.

(7) On application to the Board having jurisdiction, the Board shall examine all of the facts pertinent to the establishment of the new business, assign a temporary quota after having taken into consideration all of the circumstances and shall render a full and complete report to the Director within three days thereafter. The Director may, based on the facts presented, direct the Board to amend the assigned quota. The applicant may pursuant to § 1407.3007, apply for an adjustment to the Director at any time after the assignment of the temporary quota.

(8) The quota of each person, other than a consumer, entitled to rice hereunder shall be reduced by an amount equal to the quantity of rice in his possession on February 8, 1943 and acceptance by any person of purchase certificates in the full amount of his quota shall constitute a representation that he had no rice in his possession on such date.

(b) *Allotments.* (1) A consumer may not accept a transfer of, and no person shall knowingly transfer to a consumer, more than two pounds of rice during any one calendar week for each consumer on whose behalf the transfer is made.

(c) Any person, partnership, corporation, association, government agency, or any other organized group or enterprise which willfully performs any act prohibited or willfully fails to perform any act required by any provisions of Order No. 5 under Restriction Order No. 2, shall be guilty of a misdemeanor and upon conviction be fined not more than \$10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be specified by all applicable statutes.

This order shall be effective as of February 8, 1943 at 8:00 a. m.

Issued this 8th day of February 1943.

WILLIAM B. MEAD,
Director for the Office of Price
Administration of Puerto Rico.

[F. R. Doc. 43-2181; Filed, February 10, 1943; 12:42 p. m.]

[Rev. Order 145 Under MPR 120]

ILLINOIS POCAHONTAS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 145 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-45-P.

Order No. 145 is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250, and in accordance with § 1340.207 (d) and (e) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals in the following size groups produced by Illinois Pocahontas Coal Company or its successor, at the Pocahontas Mine, Mine Index No. 138, in District No. 10, may be sold and purchased for shipment by rail, by truck and for railroad fuel at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Size groups:	Maximum prices	
	Truck	Rail
1.....	\$3.25	-----
3.....	3.00	\$2.40
6.....	2.75	2.25
14.....	2.00	1.75
<i>Railroad fuel (on line)</i>		
Mine run.....		2.10
6" x 1½" egg.....		2.25

(b) Within thirty (30) days from the effective date of this order, the said Illinois Pocahontas Coal Company or its successor shall notify all persons purchasing coal from the Pocahontas Mine, Mine Index No. 138, District No. 10, of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in revised Maximum Price Regulation No. 122.

(c) This Revised Order No. 145 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

(e) This Revised Order No. 145 shall become effective February 10, 1943.

Issued this 10th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2221; Filed, February 10, 1943; 4:45 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-218]

TRUSCON STEEL COMPANY

ORDER GRANTING APPLICATION TO STRIKE 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 8th day of February, A. D., 1943.

The New York Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$10 Par Common Stock of Truscon Steel Company; and

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 February 18, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2212; Filed, February 10, 1943;
2:27 p. m.]

[File No. 30-175]

WALNUT ELECTRIC & GAS CORP.

ORDER TO CEASE TO BE A HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of February, A. D., 1943.

In the matter of W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation.

W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting an order that applicant has ceased to be a holding company;

Appropriate notice having been given and a public hearing on said application having been duly held, and the Commission having issued and filed its findings and opinion herein;

It is hereby ordered and declared, That said applicant has ceased to be a holding company and that the registration of said applicant as a holding company be, and is by virtue of this order, no longer effective.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2213; Filed, February 10, 1943;
2:28 p. m.]

[File No. 59-10]

THE NORTH AMERICAN COMPANY AND ITS
SUBSIDIARY COMPANIES

ORDER CONVENING HEARING

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

The order of the Commission entered in the above styled and numbered proceeding on April 14, 1942, having provided that the record in said proceeding be reopened and a hearing convened at a date to be set by further order for the purpose, among others, of affording the respondents an additional opportunity for the presentation of further relevant evidence bearing on the permissibility of the retention by The North American Company, a registered holding company, of the gas business conducted by, and the securities of, its subsidiary, The St. Louis County Gas Company, in addition to the integrated electric utility system operated by a subsidiary of The North American Company, Union Electric Company of Missouri and its subsidiaries; and

It now appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that said hearing be convened for the aforesaid purpose:

It is ordered, That a hearing be convened in this proceeding for the purpose of receiving evidence as to the retainability of The St. Louis County Gas Company by The North American Company, and that said hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 A. M. on the 16th day of March, 1943 in such room as may be designated by the hearing room clerk. Notice is hereby given of said hearing to all interested persons said notice to be given to The North American Company, The St. Louis County Gas Company and Union Electric Company of Missouri by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein, shall notify the Commission to that effect in the manner provided for by Rule XVII of the Commission's Rules of Practice, on or before March 13, 1943.

It is further ordered, That, without limiting the scope of the issues to be considered at this hearing, as described herein, evidence will be received bearing on the following issues:

A. Whether there would be a loss of substantial economies within the meaning of section 11 (b) (1) of the Public Utility Holding Company Act of 1935 if the gas business of The St. Louis County Gas Company were not conducted under common control with the electric business of Union Electric Company of Missouri;

And, in particular, as pertinent and relevant to a determination of the issue set forth in paragraph A above, the respondents herein shall produce such evidence as they may have bearing on:

(1) A comparison of the amounts devoted to repairs, maintenance, replacements and improvements of plant and other service facilities as between the electric utility operations of Union Electric Company of Missouri and its subsidiaries, and the gas utility operations of The St. Louis County Gas Company;

(2) A similar comparison with respect to the amounts devoted to and types of promotional activities;

(3) Methods of allocation of costs, expenses, and other accounts as between the said operations;

(4) The feasibility of increasing the extent of natural gas distribution by The St. Louis County Gas Company and the effect, if any, which control of such company by The North American Company

may have on the type of gas distributed, the extension of service area, and the cost of gas service to consumers;

(5) The effect of independent operation of the gas business conducted by The St. Louis County Gas Company and free and unrestrained competition between the gas and electric businesses in the area with respect to adequacy of service, rates, proper maintenance and the revenues and income of such gas and electric businesses; and

B. Whether the continued combination of The St. Louis County Gas Company with Union Electric Company of Missouri under common control of The North American Company is so large (considering the state of the art and the area or region affected) as to impair the advantages of localized management, efficient operation, or the effectiveness of regulation.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2214; Filed, February 10, 1943;
2:28 p. m.]

[File No. 70-487]

THE NORTH AMERICAN COMPANY

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION OR DECLARATION (OR BOTH)

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

The North American Company, a registered holding company, having requested permission to withdraw the application or declaration (or both) in the above styled and numbered proceeding filed on February 19, 1942 relating to the disposition of all of the common stock of Union Electric Company of Missouri;

It is ordered, That The North American Company be and it is hereby permitted to withdraw said application or declaration (or both) and that the same be and it is hereby deemed to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2208; Filed, February 10, 1943;
2:27 p. m.]

[File No. 70-665]

ASSOCIATED UTILITIES CORP. AND E. M.
GILBERT ENGINEERING CORP.

ORDER PERMITTING DECLARATION TO
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D., 1943.

Associated Utilities Corporation, a registered holding company, and its subsidiary, E. M. Gilbert Engineering Corporation, having filed a joint declaration pursuant to sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rule U-42 promulgated thereunder, regarding the merger of E. M. Gilbert Engineering Corporation into

Associated Utilities Corporation, the assumption of all the assets and liabilities of E. M. Gilbert Engineering Corporation by Associated Utilities Corporation, and the acquisition by E. M. Gilbert Engineering Corporation of all its outstanding ten shares of common capital stock for cancellation; and

Such joint declaration having been filed on January 14, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said joint declaration 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 the said joint declaration pursuant to Rule U-42 to become effective, and finding that the requirements of sections 12 (c) and 12 (f) are satisfied;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that said joint declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2211; Filed, February 10, 1943; 2:27 p. m.]

[File No. 70-668]

**SOUTHERN-HENKE ICE & STORAGE COMPANY
ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D., 1943.

Southern-Henke Ice & Storage Company, a non-utility subsidiary of The Middle West Corporation, a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance of its unsecured promissory note in the principal amount of \$50,000 to be dated February 9, 1943, payable to the order of City National Bank and Trust Company of Chicago on or before nine months after the date thereof, and to bear interest at the rate of 4% per annum to maturity, and at the rate of 6% per annum after maturity, for the purpose of refunding or renewing its outstanding unsecured promissory note in the present unpaid principal amount of \$50,000 held by said City National Bank and Trust Company of Chicago; and

Said application having been filed on January 18, 1943, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the issue and sale of the proposed note is exempt from the provisions of section 6 (a) of the Act by reason of the second clause of the third sentence of section 6 (b) thereof, and finding that the acquisition of applicant's outstanding note is exempt from section 12 (c) by reason of subsections (2) and (6) of Rule U-42 (b) promulgated thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that said application be and it is hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2210; Filed, February 10, 1943; 2:27 p. m.]

[File No. 70-669]

**UNION ELECTRIC COMPANY OF MISSOURI
AND IOWA UNION ELECTRIC COMPANY**

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February 1943.

Union Electric Company of Missouri, a registered holding company, and its subsidiary, Iowa Union Electric Company, having filed a joint declaration and application pursuant to sections 6 (b), 9 (a), and 10 of the Public Utility Holding Company Act of 1935, relating to (1) the proposal of Iowa Union Electric Company (a) to issue and sell to Union Electric Company of Missouri, the owner of all of its presently outstanding common stock, for cash at \$45 per share, 8,793 additional shares of its no par value common stock having a stated value of \$45 per share, and (b) to issue and deliver to the First National Bank in St. Louis, Missouri, its promissory note in the principal amount of \$200,000 bearing interest at the rate of 2% per annum payable on demand three years after the date thereof, and (c) to use the proceeds from the sale of said additional common stock and from the promissory note, together with other funds, to redeem its presently outstanding bonds in the aggregate principal amount of \$700,000; and (2) the proposal of Union Electric Company of Missouri to acquire for cash at \$45 per share the 8,793 shares of additional common stock of Iowa Union Electric Company above referred to; and

Said declaration and application having been filed on January 20, 1943, and notice of said filing having been duly 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 declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 6 and 10 and Rule U-43, are satisfied and that no adverse findings are necessary thereunder, and that the proposed transactions are within the exceptions provided by Rules U-42 and U-50, and deeming it appropriate in the public interest and in the interests of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the said application be and the same hereby is approved and that the said declaration be and the same hereby is permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2209; Filed, February 10, 1943; 2:27 p. m.]

[File No. 1-1603]

BEAVER GOLD AND COPPER CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of February, A. D. 1943.

In the matter of Proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Beaver Gold and Copper Company Common Capital Stock, 10¢ Par Value, Assessable, should be suspended or withdrawn.

I

It appearing to the Commission:

That Beaver Gold and Copper Company, a corporation organized under the laws of the State of Utah, is the issuer of Common Capital Stock, 10¢ Par Value, Assessable; and

That said Beaver Gold and Copper Company registered such security on the Salt Lake Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about May 29, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on July 16, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to Section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Beaver Gold and Copper Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said Beaver Gold and Copper Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that the registrant made no request for extension of time within which to file such report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941 was not filed within the time prescribed for filing said report or at any later date; and

II

The Commission having reasonable cause to believe that:

The said Beaver Gold and Copper Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Beaver Gold and Copper Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Capital Stock, 10¢ Par Value, Assessable, of said Beaver Gold and Copper Company on said Salt Lake Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended,

that for the purpose of such hearing John L. Geraghty, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 27th day of February 1943, at 10:00 A. M., Mountain War Time at the Regional Office of the Securities and Exchange Commission, Room 822, 444 17th Street, Denver, Colorado, and continue thereafter as such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2222; Filed, February 11, 1943; 9:51 a. m.]

[File No. 1-2848]

AETNA BALL BEARING MANUFACTURING CO. ORDER SETTING HEARING ON 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 9th day of February, A. D. 1943.

The Aetna Ball Bearing Manufacturing Co., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$1 Par Value, from listing and registration on the Chicago Stock Exchange; and

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

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, March 19, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

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

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2223; Filed, February 11, 1943; 9:51 a. m.]

WAR MANPOWER COMMISSION.

[Directive XVIII]

OCCUPATIONAL DEFERMENT OF ACTIVE OCEAN GOING SEAMEN.

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, and having found that the maintenance of our armed forces overseas and the supplying of our allies render it essential that there be continuously available a pool of trained and experienced seamen to man the ships of our rapidly expanding merchant marine; that the number of experienced and available seamen is so limited and the difficulties of recruitment for this hazardous activity so great as to call for the retention in active ocean going service of all persons currently so engaged; that many active ocean going seamen have been inducted into the armed forces on the basis of incomplete and inaccurate information as to their activities or on the basis of a misapprehension as to the normal lack of continuity in their employment; and that an orderly and centralized procedure for acquainting local and appeal boards of the Selective Service System in the War Manpower Commission with current and reliable information upon registrants engaged in active ocean going service will contribute toward assuring the uniform and continued deferment of such registrants by such boards from training and service under the Selective Training and Service Act of 1940, as amended, it is hereby directed:

I. The War Shipping Administration in the Office for Emergency Management shall:

(a) Maintain accurate and current records on the activities of all persons engaged, or becoming engaged, in active ocean going service as defined in paragraph II of this directive, and on the basis of such records make accurate and current reports to local boards of the Selective Service System in the War Manpower Commission upon the activities of each and every such person, and initiate and pursue appeals to appeal boards with respect to such persons, to the end that such persons may be initially and continuously deferred on occupational grounds from training and service under the Selective Training and Service Act of 1940, as amended, for so long as they continue to be engaged in active ocean going service.

(b) Maintain such records and furnish such information and reports as the War Manpower Commission shall from time to time require to insure that the number of persons engaged in active ocean going service does not exceed manpower needs, and that all persons deferred on occupational grounds on the basis of their active ocean going service are being fully utilized in such service; and

(c) Cooperate with the War Manpower Commission in the recruitment for active ocean going service of persons not currently so engaged but experienced in such service and qualified therefor, to the end that the manpower needs of essential coastal and off-shore shipping

may eventually be met with the minimum of reliance upon previously inexperienced men and upon manpower otherwise available for immediate training and service under the Selective Training and Service Act of 1940, as amended.

II. As used in this directive, "active ocean going service" means service as an officer or member of the crew of a vessel engaged in coastal or off-shore

shipping which is documented under the laws of the United States or which is owned by, chartered to, or operated by, or for the account or use of, the Administrator of the War Shipping Administration or the United States Transport Service, and shall include in addition to periods while actually at sea, periods during which the seaman is on authorized shore leave, or is remaining ashore

temporarily for the express purpose of receiving instruction in a Prospective Licensed Officer or refresher course at a school maintained or approved by the United States Maritime Service.

FOWLER HARPER,
Acting Chairman.

FEBRUARY 10, 1943.

[F. R. Doc. 43-2246; Filed, February 11, 1943;
11:35 a. m.]