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Washington, Wednesday, June 17, 1942

The President

EXECUTIVE ORDER 9183

CHANGING THE NAME OF THE DEFENSE COMMUNICATIONS BOARD TO BOARD OF WAR COMMUNICATIONS

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

1. The name of the Defense Communications Board, established by Executive Order No. 8546 of September 24, 1940,¹ is changed to Board of War Communications.

2. Executive Orders Nos. 8546 of September 24, 1940, 8839 of July 30, 1941,² 8960 of December 6, 1941,³ 8964 of December 10, 1941,⁴ and 9089 of March 6, 1942,⁵ and the Administrative Order of January 7, 1941,⁶ are amended accordingly.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 15, 1942.

[F. R. Doc. 42-5627; Filed, June 16, 1942;
11:34 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1942-13]

PART 701—AGRICULTURAL CONSERVATION PROGRAM⁷

SOIL-BUILDING ALLOWANCE

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation

¹ 5 F.R. 3817.

² 6 F.R. 3823.

³ 6 F.R. 6325.

⁴ 6 F.R. 6367.

⁵ 7 F.R. 1777.

⁶ 6 F.R. 192.

⁷ Subpart D-1942.

and Domestic Allotment Act (49 Stat. 1148, 16 U.S.C. 590g to 590q), as amended, the 1942 Agricultural Conservation Program, as amended, is further amended as follows:

The last paragraph in § 701.302 (d) is amended to read as follows:

§ 701.302 *Soil-building goals, payments, and practices.* * * *

(d) *Soil-building allowance.* * * *

In addition to the soil-building allowance computed for the farm, (1) a forestry allowance of \$15 may be earned only by planting forest trees; (2) a restoration land allowance of 50 cents per acre for each acre of restoration land on the farm may be earned only by carrying out approved soil-building practices on restoration land; and (3) a tung-orchard allowance of \$3 per acre for bearing tung orchards and \$5 per acre for non-bearing tung orchards, may be earned to the extent that soil-building practices designated by the Agricultural Adjustment Agency are carried out on the land in the tung orchards in excess of the amount computed under (3) above for bearing tung orchards.

Done at Washington, D. C., this 16th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 42-5626; Filed, June 16, 1942;
11:36 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 228]

PROVISIONAL GROSS WEIGHT PERMITTED IN MILITARY CARGO OPERATIONS

It appearing that: (a) Scheduled air carrier operators are engaged in military charter cargo operations for the carriage of military cargo;

(b) Section 04.710 limits the use of provisional gross weight to airplanes engaged in scheduled air carrier operations; it is desirable to permit airplanes engaged in military cargo charter opera-

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tions to operate at provisional gross weight in order to increase the transportation of needed war materials;

The Board finds that: Its action is desirable in the public interest, and is necessary for the furtherance of the war effort;

Now therefore, the Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 601 of the said Act makes and promulgates the following special regulation, effective immediately:

Notwithstanding the provisions of § 04.710 of the Civil Air Regulations to the contrary, scheduled air carrier operators engaged in military charter operations for the carriage of military cargo and personnel exclusively may dispatch aircraft at provisional gross weight subject to the pertinent conditions and restrictions applicable to scheduled operations.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-5610; Filed, June 16, 1942; 11:09 a. m.]

[Amendment 60-4, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

RESTRICTION ON ADMINISTRATOR'S WAIVER POWER

At a session of the Civil Aeronautics Board held at its office in Washington, D. C. on the 12th day of June 1942.

Acting pursuant to section 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective June 18, 1942, Part 60 of the Civil Air Regulations is amended as follows:

1. By adding at the end of § 60.971¹ the following:

* * * *Provided*, That the provisions of this section shall not apply in any instance where, and to the extent that, the Administrator (a) has found that the proposed deviation is necessary for the successful prosecution of the war, and (b) has issued a certificate of waiver therefor.

2. By adding at the end of § 60.972¹ the following:

* * * *Provided*, That the provisions of § 60.91 shall not apply to this section insofar as it relates to scheduled air carrier operation.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-5613; Filed, June 16, 1942; 11:09 a. m.]

[Amendment 60-5, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

MAKING SECURE EXPLOSIVES AND OTHER CARGO

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of June 1942.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

¹ 4 F.R. 2533.

Effective June 18, 1942, Part 60 of the Civil Air Regulations is amended as follows:

By striking paragraphs (c) and (d) of § 60.973¹ and inserting in lieu thereof the following:

(c) such explosives have been placed in a baggage compartment inaccessible to passengers during flight; and

(d) Such explosives and other cargo carried in the same compartment have been firmly lashed to the aircraft structure or otherwise secured in such manner as to prevent shifting in flight.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-5614; Filed, June 16, 1942; 11:09 a. m.]

[Amendment 60-6, Civil Air Regulations]

PART 60—AIR TRAFFIC RULES

LACK OF KNOWLEDGE OF CHARACTER OF ARTICLES CARRIED—EXCUSE FOR NON-COMPLIANCE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 12th day of June, 1942.

Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective June 18, 1942, Part 60 of the Civil Air Regulations is amended as follows:

By adding a new § 60.974 to read as follows:

§ 60.974 *Effect of lack of knowledge.* No person shall be held to have violated the provisions of this section (60.97)² in any case where he can show: (a) that he did not know the nature of the article so carried, (b) that the nature of such article could not be discovered by the exercise of reasonable care, and (c) that he exercised such reasonable care.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-5612; Filed, June 16, 1942; 11:09 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census

[Order No. 237]

PART 30—FOREIGN TRADE STATISTICS

IN-TRANSIT SHIPPER'S EXPORT DECLARATIONS³

Section 30.29 is amended to read as follows:

§ 30.29 *Shipments in-transit through the United States.* (a) Shipper's Export

¹ 7 F.R. 2533, 3586.

² 7 F.R. 2532.

³ Foreign Commerce Statistical Decision—28.

Declarations, on Commerce Form 7525, are not required for foreign merchandise shipped in-transit through the United States from one foreign country to another. In lieu thereof, "Shipper's Export Declaration for In-Transit Goods", other. In lieu thereof, "Shipper's Export Declaration Form 7513, will be used as provided in 19 CFR 16.31 (a) and (b) (Article 906 (a) and (b), Customs Regulations 1937.)

(b) Any Shipper's Export Declarations on Commerce Form 7525 filed by shippers for in-transit goods in addition to Commerce Form 7513 under a misunderstanding of the regulations, should not be forwarded to the Section of Customs Statistics, Division of Foreign Trade Statistics at New York. Collectors should make a careful check of the outward foreign vessel manifest and railroad car manifest for the purpose of detecting such duplication of declarations. (R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

Section 30.37¹ is amended to read as follows:

§ 30.37. *Reporting in-transit shipments.* (a) Foreign merchandise (1) shipped in-transit through the United States, (2) transshipped in ports of the United States for foreign countries, (3) exported from General Order Warehouse, (4) rejected and exported, and (5) exported from Foreign Trade Zones will not be reported as importations when received, nor should Shipper's Export Declarations on Commerce Form 7525 be used therefor when shipped out.

(b) Such merchandise will be reported to the Section of Customs Statistics, Division of Foreign Trade Statistics, Bureau of the Census, New York, New York on Commerce Form 7513, "Shipper's Export Declaration for In-Transit Goods", in accordance with the following instructions:

- (1) The aggregate quantity and value of each of the various classes of merchandise must be shown.
- (2) The descriptions and quantities of the articles exported shall be stated as prescribed in § 30.14.
- (3) The final foreign destination of the merchandise, i. e. the country of ultimate destination must be shown.
- (4) The value stated should be the value at the time and place of export, i. e. the selling price or cost, if not sold, including inland freight, insurance and other charges to place of export.
- (5) The country of origin must be stated.
- (6) The country from which the merchandise was shipped, i. e., the country from which the merchandise was last exported, must be shown. (R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL]

JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 42-5597; Filed, June 15, 1942;
4:48 p. m.]

¹ 7 F.R. 197.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4407]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ULTRA-VIOLET PRODUCTS, INC.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with offer, etc., of respondent's "Life Lite" therapeutic lamp, or other similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of its said product, which advertisements represent, directly or by implication, that said lamp (1) is a sun lamp, or that it affords benefits to the skin or to the general health of the user comparable to those afforded by natural sunlight; (2) constitutes a cure or remedy or a competent or adequate treatment for barber's itch, ringworm, athlete's foot, acne, eczema, psoriasis, shingles, or erysipelas; (3) constitutes a cure or remedy for sores or ulcers, or that it constitutes a competent treatment therefor except insofar as it may stimulate the healing process in those cases in which the infection causing such conditions is confined to the surface of the skin; (4) possesses any therapeutic value in the treatment of asthma, hay fever, bronchitis, colds, sinus trouble, or discharges from the ears; (5) possesses any therapeutic value in the treatment of anemia; (6) builds up in the body resistance to disease; (7) has any tonic effect upon the blood, produces any chemical reaction with respect to the blood stream, or is of any assistance in overcoming a deficiency of white or red corpuscles; (8) builds up the resistance of the body to infection, or that it stimulates the endocrine glands; (9) affords any stimulation to the tissues of the skin in excess of such stimulation as may result from its irritating effect; (10) quiets or soothes the nerves or the nerve endings in the skin; (11) acts as an antacid or has any alkalizing effect upon the body; (12) improves the general tone of the body, makes the body strong, increases vitality, or improves mental reactions; (13) tones up the nervous system, induces sleep, or relieves pain; or (14) normalizes the chemistry of the body, improves metabolism, or builds new tissues, except insofar as its use may result in the production of Vitamin D; or which advertisements (15) fail to reveal that excessive exposure to said lamp either with respect to proximity or length of time may result in injury to the user; that said lamp should not be used in the case of pellagra, lupus erythematosus,

or certain types of eczema; and that said lamp should never be used unless goggles are worn to protect the eyes; prohibited, subject to the provision, however, as respects said last prohibition, that such advertisements need contain only the statement, "Caution: Use Only as Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) (Cease and desist order, Ultra-Violet Products, Inc., Docket 4407, June 8, 1942)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiner upon the evidence, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Ultra-Violet Products, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of respondent's therapeutic lamp designated as "Life Lite," or any other lamp of substantially similar construction, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication,

(a) that said lamp is a sun lamp, or that it affords benefits to the skin or to the general health of the user comparable to those afforded by natural sunlight;

(b) that said lamp constitutes a cure or remedy or a competent or adequate treatment for barber's itch, ringworm, athlete's foot, acne, eczema, psoriasis, shingles, or erysipelas;

(c) that said lamp constitutes a cure or remedy for sores or ulcers, or that it constitutes a competent treatment therefor except insofar as it may stimulate the healing process in those cases in which the infection causing such conditions is confined to the surface of the skin;

(d) that said lamp possesses any therapeutic value in the treatment of asthma,

hay fever, bronchitis, colds, sinus trouble, or discharges from the ears;

(e) that said lamp possesses any therapeutic value in the treatment of anemia;

(f) that said lamp builds up in the body resistance to disease;

(g) that said lamp has any tonic effect upon the blood, that it produces any chemical reaction with respect to the blood stream, or that it is of any assistance in overcoming a deficiency of white or red corpuscles;

(h) that said lamp builds up the resistance of the body to infection, or that it stimulates the endocrine glands;

(i) that said lamp affords any stimulation to the tissues of the skin in excess of such stimulation as may result from its irritating effect;

(j) that said lamp quiets or soothes the nerves or the nerve endings in the skin;

(k) that said lamp acts as an antacid or has any alkalizing effect upon the body;

(l) that said lamp improves the general tone of the body, makes the body strong, increases vitality, or improves mental reactions;

(m) that said lamp tones up the nervous system, induces sleep, or relieves pain;

(n) that said lamp normalizes the chemistry of the body, improves metabolism, or builds new tissues, except insofar as its use may result in the production of Vitamin D.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which fails to reveal that excessive exposure to said lamp either with respect to proximity or length of time may result in injury to the user; that said lamp should not be used in the case of pellagra, lupus erythematosus, or certain types of eczema; and that said lamp should never be used unless goggles are worn to protect the eyes: *Provided, however*, That such advertisement need contain only the statement, "Caution: Use Only As Directed", if and when the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said lamp, which contains any representation prohibited in paragraph 1 hereof, or which fails to comply with the affirmative requirements set forth in paragraph 2 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and

form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5603; Filed, June 16, 1942;
10:59 a. m.]

[Docket No. 4456]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

WEBSTER ELECTRIC COMPANY

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:*
§ 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.*

In connection with offer, etc., in commerce, of fuel units for oil burners, representing by means of letters, circulars, advertisements, or by any other means, directly or by implication (a) that respondent's product is the only device of its kind which has the outboard bearing outside of the seal; (b) that respondent's product has the largest capacity of unit on the market; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) (Cease and desist order, Webster Electric Company, Docket 4456, June 8, 1942)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, the testimony and other evidence in support of and in opposition to the allegations of the complaint introduced by the attorney for the Commission and attorney for respondent before James A. Purcell, a duly appointed trial examiner of the Commission designated by it to serve in this proceeding, the report of the trial examiner and briefs in support of and in opposition to the complaint: And the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Webster Electric Company, a corporation, its officers, directors, agents, representatives and employees, jointly or severally, or through any corporate or other device, in connection with the offering for sale, sale and distribution of fuel units for oil burners, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing by means of letters, circulars, advertisements, or by any other means, directly or by implication:

(a) That respondent's product is the only device of its kind which has the outboard bearing outside of the seal;

(b) That respondent's product has the largest capacity of unit on the market.

It is further ordered, That the respondent shall within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5608; Filed, June 16, 1942;
11:00 a. m.]

[Docket No. 4476]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

CHARLES B. JOYCE COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of radios, clocks, flashlights, or any other merchandise, (1) selling, etc., any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise, or lottery scheme; (2) supplying, etc., others with punch boards, push cards or pull cards, or other lottery device, either with assortments of merchandise or separately, which said punch boards, push or pull cards, or other lottery device, are to be used, or may be used, in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) (Cease and desist order, Charles B. Joyce Company, Docket 4476, June 9, 1942)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of June, A. D. 1942.

In the Matter of Morris L. Myers, an Individual Trading as Charles B. Joyce Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of the allegations of the complaint taken before John W. Addison, a duly appointed trial examiner of the Commission designated by it to serve in this proceeding, the report of the trial examiner, and brief in support of the complaint; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Maurice L. Myers, trading as Charles B. Joyce Company, or trading under any other name, directly or indirectly, or through any corporate or other device, in connection with the offering for sale, sale and distribution of radios, clocks, flashlights, or any other merchandise, in

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

(1) Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise, or lottery scheme;

(2) Supplying to, or placing in the hands of others punch boards, push cards or pull cards, or other lottery device, either with assortments of merchandise or separately, which said punch boards, push or pull cards, or other lottery device, are to be used, or may be used, in selling or distributing said merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5607; Filed, June 16, 1942; 11:00 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT No. 11

[Docket No. A-1463]

LUCKY STRIKE MINE, RELIEF GRANTED

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 Lucky Strike 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 Lucky Strike Mine (Mine Index No. 57) of Lucky Strike Mining Company (Frank T. Jones), code member in District 11, 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

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-I, and § 331.10 (*Special prices: Railroad locomotive fuel*) is amended by adding thereto Supplement R-II, 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: June 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

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

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 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-I

Mine index No.	Code member	Mine	Seam	Subdistrict	Freight origin group	Price group	Shipping point	Railroad
57	Lucky Strike Mining Co. (Frank T. Jones).	Lucky Strike.	V	BO	21	11	Boonville.....	ES&N.

Mine index No. 57 shall be included in price group 11 and shall take the same f. o. b. mine prices as other mines in price group 11 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 other mines in freight origin group 21 of the Bonville subdistrict having the same freight rate.

¹ Freight origin group 20 is no longer applicable.

§ 331.10 *Special prices: Railroad locomotive fuel*—Supplement R-II. Mine index No. 57 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 Nos. 80 and 81.

[F. R. Doc. 42-5576; Filed, June 15, 1942; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1410—WOOL

[Maximum Price Regulation No. 163]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of woolen and worsted civilian apparel fabrics. The maximum prices established by this Regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.¹ 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.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, Maximum Price Regulation No. 163 is hereby issued.

AUTHORITY: §§ 1410.101 to 1410.116, inclusive, issued under Pub. Law 421, 77th Cong.

¹ 7 F.R. 3153, 3330, 3666.

² 7 F.R. 971, 3663.

§ 1410.101 *Prohibition against dealing in woolen or worsted apparel fabrics above maximum prices.* On and after June 22, 1942, regardless of any contract or obligation:

(a) No person shall sell or deliver any woolen or worsted apparel fabrics at a price higher than the maximum prices established by this Maximum Price Regulation No. 163.

(b) No person in the course of trade or business shall buy or receive any woolen or worsted apparel fabrics at a price higher than the maximum prices established by this Maximum Price Regulation No. 163.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1410.102 *Maximum prices for woolen and worsted apparel fabrics sold by the manufacturer*—(a) *Fabrics sold by the manufacturer during the applicable base period.* Except as provided in paragraph (b) of this section, the maximum price for a woolen or worsted apparel fabric which was sold by the manufacturer during the applicable base period shall be the manufacturer's opening price for such fabric in such period plus the applicable percentage of such opening price set forth in subparagraphs (1), (2), (3) and (4) of this paragraph.

(1) *Classification No. 1.* The applicable base period for all stock-dyed woolen or worsted apparel fabrics sold

for the spring season only or for both the spring and fall seasons, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 12½%.

(2) *Classification No. 2.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics sold for the spring season only or for both the spring and fall seasons, shall be the selling period for the spring season of 1942, and the applicable percentage shall be 10%.

(3) *Classification No. 3.* The applicable base period for all stock-dyed woolen or worsted apparel fabrics sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 22½%.

(4) *Classification No. 4.* The applicable base period for all piece-dyed woolen or worsted apparel fabrics other than the types enumerated in subparagraph (5) of this paragraph sold only for the fall season shall be the selling period for the fall season of 1941, and the applicable percentage shall be 20%.

(5) *Classification No. 5.* The applicable base period for manipulated piece-dyed ski or snow cloths (all wool, cotton warp or cotton filling) and piece-dyed cotton warp or cotton filling meltons shall be the selling period for the fall season of 1941 and the applicable percentage shall be 30%: *Provided*, That in no case shall the maximum price for such fabrics exceed \$1.50 per yard.

(b) *Meltons.* The maximum price for manipulated all wool piece-dyed meltons 31 to 34 oz. shall be \$1.50 per yard.

(c) *Comparable fabrics.* The maximum price for a woolen or worsted apparel fabric comparable to a fabric sold by the manufacturer during the applicable base period shall be the maximum price for such fabric determined in accordance with paragraph (a) of this section, increased or decreased by the difference in the cost of raw materials used therein: *Provided*, That raw material costs for both the comparable fabric and the fabric to which it is compared shall be the highest cost which the manufacturer would have incurred for such raw material if purchased from his customary source of supply for delivery during March 1942.

(d) *New woolen or worsted apparel fabrics.* The maximum price for a woolen or worsted apparel fabric for which a maximum price cannot be determined pursuant to paragraphs (a), (b) or (c) of this section, shall be computed by multiplying the sum of (1) the cost of the raw materials used in the fabric and (2) the manufacturing cost thereof, by the 1941 ratio of the manufacturer's weighted average selling price to his weighted average manufacturing cost of all woolen or worsted apparel fabrics. For the purposes of this paragraph (d):

The cost of raw materials and the manufacturing cost shall not exceed such costs, determined in accordance with the customary accounting practice of the manufacturer, which would have been

incurred had the raw materials been delivered to the manufacturer and the fabric manufactured during March 1942;

The weighted average selling price shall be determined by dividing the total amount received during 1941 from the sale of all woolen and worsted apparel fabrics by the total number of yards thereof sold during 1941;

The weighted average manufacturing cost shall be determined by dividing the total manufacturing costs of all woolen and worsted apparel fabrics manufactured during 1941 by the number of yards thereof so manufactured.

(e) *Premiums permitted in certain cases.* Any manufacturer of woolen or worsted apparel fabrics who, during the period between January 1, 1940 and June 22, 1942, neither produced nor sold any blended fabric composed of mixtures of wool and other fibers, shall be permitted to increase his maximum prices for such fabric, determined in accordance with paragraphs (c) and (d) of this section, by an amount equal to 10% of the cost of the raw materials from which such fabric is manufactured: *Provided*, That such amount may be added only (1) where at least 25% by weight of the new or comparable fabric is composed of fibers other than wool, (2) on sales or contracts of sale entered into prior to January 3, 1943 and (3) if it is separately shown on an invoice or similar document delivered to the purchaser.

(f) *Customary discounts and transportation costs.* (1) Every manufacturer of woolen or worsted apparel fabrics shall continue his customary terms of sale, allowances, discounts, and other price differentials to different purchasers and different classes of purchasers.

(2) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabrics, than the manufacturer required purchasers of the same class to pay during the applicable base period on sales of woolen or worsted apparel fabrics of the same classification.

(g) *Invoice requirements.* On and after June 22, 1942, every manufacturer making sales of woolen or worsted apparel fabrics shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by persons other than the manufacturer thereof*—(a) *Piece lots, less than piece lots and cut lengths.* The maximum price for sales and deliveries of woolen or worsted apparel fabrics by persons other than the manufacturer in piece lots, less than piece lots and cut lengths thereof shall be the quotient of the manufacturer's invoice price divided by the applicable division factor set forth in subparagraphs (1), (2), (3) and (4) of this paragraph:

(1) Piece lots.....	.90
(2) Less than piece lots sold to retail stores.....	.85
(3) Less than piece lots sold to persons other than retail stores.....	.875
(4) Cut lengths of 9 yards or less sold to custom or merchant tailors....	.65

(b) *Mill ends, etc.* The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by persons other than the manufacturer thereof shall be the manufacturer's maximum price determined in accordance with this Maximum Price Regulation No. 163.

(c) *Customary discounts and transportation costs.* (1) Every person making sales of woolen or worsted apparel fabrics subject to this section shall continue his customary terms of sale, allowances, discounts and other price differentials to different purchasers and different classes of purchasers.

(2) No such seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabrics than he required purchasers of the same class to pay during March 1942.

(d) *Invoice requirements.* On and after June 22, 1942, every person making sales of woolen or worsted apparel fabrics, subject to this section, except sales in cut lengths of 9 yards or less to custom or merchant tailors, shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the manufacturer's selling price, (2) the division factor used or (3) in the case of mill ends, close outs, seconds and irregular pieces the manufacturer's maximum price determined in accordance with this Maximum Price Regulation No. 163.

§ 1410.104 *Sales at retail.* The provisions of this Maximum Price Regulation No. 163, shall not apply to sales at retail.

§ 1410.105 *Sales for export.* The maximum price at which a person may export woolen or worsted apparel fabrics shall be determined in accordance with the provisions of the Maximum Export Price Regulation^a issued by the Office of Price Administration.

§ 1410.106 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 163 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of woolen and worsted apparel fabrics for which maximum prices are established by this Regulation.

§ 1410.107 *Less than maximum prices.* Lower prices than those set forth in §§ 1410.102 and 1410.103 may be charged, demanded, paid or offered.

§ 1410.108 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 163, shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woolen or worsted

fabrics, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1410.109 *Adjustment of maximum prices.* In the event that the maximum price of any manufacturer determined in accordance with § 1410.102 is abnormally low or abnormally high in relation to the maximum prices of other manufacturers for the same or a comparable woolen or worsted apparel fabric, the Office of Price Administration may, upon its own motion or upon a petition for adjustment filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, adjust such maximum price by the issuance of an appropriate order.

§ 1410.110 *Records.* (a) Every manufacturer of woolen or worsted apparel fabrics shall prepare for inspection by the Office of Price Administration his opening price for each fabric sold by him during the applicable base period setting forth the number of yards of each fabric sold during such period and the price at which each lot was sold.

(b) Every person making a purchase or sale of woolen or worsted apparel fabrics in the course of trade or business, or otherwise dealing therein after June 21, 1942, shall keep records of each such purchase and sale showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, and the quantity of each fabric purchased or sold.

§ 1410.111 *Reports.* (a) Within ten days after a manufacturer has determined his maximum price for a comparable fabric or a new fabric pursuant to paragraph (c) or (d) or § 1410.102, he shall file with the Office of Price Administration, Washington, D. C.:

(1) With respect to comparable fabrics a description and the maximum price of the comparable fabric and the fabric to which it is compared, setting forth the raw materials used and the cost thereof, the number of ends and picks per finished inch, the weight per yard, the yarn sizes, the width and finish, and the classification to which it belongs;

(2) With respect to new fabrics a complete description thereof, the cost per yard of the raw materials used therein, the manufacturing cost per yard thereof, the 1941 weighted average selling price⁴ and weighted average cost,⁴ and the maximum price therefor determined in accordance with § 1410.102;

(b) Every person making a purchase or sale of woolen or worsted apparel fabrics in the course of trade or business shall submit such further reports as the Office of Price Administration shall, from time to time, require.

§ 1410.112 *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of

⁴ As defined in § 1410.102 (d).

the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 163 selling woolen or worsted apparel fabrics at wholesale. When used in this section, the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation.

§ 1410.113 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 163 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 163 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1410.114 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 163 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1410.115 *Definitions.* (a) When used in this Maximum Price Regulation No. 163, the term:

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

(2) "Manufacturer" means the producer of the woolen or worsted apparel fabric and includes his agent and any person controlling, controlled by or under common control with the manufacturer;

(3) "Woolen or worsted apparel fabrics" means men's, women's, children's and infants' suitings, dress goods, top-coatings, overcoatings, cloakings, ski or snow cloths, mackinaws and bathrobe fabrics, containing 25% or more of woolen fibre by weight and woven on looms; the term is applicable only to such fabrics for civilian use;

(4) "Comparable fabric" means a woolen or worsted apparel fabric with the same weave and containing substantially the same total number of ends and picks per finished inch, substantially the same yarn sizes, weight per yard, width and finish, and belonging to the same classification⁴ as a fabric sold by the manufacturer during the applicable base period, but manufactured from different blends of raw material;

(5) "New woolen or worsted apparel fabric" means a woolen or worsted apparel fabric not sold by the seller during the applicable base period not comparable to any such fabric;

⁴ As set forth in § 1410.102 (a).

(6) "Opening price" means the price at which the largest quantity of the fabric was sold by the manufacturer during the applicable base period.

(7) "Sales at retail" means sales to an ultimate consumer other than an industrial or commercial user.

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

§ 1410.116 *Effective date.* This Maximum Price Regulation No. 163, (§§ 1410.101 to 1410.116, incl.) shall become effective June 22, 1942.

Issued this 16th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5628; Filed, June 16, 1942;
11:57 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

UTILIZATION OF PETROLEUM FOR MOTIVE POWER OF STEAM VESSELS, ETC.

WAIVER OF COMPLIANCE

An order waiving compliance with certain of the provisions of R.S. 4474, as amended.

Pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress, 2d Session), I hereby waive compliance with that portion of section 4474, R.S., as amended (Title 46 U.S.C., Section 467), which requires (a) the certificate of the supervising inspector of steamboats for the district wherein such vessel is registered; (b) the approval by the Commandant, U. S. Coast Guard, of such certificate of the supervising inspector of steamboats for the district wherein the vessel is registered; and (c) the issuance of a special license under the seal of the Coast Guard for the use of any invention or process for the utilization of petroleum or other mineral oils or substances in the production of motive power in any steam vessel.

FRANK KNOX,
Secretary of the Navy.

JUNE 13, 1942.

[F. R. Doc. 42-5599; Filed, June 16, 1942;
9:38 a. m.]

EMPLOYMENT OF ALIENS AS UNLICENSED CREW MEMBERS

WAIVER OF COMPLIANCE

An order waiving compliance with the provisions of the navigation and inspection laws to the extent necessary to permit owners of vessels of the United States to employ aliens to serve as members of the unlicensed crew of their vessels is a percentage not to exceed 50 per centum of the entire unlicensed crew employed.

Upon the written recommendation of the Administrator of the War Shipping Administration, and by virtue of the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress, 2d Session), I hereby waive compliance with the provisions of section 5 (b) of the Act of June 25, 1936, and section 302 (b) of the Act of June 29, 1936 (Title 46 U.S.C., sections 672a, 1132), to the extent necessary to permit the employment of aliens in the unlicensed crew of subsidized or unsubsidized vessels of the United States in a percentage not to exceed 50 percentum of the entire unlicensed crew employed on any subsidized or unsubsidized vessel of the United States.

I find that the above order is necessary in the conduct of the war.

FRANK KNOX,
Secretary of the Navy.

JUNE 13, 1942.

[F. R. Doc. 42-5600; Filed, June 16, 1942; 9:38 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK¹

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 8th of June, A. D. 1942.

Section 17 of the Interstate Commerce Act, as amended (49 U.S.C. 17), and other provisions of law being under consideration, the following order was duly adopted:

Sec.

- 0.1 Effective date.
- 0.2 Divisions of the Commission.
- 0.3 Assignment of duties to Divisions.
- 0.4 Matters reserved for consideration and disposition by Commission.
- 0.5 Transfer of Commissioner.
- 0.6 Assignment of duties to individual Commissioners.
- 0.7 Bureaus of the Commission.
- 0.8 Standing Committees of the Commission.
- 0.9 Rehearings and further proceedings.

AUTHORITY: §§ 0.1 to 0.9, inclusive, issued under sec. 17, 24 Stat. 385, sec. 6, 25 Stat. 861, sec. 2, 40 Stat. 270, secs. 430-432, 41 Stat. 492, 493, 47 Stat. 1368, sec. 12, 54 Stat. 913; 49 U.S.C. 17.

§ 0.1 *Effective date.* Effective July 1, 1942, except as may be otherwise provided herein, the following organization schedule and assignment of work and functions shall be in force:

§ 0.2 *Divisions of the Commission.* (a) There shall continue to be five divisions of the Commission, known respectively as Divisions One, Two, Three, Four, and Five consisting of three members each.

¹ Supersedes all previous regulations under this part.

(b) As provided by section 17 of the Interstate Commerce Act, as amended, each division shall have authority to hear and determine, order, certify, or report or otherwise act as to any work, business, or functions assigned or referred to it under the provisions of that section, and with respect thereto shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations.

(c) Each division with regard to any case or matter assigned to it, or any question brought to it under this delegation of duty and authority, may call upon the whole Commission for advice and counsel, or for consideration of any case or question by an additional Commissioner or Commissioners assigned thereto; and the Commission may recall and bring before it as such any case, matter or question so allotted or assigned and may either dispose of such case, matter, or question itself, or may assign or refer the matter to the same or another division.

(d) Each division may determine the time and place for its conferences and determine its order of business.

§ 0.3 *Assignment of duties to Divisions.* Work, business, and functions of the Commission shall be assigned and referred to the respective divisions for action thereon, as follows:

(a) *Division One.* General conduct of administrative matters not otherwise assigned or reserved, including, among other things, work formerly assigned to the following committees but reassigned to Division One by the order of May 8, 1939: Salaries and Personnel, Finance, Cooperation with State Commissions, Organization, Building and Assignment of Space, Admissions to Practice, Reporting, and Annual Report.

Section 20 (1) to (10), inclusive, relating to the reports, records, and accounts of carriers, lessors, and other persons under Part I.

Section 204 (a) (1), (2), and (4); section 220; and section 222 (b), (d), and (g), so far as those sections relate to reports, records, and accounts of carriers, brokers, and other persons under Part II.

Section 313, relating to accounts, records, and reports of carriers and lessors under Part III.

Section 412, relating to accounts, records, and reports of freight forwarders under Part IV.

Section 1 (21); 5 (3); 6 (10); 10; 15 (11) and (12); 16 (8) to (12), inclusive; 20a (11) and (12); 25 (h), of Part I; section 222 of Part II; sections 316 (b) and 317 of Part III; sections 417 (b) and 421 of Part IV; and the Elkins Act, as amended, so far as relating to discovery and enforcement of penalties for violations of provisions of law.

Section 13 (3) of Part I and section 406 (f) of Part IV, so far as relating to the institution of investigations specified in those paragraphs, on the petition of carriers or freight forwarders.

Section 304 (c), relating to classifications of groups of water carriers subject to Part III and rules, regulations, and requirements relating thereto.

Section 204 (c), section 304 (e), and section 403 (f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II, III, and IV hereinbefore assigned to Division One or requirements established pursuant thereto.

Section 403 (e), relating to inquiries into management of the business of freight forwarders and others.

Matters coming from the Bureau of Personnel Supervision and Management under Executive Order No. 7916, of June 24, 1938, and amendatory and supplementary executive orders and matters assigned to Division One by the order of the Commission of July 24, 1939, amending an order of October 12, 1935.

Matters coming from the Bureau of Inquiry under Parts I, III, and IV, including the provisions of Part II applicable by reason of section 409 (a), the Elkins Act, and acts supplemental thereto, and the Clayton Antitrust Act, as amended, and from the Section of Law and Enforcement of the Bureau of Motor Carriers so far as relating to the discovery of derelictions and enforcement of penal provisions of Part II.

Admission, disbarment, and suspension of practitioners before the Commission under § 1.1b of this chapter.

(b) *Division Two.* Section 4, relating to long-and-short-haul and aggregate-of-intermediate rates, and relief therefrom.

Section 6, except paragraphs (11) and (12), relating to schedules of carriers under Part I, sections 217 and 218, relating to tariffs of common carriers and schedules of contract carriers under Part II, section 306, relating to tariffs of common carriers and schedules of contract carriers under Part III, and section 405 and section 409 (a), relating to tariffs of freight forwarders and tariffs containing joint rates of freight forwarders and common carriers by motor vehicle under Part IV, including, among other matters, applications thereunder, forms and specifications, and questions turning upon the construction or application thereof.

Section 15 (7) of Part I, sections 216 (g) and 218 (e) of Part II, sections 307 (g) and (i) of Part III, and 406 (e) of Part IV, relating to the disposition of applications for suspension of schedules and tariffs or parts thereof, including authority to institute investigations into rates, fares, charges, and practices of carriers under Parts I, II, and III, and freight forwarders under Part IV, as ancillary to a proceeding of investigation and suspension.

Sections 6 (11) (b) and (12) of the Interstate Commerce Act and section 11 (d) of the Panama Canal Act, 49 U.S.C. 51, relating to the establishment, under the additional authority conferred upon the Commission by the Panama Canal Act of proportional rates to or from ports, and through rail-and-water arrangements in foreign commerce.

Section 19a, relating to the valuation of the property of carriers.

Section 20 (11) of Part I and section 219 of Part II, so far as relating to the authorization of released rates and ratings.

Sections 3 (2), 223, 318, and 414, so far as relating to the prescription of rules governing the delivery of freight and the settlement of rates and charges, and to prevent unjust discrimination.

Section 22 so far as relating to reduced rates in case of calamitous visitation or disaster.

Section 304 (d) of Part III, relating to relief from the provisions of that part because of competition from carriers engaged in foreign commerce.

Section 204 (c), section 304 (e), and section 403 (f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II, III, and IV hereinbefore assigned to Division Two or requirements established pursuant thereto.

Standard Time Act of March 19, 1918, as amended, 15 U.S.C. 261-265, inclusive.

Matters coming from the Board of Reference, relating to instructions concerning the informal consideration of unusual matters and cases for which there is no governing precedent.

Matters coming from the Bureau of Informal Cases.

Formal complaints and suspension cases in which the issues relate primarily and predominantly to the interpretation and application of tariffs.

(c) *Division Three.* Civil Aeronautics Act of 1938, approved June 23, 1938, 49 U.S.C. 643, so far as relates to action as members of a joint board, as may be directed by the Chairman of the Commission.

Section 1 (9) to (17), inclusive, relating to switch connections, car-service and emergency directions with respect thereto, and contracts of common carriers by railroad or express companies for the furnishing of protective service against heat or cold, and section 204 (e), relating to emergency powers over equipment, service, and facilities of motor carriers.

Section 5 (1), relating to the pooling of traffic, service, or gross or net earnings of common carriers subject to the act.

Section 3 (5), relating to requirement of common use of terminals and compensation therefor.

Section 6 (11) (a) of the Interstate Commerce Act, and section 11 (d) of the Panama Canal Act, relating to the additional jurisdiction over rail and water traffic conferred upon the Commission by the Panama Canal Act, 49 U.S.C. 51, with respect to physical connections between rail lines and docks; and section 201 (c), Transportation Act, 1920, as amended, 49 U.S.C. 141 (c).

Section 15 (10), relating to the direction of the routing of unrouted traffic.

Sections 15 (13), 225, 314, and 415, relating to fixation of reasonable allowances to the owner of property transported for transportation services rendered, and I. & S. No. 11, The Tap Line Case.

Section 25 (a) to (g), inclusive, as amended, relating to the installment and maintenance of safety devices by carriers by railroad, other than enforcement of penalties.

Section 1 (21) (other than enforcement of penalties), so far as relating to

the compulsory construction of new roads or procurements of additional facilities.

Section 204 (a) (1), (2), (3), and (5) of Part II, so far as relating to the establishment of reasonable requirements for the safe transportation of explosives and other dangerous articles, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances.

Section 403 (b), relating to establishment of reasonable requirements with respect to continuous and adequate service by freight forwarders.

Section 404 (d), relating to agreements between freight forwarders for joint loading of traffic.

Section 204 (c) and section 403 (f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II and IV, hereinbefore assigned to Division Three, or requirements established pursuant thereto.

Matters arising under the Transportation of Explosives and Dangerous Articles Act, Accident Reports Act, Safety Appliance Act, Hours of Service Act, Locomotive Inspection Act, Medals of Honor Act, Ash Pan Act, Railroad Retirement Act of 1937, Carriers Taxing Act of 1937, Railroad Unemployment Insurance Act, the Railway Labor Act, as respectively amended; the Block Signal Resolution of June 30, 1906, and Sundry Civil Appropriation Act of May 27, 1908; Postal Service Acts, 39 U.S.C. 6, 12, 13, 14, and 15, so far as those acts relate to duties of the Commission.

Formal complaints handled under shortened procedure in accordance with § 1.10a of this chapter, other than those in which the issues relate primarily and predominantly to the interpretation or application of tariffs.

(d) *Divisions Two and Three alternately*, in monthly rotation. All cases not otherwise herein assigned or referred to another division or reserved to the Commission, arising under Part I, and all cases involving rates, fares, or charges arising under Parts II, III, and IV, which cases (a) have involved the taking of testimony at public hearings, and are set to be argued orally before one of such divisions, or (b) are submitted without oral argument, but which have involved the taking of testimony at public hearings.

(e) *Division Four.* Section 1 (18) to (20), inclusive, and sections 303 (1), 309, 310, 311, and 312, relating to certificates of convenience and necessity under Parts I and III and permits under Part III, and section 410, relating to permits under Part IV, including abandonments of service by freight forwarders under section 410 (i).

Section 5 (2) to (13), inclusive, (other than enforcement of penalties), and section 210a (b) of Part II, relating to the consolidation, merger, purchase, lease, operating contracts, and acquisition of control of carriers, and to noncarrier control, including matters of public convenience and necessity directly related thereto.

Section 5 (14) to (16), inclusive, relating to common control of railroads and common carriers by water.

Section 302 (e) and section 303 (b) to (h), inclusive, relating to exemptions of water carriers from the provisions of Part III.

Sections 20a and 214 (other than the enforcement of penalties), relating to the issuance and approval of securities of carriers under Parts I and II, and to the holding of interlocking positions as director or officer.

Section 411 (d) and (f), relating to investigation of alleged violations of section 411 (a), (b), and (c).

Sections 204 (c), 304 (e), and 403 (f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II, III, and IV, hereinbefore assigned to Division Four or requirements established pursuant thereto.

The Uniform Bankruptcy Act, as amended, 11 U.S.C., relating to the reorganization of corporations subject to the exercise of the regulatory powers of the Commission.

Matters arising under the Reconstruction Finance Corporation Act, as amended, and under Section 20 of Title II of the Emergency Relief and Construction Act of 1932, as amended.

Matters arising under the Clayton Antitrust Act, as amended, (other than enforcement of penalties).

Matters arising under section 22 (b) (9) of the Internal Revenue Code (relating to exclusions from gross income) as amended by the Act approved June 29, 1939, sec. 215 (a), 53 Stat. 875.

Matters arising under section 204 of the Transportation Act, 1920, 49 U.S.C. 73, as amended.

(f) *Division Five.* Section 203 (b), relating to partial exemption from the provisions of Part II, including determinations as to the necessity for application of Part II to transportation within a municipality, between contiguous municipalities, or within an adjacent zone, and the determination of the limits of such zones, referred to in section 203 (b) (8) and to casual transportation operations by motor vehicle, referred to in section 203 (b) (9).

Section 204 (a) (1) to (3), inclusive, so far as relates to reasonable requirements with respect to continuous and adequate service and transportation of baggage and express by common carriers, and to qualifications and maximum hours of service of employees and safety of operation and equipment for common, contract, and private carriers, but not including requirements for the safe transportation of explosives and other dangerous articles.

Section 204 (a) (4) and section 211 (a) to (c), inclusive, relating to the regulation of brokers (other than their accounts, records, and reports).

Section 204 (a) (4a), relating to certificates of exemption to motor carriers operating solely within a single State.

Section 204 (a) (7), so far as relates to inquiries into the management of the business of motor carriers and brokers and persons controlling, controlled by,

or under common control with motor carriers, and requests for information deemed necessary to carry out the provisions of Part II.

Section 204 (b), relating to the establishment of classifications of brokers or of groups of carriers and just and reasonable rules, regulations and requirements therefor.

Sections 206, 207, and 208, relating to certificates of public convenience and necessity.

Section 209, relating to permits.

Section 210, relating to dual operations.

Section 210a (a), relating to grants of temporary operating authority.

Section 212, relating to suspension, change, revocation, and transfer of certificates, permits, and licenses.

Section 215, relating to security for the protection of the public.

Section 224, relating to identification of motor carriers.

Section 403 (c) and (d), relating to authority to prescribe reasonable rules and regulations governing the filing of surety bonds, policies of insurance, etc., by freight forwarders.

Section 204 (c) and 403 (f), so far as relating to investigation of complaints of alleged noncompliance with the provisions of Parts II and IV assigned to Division Five or requirements established pursuant thereto.

Any other matters arising under Part II not hereinbefore specially assigned or referred to other divisions.

In connection with the foregoing assignments Division Five is authorized to institute, conduct and determine investigations into motor-carrier practices pertaining to matters covered by such assignments.

§ 0.4 Matters reserved for consideration and disposition by Commission. From such assignment of work there shall be reserved for consideration and disposition by the Commission (a) all investigations on the Commission's own motion heretofore entered upon and hereafter instituted except as hereinbefore otherwise provided, and (b) all applications for rehearing, reargument or other reconsideration and all cases before the Commission for reconsideration, except as hereinafter otherwise provided; and there shall also be excepted from this assignment of work all cases submitted prior to June 30, 1942, either to the Commission or to a division thereof, or submitted to the Commission and specially referred to a division, the various cases enumerated in any previous order of the Commission as reserved for consideration and disposition by the Commission, and all cases otherwise specially assigned.

§ 0.5 Transfer of Commissioner. Unless otherwise ordered by the Commission, any Commissioner who is transferred from a division shall continue as a member of such division for the disposition of cases orally argued and submitted prior thereto, and those in which drafts of final reports are under con-

sideration, in lieu of the Commissioner designated to serve as a regular member of the division.

§ 0.6 Assignment of duties to individual Commissioners. The following portions of the work, business, and functions of the Commission shall be assigned and referred to individual Commissioners as herein designated.

(a) *To the individual members of Divisions Two and Three.* In rotation, shortened procedure cases under § 1.10a of this chapter, submitted to Division Two or Division Three according to the assignment heretofore made.

(b) *To individual members of the Commission—*(1) *The Commissioner to whom the Bureau of Traffic reports:* (a) Special permissions or other permissible waivers of rules regarding schedules of rates, etc., under sections 6, 217, 218, 306, and 405; (b) released rates applications under section 20 (11); (c) Ex Parte No. 13, with respect to modifications under section 6 (3) of posting requirements of section 6 (1) and (d) reduced rates authorizations in cases of calamitous visitation under section 22.

(2) *The Commissioner to whom the Bureau of Accounts reports:* Distribution of carrier accounts and spreading of items over periods of time; and prescription of depreciation rates and modification thereof as to individual carriers under sections 20 (4), 220 (c), and 313 (d).

(3) *The Commissioner to whom the Bureau of Service reports:* Uncontested matters relating to the transportation of explosives and other dangerous articles.

(4) *The Commissioner to whom the Bureau of Locomotive Inspection reports:* Uncontested matters arising under the Boiler Inspection Act, as amended.

(5) *The Commissioner to whom the Bureau of Safety reports:* Uncontested matters under section 25, the Safety Appliance Act, as amended, the Hours of Service Act, as amended, and section 3 of the Accident Reports Act (including the making of reports of investigations under that section except those in which testimony is taken at a public hearing).

(6) *The Commissioner to whom the Bureau of Motor Carriers reports:* Applications for temporary authority for service by common or contract carriers by motor vehicle under section 210a (a). (This assignment is concurrent with the assignment of this paragraph to Division Five, *supra*.)

(7) *The Commissioner to whom the Bureau of Finance reports:* Applications under section 20a (12) for authority to hold the position of officer or director of more than one corporation, when all the corporations are part of the same system.

(8) *The Commissioner to whom the Bureau of Statistics reports:* Requests of carriers for extension of time for filing annual reports.

(9) *The Commissioner to whom the Bureau of Informal Cases reports:* Ap-

plications and complaints on the special docket.

(10) *The Commissioner to whom the Bureau of Inquiry reports:* The reference of cases involving supposed violations of law under the Interstate Commerce Act, the Elkins Act, or related acts, to the Department of Justice for investigation and possible prosecution.

(11) *The Commissioner to whom the Bureau of Law reports:* Postponement of the effective date of orders in proceedings which are the subject of suits brought in a court to enjoin, suspend, or set aside the decision, order, or requirement therein.

(12) *The Chairmen of the respective divisions.* Merely procedural matters in any formal case or pending matter, and extensions of time for compliance with orders (except in investigations on the Commission's own motion), in any such case or matter which is not the subject of a suit in court, when the subject matter or particular proceeding has been or is assigned or referred to the Division; *Provided*, That if the proceeding has been assigned to a Commissioner for administrative handling or preparation of report, such Commissioner shall act on such procedural matters (including extensions of time for compliance with orders); and if the subject matter or particular proceeding has not been assigned or referred to a division or to a Commissioner, the chairman of Division One may act on such matters.

(c) *Absence or disability of Commissioners.* In each of the foregoing delegations and assignments to an individual Commissioner, it is contemplated that in event of his absence or disability the senior member of the division which has jurisdiction of the subject matter or proceeding who is present shall act instead of the Commissioner above designated. In event of the absence or disability of a Commissioner to whom a proceeding not referred to a division has been assigned for administrative handling or preparation of report, procedural matters in connection with such proceeding may be acted upon by the Chairman of the Commission.

(d) *Petitions for reconsideration.* In respect of all such matters, petitions for reconsideration or for rehearing of any order or decision of an individual Commissioner as herein authorized shall be initially passed upon by the division to which the general subject is referred, and if the general subject has not been referred to a division, then by the Commission.

All such petitions shall be governed by the general rules of practice of the Commission (Part 1 of this chapter).

§ 0.7 Bureaus of the Commission. The Bureaus of the Commission shall report as follows: (a) with respect to administrative matters, including personnel and salaries matters, to Division One, through the Commissioner to whom the Bureau reports; (b) with respect to matters of

policy and functioning, through the Division or Commissioner to whom the Bureau reports, to the Division or to the Commission, as set forth below:

Bureaus of the Commission	Reports through—	To—
Accounts.....	Commissioner in charge.....	Division One.
Administration.....	Chairman, ex officio.....	Division One.
Finance.....	Commissioner in charge.....	Division Four.
Formal cases:		
Generally.....	Commissioner in charge.....	Commission.
Matters pending before divisions.....	Chairman of division.....	Division.
Informal cases.....	Commissioner in charge.....	Division Two.
Inquiry.....	Commissioner in charge.....	Division One.
Law.....	Commissioner in charge.....	Commission.
Locomotive Inspection.....	Commissioner in charge.....	Division Three.
Motor Carriers.....	Commissioner in charge.....	Division Five.
Tariff matters.....	Commissioner in charge.....	Division Two.
Finance matters.....	Commissioner in charge.....	Division Four.
Personal Supervision and Management.....	Chairman, ex officio.....	Division One.
Safety.....	Commissioner in charge.....	Division Three.
Service.....	Commissioner in charge.....	Division Three.
Statistics.....	Commissioner in charge.....	Commission, except as to matters assigned to Division One.
Traffic.....	Commissioner in charge.....	Division Two.
Valuation.....	Commissioner in charge.....	Division Two.
Water Carriers and Freight Forwarders.....	Division One.....	Division One.
Tariff matters.....	Division One.....	Division Two.
Finance matters.....	Division One.....	Division Four.

§ 0.8 *Standing Committees of the Commission.* There shall continue to be two standing committees of the Commission, namely, the Committee on Rules and Reports and the Legislative Committee, consisting of three members each, appointed by the Commission, which shall designate the Chairman thereof. The Chairman of the Commission may designate a Commissioner to fill a vacancy on any Committee until the Commission otherwise orders.

§ 0.9 *Rehearings and further proceedings.* For the proper and more convenient dispatch of business, and to the ends of justice, the following regulations of the conduct of proceedings are adopted (in addition to those governing the parties, as set out in the Rules of Practice, Part 1 of this chapter), in respect of rehearings, reconsiderations, further hearings, and supplementary proceedings, when upon the application of any party to the decision, order, or requirement of a division of the Commission:

The application (any supporting or opposing documents) when submitted shall be considered by the division: if the division grants the same, the application will stand as granted by the division and denied by the Commission, and further proceedings will be before the division and under its direction. Any further decision, order, or requirement of the division shall be subject to application for rehearing as provided in the act. If the division does not grant the application, the application (and supporting or opposing documents) will be considered by the Commission, which in its discretion will determine if sufficient reason for granting a rehearing or taking any other action has been made to appear.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-5629; Filed, June 16, 1942; 11:49 a. m.]

Subchapter D—Freight Forwarders

[Tariff Circular FF. No. 1]

PART 420—TARIFFS AND CLASSIFICATIONS

FORM AND MANNER IN WHICH TARIFFS OF FREIGHT FORWARDERS SHALL BE PUBLISHED, FILED, AND POSTED

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 15th day of June, A. D. 1942.

The above matter, and also the joint tariffs of common carriers by motor vehicle and freight forwarders as provided in section 409 of part IV of the Interstate Commerce Act being under consideration, and good cause appearing therefor:

It is ordered, That until further ordered by the Commission:

- Sec. 420.1 Form, publication, filing.
- 420.2 Joint tariffs of freight forwarders and motor common carriers.
- 420.3 Serial designation.
- 420.4 Posting filing at stations or offices.
- 420.5 Effective date.

AUTHORITY: §§ 420.1 to 420.5, inclusive, issued under sections 405, 409, 56 Stat. 287, 290.

§ 420.1 *Form, publication, filing.* Tariffs of freight forwarders authorized under and required by the provisions of section 405 of the Interstate Commerce Act shall be constructed in form, published, and filed in accordance with the regulations heretofore adopted and promulgated in Tariff Circular No. 20 and effective supplements thereto (Part 141, Subpart A, of this chapter), so far as the same may be applicable.

§ 420.2 *Joint tariffs of freight forwarders and motor common carriers.* Joint tariffs of freight forwarders and common carriers by motor vehicle subject to part II of the Interstate Commerce Act, including concurrences, as and to the extent authorized by section

409 of the act, shall be in accordance with the requirements with respect to the form and manner of filing tariffs under part II of the act prior to December 31, 1936, viz: Tariff Circular MF No. 1 and supplements thereof in effect on December 30, 1936.

§ 420.3 *Serial designation.* Tariffs of freight forwarders hereafter published and filed, including any republished under section 409 of the act, shall bear the numerical serial designation "I. C. C.—F. F. No. —" instead of the designation prescribed in the tariff circulars above indicated.

§ 420.4 *Posting, filing, at stations or offices.* Each freight forwarder shall post and file at each of its stations or offices which is in charge of a person employed exclusively by the freight forwarder, or by it jointly with a carrier, and at which freight is received for transportation directly or through an agent, all of the tariffs containing rates, charges, classifications and rules or other provisions applying from, or at such station or office. Each freight forwarder shall also maintain at its principal or general office a complete file of all tariffs issued by it or by its agents, including joint tariffs and concurrences, as and to the extent authorized by section 409 of the act. All of such tariffs shall be kept open to public inspection.

§ 420.5 *Effective date.* This order shall become effective forthwith.

By the Commission, division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-5631; Filed, June 16, 1942; 11:49 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

ATTALA COUNTY, MISSISSIPPI

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follows:

Region VI—Mississippi

Attala County.—Locality I. Consisting of beats 1, 3, and 4, \$1,385. Locality II. Consisting of beats 2 and 5, \$986.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: June 13, 1942.

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 42-5623; Filed, June 16, 1942;
11:36 a. m.]

Rural Electrification Administration.

[Administrative Order No. 710]

ALLOCATION OF FUNDS FOR LOANS

JUNE 9, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
New Jersey 2-1006C2 Sussex-----	\$26,200
North Carolina 2-1040C2 Brunswick-----	8,000
North Carolina 2-1055A2 Craven---	12,000
Oklahoma 2024B2 Lincoln-----	15,000
Utah 2-1009A2 Beaver-----	2,000
Virginia 2031D2 Mecklenburg-----	12,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-5624; Filed, June 16, 1942;
11:36 a. m.]

[Administrative Order No. 711]

ALLOCATION OF FUNDS FOR LOANS

JUNE 9, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
North Carolina 2046C1 Madison--	\$750,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-5625; Filed, June 16, 1942;
11:36 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SPECIAL CERTIFICATES FOR EMPLOYMENT OF LEARNERS

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and

published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 15, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY,
PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Adirondack Mfg. Corp., 63 Hudson Ave., Albany, New York; Rainwear and sportswear; 10 learners (T); December 15, 1942.

Benson Wholesale Tailors, Inc., 427 Camp St., New Orleans, Louisiana; Woolen coats and pants, cotton coats and pants; 5 learners (T); June 15, 1943.

Daniel & Koff Belt Co., Inc., 39 N. Ninth St., Philadelphia, Pennsylvania; Ladies belts, covered buckles; 1 learner (T); June 15, 1943.

Eastwill Sportswear Division, 409-419 Rush Ave., Greenwood, South Carolina; Men's sport jackets and coats; 10 percent (T); June 15, 1943.

The General Athletic Products Co., Riffe Ave., Greenville, Ohio; Athletic clothing and odd outerwear; 5 percent (T); June 15, 1943.

I. Helfand, 2314 W. Jefferson Blvd., Los Angeles, California; Ladies sportswear; 2 learners (T); June 15, 1943.

Madewell Mfg. Co., 831 Cherry St., Philadelphia, Pennsylvania; Sport shirts, sport jackets; 20 learners (E); December 15, 1942.

Merit Fashions, Inc., 2233 Grand Ave., Kansas City, Missouri; Ladies sportswear (washable); 15 learners (E); December 15, 1942.

Pincus Brothers, Inc., 232-248 No. 11th St., Philadelphia, Pennsylvania; Men's dress clothing; 5 percent (T); June 15, 1943.

Quality Vest Shop, 6th and Montrose Streets, Vineland, New Jersey; Men's vests; 4 learners (T); June 15, 1943.

S. & F. Sportswear Co., 197 Vrooman Ave., Amsterdam, New York; Leather jackets; 5 learners (T); June 15, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel

Aldrich & Aldrich, Inc., 1857 Milwaukee Ave., Chicago, Illinois; Student nurse uniforms, girls gymnasium apparel; 10 learners (T); June 15, 1943.

Bridgeport Pants Co., 4th & Mill Streets, Bridgeport, Pennsylvania; Men's trousers; 10 percent (T); June 15, 1943.

Charlotte Garment Co., 1215 South Caldwell St., Charlotte, North Carolina; Men's slack suits; 60 learners (E); December 15, 1942.

Collins Mfg. Co., 121 N. 8th St., Philadelphia, Pennsylvania; Boys' cotton overalls and wash suits; 5 learners (T); June 15, 1943.

Consolidated Mercantile Industries, 26 Exchange Place, Jersey City, New Jersey; Brassieres, slips, surgical apparel; 10 percent (T); June 15, 1943.

Ben F. Davis Mfg. Co., 1519 Mission St., San Francisco, California; Work clothing; 5 learners (T); June 15, 1943.

Eckerling Brothers, 2352 West Cermak Road, Chicago, Illinois; Overalls, pants, shirts, blouses, jackets, camper coats; 10 percent (T); June 15, 1943.

Farah Mfg. Co., Farah Building, El Paso, Texas; Men's & boys' work pants, men's work jackets; 6 learners (T); June 9, 1943. (This certificate effective June 9, 1942.)

Edward I. Gill Sportwear, 57 Hope St., Brooklyn, New York; Sport shirts; 10 learners (T); June 15, 1943.

Glix-Brand Co., Inc., Brown & Kellogg Streets, Pittsfield, Massachusetts; Ladies pajamas, night gowns, dresses and suits; 30 learners (E); December 15, 1942.

Grace Mfg. Co., 121 North 5th St., Philadelphia, Pennsylvania; Children's dresses; 5 learners (T); June 15, 1943.

Green Bay Specialty Co., 129 So. Washington St., Green Bay, Wisconsin; Overalls, cotton trousers, jackets, wool coats, blazers, wool shirts, and dress trousers; 5 learners (T); June 15, 1943.

M. Handelsman, 18 Jefferson Ave., Elizabeth, New Jersey; Boys' pants; 10 percent (T); June 15, 1943.

Hudson Garment Co., 3 Prospect Ave., Hudson, New York; Dresses; 10 learners (T); June 15, 1943.

Husin Shirt Co., 14-16 Rose St., Ephrata, Pennsylvania; Dress shirts, uniform shirts, military shirts; 10 learners (T); June 15, 1943.

Jay Mfg. Co., Inc., 116 Merrimac St., Boston, Massachusetts; Dungarees, overalls; 8 learners (T); June 15, 1943.

Abe Kahn-Helbreich Co., Front & Heliam Streets, Wrightsville, Pennsylvania;

Children's cotton wash dresses; 10 percent (T); June 15, 1943.

Kaplan & Lipman, Inc., 32 Barcelow St., Port Jervis, New York; Children's slips, panties, pajamas; 10 learners (T); June 15, 1943.

Keansburg Garment Co., Inc., 232 Creek Road, Keansburg, New Jersey; Children's dresses; 5 learners (T); June 15, 1943.

S. Kellner & Sons, 361 Stagg St., Brooklyn, New York; Men's & boys pajamas, sport shirts; 10 learners (T); June 15, 1943.

Keystone Coat & Apron Mfg. Corp., 315 North 12th St., Philadelphia, Pennsylvania; Khaki trousers, leggings, mattresses, covers, bakers & cook's aprons, butchers frocks, army robes & washable service apparel; 10 percent (T); June 15, 1943.

Korach Brothers, 914 S. Genesee St., Waukegan, Illinois; Wash dresses; 10 learners (T); June 15, 1943.

Annie Laurie Dress Co., 4 Cron St., Pittston, Pennsylvania; Dresses; 20 learners (E); December 15, 1942.

Lenore Dress Co., 105-07 Dudley St., Dunmore, Pennsylvania; Dresses; 10 learners (T); June 15, 1943.

S. Liebovitz & Sons, Inc., Wisconsin St., Tower City, Pennsylvania; Sport shirts; 10 learners (T); June 15, 1943.

Little Sport Togs Mfg. Co., 55 W. 21 St., New York, New York; Boys' wash suits & infants' wear; 10 learners (T); December 15, 1942.

M & R Garment Co., New Freedom, Pennsylvania; Children's dresses; 5 learners (T); June 15, 1943.

Jacob Magid & Bro., Inc., 35 North 10th St., Philadelphia, Pennsylvania; Dresses; 10 learners (T); June 15, 1943.

Marlin Mfg. Co., Madison Ave., Aurora, Missouri; Cotton wash shirts; 22 learners (E); December 15, 1942.

George Medwin, Ulster Ave., & North Street, Saugerties, New York; Ladies sportswear; 10 learners (T); June 15, 1943.

Metro Pants Co., 54 West Rock St., Harrisonburg, Virginia; Boys and Men's pants; 10 percent (T); June 15, 1943.

Milco Undergarment Co., Susquehanna Ave., Berwick, Pennsylvania; Princess slips; 25 learners (E); December 11, 1942.

Milco Undergarment Co., 550 East Fifth St., Bloomsburg, Pennsylvania; Princess slips and panties; 25 learners (E); December 11, 1942.

National Garment Co., Main St., Chaffee, Missouri; Men's and Boys knitted sport shirts, ladies sportswear; 10 learners (T); June 15, 1943.

National Pants Co., New Castle, Pennsylvania; Mfg. trousers; 100 learners (E); December 15, 1942.

O. K. Uniform Co., 512 Broadway, New York, New York; Washable uniforms; 4 learners (T); June 15, 1943.

Ottenheimer Bros., Inc., 115 Wood Lane St., Little Rock, Arkansas; cotton dresses and smocks; 100 learners (T); December 11, 1942.

Porter Professional Garment Co., 818 Wyandotte, Kansas City, Missouri; Hospital, physician, dental, nurses, and Red Cross uniforms; 1 learner (T); June 15, 1943.

Rhoades Mfg. Co., 1324 Washington St., St. Louis, Missouri; Wash dresses; 10 learners (T); June 15, 1943.

Schaffer Contract Mfg. Co., 20 Wooster St., New Haven, Connecticut; Ladies underwear; 10 percent (T); June 15, 1943.

Smith Brothers Mfg. Co., Smith & High Streets, Neosho, Missouri; Work pants; 10 learners (T); June 15, 1943.

Smith-Levin-Harris Inc., U. S. Rubber Co. Building, Williamsport, Pennsylvania; Men's pajamas; 10 percent (T); June 15, 1943.

Swanton Mfg. Co., Inc., Swanton, Vermont; Women's and misses cotton and rayon dresses; 10 learners (T); June 15, 1943.

Sweet Bride Dress Mfg. Co., 139-41 Logan Ave., Jersey City, New Jersey; Dresses; 10 learners (T); June 15, 1943.

Tennessee Overall Co., 401 N. Atlantic St., Tullahoma, Tennessee; Overalls, work pants; 10 learners (T); June 15, 1949.

Tuf-Nut Garment Mfg. Co., 423 East Third St., Little Rock, Arkansas; Work clothes, overalls, jumpers, pants, shirts; 10 percent (T); June 15, 1943.

Vanetta Garment Co., 823 1/2 Santee St., Los Angeles, California; Sportswear, women's slack suits; 6 learners (T); June 15, 1943.

Wender & Goldstein, Inc., 387 Fourth Ave., New York, New York; Trousers and coats; 6 learners (T); December 15, 1942.

World Garments, Inc., 50-20 103rd St., Corona, New York; Ladies dresses and ladies and children's slacks; 6 learners (T); June 15, 1943.

Gloves

Elite Glove Co., 15 Division St., Gloversville, New York; Leather dress gloves; 5 learners (T); December 15, 1942.

Nation Wide Mfg. Co., Pontiac, Illinois; Leather dress & work gloves; 25 learners (E); December 15, 1942.

Wells Lamont Corp., 110 So. College St., Aledo, Illinois; Knit fabric & work gloves; 25 learners (E); December 15, 1942.

Hosiery

Burlington Mills Hosiery Co.—Finishing Plant, 1421 South Elm St., Greensboro, North Carolina; Finishes seamless hosiery; 5 percent (T); June 15, 1943.

Climax Hosiery Mills, Inc., Oconee St., Athens, Georgia; Seamless hosiery; 5 percent (T); June 15, 1943.

Goldston Hosiery Mill, Inc., Goldston, North Carolina; Ladies anklets; 5 learners (T); June 15, 1943.

Van Raalte Co., Inc., Athens, Tennessee; Full fashioned hosiery; 10 percent (T); June 15, 1943. (This certificate replaces the one bearing the expiration date of October 27, 1942.)

Vermont Hosiery & Machinery Co., No. Main St., Northfield, Vermont; Seamless hosiery; 10 percent (T); June 15, 1943.

Knitted Wear

Brown's Beach Jacket Co., 395 Chandler St., Worcester, Massachusetts; Knitted outerwear; 4 learners (T); June 15, 1943.

Clifton Underwear Mills, Inc., 173 Beechwood Ave., New Rochelle, New

York; Knitted underwear; 45 learners (T); December 15, 1942.

Dove Mfg. Co., 1013 South Los Angeles St., Los Angeles, California; Knitted underwear; 4 learners (T); June 15, 1943.

Joyce Mfg. Co., 624 N. 7th St., Allentown, Pennsylvania; Knitted underwear; 15 learners (E); December 15, 1942.

Textile

Associated Sales & Bag Co., 605 South 1st St., Milwaukee, Wisconsin; Bags, etc.; 3 learners (T); December 15, 1942.

Blue Bird Silk Mfg. Co., Inc., Hartley St. & Maryland Avenue, York, Pennsylvania; Tie silk; 6 percent (T); June 15, 1943. (This certificate replaces the one bearing the expiration date of May 18, 1943.)

Green River Mills, Inc., Tuxedo, North Carolina; Cotton yarn; 6 percent (T); June 15, 1943. (This certificate replaces the one bearing the expiration date of February 26, 1943.)

Hill Spinning Co., Roseboro, North Carolina; Cotton; 3 learners (T); November 3, 1942.

J. & J. Spinning Mill, Maiden, North Carolina; Cotton; 3 percent (T); June 15, 1943.

Laurens Cotton Mills, Laurens, South Carolina; Cotton, rayon staple; 3 percent (T); June 15, 1943.

Mifflinburg Silk Mills, Inc., Second & Walnut Streets, Mifflinburg, Pennsylvania; Thrown silk, rayon and nylon thread; 50 learners (E); December 15, 1942.

Wrightsville Textile Corp., N. Front St., Wrightsville, Pennsylvania; Jacquard tie cloth; 3 percent (T); June 15, 1943.

Woolen

John L. Fead & Sons, 1635 Poplar Street, Port Huron, Michigan; Wool yarn; 8 learners (E); December 15, 1942.

Signed at New York, N. Y., this 13th day of June 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-5601; Filed, June 16, 1942; 10:18 a. m.]

SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective June 15, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for

employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Fredwill Co., N. 13th St. & Bushkill Drive, Easton, Pennsylvania; Fancy covered boxes, bridge covers; 20 learners; 6 weeks for any one learner; 30 cents per hour; Sewing machine operator, fancy box maker, cleaner and examiner; August 21, 1942.

Town Talk Industries, Nutt Road, Phoenixville, Pennsylvania; Baking of crackers for peanut buttered sandwiches and cookies; 6 learners; 160 hours for any one learner; 25 cents per hour; Wrapper; August 24, 1942.

Signed at New York, N. Y., this 13th day of June 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-5602; Filed, June 16, 1942;
10:18 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 666]

BRANIFF AIRWAYS, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the petition of Braniff Airways, Inc., for determination of rates of compensation for the transportation of mail by aircraft on routes Nos. 9, 15 and 50.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on June 22, 1942, at 10 a. m. (eastern standard time) in Room 5042 Commerce Building, 14th St. and Constitution Ave., N. W., Washington, D. C., before the Board.

Dated Washington, D. C., June 15, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-5611; Filed, June 16, 1942;
11:09 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5737]

KANSAS CITY POWER & LIGHT COMPANY
DISPOSITION OF AMOUNTS IN CERTAIN AC-
COUNTS; HEARING CANCELLED

JUNE 12, 1942.

Order approving disposition of amounts
in Account 100.5, Electric Plant Acquisi-

tion Adjustments, and amounts in Account 107, Electric Plant Adjustments; and cancelling hearing.

It appearing to the Commission that: (a) On January 3, 1939, Kansas City Power & Light Company, hereinafter referred to as "Company", submitted proposed reclassification and original cost studies required by Electric Plant Accounts Instruction 2-D of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees, and the Commission's order of May 11, 1937, in respect thereto;

(b) The Commission's staff made a field examination of the Company's studies and on September 7, 1940, submitted to the Commission a report entitled "Kansas City Power & Light Company, Kansas City, Missouri, Report on Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937";

(c) The staff report was transmitted to the Company on September 9, 1940, with the request that the Company make the adjustments proposed therein, submit a copy of the adjusting journal entries, submit a plan for the disposition of the amount of \$1,701,294.31 shown by the report as classified in Account 100.5, Electric Plant Acquisition Adjustments, and to advise whether the Company was in agreement with the plan for disposition of the amount of \$1,641,979.84 classified in Account 107, Electric Plant Adjustments, as recommended by the staff in the joint report;

(d) As a result of correspondence and conferences between representatives of the Company and the Commission staff, and a further field examination of additional data and information developed by the Company, supplemental adjustments were made by the staff, the results of which are reflected in the following table:

Account	As reclassified by company	Per staff report	After additional adjustments
100 Electric plant.....			
100.1 Electric plant in service.....	\$73,775,744.16	\$70,619,774.19	\$70,746,451.06
100.3 Construction work in progress.....	205,503.74	205,503.74	205,503.74
100.5 Electric plant acquisition adjustments.....		1,071,294.31	1,186,824.12
Total electric plant.....	73,981,247.90	71,896,572.24	72,138,778.92
107 Electric plant adjustments.....		1,641,979.84	1,409,694.16
108 Other utility plant.....	4,301,878.30	4,311,925.13	4,311,925.13
110 Other physical property.....	248,280.43	680,929.42	671,608.42
Grand total.....	78,531,406.63	78,531,406.63	78,531,406.63

(e) By letter of June 1, 1942, the Company requested the Commission's approval of certain proposed journal entries reclassifying its electric and other plant accounts, and also approval of proposed plans for disposition of amounts included in Account 100.5, Electric Plant Acquisition Adjustments, and in Account 107, Electric Plant Adjustments;

(f) The Company's proposed reclassification entry establishes in Account 100.5, Electric Plant Acquisition Adjustments, an amount of \$1,186,824.12, and the Company proposes to dispose of this amount by a charge to Account 250, Reserve for Depreciation of Electric Plant;¹

(g) The Company's proposed reclassification entry establishes in Account 107, Electric Plant Adjustments, an amount of

\$1,409,694.16, and the Company proposes to dispose of the amount as follows:

To Account 151, Capital Stock Expense, representing sundry items of expense in connection with the issuance of preferred stock.....	\$50,972.29
To Account 250, Reserve for Depreciation of Electric Plant, representing adjustments or recorded retirements.....	40,055.01
To Account 250, Reserve for Depreciation of Electric Plant, representing unrecorded retirements.....	292,165.58
To Account 250, Reserve for Depreciation of Electric Plant, representing previous depreciation accruals to October 31, 1941 on items classified in Account 107 consisting of various improper charges to plant.....	641,303.58
To Account 271, Earned Surplus, representing balance of improper plant charges.....	385,197.70

(h) Electric Plant Accounts 100.5 and 107 provide, in part, that the amounts included in these accounts shall be disposed of as the Commission may approve or direct;

The Commission finds that: (1) The Company's proposed plans for disposition of the amounts established in Accounts 100.5 and 107, as described in paragraphs (f) and (g) hereof, are in conformity with correct accounting principles and the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees;

The Commission orders that: (A) The Company dispose of the amount of \$1,186,824.12 established in Account 100.5, Electric Plant Acquisition Adjustments, as described in paragraph (f) hereof;

¹ It appears that, of the total amount classified in Account 100.5, the sum of \$258,463.05 represents actual accruals for depreciation on the amounts classified in that account. It appears, further, that the Company proposes to dispose of the balance of \$928,361.07 to Reserve for Depreciation on the theory that such reserve is substantially overstated and that such overstatement is sufficient to take care of the amount. The Company states that for a long period of years prior to December 31, 1938, it had been its practice to accrue depreciation on intangibles and non-depreciable property, and that such accruals have resulted in a balance in the Depreciation Reserve therefor of \$1,917,835.91. It is the Company's position that the Reserve is excessive by an even larger amount, as evidenced by a finding of the Public Service Commission of Missouri in Case No. 6576, which finding indicated the reserve to be excessive as of December 31, 1937, in the amount of \$5,743,029.52.

(B) The Company dispose of the amount of \$1,409,694.16 established in Account 107, Electric Plant Adjustments, as described in paragraph (g) hereof;

(C) The Company's proposed reclassification entries submitted on June 1, 1942, reflecting the accounting disposition of the amounts included in Accounts 100.5 and 107 be and they are hereby approved;

(D) The Order to Show Cause, adopted on October 7, 1941, in this matter, be and the same is hereby dismissed, and the hearing now set for June 15, 1942, be and it is hereby cancelled.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-5609; Filed, June 16, 1942;
11:02 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4689]

JOHN F. TROMMER, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of John F. Trommer, Inc., a corporation.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of June, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John P. Bramhall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, July 1, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5604; Filed, June 16, 1942;
10:59 a. m.]

[Docket No. 4732]

PRECISION APPARATUS COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the Matter of Murray Mentzer and Solomon W. Weingast, copartners, doing

business as Precision Apparatus Company.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John P. Bramhall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 6, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5605; Filed, June 16, 1942;
10:59 a. m.]

[Docket No. 4752]

FACTORY OF THE GOLDEN GATE FARM, ETC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1942.

In the matter of Elmer R. Haslett and Priscilla Haslett, trading as the factory of the Golden Gate Farm, Alkali-Trap Company, Alkali-Trap Manufacturing Company, and Golden Gate Factory.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That John P. Bramhall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 29, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial

Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5606; Filed, June 16, 1942;
10:59 a. m.]

INTERSTATE COMMERCE COMMISSION.

TRANSPORTATION OF SPECIAL OR CHARTERED PARTIES

NOTICE TO ALL REGULAR ROUTE COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE

JUNE 12, 1942.

In *Regulations, Special or Chartered Party Service*, 29 M.C.C. 25, division 5 prescribed rules and regulations under section 208 (c) of the Interstate Commerce Act, governing the transportation of special or chartered parties by common carriers of passengers by motor vehicle. Rules III, IV, and V (3) are as follows:

Rule III. [§ 178.3]

Origin territory. Any common carrier of passengers by motor vehicle subject to these rules may transport special or chartered parties (1) which originate at any point or points on the regular route or routes or at any off-route point or points authorized to be served by such carrier, or (2) which originate at any point or points within the territory served by its regular route or routes.

Rule IV. [§ 178.4]

Destination territory. Common carriers of passengers by motor vehicle subject to these rules may transport special or chartered parties in interstate or foreign commerce to any place or point in the United States. Special or chartered parties may not be transported from the destination territory described in this rule to the origin territory described in Rule III, except on return movement of the same special or chartered party as provided therein.

Rule V (3) [§ 178.5 (c)]

Common carriers of passengers subject to these rules shall comply with section 215 of the act and our rules and regulations thereunder governing the filing and approval of surety bonds and policies of insurance, and shall designate and file, with the board of each State in which they transport special or chartered parties and with this Commission, the name and address of a person upon whom notices, orders, and process may be served as provided in section 221 (a) and (c) of the act.

Your attention is directed to the provisions of section 217 of the act and the regulations of the Commission thereunder, which require that all fares and charges for the transportation, and all services in connection therewith, of passengers in interstate or foreign commerce

be published in tariffs filed with the Commission. The transportation of special or chartered parties is unlawful unless and until applicable fares and charges therefor have been published in tariffs lawfully on file with the Commission.

Your attention is further directed to section 215 of the act and the rules prescribed thereunder in *Motor Carrier Insurance for Protection of the Public*, 1 M.C.C. 45, which require the filing with, and approval by, the Commission of certificates of insurance or other security for the protection of the public in the minimum amounts specified in such rules.

Rule VIII [§ 174.8] is as follows:

Policies of insurance as amended by the endorsements provided by these rules covering bodily injury liability, property damage liability, and cargo liability must be written by insurance companies legally authorized to transact business in each State in which their policies cover the operations of the insured motor carrier, except that more than one policy of in-

surance may be used in cases where, in the judgment of the Commission, the territorial operations of such carriers warrant separate coverage on separate portions of their routes or territories.

Policies of insurance of regular route common carriers of passengers, as amended by the endorsement referred to in Rule VIII, must be written by insurance companies legally authorized to transact business in each State in which the motor carrier is authorized to conduct regular route operations and also in each additional State to which the carrier holds itself out to operate by publishing applicable fares and charges for transportation of special or chartered parties in tariffs lawfully on file with the Commission.

If the insurance of any regular route common carrier of passengers presently on file with the Commission does not meet the requirements of Rule VIII with respect to such carrier's special or chartered party service but is otherwise in full compliance with the insurance rules

and regulations, such carrier will not be required to effect arrangements to comply with Rule VIII insofar as it shall apply to the carrier's special or chartered party service until the date the insurance presently on file is cancelled or expires, provided such date is not beyond June 12, 1943.

If any such carrier having on file a tariff containing fares and charges for transportation of special or chartered parties suspends such service, or any portion thereof, for the duration of the war because of General Order O. D. T. No. 10 or otherwise, an appropriate tariff supplement reflecting that fact should be filed with the Commission and posted in the manner required by law, after which compliance with Rule VIII as to States to which service is suspended will not be required.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-5630; Filed, June 16, 1942;
11:49 a. m.]