





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

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

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

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

#### NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.

#### CONTENTS—Continued

INTERSTATE COMMERCE COMMISSION:	Page
Explosives and other dangerous articles transportation	7449
Reconsignment permits:	
Oranges, Nashville, Tenn.	7460
Potatoes:	
Kansas City, Mo.-Kans.	7459
St. Louis, Mo.	7459
Reicing permits, potatoes:	
Chicago, Ill.	7460
Clinton, Iowa	7460
Savanna, Ill.	7460
Toledo, Ohio	7460
NATIONAL ARCHIVES:	
Authentication and attestation of archives in custody of Archivist of U. S.	7449
OFFICE OF DEFENSE TRANSPORTATION:	
Certificates of war necessity for and control of commercial motor vehicles (G. O. 21, Am. 10)	7451
Farm products, commercial motor vehicles from producing areas (A. O. 26)	7456

#### CONTENTS—Continued

OFFICE OF DEFENSE TRANSPORTATION—Continued.	Page
Highway Transport Dept., establishment of regions and districts (A. O. 6A)	7451
Motor carriers; records and reports (A. O. 9, Am. 3)	7456
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
Chattahoochee Brick Co.	7473
Chrysler Corp.	7470
Elmsford Wood Products, Inc.	7469
Height Mfg. Co.	7468
McGinnis & Grafe	7467
United Aero Service	7468
United Metal Goods Mfg. Co., Inc.	7469
U. S. Commercial Co.	7470
Chestnut extract (MPR 352, Am. 2)	7438
Corn (2d Rev. MPR 346)	7325
Defense rental areas (Designation and Rent Declaration 31, Corr. to Am. 20)	7431
Distilled spirits, domestic (MPR 445, Order 338)	7464
Fats and oils (MPR 53, Am. 25, 26) (2 documents)	7420
Fertilizer raw materials (RMPR 205)	7426
Fish and seafood, frozen (MPR 364, Am. 19)	7420
Foods:	
Packed (MPR 306, Order 57)	7470
Processed (Rev. RO 13, Am. 46; Am. 20, 21 to 2d Rev. Supp 1) (3 documents)	7425, 7433, 7437
Fruits and vegetables, fresh (MPR 426, Am. 33, 37) (2 documents)	7425, 7434
Gypsum wall board, etc. (MPR 188, Am. 43 to Order A-1)	7470
Hawaii:	
Exemptions from price control (S. O. 91)	7419
Grapefruit (MPR 373, Am. 71)	7424
Intoxicating beverages (MPR 373, Am. 69)	7424
Textile printing (MPR 373, Am. 70)	7424
Hides, kips and calfskins (RPS 9, Am. 10)	7431
Meat, designation of States as critical areas:	
Arizona, (MPR 148, Am. 6 to Order 33; MPR 169, Am. 6 to Order 28; MPR 239, Am. 6 to Order 1) (3 documents)	7463, 7464
California, (MPR 148, Am. 5 to Order 34; MPR 169, Am. 5 to Order 30; MPR 239, Am. 5 to Order 2) (3 documents)	7463, 7464
Nevada, (MPR 148, Am. 5 to Order 35; MPR 169, Am. 5 to Order 32; MPR 239, Am. 5 to Order 4) (3 documents)	7463, 7464
New Mexico and Texas, (MPR 148, Am. 6 to Order 36; MPR 169, Am. 6 to Order 33; MPR 239, Am. 6 to Order 3) (3 documents)	7463, 7464

#### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Meat, fats, fish and cheeses (Rev. RO 16, 9; Am. 3 to 2d Rev. Supp. 1) (2 documents)	7433, 7438
Petroleum products (Rev. SR 14, Am. 149)	7445
Phosphate rock (RMPR 240)	7435
Prohibitions, penalties, etc. (Gen. RO 8, Am. 9)	7419
Puerto Rico:	
Fertilizer, etc. (RMPR 183, Am. 42)	7423
Tire regulations (RO 1B, Am. 8)	7434
Regional and district office orders:	
Apricots, Spokane, Wash.	7486
Cherries, Wayne County, Mich.	7473
Community ceiling prices, list of orders filed (4 documents)	7476, 7477
Cucumbers, Spokane, Wash.	7474
Eggs and egg products, Louisiana	7485
Firewood, Chatham County, Ga.	7473
Peas, green, Spokane, Wash.	7475
Peppers, sweet, Spokane, Wash.	7474
Plums, Spokane, Wash.	7475
Snap beans, Spokane, Wash.	7475
Solid fuels:	
Albany County, N. Y., etc.	7479
East Bear Ridge, Pa.	7471
Hartford, Conn.	7471
New York City, N. Y.	7478
Services (RMPR 165)	7439
Ski troop equipment, etc. (Rev. SR 1, Am. 63)	7325
Solid fuels (RMPR 122, Am. 25)	7419
Tires and tubes, Government purchases (MPR 415, Am. 7)	7419
Tobacco, plug chewing (SR 15, Am. 27)	7425
Virgin Islands:	
Matches (MPR 395, Am. 27)	7424
Shoes (MPR 395, Am. 28)	7424
PETROLEUM ADMINISTRATION FOR WAR:	
Production operations:	
Designated Southern states	7448
United States, territories and possessions	7445
POST OFFICE DEPARTMENT:	
Penalty mail, use by Government agencies	7458
Inventory form	7459
RAILROAD RETIREMENT BOARD:	
Colorado Fuel & Iron Corp, hearing	7486
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Arkansas-Missouri Power Corp, et al.	7488
Community Gas and Power Co., et al.	7487
Oklahoma Power and Water Co.	7489
United Corp.	7487
United Utilities, Inc., and Central Gas Utilities Co.	7489

(Continued on next page)

CONTENTS—Continued

STATE DEPARTMENT:	Page
Blocked nationals, revision of proclaimed list.....	7369
TREASURY DEPARTMENT:	
Finland, foreign funds control (2 documents).....	7379
WAR FOOD ADMINISTRATION. See also Commodity Credit Corporation.	
Agricultural labor, salaries and wages; procedure for establishing wage ceilings.....	7378
Fish:	
Canned (WFO 44, Am. 3).....	7361
Imported salted (WFO 72, Am. 2).....	7363
Fluid milk and cream:	
Des Moines, Iowa.....	7359
Lincoln, Nebr.....	7360
Omaha-Council Bluffs.....	7359
Providence, R. I.....	7360
Sioux City, Iowa.....	7360
Pears, California, Oregon and Washington (WFO 65, 65-1, termination).....	7361
Plums (WFO 55, Am. 2).....	7360
Wage rates, workers engaged in various industries, California:	
Apricots, picking and cutting.....	7376
Dairying.....	7377
Peaches, picking and cutting.....	7377
WAR PRODUCTION BOARD:	
Canners:	
Aluminum pressure (L-30-d, Am. 1 to Dir. 1).....	7394
Enameled cold pack (L-30-b, Am. 1 to Dir. 1).....	7394
Cards, greeting, etc. (L-289).....	7385
Containers (M-290, Dir. 4).....	7380
Aluminum, experimental use (M-81, Dir. 4).....	7389
Fibre (P-146, Dir. 2).....	7389
Wooden (P-140, Dir. 2).....	7389
Controlled materials plan, etc. (CMP Reg. 1, Dir. 53; CMP Reg. 3; CMP Reg. 3, Int. 1; Int. 3; CMP Reg. 5, Dir. 20) (5 documents).....	7379, 7387, 7389
Heaters, water (L-185).....	7392
Horsehide fronts, restriction on processing (M-310, Dir. 6).....	7384
Lumber and lumber products, (L-335, Dir. 1; 2; 3; 4; 5) (5 documents).....	7390, 7391, 7392
Paper, etc (L-120, Sch. I).....	7380
Refrigerators, domestic ice (L-70-c, Sch. VIII).....	7394
Rubber, etc. (R-1, App. III) (2 documents).....	7396, 7416
Suspension orders, etc.:	
Allied Industrial Diamond Co.....	7490
Cartmell's Sales & Service.....	7384
General Playground Equipment, Inc.....	7379
Jarvis, Martin.....	7490
Majestic Furniture & Upholstering Mfg. Co.....	7385
Silberbergs, Inc.....	7490
Sta-Rite Lacquer Corp.....	7491
Tom, Leon.....	7491
Telephones, limitation of manufacture (U-8).....	7395

§ 254.2 *Liens.* Hay and pasture seed offered as collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the note and loan agreement or chattel mortgage. The names of all existing lienholders such as landlords, laborers, threshers, or mortgagees, must be listed. The waiver and consent to sell or mortgage the hay and pasture seed and pay the proceeds to the producer, as contained in the note and loan agreement or chattel mortgage, must be signed personally by all lienholders listed or by their duly authorized agents; or, if the lienholder is a corporation, by an officer thereof customarily authorized to execute such instruments. Waivers of lienholders may be executed on separate instruments if complete identification of the commodity and the producer is shown.

§ 254.3 *County agricultural conservation committees.* County agricultural conservation committees will administer the loan program within a county and will determine eligibility of producers. All loan forms will be obtained from offices of county committees and must be approved by the committee prior to disbursement of proceeds. A service fee of \$1.00, or one-half percent of the net amount of the loan, whichever is larger, will be collected by the county committee, in connection with each loan, to cover the expenses incurred in the operation of the program.

§ 254.4 *Source of loans.* Loans may be obtained through banks and other lending agencies as defined herein, or direct from Commodity Credit Corporation.

§ 254.5 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, notes evidencing loans on hay and pasture seed only from lending agencies which have executed and delivered, to the regional office of Commodity Credit Corporation serving the area, a Contract to Purchase (1940

C. C. C. Form E). Notes held by lending agencies must be tendered to the regional office of Commodity Credit Corporation serving the area, for purchase, within 10 days of written demand by the Corporation. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the outstanding face amount of such notes, plus accrued interest, from the date of disbursement by the lending agency to the date of payment of the purchase price, at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on 1940 C. C. C. Form F, all repayments or collections on producers' notes held by them and to remit with such report, to the regional office of Commodity Credit Corporation, an amount equivalent to 1½ percent per annum on the principal amount collected from the date of disbursement by the lending agency to the date of repayment.

§ 254.6 *Release of collateral.* A borrower may repay his note and obtain the release of the collateral, at any time prior to delivery of the collateral to Commodity Credit Corporation, upon payment of the principal amount due on the note, plus accrued interest at the rate of 3 percent per annum. Borrowers may repay directly notes that are held by local lending agencies, or, if the notes are held by Commodity Credit Corporation, or an out-of-town lending agency, they may request that the notes be forwarded to a local bank for collection, or remit an amount sufficient to pay the outstanding principal, and interest. Partial payment of a note and partial release of collateral may be arranged with the county agricultural conservation committee.

§ 254.7 *Offices of the Regional Directors of Commodity Credit Corporation.* The offices of the regional directors referred to herein and the areas served by them under these instructions are shown below:

Address of Regional Director	Area
208 South La Salle Street, Chicago 4, Ill.....	Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.
1004 Baltimore Avenue, Kansas City, Mo.....	Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.
326 McKnight Building, Minneapolis 1, Minn.....	Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.
Artisans Building, 225 Southwest Broadway, Portland 5, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON COMMON AND CERTIFIED HAY AND PASTURE SEED

§ 254.12 *Eligible producer.* Any person, partnership, association, corporation, or other legal entity, producing or harvesting hay and pasture seed in 1944, as landowner, landlord, tenant, or custom harvester.

§ 254.13 *Eligible seed.* Any seed specified in the attached schedule of loan

rates, produced in 1944, which complies with the other provisions of these instructions, which is cleaned or can be cleaned to meet the specifications as given for weeds and other crop seeds, as shown in the schedule of loan rates, and which complies with the Federal Seed Law and the State Seed Law in the State where the seed is processed. Such seed must be stored in an approved warehouse; the beneficial interest in the seed must be and must always have been in

(1940 C. C. C. Form E) and filed such contract with a regional office of Commodity Credit Corporation.

the person tendering the seed for a loan; and the person tendering the seed for a loan must have the legal right to obtain a loan upon the security of the seed.

§ 254.14 *Seed specifications.* Northern, central, and southern regional areas based on adaptation and yield are recognized for alfalfa. The northern region includes all producing areas north of the southern boundaries of Oregon, Idaho, Wyoming, Nebraska, and eastward above the 40th degree of latitude. The central region includes all the producing areas south of the northern region and north of the 37th degree latitude (excluding California area north of the 37th latitude, but including approved origin alfalfa seed in Oklahoma tagged and sealed with the official tags and seals of the Oklahoma Crop Improvement Association), except as specified under "certified seed." The southern region includes all the producing areas south of the central region.

Red clover (medium double-cut) and mammoth (single-cut) will be eligible for loan except that seed produced west of the 119th degree longitude will not be eligible, except as specified under "certified seed."

Seed of legumes and grasses other than alfalfa and red clover are eligible for a loan in all parts of the United States.

All seed is to be labeled and must comply with the weed seed limitations of the State in which the seed is produced, or, in event of interstate shipment for storage or cleaning, it must be labeled to meet the requirements of the Federal Seed Act and the weed seed limitations of the State into which the seed is shipped, provided that no loan will be made if the seed contains seed of white top, Canada thistle, dodder, quackgrass, Johnson grass, bindweed, Russian knapweed, perennial sow thistle, or leafy spurge, singly or combined in excess of 45 seeds per pound.

§ 254.15 *Loans.* Hay and pasture seed otherwise eligible for a loan as specified herein are eligible under the terms and conditions and at the prices as stated in the schedule of loan rates included in these instructions.

§ 254.16 *Discounts for low quality seed.* Seed meeting the basic pure seed and germination specifications set out in the schedule of loan rates will be eligible for a loan at the highest loan rate established in such schedule. Lower quality seed will be eligible for a loan at the rates established in the schedule. Seed of lower seed purity or germination than the minimum seed purity and germination shown in the schedule shall not be eligible for a loan.

§ 254.17 *Certified seed.* Varieties or strains of hay and pasture seeds designated by State Agricultural Experiment Stations in cooperation with State seed certifying agencies, and Bureau of Plant Industry, Soils and Agricultural Engineering of the United States Department of Agriculture, will be eligible for loans as "certified seed." Seeds of these varieties or strains are to be certified by the State seed certifying agency of the State

where grown. The standards and procedures for certification of each State must be approved by the executive committee of the International Crop Improvement Association, or its designated agent.

Certified seed, as defined above, will be eligible for loan in all States.

State and Federal lists of certified seeds eligible for loan and a list of State seed certifying agencies will be furnished by Commodity Credit Corporation.

§ 254.18 *Charges to be paid by producer.* Costs of cleaning, bagging, tagging, and transportation to approved warehouses, are to be borne by the producer. Such costs should not exceed the charges established in the cleaning and storage agreement for seed processors.

§ 254.19 *Availability and maturity.* Loans on eligible hay and pasture seed will be available after the 1944 harvest begins and through December 31, 1944. Loans will mature on demand, but not later than April 30, 1945.

SPECIAL INSTRUCTIONS CONCERNING LOANS ON IMPROVED VARIETIES OF LEGUME AND GRASS SEEDS

§ 254.25 *Eligible producer.* Any person, partnership, association, corporation, or other legal entity, producing as landlord, landowner, or tenant, improved varieties of legume and grass seed in 1944, in accordance with the instructions issued by the State Experiment Stations and Crop Improvement Associations.

§ 254.26 *Eligible seed.* Any seed approved by the Administrator, properly cleaned, bagged, certified, sealed, and stored.

§ 254.27 *Availability and maturity.* Loans on improved varieties of legume and grass seed will be available after 1944 harvest begins and through December 31, 1944. Loans will mature on demand, but not later than January 31, 1945.

Dated: June 1, 1944.

C. C. FARRINGTON,  
Acting President.

SCHEDULE OF LOAN RATES WITH BASIC SPECIFICATIONS FOR PERCENTAGE OF SEED PURITY, GERMINATION, MAXIMUM WEED CONTENT AND MAXIMUM MIXTURE OF OTHER CROPS FOR THE VARIOUS CROP SEEDS

Kind of seed	Pure seed	Germination <sup>1</sup>	Loan rate		Maximum weed seed	Maximum other crops
			Common	Certified improved varieties		
Alfalfa ( <i>Medicago sativa</i> ):	Percent	Percent	Cents per lb.	Cents per lb.	Percent	Percent
Northern.....	98	90	33	40	1	5
Central.....	98	90	30	37	1	5
Southern.....	98	90	26	33	1	5
Oklahoma "approved origin".....	98	90	30	33	1	5
Red Clover ( <i>Trifolium pratense</i> ).....	98	90	28	34	1	5
Biennial White Sweetclover ( <i>Melilotus alba</i> ).....	96	88	9	15	1	5
Biennial Yellow Sweetclover ( <i>Melilotus officinalis</i> ).....	98	88	9	15	1	5
Biennial Mixed-Sweetclover ( <i>Melilotus sp.</i> ).....	98	88	8	15	1	5
Alsike Clover ( <i>Trifolium hybridum</i> ).....	97	90	25	33	1	5
Timothy ( <i>Phleum pratense</i> ).....	99	90	4.5	9	.5	5
Smooth Bromegrass ( <i>Bromus inermis</i> ).....	92	85	13	18	1	5
Orchard Grass ( <i>Dactylis glomerata</i> ).....	85	85	22	25	2	5
Crested Wheatgrass ( <i>Agropyron cristatum</i> ).....	90	90	15	15	2	5
Blue Grama ( <i>Bouteloua gracilis</i> ).....	50	75	15	15	2	5
Side Oats Grama ( <i>B. curtipendula</i> ).....	25	75	20	25	2	5
Buffalo Grass ( <i>Buchloe dactyloides</i> ).....	85	50	50	60	2	5
Bermuda Grass ( <i>Cynodon dactylon</i> ).....	90	80	20	40	1	5
Dallis Grass ( <i>Paspalum dilatatum</i> ).....	30	70	20	30	1.5	5
Bahia Grass ( <i>Paspalum notatum</i> ).....	72	70	20	30	.5	5
Meadow Fescue ( <i>Festuca elatior</i> ).....	97	90	12	17	2	5
Slender Wheatgrass ( <i>Agropyron trachycalum</i> ).....	95	85	15	15	.5	5
Western Wheatgrass ( <i>A. smithii</i> ).....	80	80	15	15	2	5
Ladino Clover ( <i>Trifolium repens</i> var. <i>Ladino</i> ).....	98	90	150	150	.5	1
Sudan Grass ( <i>Sorghum vulgare sudanense</i> ).....	98	85	6	99	.5	5
White Clover ( <i>Trifolium repens</i> ).....	98	90	50	50	.55	5
Blue Lupine ( <i>Lupinus hirsutus</i> ).....	99	90	6	6	1	5
Alyce Clover ( <i>Alysicarpus vaginalis</i> ).....	98	90	18	18	1	5
Persian Clover and Cluster Clover.....	97	90	25	25	1	5
Sericea Lespedeza ( <i>Lespedeza sericea</i> ).....	98	90	16	16	1	5
Kobe Lespedeza ( <i>Lespedeza striata</i> var.).....	98	90	12	12	1	5
Tenn. #76 Lespedeza and Common Lespedeza ( <i>Lespedeza striata</i> ).....	98	90	20	20	1	5
Wild Winter Pea (Rough Pea).....	98	90	8	8	2	5
Switch grass ( <i>Panicum miliaceum</i> ).....	80	80	20	25	2	5
Little Bluestem and Big Bluestem ( <i>Andropogon scoparius</i> , <i>A. furcatus</i> ).....	40	50	20	25	2	5
Sand Bluestem ( <i>Andropogon hallii</i> ).....	40	60	25	25	2	5
Weeping Lovegrass.....	90	90	50	50	2	5
Huam (Texas only) ( <i>Melilotus alba annua</i> ).....	98	88	10	10	1	5
Yellow Hop Clover.....	97	90	35	35	1	5
Black Medic ( <i>Medicago lupulina</i> ).....	97	90	20	20	1	5

<sup>1</sup> Percentage of germination includes hard seed.

<sup>2</sup> Not more than 2% of sweet clover.

<sup>3</sup> Not more than 15% hard seed.

<sup>4</sup> Except white clover seed.

<sup>5</sup> Not in excess of 30% of seed with hulls removed.

<sup>6</sup> Except Alsike clover seed.

<sup>7</sup> Not to exceed 25% hard.

<sup>8</sup> Not more than 1% sand dropseed.

*Ladino-Alsike Mixture.* Loans will be made at the respective rates on quantities of ladino and alsike clover in the mixture: *Provided*, That if the proportion of alsike clover is 75% or more the rate for alsike clover shall apply to both kinds of seed. The pure seed of the mixture and the germination

of each component will be used in determining the value. Various weed seed 1%. Maximum other crops 1%, except white clover.

*Black Medic, White, Hop and Persian Clover Mixture.* Loans will be made at the respective rates on quantities of black medic, white

clover, hop clover and Persian clover in the mixture. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 1%. Maximum other crop seed 5%.

**Mixed Bluestem.** Loans will be made at the respective rates on quantities of big bluestem, little bluestem, and sand bluestem in the mixture: *Provided*, The mixture contains at least 28% of two or more of these seeds; not more than 1% sand dropseed, and not more than 5% of grass seeds other than switchgrass, side oats grama, and Indiangrass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2%.

**Mixed Grama.** Loans will be made at the respective rates on quantities of blue grama and side oats grama in the mixture: *Provided*, The mixture contains at least 25% of blue grama and side oats grama; not more than 1% sand dropseed, and not more than 5% of grass seeds other than Buffalo grass, bluestems, switchgrass, and Indiangrass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2%.

SCHEDULE OF LOAN RATES PER 100 POUNDS FOR SEED NOT MEETING SPECIFICATIONS FOR LOAN AT BASIC RATES

ALFALFA, NORTHERN COMMON

Difference of 1% pure seed=3% or \$0.99 deduction.  
Difference of 5% germination=5% or \$1.65 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$33.00	\$31.35	\$29.70
97.....	32.01	30.36	28.71
96.....	31.02	29.37	27.72
95.....	30.03	28.38	26.73
94.....	29.04	27.39	25.74

ALFALFA, NORTHERN CERTIFIED

Difference of 1% pure seed=3% or \$1.20 deduction.  
Difference of 5% germination=5% or \$2.00 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$40.00	\$38.00	\$36.00
97.....	38.80	36.80	34.80
96.....	37.60	35.60	33.60
95.....	36.40	34.40	32.40
94.....	35.20	33.20	31.20

ALFALFA, CENTRAL COMMON<sup>1</sup>

Difference of 1% pure seed=3% or \$0.90 deduction.  
Difference of 5% germination=5% or \$1.50 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$30.00	\$28.50	\$27.00
97.....	29.10	27.60	26.10
96.....	28.20	26.70	25.20
95.....	27.30	25.80	24.30
94.....	26.40	24.90	23.40

ALFALFA, CENTRAL CERTIFIED

Difference of 1% pure seed=3% or \$1.11 deduction.  
Difference of 5% germination=5% or \$1.85 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$37.00	\$35.15	\$33.30
97.....	35.89	34.04	32.19
96.....	34.78	32.93	31.08
95.....	33.67	31.82	29.97
94.....	32.56	30.71	28.86

ALFALFA, SOUTHERN COMMON

Difference of 1% pure seed=3% or \$0.78 deduction.  
Difference of 5% germination=5% or \$1.30 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$26.00	\$24.70	\$23.40
97.....	25.22	23.92	22.62
96.....	24.44	23.14	21.84
95.....	23.66	22.36	21.06
94.....	22.88	21.58	20.28

<sup>1</sup> Includes Oklahoma approved origin seed.

ALFALFA, SOUTHERN CERTIFIED

Difference of 1% pure seed=3% or \$0.99 deduction.  
Difference of 5% germination=5% or \$1.65 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$33.00	\$31.35	\$29.70
97.....	32.01	30.36	28.71
96.....	31.02	29.37	27.72
95.....	30.03	28.38	26.73
94.....	29.04	27.39	25.74

RED CLOVER, COMMON

Difference of 1% pure seed=3% or \$0.84 deduction.  
Difference of 5% germination=5% or \$1.40 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$28.00	\$26.60	\$25.20
97.....	27.16	25.76	24.36
96.....	26.32	24.92	23.52
95.....	25.48	24.08	22.68
94.....	24.64	23.24	21.84

RED CLOVER, CERTIFIED

Difference of 1% pure seed=3% or \$1.02 deduction.  
Difference of 5% germination=5% or \$1.70 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$34.00	\$32.30	\$30.60
97.....	32.98	31.28	29.58
96.....	31.96	30.26	28.56
95.....	30.94	29.24	27.54
94.....	29.92	28.22	26.52

BIENNIAL WHITE OR YELLOW SWEETCLOVER, COMMON

Difference of 1% pure seed=3% or \$0.27 deduction.  
Difference of 5% germination=5% or \$0.45 deduction.

Pure seed (percent)	Germination and hard seed			
	88 to 100%	85 to 88%	80 to 85%	75 to 80%
98.....	\$0.00	\$8.73	\$8.28	\$7.83
97.....	8.73	8.46	8.01	7.56
96.....	8.46	8.19	7.74	7.29
95.....	8.19	7.92	7.47	7.02
94.....	7.92	7.65	7.20	6.75

BIENNIAL WHITE OR YELLOW SWEETCLOVER, CERTIFIED

Difference of 1% pure seed=3% or \$0.45 deduction.  
Difference of 5% germination=5% or \$0.75 deduction.

Pure seed (percent)	Germination and hard seed			
	88 to 100%	85 to 88%	80 to 85%	75 to 80%
98.....	\$15.00	\$14.55	\$13.80	\$13.05
97.....	14.55	14.10	13.35	12.60
96.....	14.10	13.65	12.90	12.15
95.....	13.65	13.20	12.45	11.70
94.....	13.20	12.75	12.00	11.25

BIENNIAL MIXED SWEETCLOVER

Difference of 1% pure seed=3% or \$0.24 deduction.  
Difference of 5% germination=5% or \$0.40 deduction.

Pure seed (percent)	Germination and hard seed			
	88 to 100%	85 to 88%	80 to 85%	75 to 80%
98.....	\$8.00	\$7.76	\$7.36	\$6.96
97.....	7.76	7.52	7.12	6.72
96.....	7.52	7.28	6.88	6.48
95.....	7.28	7.04	6.64	6.24
94.....	7.04	6.80	6.40	6.00

ALSIKE

Difference of 1% pure seed=3% or \$0.75 deduction.  
Difference of 5% germination=5% or \$1.25 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
97.....	\$25.00	\$23.75	\$22.50
96.....	24.25	23.00	21.75
95.....	23.50	22.25	21.00
94.....	22.75	21.50	20.25

TIMOTHY, COMMON

Difference of 1% pure seed=5% or \$0.22 deduction.  
Difference of 5% germination=5% or \$0.22 deduction.

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
99.....	\$4.70	\$4.28	\$4.06
98.....	4.28	4.06	3.84
97.....	4.06	3.84	3.62
96.....	3.84	3.62	3.40
95.....	3.62	3.40	3.18
94.....	3.40	3.18	2.96

TIMOTHY CERTIFIED

Difference of 1% pure seed=5% or \$0.45 deduction.  
Difference of 5% germination=5% or \$0.45 deduction.

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
99.....	\$9.00	\$8.55	\$8.10
98.....	8.55	8.10	7.65
97.....	8.10	7.65	7.20
96.....	7.65	7.20	6.75
95.....	7.20	6.75	6.30
94.....	6.75	6.30	5.85

SMOOTH BROMEGRASS, COMMON

Difference of 2% pure seed=5% or \$0.65 deduction.  
Difference of 5% germination=5% or \$0.65 deduction.

Pure seed (percent)	Germination		
	85 to 100%	80 to 85%	75 to 80%
92.....	\$13.00	\$12.35	\$11.70
90.....	12.35	11.70	11.05
88.....	11.70	11.05	10.40
86.....	11.05	10.40	9.75

SMOOTH BROMEGRASS, CERTIFIED

Difference of 2% pure seed=5% or \$0.90 deduction.  
Difference of 5% germination=5% or \$0.90 deduction.

Pure seed (percent)	Germination		
	85 to 100%	80 to 85%	75 to 80%
92.....	\$18.00	\$17.10	\$16.20
90.....	17.10	16.20	15.30
88.....	16.20	15.30	14.40
86.....	15.30	14.40	13.50

ORCHARD GRASS, COMMON

Difference of 5% pure seed=10% or \$2.20 deduction.  
Difference of 5% germination=5% or \$1.10 deduction.

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
85.....	\$22.00	\$20.90	\$19.80	\$18.70
80.....	19.80	18.70	17.60	16.50
75.....	17.60	16.50	15.40	14.30
70.....	15.40	14.30	13.20	12.10

ORCHARD GRASS, CERTIFIED

Difference of 5% pure seed=10% or \$2.50 deduction.  
Difference of 5% germination=5% or \$1.25 deduction.

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
85.....	\$25.00	\$23.75	\$22.50	\$21.25
80.....	22.50	21.25	20.00	18.75
75.....	20.00	18.75	17.50	16.25
70.....	17.50	16.25	15.00	13.75

CRESTED WHEATGRASS

Difference of 2% pure seed=5% or \$0.75 deduction.  
Difference of 5% germination=5% or \$0.75 deduction.

Pure seed (percent)	Germination				
	90 to 100%	85 to 90%	80 to 85%	75 to 80%	70 to 75%
90.....	\$15.00	\$14.25	\$13.50	\$12.75	\$12.00
88.....	14.25	13.50	12.75	12.00	11.25
86.....	13.50	12.75	12.00	11.25	10.50
84.....	12.75	12.00	11.25	10.50	9.75
82.....	12.00	11.25	10.50	9.75	9.00
80.....	11.25	10.50	9.75	9.00	8.25

BLUE GRAMA

Difference of 10% pure seed=30% or \$4.50 deduction  
Difference of 10% germination=20% or \$3.00 deduction

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
50.....	\$15.00	\$12.00	\$9.00	\$6.00
40.....	10.50	7.50	4.50	1.50
30.....	6.00	3.00	0	0

SIDE OATS GRAMA, COMMON

Difference of 5% pure seed=20% or \$4.00 deduction.  
Difference of 10% germination=20% or \$4.00 deduction.

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
25.....	\$20.00	\$16.00	12.00	\$8.00
20.....	16.00	12.00	8.00	4.00
15.....	12.00	8.00	4.00	0
10.....	8.00	4.00	0	0

SIDE OATS GRAMA, CERTIFIED

Difference of 5% pure seed=20% or \$5.00 deduction.  
Difference of 10% germination=20% or \$5.00 deduction.

Pure seed (percent)	Germination			
	75 to 100%	65 to 75%	55 to 65%	45 to 55%
25.....	\$25.00	\$20.00	\$15.00	\$10.00
20.....	20.00	15.00	10.00	5.00
15.....	15.00	10.00	5.00	0
10.....	10.00	5.00	0	0

BUFFALO GRASS, COMMON

Difference of 10% pure seed=10% or \$5.00 deduction.  
Difference of 10% germination=10% or \$5.00 deduction.

Pure seed (percent)	Germination			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
85.....	\$50.00	\$45.00	\$40.00	\$35.00
75.....	45.00	40.00	35.00	30.00
65.....	40.00	35.00	30.00	25.00
55.....	35.00	30.00	25.00	20.00

BUFFALO GRASS, CERTIFIED

Difference of 10% pure seed=10% or \$6.00 deduction.  
Difference of 10% germination=10% or \$6.00 deduction.

Pure seed (percent)	Germination			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
85.....	\$60.00	\$54.00	\$48.00	\$42.00
75.....	54.00	48.00	42.00	36.00
65.....	48.00	42.00	36.00	30.00
55.....	42.00	36.00	30.00	24.00

BERMUDA GRASS, COMMON

Difference of 2% pure seed=5% or \$1.00 deduction.  
Difference of 5% germination=5% or \$1.00 deduction.

Pure seed (percent)	Germination		
	80 to 100%	75 to 80%	70 to 75%
90.....	\$20.00	\$19.00	\$18.00
88.....	19.00	18.00	17.00
86.....	18.00	17.00	16.00
84.....	17.00	16.00	15.00

BERMUDA GRASS, CERTIFIED

Difference of 2% pure seed=5% or \$2.00 deduction.  
Difference of 5% germination=5% or \$2.00 deduction.

Pure seed (percent)	Germination		
	80 to 100%	75 to 80%	70 to 75%
90.....	\$40.00	\$38.00	\$36.00
88.....	38.00	36.00	34.00
86.....	36.00	34.00	32.00
84.....	34.00	32.00	30.00

DALLIS GRASS

Difference of 5% pure seed=10% or \$2.00 deduction.  
Difference of 10% germination=10% or \$2.00 deduction.

Pure seed (percent)	Germination		
	70 to 100%	60 to 70%	50 to 60%
30.....	\$20.00	\$18.00	\$16.00
25.....	18.00	16.00	14.00
20.....	16.00	14.00	12.00

LADINO CLOVER

Difference of 1% pure seed=2% or \$3.00 deduction.  
Difference of 5% germination=5% or \$7.50 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$150.00	\$142.50	\$135.00
97.....	147.00	139.50	132.00
96.....	144.00	136.50	129.00
95.....	141.00	133.50	126.00
94.....	138.00	130.50	123.00

BAHIA GRASS, COMMON

Difference of 5% pure seed=5% or \$1.00 deduction.  
Difference of 5% germination=5% or \$1.00 deduction.

Pure seed (percent)	Germination		
	70 to 100%	65 to 70%	60 to 65%
72.....	\$20.00	\$19.00	\$18.00
67.....	19.00	18.00	17.00
62.....	18.00	17.00	16.00

BAHIA GRASS, CERTIFIED

Difference of 5% pure seed=5% or \$1.50 deduction.  
Difference of 5% germination=5% or \$1.50 deduction.

Pure seed (percent)	Germination		
	70 to 100%	65 to 70%	60 to 65%
72.....	\$30.00	\$28.50	\$27.00
67.....	28.50	27.00	25.50
62.....	27.00	25.50	24.00

MEADOW FESCUE, COMMON

Difference of 1% pure seed=5% or \$0.60 deduction.  
Difference of 5% germination=5% or \$0.60 deduction.

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
97.....	\$12.00	\$11.40	\$10.80
96.....	11.40	10.80	10.20
95.....	10.80	10.20	9.60
94.....	10.20	9.60	9.00
93.....	9.60	9.00	8.40

MEADOW FESCUE, CERTIFIED

Difference of 1% pure seed=5% or \$0.85 deduction.  
Difference of 5% germination=5% or \$0.85 deduction.

Pure seed (percent)	Germination		
	90 to 100%	85 to 90%	80 to 85%
97.....	\$17.00	\$16.15	\$15.30
96.....	16.15	15.30	14.45
95.....	15.30	14.45	13.60
94.....	14.45	13.60	12.75
93.....	13.60	12.75	11.90

SLENDER WHEATGRASS

Difference of 2% pure seed=5% or \$0.75 deduction.  
Difference of 5% germination=5% or \$0.75 deduction.

Pure seed (percent)	Germination		
	85 to 100%	80 to 85%	75 to 80%
95.....	\$16.00	\$14.25	\$13.50
93.....	14.25	13.50	12.75
91.....	13.50	12.75	12.00
89.....	12.75	12.00	11.25

WESTERN WHEATGRASS

Difference of 5% pure seed=5% or \$0.75 deduction.  
Difference of 5% germination=5% or \$0.75 deduction.

Pure seed (percent)	Germination				
	80 to 100%	75 to 80%	70 to 75%	65 to 70%	60 to 65%
80.....	\$15.00	\$14.25	\$13.50	\$12.75	\$12.00
75.....	14.25	13.50	12.75	12.00	11.25
70.....	13.50	12.75	12.00	11.25	10.50
65.....	12.75	12.00	11.25	10.50	9.75

SUDAN GRASS, COMMON

Difference of 1% pure seed=3% or \$0.18 deduction.  
Difference of 5% germination=5% or \$0.30 deduction.

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
98.....	\$6.00	\$5.70	\$5.40	\$5.10
97.....	5.82	5.52	5.22	4.92
96.....	5.64	5.34	5.04	4.74
95.....	5.46	5.16	4.86	4.56
94.....	5.28	4.98	4.68	4.38

**SUDAN GRASS, CERTIFIED**

Difference of 1% pure seed=3% or \$0.27 deduction.  
Difference of 5% germination=5% or \$0.45 deduction.

Pure seed (percent)	Germination			
	85 to 100%	80 to 85%	75 to 80%	70 to 75%
98.....	\$9.00	\$8.55	\$8.10	\$7.65
97.....	8.73	8.28	7.83	7.38
96.....	8.46	8.01	7.56	7.11
95.....	8.19	7.74	7.29	6.84
94.....	7.92	7.47	7.02	6.57

**WHITE CLOVER**

Difference of 1% pure seed=2% or \$1.00 deduction.  
Difference of 5% germination=5% or \$2.50 deduction.

Pure seed (percent)	Germination and hard seed		
	90 to 100%	85 to 90%	80 to 85%
98.....	\$50.00	\$47.50	\$45.00
97.....	49.00	46.50	44.00
96.....	48.00	45.50	43.00
95.....	47.00	44.50	42.00
94.....	46.00	43.50	41.00

**BLUE LUPINE**

Difference of 1% pure seed=3% or \$0.18 deduction.  
Difference of 5% germination=5% or \$0.30 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
99.....	\$6.00	\$5.70	\$5.40	\$5.10
98.....	5.82	5.52	5.22	4.92
97.....	5.64	5.34	5.04	4.74
96.....	5.46	5.16	4.86	4.56
95.....	5.28	4.98	4.68	4.38
94.....	5.10	4.80	4.50	4.20

**ALYCE CLOVER**

Difference of 1% pure seed=3% or \$0.54 deduction.  
Difference of 5% germination=5% or \$0.90 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$18.00	\$17.00	\$16.20	\$15.30
97.....	17.46	16.56	15.66	14.76
96.....	16.92	16.02	15.12	14.22
95.....	16.38	15.48	14.58	13.68
94.....	15.84	14.94	14.04	13.14

**PERSIAN CLOVER AND CLUSTER CLOVER**

Difference of 1% pure seed=3% or \$0.75 deduction.  
Difference of 5% germination=5% or \$1.25 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97.....	\$25.00	\$23.75	\$22.50	\$21.25
96.....	24.25	23.00	21.75	20.50
95.....	23.50	22.25	21.00	19.75
94.....	22.75	21.50	20.25	19.00
93.....	22.00	20.75	19.50	18.25

**SERICEA LESPEDEZA**

Difference of 1% pure seed=3% or \$0.48 deduction.  
Difference of 5% germination=5% or \$0.80 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$16.00	\$15.20	\$14.40	\$13.60
97.....	15.52	14.72	13.92	13.12
96.....	15.04	14.24	13.44	12.64
95.....	14.56	13.76	12.96	12.16
94.....	14.08	13.28	12.48	11.68

**ROBE LESPEDEZA**

Difference of 1% pure seed=3% or \$0.36 deduction.  
Difference of 5% germination=5% or \$0.60 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$12.00	\$11.40	\$10.80	\$10.20
97.....	11.64	11.04	10.44	9.84
96.....	11.28	10.68	10.08	9.48
95.....	10.92	10.32	9.72	9.12
94.....	10.56	9.96	9.36	8.76

**TENN. #76 LESPEDEZA AND COMMON LESPEDEZA**

Difference of 1% pure seed=3% or \$0.60 deduction.  
Difference of 5% germination=5% or \$1.00 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$20.00	\$19.00	\$18.00	\$17.00
97.....	19.40	18.40	17.40	16.40
96.....	18.80	17.80	16.80	15.80
95.....	18.20	17.20	16.20	15.20
94.....	17.60	16.60	15.60	14.60

**WILD WINTER PEAS (ROUGH PEA)**

Difference of 1% pure seed=3% or \$0.24 deduction.  
Difference of 5% germination=5% or \$0.40 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$8.00	\$7.60	\$7.20	\$6.80
97.....	7.76	7.36	6.96	6.56
96.....	7.52	7.12	6.72	6.32
95.....	7.28	6.88	6.48	6.08
94.....	7.04	6.64	6.24	5.84

**SWITCHGRASS, COMMON**

Difference of 5% pure seed=20% or \$4.00 deduction.  
Difference of 10% germination=20% or \$4.00 deduction.

Pure seed (percent)	Germination and hard seed			
	80 to 100%	70 to 80%	60 to 70%	50 to 60%
80.....	\$20.00	\$16.00	\$12.00	\$8.00
75.....	16.00	12.00	8.00	4.00
70.....	12.00	8.00	4.00	0
65.....	8.00	4.00	0	0

**SWITCHGRASS, CERTIFIED**

Difference of 5% pure seed=20% or \$5.00 deduction.  
Difference of 10% germination=20% or \$5.00 deduction.

Pure seed (percent)	Germination and hard seed			
	80 to 100%	70 to 80%	60 to 70%	50 to 60%
80.....	\$25.00	\$20.00	\$15.00	\$10.00
75.....	20.00	15.00	10.00	5.00
70.....	15.00	10.00	5.00	0
65.....	10.00	5.00	0	0

**LITTLE BLUESTEM AND BIG BLUESTEM, COMMON**

Difference of 10% pure seed=30% or \$6.00 deduction.  
Difference of 10% germination=20% or \$4.00 deduction.

Pure seed (percent)	Germination and hard seed			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
40.....	\$20.00	\$16.00	\$12.00	\$8.00
30.....	14.00	10.00	6.00	2.00
20.....	8.00	4.00	0	0
10.....	2.00	0	0	0

**LITTLE BLUESTEM AND BIG BLUESTEM, CERTIFIED**

Difference of 10% pure seed=30% or \$7.50 deduction.  
Difference of 10% germination=20% or \$5.00 deduction.

Pure seed (percent)	Germination and hard seed			
	50 to 100%	40 to 50%	30 to 40%	20 to 30%
40.....	\$25.00	\$20.00	\$15.00	\$10.00
30.....	17.50	12.50	7.50	2.50
20.....	10.00	5.00	0	0
10.....	2.50	0	0	0

**SAND BLUESTEM**

Difference of 10% pure seed=20% or \$5.00 deduction.  
Difference of 10% germination=20% or \$5.00 deduction.

Pure seed (percent)	Germination and hard seed			
	60 to 100%	50 to 60%	40 to 50%	30 to 40%
40.....	\$25.00	\$20.00	\$15.00	\$10.00
30.....	20.00	15.00	10.00	5.00
20.....	15.00	10.00	5.00	0
10.....	10.00	5.00	0	0

**WEEPING LOVEGRASS**

Difference of 10% pure seed=10% or \$5.00 deduction.  
Difference of 10% germination=10% or \$5.00 deduction.

Pure seed (percent)	Germination			
	90 to 100%	80 to 90%	70 to 80%	60 to 70%
90.....	\$50.00	\$45.00	\$40.00	\$35.00
80.....	45.00	40.00	35.00	30.00
70.....	40.00	35.00	30.00	25.00
60.....	35.00	30.00	25.00	20.00

**HUBAM (TEXAS ONLY)**

Difference of 1% pure seed=3% or \$0.30 deduction.  
Difference of 5% germination=5% or \$0.50 deduction.

Pure seed (percent)	Germination and hard seed			
	85 to 100%	85 to 90%	80 to 85%	75 to 80%
98.....	\$10.00	\$9.70	\$9.20	\$8.70
97.....	9.70	9.40	8.90	8.40
96.....	9.40	9.10	8.60	8.10
95.....	9.10	8.80	8.30	7.80
94.....	8.80	8.50	8.00	7.50

**BLACK MEDIC**

Difference of 1% pure seed=3% or \$0.60 deduction.  
Difference of 5% germination=5% or \$1.00 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97.....	\$20.00	\$19.00	\$18.00	\$17.00
96.....	19.40	18.40	17.40	16.40
95.....	18.80	17.80	16.80	15.80
94.....	18.20	17.20	16.20	15.20
93.....	17.60	16.60	15.60	14.60

**YELLOW HOP CLOVER**

Difference of 1% pure seed=3% or \$1.05 deduction.  
Difference of 5% germination=5% or \$1.75 deduction.

Pure seed (percent)	Germination and hard seed			
	90 to 100%	85 to 90%	80 to 85%	75 to 80%
97.....	\$35.00	\$33.25	\$31.50	\$29.75
96.....	33.95	32.20	30.45	28.70
95.....	32.90	31.15	29.40	27.65
94.....	31.85	30.10	28.35	26.60
93.....	30.80	29.05	27.30	25.55

[1944 C.C.C. Flaxseed Form 1—Instructions]

## PART 255—1944 FLAXSEED LOANS

## 1944 FLAXSEED LOAN PROGRAM

Commodity Credit Corporation has authorized the making of loans on flaxseed stored on farms, or in approved public warehouses, in accordance with these instructions.

Sec.	
255.1	Eligible producer.
255.2	Eligible flaxseed.
255.3	Eligible storage.
255.4	Loan rates.
255.5	Storage allowance.
255.6	Determination of quantity of flaxseed.
255.7	Liens.
255.8	Maturity and interest rate.
255.9	Lending agency.
255.10	Eligible paper.
255.11	Purchase of loans.
255.12	Offices of Commodity Credit Corporation.
255.13	County agricultural conservation committee.
255.14	Balance of collateral.

**AUTHORITY:** §§ 255.1 to 255.14, inclusive, issued under sec. 302, Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302).

§ 255.1 *Eligible producer.* Any person, partnership, association, or corporation, producing flaxseed in 1944 as landowner, landlord, or tenant.

§ 255.2 *Eligible flaxseed.* Flaxseed grading No. 1 or No. 2, which was produced in 1944, the beneficial interest to which is and always has been in the eligible producer. Flaxseed containing more than 30 percent damage or which contains more than 11 percent moisture, or which is musty, sour, heating, hot, or which has any commercially objectionable odor, or which is otherwise low quality, is not eligible for loan.

§ 255.3 *Eligible storage.* Loans will be made on eligible flaxseed stored in approved public grain warehouses, or in acceptable storage structures located on farms, in all areas.

§ 255.4 *Loan rates.* Loan values on flaxseed shall be based on numerical grades, as provided in the Official Grain Standards of the United States. Loan rates for U. S. No. 1 flaxseed will be based upon \$2.95 per bushel at Minneapolis, Minnesota, Chicago, Illinois, and Portland, Oregon; \$3.00 per bushel at Los Angeles and San Francisco, California; \$2.85 per bushel at Emporia and Fredonia, Kansas; and \$2.80 per bushel at Corpus Christi, Harlingen, and Houston, Texas. Loan rates for flaxseed grading U. S. No. 2 will be 5 cents per bushel less.

The foregoing schedule applies only to flaxseed delivered in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required: *Provided*, In the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate

from the terminal market, there shall be deducted from the applicable terminal loan value the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement: *Provided further*, That Commodity Credit Corporation will accept, in lieu of such bills, the approved warehouseman's supplemental certificate, or warehouse receipts on which a legend, signed by the warehouseman, has been stamped or typewritten, giving full information as to the value of such freight bill for transit billing, name of carrier, car number, freight rate, amount collected, unused transit stops, other pertinent information, and a statement that the freight bill has been officially registered for transit in accordance with the Uniform Grain Storage Agreement. A deduction of 6 cents per bushel shall be made if evidence is not submitted that paid rail freight bills have been registered for transit privileges.

The loan value for No. 1 and No. 2 flaxseed stored on farms and in approved country warehouses shall be determined by deducting from the applicable basic terminal loan value an amount equal to 5 cents per bushel more than the appropriate freight rate, plus the 3 percent freight tax. The appropriate freight rate shall be the county average of the all-rail interstate freight rates in effect May 16, 1944, from all points in the county from which flaxseed will be shipped to the appropriate terminal market. (Loan values applicable to each county will be contained in C. C. C. Flaxseed Form 1 for each State.)

Loan values for flaxseed stored in approved warehouses, other than those situated in the terminal markets designated in § 255.4, which was shipped by rail, shall be determined by the regional director of Commodity Credit Corporation. Values at such storage points shall be determined on the basis of terminal values listed in § 255.4, with appropriate adjustment for freight.

§ 255.5 *Storage allowance.* A storage allowance of \$.07 per bushel will be advanced, at the time the loan is made, only on the number of bushels placed under loan in farm storage, and shall be earned by the producer, (1) if the flaxseed is delivered to the Commodity Credit Corporation on or after March 31, 1945 in the States of Arizona and California, and April 30, 1945 in other States, or (2) if, pursuant to demand by the Corporation for repayment, the flaxseed is delivered to the Commodity Credit Corporation prior to such dates, provided such demand for repayment was not due to any fraudulent representations on the part of the producer, or the flaxseed was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to such dates, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supple-

ment. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the Corporation. Storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage.

§ 255.6 *Determination of quantity of flaxseed.* A bushel shall be 56 pounds of clean flaxseed free of dockage, when determined by weight, or 1.25 cubic feet of flaxseed testing 56 pounds per bushel when determined by measurement. A deduction of three-quarters of a pound for each sack will be made in determining the quantity of the collateral when stored as sacked grain. In determining the quantity of flaxseed in farm storage by measurement, fractional pounds of the bushel test weight for flaxseed testing less than 56 pounds per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 56-pound flaxseed:

	Percent
For flaxseed testing 56 pounds or over	100
For flaxseed testing 55 pounds or over, but less than 56 pounds	98
For flaxseed testing 54 pounds or over, but less than 55 pounds	96
For flaxseed testing 53 pounds or over, but less than 54 pounds	94
For flaxseed testing 52 pounds or over, but less than 53 pounds	92
For flaxseed testing 51 pounds or over, but less than 52 pounds	90
For flaxseed testing 50 pounds or over, but less than 51 pounds	88
For flaxseed testing 49 pounds or over, but less than 50 pounds	85
For flaxseed testing 48 pounds or over, but less than 49 pounds	83
For flaxseed testing 47 pounds or over, but less than 48 pounds	81

§ 255.7 *Liens.* The flaxseed collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement.

§ 255.8 *Maturity and interest rate.* Notes secured by farm-stored flaxseed, or by warehouse receipts representing flaxseed, shall mature on demand, or on March 31, 1945 for California and Arizona flaxseed or on June 30, 1945 for all other flaxseed. All loans will bear interest at the rate of 3 percent per annum. Notes evidencing such loans must be dated on or before January 31, 1945.

§ 255.9 *Lending agency.* Any bank, cooperative marketing association, or other corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C.C.C. Form F.

§ 255.10 *Eligible paper.* Eligible paper shall consist of notes of the producers secured by chattel mortgages, or warehouse receipts representing flaxseed in existence, dated prior to October 31, 1944, for California and Arizona flaxseed, or dated prior to January 31, 1945 for all other flaxseed. Notes shall be executed in accordance with these in-



structions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee, will be acceptable only where valid in law.

§ 255.11 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, only from lending agencies which have executed and delivered, to the office of Commodity Credit Corporation to which notes are submitted, Contract to Purchase, 1940 C.C.C. Form E, obtainable only from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation, for immediate or deferred purchase, within 10 days of written request, or at least 10 days prior to maturity in the absence of written demand. The purchase price to be paid by Commodity

Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest, from the respective dates to the date of payment of the purchase price, at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on 1940 C.C.C. Form F, all payments or collections on producers' notes held by them, and to remit, with such report, to Commodity Credit Corporation, an amount equivalent to 1½ percent interest per annum on the principal amount collected from the date of the note to the date of payment.

§ 255.12 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors previously referred to herein, and the areas served by them under these instructions, are:

Address	Area
208 South La Salle Street, Chicago, Ill.	Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.
Dwight Building, 1004 Baltimore Avenue, Kansas City, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.
326 McKnight Building, Minneapolis, Minn.	Minnesota, Montana, North Dakota, South Dakota, Northern Wisconsin.
Artisans Building, 225 Southwest Broadway, Portland, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

§ 255.13 *County agricultural conservation committee.* Forms may be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. Pursuant to instructions, the State and county committees will determine, or cause to be determined, the quantity and grade of the flaxseed collateral, and the amount of the loan. All loan documents will be completed and approved by the county committee. In order to meet the cost of the local expenses, county agricultural conservation associations will collect a service fee for all loans.

§ 255.14 *Release of collateral.* The producer may obtain the return of notes secured by flaxseed at any time, prior to maturity, upon the payment of the principal amount due thereon, plus accrued interest. The loan paper may be sent to an approved bank for collection, or the producer may ascertain the amount due and remit directly to the office of Commodity Credit Corporation holding the paper. Partial releases of collateral may be arranged, with the county agricultural conservation committee, by paying to the holder of the note the loan value, plus accrued interest, for the flaxseed released.

Dated: June 8, 1944.

C. C. FARRINGTON,  
Acting President.

[F. R. Doc. 44-9613; Filed, June 30, 1944; 3:30 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration  
(Distribution Orders)

PART 1401—DAIRY PRODUCTS

[WFO 79-8, Amdt. 3]

FLUID MILK AND CREAM IN OMAHA-COUNCIL BLUFFS, SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-8 (8 F.R. 13372, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Omaha-Council Bluffs, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.35 (h) and inserting, in lieu thereof, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, (4) hospitals, and (5) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-8, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-8, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-9553; Filed, June 29, 1944; 3:36 p. m.]

[WFO 79-48, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DES MOINES, IOWA,  
METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-48 (8 F.R. 14070, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Des Moines, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.81 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, (4) hospitals, and (5) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-48, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-48, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-9554; Filed, June 29, 1944; 3:36 p. m.]

[WFO 79-141, Amdt. 1]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN GREATER PROVIDENCE, R. I., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-141 (9 F.R. 2533, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Greater Providence, Rhode Island, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.176 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-141, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-141, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-9557; Filed, June 29, 1944;  
3:36 p. m.]

[WFO 79-85, Amdt. 2]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN SIOUX CITY, IOWA, METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-85 (8 F.R. 14723, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Sioux City, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.119 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or

cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, (4) hospitals, and (5) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-85, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-85, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-9555; Filed, June 29, 1944;  
3:36 p. m.]

[WFO 79-95, Amdt. 2]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN LINCOLN, NEBR., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-95 (8 F.R. 15479, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Lincoln, Nebraska, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.124 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, (4) hospitals, and (5) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-95, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-95, as amended, shall

continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-9556; Filed, June 29, 1944;  
3:36 p. m.]

[WFO 55, Amdt. 2]

## PART 1405—FRUITS AND VEGETABLES

## CALIFORNIA PLUMS

War Food Order No. 55, as amended, 9 F.R. 4321, 4319 (originally designated as Food Distribution Order No. 55, 8 F.R. 7626, as issued on June 7, 1943, and as amended, 8 F.R. 10061), is further amended to read as follows:

§ 1405.7 *Restrictions relative to the shipment of plums*—(a) *Definitions.* (1) "Plums" means any and all strains of any and all varieties of plums in fresh form grown in the State of California.

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

(3) "Ship" means to ship plums by private carrier or common carrier from a point within California to a point outside California.

(4) "U. S. No. 2 grade" means U. S. No. 2 grade as defined in "U. S. Standards for Plums and Prunes (Fresh)," issued by the U. S. Department of Agriculture on May 23, 1937, and reissued by the Food Distribution Administration on January 18, 1943, and as in effect at the time of shipment of any particular lot of plums subject to this order.

(5) Each term defined in the aforesaid "U. S. Standards for Plums and Prunes (Fresh)" shall, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, have the same meaning when used herein as is set forth for the respective term in the "U. S. Standards for Plums and Prunes (Fresh)."

(6) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* (1) No person may, after July 1, 1944, ship plums which do not meet the requirements of U. S. No. 2 grade: *Provided*, That not more than 10 percent of the plums in any package or container may fail to meet the requirements of said U. S. No. 2 grade, but not more than one-half of this amount, or 5 percent of the plums in any package or container, may be seriously damaged by worms, sunscald, or heat, and of said 5 percent not more than one-fifth, or 1 percent of the plums in any such package or container, may show decay: *Provided further*, That hail damage, with respect to any plum, which in depth does not exceed  $\frac{1}{8}$  of the minimum diameter of the plum and which in diameter of the aggregate surface area of such hail damage

does not exceed one-half of the minimum diameter of the plum shall not be considered serious damage; and plums having such hail damage which is not serious damage may be shipped if they otherwise meet the provisions of this order.

(2) The Director may require any shipper to have any lot of plums inspected by an authorized representative of the Federal-State inspection service prior to the shipment of such plums.

(3) Each person shall submit promptly to the Director, 220 Federal Building, P. O. Box No. 230, Sacramento, California, a Federal-State shipping point inspection certificate covering each lot or shipment of plums shipped by him and inspected by an authorized representative of the Federal-State inspection service, whether or not such inspection has been required pursuant to the provisions of this order, stating: (i) the grade of the plums contained in such lot or shipment, or (ii) that the plums in such lot or shipment meet the requirements set forth in this order.

(4) Any assessment due from a handler pursuant to the provisions of War Food Order No. 55, as amended prior to the effective date hereof, shall be collected by the program manager, previously designated under War Food Order No. 55, as amended; and said program manager shall pay all outstanding obligations of the program manager for expenses necessarily incurred prior to the effective date hereof in accordance with the provisions of said War Food Order No. 55, as amended. The said program manager shall, within a reasonable period of time, sell all of the office furniture, office equipment, and other property of the program manager acquired with funds obtained as assessments from handlers prior to the effective date hereof, and in all respects entirely liquidate the affairs of said program manager for the period ending with the effective date hereof. The surplus, if any, in the hands of the program manager as a result of the aforesaid liquidation shall be refunded to the contributing handlers; and such surplus shall be disbursed among the handlers pro rata in proportion to their contribution to the funds. The liquidation, as aforesaid, shall be completed prior to September 1, 1944: *Provided*, That the Director may, if he determines that an additional period of time is reasonably necessary, extend the period in which the liquidation shall be completed.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of plums of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

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

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

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

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

(h) *Communications.* All reports required to be filed hereunder and all communications, other than those required to be submitted pursuant to (b) (3) hereof, concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-55.

(i) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 55, as amended, prior to the effective time of the provisions hereof, all of the provisions of War Food Order No. 55, as amended, in effect prior to the date of issuance hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 30th day of June 1944.

ASHLEY SELLERS,  
Acting War Food Administrator.

[F. R. Doc. 44-9614; Filed, June 30, 1944; 8:34 p. m.]

[WFO 65 and WFO 65-1, Termination]

PART 1405—FRUITS AND VEGETABLES

BARTLETT AND BEURRE HARDY PEARS GROWN IN CALIFORNIA, OREGON, OR WASHINGTON

War Food Order No 65 (8 F.R. 9905, 9 F.R. 4319, 4321) and War Food Order No. 65-1 (8 F.R. 10604, 9 F.R. 4319, 4321), are hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 65 or War Food Order No. 65-1, rights accrued, liabilities incurred, or appeals taken under said orders, prior to the effective time of the termination thereof, said War Food Order No. 65 and War Food Order No. 65-1 shall continue in full force and effect for the purposes of sustaining any suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

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

Issued this 30th day of June 1944.

ASHLEY SELLERS,  
Acting War Food Administrator.

[F. R. Doc. 44-9690; Filed, July 1, 1944; 12:25 p. m.]

[WFO 44, Amdt. 3]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1944 PACK OF CANNED FISH

War Food Order No. 44, as amended (8 F.R. 4227; 9 F.R. 4321, 4319), is further amended to read as follows:

§ 1465.20 *Restrictions relative to the 1944 pack of canned fish*—(a) *Definitions.* (1) "Canner" means any person who is the first owner of canned fish.

(2) "Can" means (i) to pack fish in the Continental United States or in the Territory of Alaska for commercial purposes in hermetically sealed metal or glass containers and (ii) to sterilize the fish packed in such containers by the use of heat.

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

(4) "1944 pack" means the total net weight of canned fish of each class designated in (b) (1) hereof, for the respective period indicated therein.

(5) "Director" means the Director of Distribution, War Food Administration.

(6) "Government agency" means the War Food Administration (including, but not being limited to, any corporate agency thereof) and any other agency or instrumentality of the United States designated by the Director.

(b) *Restrictions on canners.* (1) No canner may sell or deliver any canned fish of his 1944 pack except as permitted by the provisions of this order. The fish subject to the provisions of this order are, by classes, designated as follows:

*Class 1. Salmon: Red, sockeye, or blueback (Oncorhynchus nerka).* For the period March 1, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 60 percent.

**Class 2.** Salmon: Pink (*Oncorhynchus gorbuscha*). (For the period March 1, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 60 percent.

**Class 3.** Salmon: Silver, silverside, medium red, or coho (*Oncorhynchus kisutch*). (For the period March 1, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 60 percent.

**Class 4.** Salmon: King, chinook, or spring (*Oncorhynchus tshawytscha*). (For the period March 1, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 60 percent.

**Class 5.** Salmon: Chum or keta (*Oncorhynchus keta*). (For the period March 1, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 40 percent.

**Class 6.** Pilchard (*Sardinia caerulea*) by whatever name known, including, but not being limited to, sardines. (For the period March 1, 1944, to June 24, 1944, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 45 percent. (For the period June 25, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 55 percent.

**Class 7.** Atlantic sea herring (*Clupea harengus*) by whatever name known, including, but not being limited to, sardines. (For the period March 1, 1944, to June 24, 1944, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 45 percent. (For the period June 25, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 55 percent.

**Class 8.** Atlantic mackerel (*Scomber scombrus*). (For the period March 1, 1944, to June 24, 1944, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 45 percent. (For the period June 25, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 55 percent.

**Class 9.** Pacific mackerel (*pneumatophorus japonicus diego*) and Pacific horse mackerel (*Trachurus symmetricus*). (For the period March 1, 1944, to June 24, 1944, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 45 percent. (For the period June 25, 1944, to February 28, 1945, both dates inclusive) Quota percentage pursuant to (b) (2) hereof: 55 percent.

(2) Sixty percent, by net weight, of each canner's 1944 pack of each class numbered 1 to 4, inclusive (designated in (b) (1) hereof), 40 percent, by net weight, of each canner's 1944 pack of class 5 (designated in (b) (1) hereof), 45 percent, by net weight, of each canner's 1944 pack of each class numbered 6 to 9, inclusive (designated in (b) (1) hereof for the period March 1, 1944, to June 24, 1944, both dates inclusive), and 55 percent, by net weight, of each canner's 1944 pack of each class numbered 6 to 9, inclusive (designated in (b) (1) hereof for the period June 25, 1944, to February 28, 1945, both dates inclusive), are hereby established as each canner's respective quotas of his 1944 pack for sale or delivery to government agencies. No canner may sell or deliver, in the aggregate, to government agencies a total quantity, by net weight, of his 1944 pack of the fish of any class (designated in (b) (1) hereof) in excess of a quantity of canned fish equal to the percentage of his 1944 pack of such class plus 60,000 pounds, by net weight, of the canned fish of the 1944 pack of such class.

(3) For each 60 pounds of canned fish of any class numbered 1 to 4, inclusive

(designated in (b) (1) hereof), which a canner has sold or delivered to any government agency or with respect to which he has submitted to any government agency a written tender of delivery of such canned fish in compliance with a written contract between such canner and such government agency, such canner may sell or deliver 40 pounds of canned fish of the same class to persons other than a government agency: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender has been made, indicating that such canned fish meets all the specifications set forth in such canner's aforesaid written contract for such canned fish.

(4) For each 40 pounds of canned fish of the class numbered 5 (designated in (b) (1) hereof) which a canner has sold or delivered to any government agency or with respect to which he has submitted to any government agency a written tender of delivery of such canned fish in compliance with a written contract between such canner and such government agency, such canner may sell or deliver 60 pounds of canned fish of the same class to persons other than a government agency: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender has been made, indicating that such canned fish meets all the specifications set forth in such canner's aforesaid written contract for such canned fish.

(5) For each 45 pounds of canned fish of any class numbered 6 to 9, inclusive (designated in (b) (1) hereof for the period March 1, 1944, to June 24, 1944, both dates inclusive), which a canner has sold or delivered to any government agency or with respect to which he has submitted to a government agency a written tender of delivery of such canned fish in compliance with a written contract between such canner and such government agency, such canner may sell or deliver 55 pounds of canned fish of the same class to persons other than a government agency: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender has been made, indicating that such canned fish meets all the specifications set forth in such canner's aforesaid written contract for such canned fish.

(6) For each 55 pounds of canned fish of any class numbered 6 to 9, inclusive (designated in (b) (1) hereof for the period June 25, 1944, to February 28, 1945, both dates inclusive), which a canner has sold or delivered to any govern-

ment agency or with respect to which he has submitted to any government agency a written tender of delivery of such canned fish in compliance with a written contract between such canner and such government agency, such canner may sell or deliver 45 pounds of canned fish of the same class to persons other than a government agency: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender has been made, indicating that such canned fish meets all the specifications set forth in such canner's aforesaid written contract for such canned fish.

(7) If any canner's 1944 pack of canned fish of any class (designated in (b) (1) hereof) is less than 4,800 pounds, such canner may consider such canned fish as a part of his 1944 pack of canned fish of any other class (designated in (b) (1) hereof).

(8) The Director may issue specifications at any time relative to the packing of the canned fish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any government agency to issue such specifications. Each person subject to the provisions of this order shall comply with such specifications, issued by the Director or the government agency authorized by the Director to issue such specifications, applicable to the canned fish processed by such person.

(c) *Inspection and grading.* All canned fish subject to the provisions of this order shall be subject to inspection and grading at any time by the Director or any government agency authorized by the Director to make such inspection and grading.

(d) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of canned fish of the 1944 pack which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any government agency.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

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

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of canned fish of any person, and to make such investigations, as may be necessary or appropriate, in the Direc-

tor's discretion, to the enforcement or administration of the provisions of this order.

(g) *Applicability of order.* Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using canned fish, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

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

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington, 25, D. C. Ref. WFO-44.

(l) *Effective date.* The provisions of this order shall become effective at 12:01 a. m., e. w. t., June 25, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

**NOTE:** All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 29th day of June 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-9552; Filed, June 29, 1944;  
3:36 p. m.]

[WFO 72, Amdt. 2]

PART 1465—FISH AND SHELLFISH

ALLOCATION OF IMPORTED SALTED FISH

War Food Order No. 72, as amended (8 F.R. 10970; 9 F.R. 4321, 4319), is further amended to read as follows:

§ 1465.23 *Regulations relative to the importation of salted fish into the United States—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Salted fish" means any one or more of the following species of fish if cured or preserved in any manner with the use of salt, but does not mean the following species of fish if smoked or packed in air-tight containers: Cod (*Gadus macrocephalus* and *Gadus calarias*), haddock (*Melanogrammus aeglefinus*), hake (*Urophycis* species and *Merluccius productus*), pollock (*Pollachius virens*), cusk (*Brosmius brosme*), ling (*Molva molva*), and saithe (*Gadus virens*).

(3) "Dry" means to arrange salted fish in a single layer only and to reduce the moisture content of such salted fish to a desired percentage, by weight, by exposing such salted fish (i) to the sun and air or (ii) to artificially created currents of air in specially constructed dryers.

(4) "Green-salted fish," "wet-salted fish," "pickle-cured fish," or "ketch-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has not been dried, and (iii) contains more than 43 percent of moisture, by weight.

(5) "Semi-dried fish" or "soft-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains more than 43 percent of moisture, by weight.

(6) "Dried fish" or "dry-salted fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains not more than 43 percent of moisture, by weight.

(7) "Boneless fish" means salted fish, whether or not dried, which is skinned or boned, wholly or partially.

(8) "1944 pack" means the salted fish produced from fish caught during the calendar year of 1944.

(9) "Import" means, except as used in (e) hereof, (i) to enter for consumption in the continental United States from any foreign country, including, but

not being limited to, the Treaty Coasts defined in the Treaty of October 20, 1818, between the United States and Great Britain, entitled "Convention Respecting Fisheries, Boundary, and the Restoration of Slaves," proclaimed on January 30, 1819, or (ii) to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, for consumption in the continental United States.

(10) "Import" as used in (e) hereof means (i) to enter for consumption in Puerto Rico or the Virgin Islands from any foreign country, including, but not being limited to, the Treaty Coasts defined in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain, or (ii) to withdraw (a) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in Puerto Rico for consumption in Puerto Rico or (b) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the Virgin Islands for consumption in the Virgin Islands.

(11) "Importer" means any person who is the first owner, in the continental United States, of imported salted fish; and it is immaterial, in determining whether a person is an importer, whether or not the United States import duty, if any, or any other payment was made through or by a customs broker, nominal consignee, or other agent.

(12) "Director" means the Director of Distribution, War Food Administration.

(13) "Government agency" means (i) the Armed Services of the United States (excluding, for the purpose of this order, United States Army Post Exchanges, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges); (ii) the War Food Administration (including, but not being limited to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator.

(14) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(b) *Allocations.* (1) No person shall import, or have imported for his account, into the continental United States, for consumption in the continental United States, any salted fish except in accordance with an allocation hereunder and pursuant to the provisions of this order.

(2) Unless otherwise ordered by the Director, each person is (subject to the limitation of the quota determined hereunder, the other provisions hereof, and to the import authorization under War Production Board Order M-63 (8 F.R. 8818), as amended and supplemented) hereby authorized to import, or have imported for his account, from the 1944 pack for consumption in the continental United States (i) from the Dominion of Canada not more than 60 percent, net weight, of the quantity of salted fish imported therefrom in 1942 of which such person was the importer; (ii) from New-

foundland not more than 65 percent, net weight, of the quantity of salted fish imported therefrom in 1942 of which such person was the importer; (iii) from Greenland not more than 70 percent, net weight, of the quantity of salted fish imported from Iceland in 1942 of which such person was the importer. Each quantity of salted fish imported in 1942 by, or for the account of, any such person for the use of any government agency or sold in 1942 to any government agency by such person subsequent to the importation of such salted fish shall be excluded from the aforesaid computation of such person's quota. The quota of salted fish which may be imported pursuant hereto shall be computed on the basis of dry-salted fish and may be imported as any one or more of the kinds of salted fish specified, respectively, in (a) (4), (5), (6), and (7) hereof: *Provided*, That the following conversion factors shall be applied in determining such quota and the quantity of salted fish to be imported pursuant to such quota: 1 pound of dried fish or dry-salted fish equals: (i) 1.75 pounds of green-salted fish, wet-salted fish, pickle-cured fish, or kench-cured fish; (ii) 1.5 pounds of semi-dried fish or soft-cured fish; (iii) 1 pound of boneless fish.

(3) Each person shall, prior to importing salted fish, submit to the Director, not later than July 15, 1944, a statement, with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942 and 1943, respectively, and in 1944 prior to the effective date hereof, showing: (i) the country of origin; (ii) the name of the shipper; (iii) the quantity; (iv) the date and port of entry (including the entry number, if available); (v) the rate of duty paid; (vi) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs; and (vii) the quantity of salted fish sold, in the calendar years 1942 and 1943, respectively, and in 1944 prior to the effective date hereof, by such person to a government agency and the name of such government agency. The Director shall, from the information submitted to him and from such other information as may be available to him, determine, in accordance with the provisions of this order, each person's quota of salted fish which may be imported by, or for the account of, such person from the 1944 pack of salted fish: *Provided*, That the quantity of salted fish from the 1944 pack which was imported in 1944 prior to the effective date of this order by, or for the account of, any such person, shall be deducted in computing the respective person's quota, except that any such quantity of such salted fish which was imported by, or for the account of, such person for the use of any government agency or was sold in 1944 by such person, subsequent to the importation of such salted fish and prior to the effective date hereof, to any government agency shall not be deducted in computing such person's quota. The Director shall notify each person who complies with the provisions hereof relative to the respective person's quota de-

termined pursuant hereto; and no such person shall import, or have imported for his account, any salted fish in excess of his quota. No quota shall be allocated, except under (i) hereof with respect to petitions for relief from hardship, to any person who fails to submit to the Director the aforesaid information on or before July 15, 1944, as required by this order.

(4) Each person's quota pursuant hereto is on condition that he shall (i) contract, on or before July 31, 1944, for the purchase of the entire quota of salted fish allocated hereunder to such person and (ii) submit to the Director, on or before August 10, 1944, a copy of each such contract: *Provided*, That no such contract need be submitted with respect to salted fish which are the product of the Dominion of Canada or which are the product of American fisheries and are from the Treaty Coasts or regions described in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain.

(c) *Additional allocations.* The Director may hereafter allocate among other persons, as well as to the War Food Administration (including, but not being limited to, any corporate agency thereof), (1) any portion of a person's quota which such person notifies the Director will not be used by such person; (2) any person's quota which is not allocated to such person because of his failure to comply with the provisions of (b) (3) and (4) hereof; (3) any portion of any person's quota which is revoked in accordance with the applicable procedure as specified in (j) hereof; and (4) all other quantities of salted fish which, from time to time, the Director may determine to be available for importation. The Director may prescribe such methods and conditions of such subsequent allocations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order; and each person who receives an allocation pursuant to the provisions of this paragraph (c) may import, or have imported for his account, the salted fish covered by such allocation.

(d) *Exemption from quota restrictions.* The provisions of this order shall not be construed as restricting the importation of salted fish of the 1944 pack by or for a government agency: *Provided*, That any such importation of salted fish by or for a government agency shall be free from regulation hereunder only if, with respect to each such importation, a certificate is issued prior to the importation of the salted fish of the 1944 pack, by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marine Corps, the Administrator of the War Shipping Administration, the Director of the Veterans' Administration, the Director, or the duly authorized representative of any of the foregoing, and such certificate (1) is issued to the person having the prime contract with a government agency, and (2) specifies the following:

the name of the importer supplying such salted fish and that such salted fish are for direct Army, Navy, Coast Guard or Marine Corps issue or for contract feeding of the Army, the Navy, the Coast Guard, or the Marine Corps personnel, or for consumption on ships operating under the War Shipping Administration. Each person who asserts that a particular importation and delivery of salted fish is for a government agency and is, therefore, exempt from quota restriction under this order, shall promptly submit to the Director a copy of each such certificate, and certify to the Director that such is a true and correct copy of the certificate issued, as aforesaid.

(e) *Restrictions relative to Puerto Rico and the Virgin Islands.* No person other than the War Food Administration (including, but not being limited to, any corporate agency thereof) may import any salted fish of the 1944 pack into Puerto Rico or the Virgin Islands.

(f) *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records and other writings, premises or stocks of salted fish of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

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

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of salted fish which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any government agency.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 72, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such

action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (i) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using salted fish, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

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

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 72, Office of Distribution, War Food Administration, Washington 25, D. C.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 29, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 72, as amended, prior to the effective time of the provisions hereof, the provisions of War Food Order No. 72, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 28th day of June, 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-9536; Filed, June 29, 1944;  
12:15 p. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service

#### PART 110—PRIMARY INSPECTION AND DETENTION

#### PART 166—ALIENS' BORDER CROSSING IDENTIFICATION CARDS

JUNE 27, 1944.

Sections 110.54, 110.55, 110.56, 110.57, 110.58, 110.60, 110.61, and 110.62, Title 8, Chapter I, Code of Federal Regulations, are hereby repealed.

The following new Part 166 is added to Title 8, Chapter I, Code of Federal Regulations:

- Sec.
- 166.1 Resident alien's border crossing identification card; qualifications to obtain.
- 166.2 Resident alien's border crossing identification card; application.
- 166.3 Resident alien's border crossing identification card; issuance; validity.
- 166.4 Resident alien's border crossing identification card; use.
- 166.5 Resident alien's border crossing identification card; extension or revalidation.
- 166.6 Resident alien's border crossing identification card; cancellation.
- 166.11 Nonresident alien's border crossing identification card; qualifications to obtain.
- 166.12 Nonresident alien's border crossing identification card; application.
- 166.13 Nonresident alien's border crossing identification card; issuance; validity.
- 166.14 Nonresident alien's border crossing identification card; use.
- 166.15 Nonresident alien's border crossing identification card; cancellation.

AUTHORITY: §§ 166.1 to 166.15, inclusive, issued under sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V, 5 F.R. 2223, 8 CFR 90.1 (sec. 30, 54 Stat. 673, 8 U.S.C. 451).

§ 166.1 *Resident alien's border crossing identification card; qualifications to obtain.* A resident alien's border crossing identification card may be issued to any alien who, upon application therefor, submits satisfactory evidence that he (1) has been legally admitted to the United States for permanent residence and has not relinquished the status of a permanent resident, (2) has complied with the applicable provisions of the Alien Registration Act, 1940, and (3) has a legitimate purpose and reasonable need to make a temporary visit or visits to Canada or Mexico, with no single visit to exceed a period of six months: *Provided, however,* That no such card shall be issued nor shall any such card previously issued be renewed unless the applicant or holder thereof is a person who is permitted to depart from the United States under the terms of laws, regulations, Executive orders, or other governmental restrictions regulating the departure of aliens from the United States in effect at the time application for such card or renewal thereof is made.

§ 166.2 *Resident alien's border crossing identification card; application.* Ap-

plication for a resident alien's border crossing identification card shall be made, upon a form prescribed for that purpose, at any immigration and naturalization field office in the continental United States or Alaska. The applicant shall appear in person and, under oath or affirmation, shall execute his application, before an immigrant inspector, prior to his departure from the United States, except that an alien whose identification card has been lost or destroyed subsequent to his departure may execute an application for a card before an immigrant inspector when applying for admission to the United States if the outstanding identification card had not yet expired. The applicant shall furnish a photograph, size 2 by 2 inches, the distance from the top of the head to point of chin to be approximately 1¼ inches, unmounted, printed on thin paper with a light background, clearly showing a full front view of the features of the applicant without hat, and it shall have been taken within 30 days of the date when it is furnished. Where because of unusual circumstances it would be a hardship for the applicant to obtain such photograph, the immigrant inspector considering the application may in his discretion waive the furnishing of the photograph.

§ 166.3 *Resident alien's border crossing identification card; issuance; validity.* If the applicant is found to have the qualifications enumerated in § 166.1, the identification card may be issued to him by an immigrant inspector. Entries on the card shall be made by typewriter, if practicable, or in ink, and the applicant shall sign the card in ink, either with his full name or by witnessed mark after proper identification. The applicant's photograph shall be fastened on the card unless the furnishing of the photograph was waived, in which case his right index finger print shall be placed on the card in lieu of his photograph. The card shall be valid for an initial period of not to exceed six months, and the expiration date shall be fixed accordingly and written on the card when it is issued. The identification card shall be delivered to the applicant on his personal appearance in the office where the application is filed, except that where justified by unusual circumstances the card may be delivered to him either before or after his departure from the United States through some other immigration and naturalization office or by mailing it to him.

§ 166.4 *Resident alien's border crossing identification card; use.* The rightful holder of a valid resident alien's border crossing identification card issued under § 166.3 may present that document in lieu of an immigration visa or re-entry permit when applying for admission at any land, water, or air port of entry in the continental United States or Alaska as a returning legal resident after an absence from the United States of not more than six months, provided that during such absence he shall not have visited any foreign territory other than Canada or

Mexico. The presentation of a resident alien's border crossing identification card shall not otherwise relieve the applicant from establishing that he is not subject to exclusion from the United States.

CROSS REFERENCE: For permits to enter and passports, see 8 CFR Part 175.

§ 166.5 *Resident alien's border crossing identification card; extension or revalidation.* On the request of the holder and with the limitations prescribed in this section, a resident alien's border crossing identification card, either before or after its expiration, may be made valid by an immigrant inspector at any office authorized under § 166.2 to accept applications, for an additional period or periods not exceeding six months each. Such a card may also be extended or revalidated at a United States immigration station in Canada, where the holder satisfactorily establishes that the card was valid when he departed from the United States, but such extension or revalidation shall be only to a date within six months after the date on which such departure occurred. An expired card may be revalidated if the holder applies for admission to the United States, is found to be otherwise admissible, and satisfactorily establishes that the card was valid when he departed from the United States and that he has not been absent from the United States for more than six months. Each additional period of validity shall commence on the date the extension of validity or revalidation is granted. No card shall be made valid unless the holder has the qualifications enumerated in § 166.1. No card issued before November 14, 1941, shall be extended or revalidated notwithstanding any extensions or revalidations thereof which may have been subsequently granted. Extension or revalidation shall preferably be granted by the original issuing office, but if that is not practicable, such action may be taken by any other authorized office. All extensions or revalidations granted shall be endorsed on the card and the issuing office notified of the action taken if the extension or revalidation was granted by an office other than the original issuing office.

§ 166.6 *Resident alien's border crossing identification card; cancellation.* All resident aliens' border crossing identification cards which were issued before November 14, 1941, are hereby canceled notwithstanding any extensions or revalidations which may have been subsequently granted, and when they come to the attention of officers of the Service, such cards shall be lifted from the holder and filed in the original issuing office. Any valid or expired resident alien's border crossing identification card which was issued on or after November 14, 1941, and which is found in the possession of an alien who does not have the qualifications enumerated in § 166.1 or who is making improper use of the card, shall be lifted from the holder and returned to the original issuing office for cancellation, together with a report of the reasons therefor: *Provided, however,* That

no card shall be lifted and canceled if found in the possession of an alien applying for admission to the United States unless and until the holder has been excluded by a board of special inquiry.

§ 166.11 *Nonresident alien's border crossing identification card; qualifications to obtain.* A nonresident alien's border crossing identification card may be issued to any alien who, upon application therefor, submits satisfactory evidence that he (1) is a native-born citizen of Canada, domiciled or residing therein, or a British subject domiciled or residing in Canada or a native-born citizen of Mexico domiciled or residing therein, (2) is in possession of a valid passport or document in the nature of a passport duly issued to the holder by the appropriate authorities of the government of which he is a citizen or subject, if such a travel document be a requirement for entry, (3) desires temporary admission into the United States for a period or periods of not more than 29 days each, and (4) is admissible to the United States under the immigration laws: *Provided, however,* That no such card shall be issued unless the applicant is known or shown to be a person who has complied fully with all provisions applicable to him of laws, regulations, Executive orders, or other governmental restrictions regulating the entry of aliens to the United States in effect at the time application for such card is made.

§ 166.12 *Nonresident alien's border crossing identification card; application.* Application for a nonresident alien's border crossing identification card shall be made, upon a form prescribed for that purpose, at a United States immigration office located at any land, water, or air port of entry in the continental United States or Alaska or at any United States immigration station located in Canada. The applicant shall appear in person and, under oath or affirmation, shall execute his application before an immigrant inspector. The applicant shall furnish his photograph, prepared under the specifications prescribed for photographs in § 166.2, or the furnishing of the photograph may be waived under the conditions stated in § 166.2.

§ 166.13 *Nonresident alien's border crossing identification card; issuance; validity.* If the applicant is found to have the qualifications enumerated in § 166.11, the identification card shall be issued to him by an immigrant inspector. Entries on the card shall be made by typewriter, if practicable, or in ink, and the applicant shall sign the card in ink, either with his full name or by witnessed mark after proper identification. The applicant's photograph shall be fastened on the card unless the furnishing of the photograph was waived, in which case his right index finger print shall be placed on the card in lieu of his photograph. The card shall be valid for an unlimited time unless it is canceled as provided in § 166.15. The identification card shall be delivered to the applicant on his personal appearance in the office where the application is filed, except that where justified by unusual circumstances the

card may be delivered to him by mail prior to his entry to the United States.

§ 166.14 *Nonresident alien's border crossing identification card; use.* The rightful holder of a nonresident alien's border crossing identification card issued under § 166.13, or by a United States diplomatic or consular officer, may present such card in lieu of a consular visa, if that document be required, when arriving direct from Canada or Mexico and applying for admission to the United States at any land, water, or air port of entry in the continental United States or Alaska. The presentation of a nonresident alien's border crossing identification card shall not otherwise relieve the applicant from establishing that he is not subject to exclusion from the United States.

CROSS REFERENCE: For permits to enter and passports, see 8 CFR Part 175.

§ 166.15 *Nonresident alien's border crossing identification card; cancellation.* All nonresident alien's border crossing identification cards which were issued before November 14, 1941, are hereby canceled notwithstanding any extensions or revalidations which may have been subsequently granted, and when they come to the attention of officers of the Service, such cards shall be lifted from the holder and filed in the original issuing office. Any valid or expired nonresident alien's identification card which was issued on or after November 14, 1941, and which is found in the possession of an alien who does not have the qualifications enumerated in § 166.11 or who is making improper use of the card, shall be lifted from the holder and returned to the original issuing office for cancellation, together with a report of the reasons therefor: *Provided, however,* That no card shall be lifted and canceled if found in the possession of an alien applying for admission to the United States unless and until the holder has been excluded by a board of special inquiry.

EARL G. HARRISON,  
Commissioner of  
Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,  
Attorney General.

[F. R. Doc. 44-9642; Filed, June 30, 1944;  
5:09 p. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Reg., Serial No. 312]

BRANIFF AIRWAYS, INC.

#### SPECIAL CIVIL AIR REGULATION

Route competency requirements for certain pilots of Braniff Airways, Inc. for the route between Houston, Texas, and Corpus Christi, Texas.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 30th day of June, 1944.

The following Special Civil Air Regulation is made and promulgated to become effective July 1, 1944:



Any first pilot listed in Braniff Airways, Inc. air carrier operating certificate on July 1, 1944, as qualified to operate aircraft in scheduled air transportation between Dallas and Houston, Texas, and between Dallas and Corpus Christi, Texas, via San Antonio, Texas, and who was listed in Braniff Airways, Inc. air carrier operating certificate on January 20, 1943, as qualified to operate aircraft between Dallas and Corpus Christi via Houston will be deemed competent to pilot aircraft in scheduled air transportation between Houston and Corpus Christi upon completion of two one-way trips accompanied by a company check pilot

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 44-9658; Filed, July 1, 1944;  
11:34 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4789]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### NATIONAL TECHNICAL INSTITUTE

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Demand for or business opportunities:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Success, use or standing:* § 3.72 (120) *Offering deceptive inducement to purchase or deal—Individual's special selection or situation:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of courses of instruction, and among other things, as in order set forth (1) representing to prospective students that they have been especially selected; or representing to such students that they have been recommended to respondent by their high school principal or other persons, unless such recommendations have actually been made; (2) representing by means of so-called scholarships or otherwise, that the usual and customary tuition fee is a special or reduced price; and (3) representing that graduates of respondent's courses have usually or generally obtained lucrative employment in the particular field in which instruction has been received from respondent; or that respondent's training assures one of such employment; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b.) [Cease and desist order, National Technical Institute, Docket 4789, June 1, 1944]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Size or equipment.* In connection with offer, etc., in commerce, of courses of instruction, and among other things, as in order set forth, (1) repre-

senting that respondent's school occupies any building or buildings larger than it in fact occupies; or owns, maintains, or uses any equipment or material in excess of that actually owned, maintained, or used; and (2) representing that respondent maintains or employs a faculty of engineers or teachers qualified to give instruction in the subjects of diesel engineering, air-conditioning, aeronautical engineering, electrical engineering, or commercial training; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Technical Institute, Docket 4789, June 1, 1944]

§ 3.72 (p) *Offering deceptive inducements to purchase or deal—Undertakings, in general.* In connection with offer, etc., in commerce, of courses of instruction, and among other things, as in order set forth, representing that instructors will call upon students at any time or times to teach, assist, or review the work of such students, unless this is in fact done by qualified instructors having the necessary technical qualifications; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Technical Institute, Docket 4789, June 1, 1944]

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as educational, religious or research institution:* Sec 3.96 (b) *Using misleading name—Vendor—Individual or private business being educational, religious or research institution.* In connection with offer, etc., in commerce, of courses of instruction, and among other things, as in order set forth, using the term "Institute" as part of the name under which respondent's business of selling courses of instruction is conducted, or using the term "Institute" in any manner to designate, describe, or refer to respondent's business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Technical Institute, Docket 4789, June 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1944.

*In the Matter of Edward D. Miller, an Individual, Trading as National Technical Institute (Formerly National Diesel Institute)*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all of the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and to Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That the respondent, Edward D. Miller, an individual, trading as National Technical Institute or under

any other name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of courses of instruction in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing to prospective students that they have been especially selected; or representing to such students that they have been recommended to respondent by their high school principal or other persons, unless such recommendations have actually been made.

2. Representing, by means of so-called scholarships or otherwise, that the usual and customary tuition fee is a special or reduced price.

3. Representing that graduates of respondent's courses have usually or generally obtained lucrative employment in the particular field in which instruction has been received from respondent; or that respondent's training assures one of such employment.

4. Representing that respondent's school occupies any building or buildings larger than it in fact occupies; or owns, maintains, or uses any equipment or material in excess of that actually owned, maintained, or used.

5. Representing that respondent maintains or employs a faculty of engineers or teachers qualified to give instruction in the subjects of diesel engineering, air-conditioning, aeronautical engineering, electrical engineering, or commercial training.

6. Representing that instructors will call upon students at any time or times to teach, assist, or review the work of such students, unless this is in fact done by qualified instructors having the necessary technical qualifications.

7. Using the term "Institute" as part of the name under which respondent's business of selling courses of instruction is conducted, or using the term "Institute" in any manner to designate, describe, or refer to respondent's business.

*It is further ordered,* That the respondent shall, within sixty 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 his order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-9647; Filed, July 1, 1944;  
10:56 a. m.]

[Docket No. 4866]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### VALMOR PRODUCTS COMPANY, ETC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., of respondent's medicinal and cosmetic preparations hereinafter named, or any other similar preparations, and among other things as in order set forth, 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 respondent's said preparations, which advertisements represent, directly or by inference, (1) that Sweet Georgia Brown Lemon Fragrance Cleansing Cream will lighten the complexion, clear up dark complexions, or in any way alter or change the color of the skin of the user; (2) that Brown Skin Beauty Skin Brightener will lighten the skin or in any way alter or change the color of the skin of the user; (3) that Brown Skin Beauty Lemon Fragrance Vanishing Cream will cause the skin of the user to be less oily or greasy; (4) that Sweet Georgia Brown Sleeping Beauty Night Cream will stimulate the skin or have any stimulating effect upon the skin of the user; (5) that Valmor Eau de Quinine Hair Tonic will promote the growth of hair, prevent the loss of hair, or act as a tonic for the scalp or hair; or (6) that Valmor Walk-Easy Foot Powder is a competent or effective remedy for tired or aching feet; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order Valmor Products Company, etc., Docket 4866, June 1, 1944]

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product*: § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service*: § 3.6 (y) *Advertising falsely or misleadingly—Safety*: § 3.6 (y10) *Advertising falsely or misleadingly—Scientific or other relevant facts*: § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety*: In connection with offer, etc., of respondent's medicinal and cosmetic preparations hereinafter named, or any other similar preparations, and among other things as in order set forth, 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 respondent's said preparations, which advertisements represent, directly or by inference, (1) that Valmor Little Blue Pills with Buchu have any therapeutic value in the treatment of functional disturbances of the kidneys; will act as a kidney stimulant; will in any way relieve backache due to bladder irritation, or pain in the back, broken sleep, or leg pains caused by ailing kidneys; or will in any way aid or assist the kidneys in removing poisons or acids from the blood; (2) that Brother Johnson's American Oil Haarlem Capsules will in any way aid or assist inactive kidneys, or relieve broken sleep or burning bladder flow, or constitute a competent or effective treatment for any kidney disorder; (3) that Old Indian System Tonic is a tonic or will exert any tonic effect upon the system; that inactive bowels cause the formation of poisons which attack the body, causing weakness, run-down condition, or fatigue, or that said preparation constitutes a competent or effective remedy for weakness, run-down condition, or fatigue; (4) that Madam Jones Vegetable Compound constitutes a competent or effective remedy for cramps, pains, and nervousness due to

weak or run-down condition; that it will make difficult periods more pleasant, or is of any value before or after childbirth, or during change of life; or that its use will clear the skin, make the eyes sparkle, or provide good health or a happy nature to the user; (5) that Madam Jones Female Tablets are harmless and entirely safe in use; (6) that Valmor Red Clover Compound is a tonic or will have any tonic effect upon the system of the user; is a competent or effective treatment for tired, weak, or run-down conditions; that constipation causes poisons to enter the blood, or that said preparation would be effective in removing poisons from the blood; (7) that Old Indian Herb Tea will keep the user in good health or prevent sickness; or is a competent or effective remedy for sour stomach, pimples, bad breath, or tired, dragged-out feeling; or which advertisements fail to reveal that use of said "Little Blue Pills", or said "Haarlem Capsules", by persons having diseased or disordered kidneys may result in serious injury, and that prolonged administration of said preparations may injure normal kidneys; that said "Old Indian System Tonic", said "Madam Jones Vegetable Compound", and said "Red Clover Compound" should not be used by persons suffering from nausea, vomiting, abdominal pains, or other symptoms of appendicitis, nor last named preparation by those having goiter or other thyroid disease, or by anyone suffering from active or arrested tuberculosis; and that frequent or continued use of said Madam Jones Female Tablets may be injurious; prohibited, subject to the provision, however, as respects the aforesaid various disclosures, that any 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 on both label and labeling, contain such warnings (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order Valmor Products Company, etc., Docket 4866, June 1, 1944]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods*: § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service*: § 3.96 *Using misleading name—Goods—Composition*: § 3.96 (a) *Using misleading name—Goods—Qualities or properties*. Using, on the part of respondent (engaged in interstate sale and distribution of various medicinal preparations, cosmetics, and other articles), and his agents, etc., and among other things, as in order set forth (1) the term "Gro-Strate", or any other word or words of similar import, to designate, describe, or refer to his product "Gro-Strate Hair Dressing" or any other preparation having substantially similar ingredients or properties; or (2) the words "Eau de Quinine," or any other words importing or implying that a preparation contains quinine, to designate, describe, or refer to any preparation which contains no quinine or an insubstantial quantity thereof; prohibited.

(Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order Valmor Products Company, etc., Docket 4866, June 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1944.

*In the Matter of M. G. Neuman, an Individual Doing Business as Valmor Products Company, Famous Products Company, and Madam Jones 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 and in opposition to the allegations of the complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner and exceptions thereto, briefs in support of and in opposition to the complaint, and the oral arguments of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That respondent Morton G. Neumann, an individual trading as Valmor Products Company, Famous Products Company, Madam Jones Company, or under any other name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of his medicinal and cosmetic preparations hereinafter named, or any other preparation or preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under and other name or names, do forthwith cease and desist from, directly or indirectly:

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

(a) That Sweet Georgia Brown Lemon Fragrance Cleansing Cream will lighten the complexion, clear up dark complexions, or in any way alter or change the color of the skin of the user.

(b) That Brown Skin Beauty Skin Brightener will lighten the skin or in any way alter or change the color of the skin of the user.

(c) That Brown Skin Beauty Lemon Fragrance Vanishing Cream will cause the skin of the user to be less oily or greasy.

(d) That Sweet Georgia Brown Sleeping Beauty Night Cream will stimulate the skin or have any stimulating effect upon the skin of the user.

(e) That Valmor Eau de Quinine Hair Tonic will promote the growth of hair, prevent the loss of hair, or act as a tonic for the scalp or hair.

(f) That Valmor Walk-Easy Foot Powder is a competent or effective remedy for tired or aching feet.

(g) That Valmor Little Blue Pills with Buchu have any therapeutic value in the

treatment of functional disturbances of the kidneys; will act as a kidney stimulant; will in any way relieve backache due to bladder irritation, or pain in the back, broken sleep, or leg pains caused by ailing kidneys; or will in any way aid or assist the kidneys in removing poisons or acids from the blood; or which advertisement fails to reveal that the use of said preparation by persons having diseased or disordered kidneys may result in serious injury, and that prolonged administration of said preparation may injure normal kidneys: *Provided, however*, That any 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 on both label and labeling, contain the above warning.

(h) That Brother Johnson's American Oil Haarlem Capsules will in any way aid or assist inactive kidneys, or relieve or prevent broken sleep or burning bladder flow, or constitute a competent or effective treatment for any kidney disorder; or which advertisement fails to reveal that the use of said preparation by persons having diseased or disordered kidneys may result in serious injury, and that prolonged administration of said preparation may injure normal kidneys: *Provided, however*, That any 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 on both label and labeling, contain the above warning.

(i) That Old Indian System Tonic is a tonic or will exert any tonic effect upon the system; that inactive bowels cause the formation of poisons which attack the body, causing weakness, run-down condition, or fatigue, or that said preparation constitutes a competent or effective remedy for weakness, run-down condition, or fatigue; or which advertisement fails to reveal that said preparation should not be used by persons suffering from nausea, vomiting, abdominal pain, or other symptoms of appendicitis: *Provided, however*, That any 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 on both label and labeling, contain the above warning.

(j) That Madam Jones Vegetable Compound constitutes a competent or effective remedy for cramps, pains, and nervousness due to weak or run-down condition; that it will make difficult periods more pleasant, or is of any value before or after childbirth, or during change of life; or that its use will clear the skin, make the eyes sparkle, or provide good health or a happy nature to the user; or which advertisement fails to reveal that said preparation should not be used by persons suffering from nausea, vomiting, abdominal pains, or other symptoms of appendicitis: *Provided, however*, That any 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 on

both label and labeling, contain the above warning.

(k) That Madam Jones Female Tablets are harmless and entirely safe in use; or which advertisement fails to reveal that frequent or continued use of such preparation may be dangerous: *Provided, however*, That any 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 on both label and labeling, contain the above warning.

(l) That Valmor Red Clover Compound is a tonic or will have any tonic effect upon the system of the user; is a competent or effective treatment for tired, weak, or run-down conditions; that constipation causes poisons to enter the blood, or that said preparation would be effective in removing poisons from the blood; or which advertisement fails to reveal that said preparation should not be used by persons suffering from nausea, vomiting, abdominal pains, or other symptoms of appendicitis, or by persons having goiter or other thyroid disease, or by any one suffering from active or arrested tuberculosis: *Provided, however*, That any 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 on both label and labeling, contain the above warning.

(m) That Old Indian Herb Tea will keep the user in good health or prevent sickness; or is a competent or effective remedy for sour stomach, pimples, bad breath, or tired, dragged-out feeling.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly the purchase of said preparations in commerce, as "commerce" is defined in the Federal Trade Commission Act, and advertisement which contains any of the representations prohibited in paragraph 1 hereof, or which advertisement concerning Valmor Little Blue Pills with Buchu, Brother Johnson's American Oil Haarlem Capsules, Old Indian System Tonic, Madam Jones Vegetable Compound, Madam Jones Female Tablets, or Valmor Red Clover Compound fails to comply with the affirmative requirements set forth respectively in subparagraphs (g), (h), (i), (j), (k), or (l) of said paragraph 1 hereof.

*It is further ordered*, That said respondent, his representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

3. Using the term "Gro-Strate," or any other word or words of similar import, to designate, describe, or refer to his product "Gro-Strate Hair Dressing" or any other preparation having substantially similar ingredients or properties.

4. Using the words "Eau de Quinine," or any other words importing or implying that a preparation contains quinine, to designate, describe, or refer to any preparation which contains no quinine or an insubstantial quantity thereof.

*It is further ordered*, That respondent shall, within sixty (60) days after the

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. 44-9648; Filed, July 1, 1944;  
10:56 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51086]

#### PART 2—MEASUREMENT OF VESSELS

##### WAIVER OF ADMEASUREMENT LAWS

JUNE 28, 1944.

R. S. 4153, as amended, waived to extent necessary to permit omission of tonnage of enclosed shelter-deck space from gross tonnage of certain vessels.

Upon the written recommendation of the United States Maritime Commission and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. App. Sup. 635), I hereby waive compliance with the provisions of so much of R.S. 4153, as amended (46 U.S.C. 77), as requires the tonnage of a shelter-deck space which is under cover and permanently closed in to be added to the gross tonnage, to the extent necessary to permit the tonnage of that space to be omitted from the gross tonnage of any shelter-deck vessel to which the order of the Acting Secretary of Commerce, dated February 28, 1942 (7 F.R. 1696), and confirmed and continued by the order of the Acting Secretary of the Treasury, dated April 1, 1942 (7 F.R. 2600), or to which the order of the Acting Secretary of the Treasury, dated February 8, 1944 (9 F.R. 1611), applies, and which has been permanently enclosed in accordance with the provisions of such order even though, at the time of construction or thereafter, such space is further closed in by the construction therein of a water-tight compartment for the stowage of ammunition, whether such compartment is in the tonnage well or elsewhere. I deem that such action is necessary in the conduct of the war.

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

[F. R. Doc. 44-9612; Filed, June 30, 1944;  
12:24 p. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VII, March 23, 1944, Cumulative Supp. 4, June 30, 1944]

#### ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secre-

retary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.<sup>1</sup>

By direction of the President.

CORDELL HULL,  
Secretary of State.  
HERBERT E. GASTON,  
Acting Secretary of the Treasury.  
FRANCIS BIDDLE,  
Attorney General.  
WAYNE C. TAYLOR,  
Acting Secretary of Commerce.  
LEO T. CROWLEY,  
Administrator, Foreign  
Economic Administration.  
JOHN C. MCCLINTOCK,  
Acting Coordinator of Inter-  
American Affairs.

JUNE 30, 1944.

[F. R. Doc. 44-9691; Filed, July 1, 1944;  
12:32 p. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter A—Income and Excess-Profits Taxes [T. D. 5384]

#### PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

##### CREDIT FOR DIVIDENDS PAID ON PUBLIC UTILITIES PREFERRED STOCK

Regulations 111 amended to conform to section 116, Revenue Act of 1943, relating to credit for dividends paid on preferred stock of public utilities.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to section 116 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.26-1 the following:

SEC. 116. CREDIT FOR DIVIDENDS PAID ON PREFERRED STOCK OF PUBLIC UTILITIES. (Revenue Act of 1943, Title I.)

(a) *Dividends unpaid and accumulated.* Section 26 (h) (1) (relating to credit for dividends paid on certain preferred stock) is amended by inserting at the end of the first sentence thereof the following: "For the purposes of the credit provided in this subsection the amount of dividends paid shall not include any amount distributed in the current taxable year with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. Amounts distributed in the current taxable year with respect to dividends unpaid and accumulated for a prior taxable year shall for the purposes of this paragraph be deemed to be distributed with respect to the earliest year or years for

<sup>1</sup> Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

which there are dividends unpaid and accumulated."

(b) *Stock Issued to Replace Existing Securities.*—Section 26 (h) (2) (B) (defining "preferred stock") is amended by inserting at the end thereof the following: "Stock issued on or after October 1, 1942, shall be deemed for the purposes of this paragraph to have been issued prior to October 1, 1942, if it was issued (including issuance either by the same or another corporation in a transaction which is a reorganization, as defined in section 112 (g) (1), or a transaction to which section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable, or which is a transaction subject to Supplement R) to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other preferred stock (including stock which is preferred stock by reason of this sentence), but only to the extent that the par or stated value of the new stock does not exceed the par, stated, or face value of the bonds or debentures issued prior to October 1, 1942, or the other preferred stock, which such new stock is issued to refund or replace. The determination of whether stock was issued to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other preferred stock, shall be made under regulations prescribed by the Commissioner with the approval of the Secretary."

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 29.26-5 is amended as follows:

(A) By inserting immediately after the heading the following: "(a) *In general.*"

(B) By amending the first sentence thereof to read as follows: "The credit provided in section 26 (h), except as provided in paragraph (b) of this section for taxable years beginning after December 31, 1943, is an amount equal to the dividends paid during the taxable year by certain public utility corporations on certain classes of preferred stock."

(C) By inserting after "October 1, 1942," in the first sentence of the second paragraph thereof the following: "except as provided in paragraph (c) of this section for taxable years beginning after December 31, 1943,".

(D) By inserting at the end thereof the following two new paragraphs:

(b) *Amount of credit for taxable years beginning after December 31, 1943.* For taxable years beginning after December 31, 1943, the amount of dividends paid in a given taxable year shall not include any amount distributed in such year with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. If any distribution is made in the current taxable year with respect to dividends unpaid and accumulated for a prior taxable year, such distribution will be deemed to have been made with respect to the earliest year or years for which there are dividends unpaid and accumulated. Thus, if a public utility makes a distribution with respect to a prior taxable year, it shall be considered that such distribution was made with respect to

the earliest year or years for which there are dividends unpaid and accumulated, whether or not the public utility states that the distribution was made with respect to such year or years and even though the public utility states that the distribution was made with respect to a later year. Even though it has dividends unpaid and accumulated with respect to a taxable year ending prior to October 1, 1942, a public utility may, however, receive credit for dividends paid with respect to the current taxable year. If there are no dividends unpaid and accumulated with respect to a taxable year ending prior to October 1, 1942, a public utility may receive credit for dividends paid with respect to a prior taxable year which ended after October 1, 1942; and such credit may be in addition to a credit for dividends paid with respect to the current taxable year. However, if local law or its own charter requires a public utility to pay all unpaid and accumulated dividends before any dividends can be paid with respect to the current taxable year, such public utility will not receive credit for any distribution in the current taxable year to the extent that there are dividends unpaid and accumulated with respect to taxable years ending prior to October 1, 1942.

(c) *Stock issued on or after October 1, 1942.* In the case of taxable years beginning after December 31, 1943, stock issued on or after October 1, 1942 under certain circumstances will be considered as having been issued prior to October 1, 1942 for purposes of the credit provided in section 26 (h). If the new stock is issued on or after October 1, 1942 to refund or replace bonds or debentures which were issued prior to October 1, 1942, or to refund or replace other stock which was preferred stock within the meaning of section 26 (h) (2) (B), such new stock shall be considered as having been issued prior to October 1, 1942. If stock is issued to refund or replace stock which was preferred stock within the meaning of section 26 (h) (2) (B), it shall be immaterial whether the preferred stock so refunded or replaced was issued before, on, or after October 1, 1942. If stock issued on or after October 1, 1942 to refund or replace stock, which was issued prior to October 1, 1942 and which was preferred stock within the meaning of section 26 (h) (2) (B), is not itself preferred stock within the meaning of section 26 (h) (2) (B), no stock issued to refund or replace such stock can be considered preferred stock for purposes of the credit provided in section 26 (h).

In the case of any stock issued on or after October 1, 1942 to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other stock which was preferred stock within the meaning of section 26 (h) (2) (B), only that portion of the stock issued on or after October 1, 1942 will be considered as having been issued prior to October 1, 1942, the par or stated value of which does not exceed the par, stated, or face value of such bonds, debentures, or other preferred stock which

the new stock was issued to refund or replace. In such case no shares of the new stock issued on or after October 1, 1942 shall be earmarked in determining the credit allowable under section 26 (h), but the appropriate allocable portion of the total amount of dividends paid on such stock will be allowable as a credit under such section.

**EXAMPLE.** If a public utility has outstanding 1,000 bonds which were issued prior to October 1, 1942 and each of which has a face value of \$100 and if on or after October 1, 1942 each of such bonds is retired in exchange for one and one-tenth shares of stock issued on or after October 1, 1942 and having a par value of \$100 per share, only ten-elevenths of the dividends paid on the stock thus issued in exchange for the bonds will be considered as having been paid on stock which was issued prior to October 1, 1942. If a dividend of \$6 a share is paid on such stock during the taxable year, a credit of \$6,000 will be allowable under the provisions of section 26 (h). Likewise, if stock which is issued on or after October 1, 1942 has no par value but a stated value of \$50 per share and such stock is issued in a ratio of three shares to one share to refund or replace preferred stock having a par value of \$100 per share, only two-thirds of the dividends paid on the new shares of stock will be considered as having been paid on stock which was issued prior to October 1, 1942. If a total of \$27,000 is paid as a dividend on such new stock during the taxable year a credit of \$18,000 will be allowable under the provisions of section 26 (h).

Whether or not stock issued on or after October 1, 1942 was issued to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other preferred stock, is in each case a question of fact. Among the factors to be considered is whether such stock is new in an economic sense to the corporation or whether it was issued merely to take the place, directly or indirectly, of bonds, debentures, or other preferred stock of such corporation. It is not necessary that the new stock be issued in exchange for such bonds, debentures, or other preferred stock. The mere fact that the bonds, debentures, or other preferred stock remain in existence for a short period of time after the issuance of the new stock (or were retired before the issuance of the new stock) does not necessarily mean that such new stock was not issued to refund or replace such bonds, debentures, or other preferred stock. It is necessary to consider the entire transaction, including the issuance of the new stock, the date of such issuance, the retirement of the old bonds, debentures, or preferred stock, and the date of such retirement, in order to determine whether such new stock really was issued to take the place of bonds, debentures, or other preferred stock of the corporation or whether it represents something essentially new in an economic sense in the corporation's financial structure. If, for example, a public utility, which has outstanding bonds issued prior to October 1, 1942, issues new stock on March 1, 1944 in order to secure funds with which to retire such bonds and with the money paid in for such stock retires

the bonds on April 1, 1944, such stock may be considered as having been issued to refund or replace bonds issued prior to October 1, 1942. Whether the money used to retire the bonds can be traced back and identified as the money paid in for the stock will have evidentiary value, but will not be conclusive, in determining whether the stock was issued to refund or replace the bonds. Similarly, whether the amount of money used to retire the bonds was smaller than, equal to, or greater than that paid in for the stock, or whether the entire issue of bonds is retired, will be important, but not decisive, in making such determination.

Stock issued on or after October 1, 1942 by a corporation to refund or replace bonds or debentures of a second corporation which were issued prior to October 1, 1942, or to refund or replace other preferred stock of such second corporation, may be considered as having been issued prior to October 1, 1942 if such new stock was issued (1) in a transaction which is a reorganization within the meaning of section 112 (g) (1); or (2) in a transaction to which section 112 (b) (10), relating to reorganization of certain insolvent corporations, or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable; or (3) in a transaction which is subject to the provisions of Supplement R, relating to exchanges and distributions in obedience to orders of the Securities and Exchange Commission. Whether the stock actually was issued to refund or replace bonds or debentures of the second corporation issued prior to October 1, 1942, or to refund or replace preferred stock of such second corporation, shall be determined under the same principles as if only one corporation were involved. A corporation may issue stock to refund or replace its own bonds, debentures, or other preferred stock in a transaction which is a reorganization within the meaning of section 112 (g) (1), in a transaction to which section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable, or in a transaction which is subject to the provisions of Supplement R. The provisions of this subsection, in addition, are applicable in case a corporation issues stock on or after October 1, 1942 to refund or replace its own bonds, debentures, or other preferred stock even though the issuance of such stock may not fall within one of the categories enumerated above.

Even though stock issued on or after October 1, 1942 is considered as having been issued prior to October 1, 1942 by reason of having been issued to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or respect of dividends paid on such stock, will not be deemed to be preferred stock within the meaning of section 26 (h) (2) (B), and no credit will be allowable in respect of dividends paid on such stock, unless the stock fulfills all the other requirements of a preferred stock set

forth in section 26 (h) (2) (B) and in paragraph (a) of this section.

(Sec. 26 (h), Internal Revenue Code (56 Stat. 830; 26 U.S.C., Supp II, 26 (h)), as amended by sec. 116, Revenue Act of 1943 (Pub. Law 235, 78th Cong.), and in sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C., 62))

JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: June 30, 1944.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Dock 44-9636; Filed, June 30, 1944;  
4:19 p. m.]

[T. D. 5387]

PART 29—INCOME TAX; TAXABLE YEARS  
BEGINNING AFTER DECEMBER 31, 1941

GROSS INCOME OF CERTAIN INSURANCE  
COMPANIES

Amending § 29.204-2 of Regulations 111, relating to gross income of insurance companies other than life or mutual and mutual marine insurance companies.

Section 29.204-2 of Regulations 111 (26 CFR, Cum. Supp., Part 29) is amended by adding at the end thereof a new paragraph to read as follows:

For taxable years beginning after December 31, 1943 every insurance company to which this section applies must be prepared to establish to the satisfaction of the Commissioner of Internal Revenue that the part of the deduction for "losses incurred" which represents unpaid losses at the close of the taxable year comprises only actual unpaid losses stated in amounts which, based upon the facts in each case and the company's experience with similar cases, can be said to represent a fair and reasonable estimate of the amount the company will be required to pay. Amounts included in, or added to, the estimates of such losses which, in the opinion of the Commissioner, are in excess of the actual liability determined as provided in the preceding sentence will be disallowed as a deduction. For taxable years beginning after December 31, 1943, the Commissioner may require any such insurance company to submit such detailed information with respect to its actual experience as is deemed necessary to establish the reasonableness of the deduction for "losses incurred."

(Secs. 62 and 3791, Internal Revenue Code (53 Stat. 32, 467; 26 U.S.C. 1940 ed., 62, 3791))

JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: July 1, 1944.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-9705; Filed, July 1, 1944;  
4:13 p. m.]

[T. D. 5386]

**PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940****PART 35—EXCESS-PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941**

Regulations 109 and 112 amended to conform to the Revenue Act of 1943, section 201, relating to taxable years to which amendments applicable, section 202 (a) and (b), relating to increase in excess profits tax rate, section 203, relating to certain fiscal year taxpayers, section 204 (a) and (b), relating to increase in specific exemption, section 205, relating to reduction of excess profits credit based on invested capital in certain brackets, and section 206, relating to publicity of relief granted under section 722.

In order to conform Regulations 109 (Part 30, Title 26, Code of Federal Regulations, 1941 Supp.) and Regulations 112 (Part 35, Title 26, Code of Federal Regulations, Cum. Supp.) to sections 201, 202 (a) and (b), 203, 204 (a) and (b), 205, and 206 of the Revenue Act of 1943 (Public Law 235, 78th Congress) enacted February 25, 1944, such regulations are amended as follows:

**PARAGRAPH 1.** There is inserted immediately preceding § 30.710-1 the following:

**SEC. 203. CERTAIN FISCAL YEAR TAXPAYERS.** (Revenue Act of 1943, Title II.)

(b) *Computation of tax for taxable year beginning in 1941 and ending after June 30, 1942.*—Section 710 (a) (3) (relating to certain fiscal year taxpayers) is amended to read as follows:

(3) Taxable years beginning in 1941 and ending after June 30, 1942.—In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the tax shall be an amount equal to the sum of—

(A) that portion of a tentative tax under this subchapter, computed as if the law applicable to taxable years beginning on January 1, 1941, were applicable to such taxable year, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax under this subchapter, computed as if the law applicable to taxable years beginning on January 1, 1941, were applicable to such taxable year, but as if the amendments made by sections 105 (a), (b) (other than those relating to dividends on the preferred stock of public utilities), (c), (d), and (e) (1), 202, and 206 of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year."

(c) *Taxable years to which applicable.*—The amendment made by subsection (a) shall be applicable only to taxable years beginning in 1943 and ending in 1944. The amendments made by subsection (b) shall be applicable only to taxable years beginning in 1941 and ending after June 30, 1942.

**PAR. 2.** Section 30.710-4 (b), as added by Treasury Decision 5246, approved March 18, 1943, is amended as follows:

(A) By changing that part of the second paragraph designated as "(2)" to read as follows:

(2) That portion of a tentative excess profits tax computed under the law ap-

plicable to taxable years beginning on January 1, 1941, determined as if such law included the amendments made by the Revenue Act of 1942 in section 105 (a), relating to normal tax, section 105 (b) (other than those relating to dividends on the preferred stock of public utilities), relating to surtax on corporations, section 105 (c), relating to the non-deductibility of the excess profits tax in computing net income, section 105 (d), relating to the credit under section 26 (e) for income subject to the excess profits tax, section 105 (e) (1), relating to credit for dividends received, section 202, relating to rate of excess profits tax for taxable years beginning after December 31, 1941, and section 206, relating to certain technical changes in the determination of excess profits net income under section 711 occasioned by the change in base for the computation or normal tax and surtax, which the number of days after June 30, 1942, in the taxable year of the taxpayer bears to the total number of days in such year.

(B) By changing the reference to "item 79" in 79 of the example to read "item 78".

**PAR. 3.** There is inserted immediately preceding § 35.710-1 the following:

**SEC. 202. INCREASE IN EXCESS PROFITS TAX RATE.** (Revenue Act of 1943, Title II.)

(a) *In general.* Section 710 (a) (1) (A) (relating to the rate of excess profits tax) is amended to read as follows:

(A) 95 per centum of the adjusted excess profits net income, or.

(b) *Technical amendment relating to public utilities.* Section 710 (a) (1) (B) (relating to the 80 per centum limitation) is amended by inserting before the period at the end thereof the following: ", and without regard to 80 per centum of the credit provided in section 26 (h) relating to credit for dividends paid on certain preferred stock)."

**SEC. 203. CERTAIN FISCAL YEAR TAXPAYERS.** (Revenue Act of 1943, Title II.)

(a) *Computation of tax for taxable years beginning in 1943 and ending in 1944.* Section 710 (a) (relating to imposition of excess profits tax) is amended by inserting at the end thereof the following new paragraph:

(6) *Taxable years beginning in 1943 and ending in 1944.* In the case of a taxable year beginning in 1943 and ending in 1944, the tax shall be an amount equal to the sum of—

(A) that portion of a tentative tax computed as if the law applicable to taxable years beginning on January 1, 1943, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1944, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1944, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1943, bears to the total number of days in such taxable year.

(c) *Taxable years to which applicable.* The amendment made by subsection (a) shall be applicable only to taxable years beginning in 1943 and ending in 1944. The amendments made by subsection (b) shall be applicable only to taxable years beginning in 1941 and ending after June 30, 1942.

**SEC. 204. INCREASE IN SPECIFIC EXEMPTION.** (Revenue Act of 1943, Title II.)

(a) *In general.* Section 710 (b) (1) (relating to the specific exemption) is amended by

striking out "\$5,000" and inserting in lieu thereof "\$10,000".

**SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.** (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

**PAR. 4.** Section 35.710-1 is amended as follows:

(A) By striking out the third and fourth sentences and inserting in lieu thereof the following:

A corporation whose excess profits net income, computed as provided in section 711 (a) (2) and (3), is not greater than \$5,000 for a taxable year beginning prior to January 1, 1944, or is not greater than \$10,000 for a taxable year beginning after December 31, 1943, or in the case of a mutual insurance company (other than life or marine) which is an inter-insurer or reciprocal underwriter whose excess profits net income is not greater than \$50,000 for any taxable year, need not file an excess profits tax return for such a taxable year. See section 729 (b) as amended by section 204 of the Revenue Act of 1943.

(B) By striking out the last sentence and inserting in lieu thereof the following:

The excess profits tax for a taxable year beginning prior to January 1, 1944, shall not exceed an amount which when added to the normal tax and surtax for such year equals 80 percent of the corporation surtax net income computed without regard to the credit provided in section 26 (e) for income subject to excess profits tax. The excess profits tax for any taxable year beginning after December 31, 1943, shall not exceed an amount which when added to the normal tax and surtax for such year equals 80 percent of the corporation surtax net income computed without regard to the credit provided in section 26 (e) for income subject to excess profits tax and without regard to 80 percent of the credit provided in section 26 (h) for dividends paid on certain preferred stock.

**PAR. 5.** Section 35.710-2 is amended as follows:

(A) By striking out that part of the first paragraph designated as "(a)" and inserting in lieu thereof the following:

(a) A specific exemption of \$5,000 for a taxable year beginning prior to January 1, 1944, and of \$10,000 for a taxable year beginning after December 31, 1943, except that in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter the specific exemption for any taxable year is \$50,000.

(B) By striking out the second paragraph and inserting in lieu thereof the following:

For the computation of corporation surtax net income appropriately adjusted under section 710 (a) (1) (B) in those cases where the excess profits tax is computed under such section as an amount which when added to the tax

imposed by Chapter 1 (other than section 102) equals 80 percent of such corporation surtax net income, see § 35.710-4.

PAR. 6. Section 35.710-3 (b) is amended as follows:

(A) By striking out the fifth sentence of the first paragraph and inserting in lieu thereof the following:

The amount of the unused excess profits credit which was so applied is determined as follows: The adjusted excess profits net income is computed for each such taxable year without the specific exemption allowed by section 710 (b) (1) of \$5,000 for a taxable year beginning prior to January 1, 1944, or of \$10,000 for a taxable year beginning after December 31, 1943, and without credit of any carry-over or carry-back from the taxable year in which such unused excess profits credit arose or from any taxable year subsequent thereto.

(B) By inserting a comma in lieu of the period after "December 31, 1939" in the first sentence of the second paragraph.

(C) By striking from the last three sentences of the second paragraph the words "specific exemption of \$5,000" wherever they appear and by inserting in lieu thereof the words "applicable specific exemption."

(D) By striking out that part of the example designated as "(2) (iii)" and inserting in lieu thereof the following:

(iii) For 1946, the carry-over is \$10,000, determined by reducing the \$75,000 unused excess profits credit by the sum of the adjusted excess profits net incomes for 1943 and 1944 computed for the year 1943 without the deduction of the \$5,000 specific exemption and for the year 1944 without the deduction of the \$10,000 specific exemption and further computed for both 1943 and 1944 without any carry-back from 1945 or any year subsequent to 1945 (for 1943, the \$185,000 excess profits net income less the \$100,000 excess profits credit and the \$20,000 carry-back from 1944, or \$65,000, plus, for 1944, the \$55,000 excess profits net income less the \$100,000 excess profits credit, or \$0 adjusted excess profits net income, a total of \$65,000).

(E) By changing "\$5,000", wherever it appears in that part of the example designated as "(2) (iv)" and as "(3) (ii), (iii), and (iv)", to read "\$10,000".

(F) By inserting "or \$10,000" immediately after "\$5,000" in the last paragraph.

PAR. 7. Section 35.710-3 (c) is amended by inserting immediately preceding the last sentence the following new sentence:

For disallowance of interest with respect to any part of such an overpayment which is determined by the Commissioner to be attributable to the final determination of an application for relief or benefit under section 722 for any taxable year, see section 3771 (g).

PAR. 8. Section 35.710-4 is amended as follows:

(A) By striking out that part of the first paragraph immediately preceding and including the colon and inserting in lieu thereof the following:

(a) *Taxable years beginning and ending prior to January 1, 1944.* The excess profits tax for a taxable year beginning and ending prior to January 1, 1944 shall

be whichever of the following is the lesser:

(B) By renumbering "(a)" and "(b)" following the colon in the first paragraph to read "(1)" and "(2)", respectively.

(C) By changing the phrase "paragraph (b)" in the first sentence of the second paragraph to read "subparagraph (2)".

(D) By changing the word "section" in that portion of the third paragraph immediately preceding the first colon to read "paragraph".

(E) By inserting immediately preceding the first sentence of the last paragraph the following new paragraph heading: "(d) *Mutual insurance companies.*"

(F) By inserting immediately preceding such new paragraph (d) the following new subsections:

(b) *Taxable years beginning in 1943 and ending in 1944.* The excess profits tax for a taxable year beginning in 1943 and ending in 1944 is an amount determined under section 710 (a) (6) in lieu of an amount which would otherwise be determined under the law applicable to a taxable year beginning on January 1, 1943. Such excess profits tax is computed in a manner comparable to the computation of the normal tax and surtax under section 108 (b) (1) for the same taxable year, that is, as the sum of the proportionate parts of two tentative taxes. See § 29.108-1 of this chapter. Consequently, each of the tentative excess profits taxes is to be computed in the light of, and with regard to, the computation of the corresponding tentative normal tax and surtax.

The excess profits tax computed under section 710 (a) (6) for a taxable year beginning in 1943 and ending in 1944 is an amount equal to the sum of:

(1) That portion of a tentative excess profits tax computed under the law applicable to taxable years beginning on January 1, 1943, which the number of days prior to January 1, 1944, in the taxable year of the taxpayer bears to the total number of days in such year, plus:

(2) That portion of a tentative excess profits tax computed under the law applicable to taxable years beginning on January 1, 1944, which the number of days after December 31, 1943, in the taxable year of the taxpayer bears to the total number of days in such year.

The tentative excess profits tax determined under section 710 (a) (6) (A) or section 710 (a) (6) (B), to be prorated in the determination of the excess profits tax under section 710 (a) (6), shall be the taxes prior to the credit under section 729 (c) and (d) for tax paid to a foreign country or possession of the United States, prior to the adjustment under section 734 on account of position inconsistent with prior income tax liability, and prior to the credit for debt retirement under section 783, but after the deduction of the tax deferral provided in section 710 (a) (5). The credit under section 729 (c) and (d), the adjustment under section 734, and the credit under section 783 shall be applied against the sum of the portions of the tentative ex-

cess profits taxes finally determined under section 710 (a) (6).

The excess profits net income for the purposes of the tentative excess profits tax under section 710 (a) (6) (A) shall be computed upon the basis of the normal tax net income determined for the purposes of the first tentative normal tax under section 108 (b) (1) (A), and any adjustments under section 711 (a) (1) and (2), applicable to a taxable year beginning on January 1, 1943, shall be made with respect to such normal tax net income. The excess profits net income for the purposes of the tentative excess profits tax under section 710 (a) (6) (B) shall be computed on the basis of the normal tax net income determined for the purposes of the second tentative normal tax under section 108 (b) (1) (B), and any adjustments under section 711 (a) (1) and (2) applicable to a taxable year beginning on January 1, 1944, shall be made with respect to such normal tax net income.

Each tentative excess profits tax is subject to the limitation in section 710 (a) (1) (B), that such tax when added to the normal tax and surtax imposed for the taxable year under Chapter 1 shall not exceed 80 percent of the corporation surtax net income computed with the proper adjustments provided in section 710 (a) (1) (B). With respect to the first tentative excess profits tax under section 710 (a) (6) (A), the corporation surtax net income for the purposes of the computation provided in section 710 (a) (1) (B) shall be determined without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax), and the normal tax and surtax shall be the tentative normal tax and surtax computed under section 108 (b) (1) (A). With respect to the second tentative excess profits tax computation provided in section 710 (a) (6) (B), the corporation surtax net income for the purposes of the computation provided in section 710 (a) (1) (B) shall be computed without regard to the credit provided in section 26 (e) (relating to income subject to excess profits tax) and without regard to 80 percent of the credit provided in section 26 (h) (relating to dividends paid on certain preferred stock), and the normal tax and surtax shall be the tentative normal tax and surtax computed under section 108 (b) (1) (B). For the computation of corporation surtax net income for purposes of the excess profits tax computation under section 710 (a) (1) (B), see § 35.710-4 (a) and (c).

The amount of the tax deferral under section 710 (a) (5) shall be deducted in the computation of each tentative excess profits tax under section 710 (a) (6) (A) and section 710 (a) (6) (B). In determining the applicability of section 710 (a) (5) with respect to the first tentative excess profits tax computation under section 710 (a) (6) (A), the adjusted excess profits net income shall be the adjusted excess profits net income computed under section 710 (a) (6) (A) and the normal tax net income shall be the normal tax net income computed under section 108 (b) (1) (A); with respect to the second tentative excess

profits tax computation under section 710 (a) (6) (B), the adjusted excess profits net income shall be the adjusted excess profits net income under section 710 (a) (6) (B) and the normal tax net income shall be the normal tax net income computed under section 108 (b) (1) (B). The amount by which either tentative excess profits tax may be reduced shall be an amount equal to 33 percent of the amount by which such tentative excess profits tax computed without the benefits of section 722 exceeds the amount of such tentative excess profits tax computed by using the excess profits credit based upon a constructive average base period net income claimed by the taxpayer under section 722 in lieu of the actual credit. See § 35.710-5 as to the computation of the tax deferral under section 710 (a) (5).

If the taxable year which begins in 1943 and ends in 1944 is a taxable year of less than twelve months, the excess profits net income shall be placed on an annual basis under section 711 (a) (3) (A) for the purposes of both tentative tax computations under section 710 (a) (6) and this subsection, or shall be determined as the actual excess profits net income for a twelve-month period under the method provided in section 711 (a) (3) (B) for the purposes of both such tentative tax computations. Regardless of the method adopted, the amounts of excess profits taxes so computed upon the basis of twelve months' income shall be properly reduced under section 711 (a) (3) in order to determine the tentative taxes under section 710 (a) (6) (A) and (B), and the tentative taxes so determined shall then be properly prorated upon the basis prescribed in section 710 (a) (6) (A) and (B).

If the excess profits net incomes for the purposes of the tentative taxes for a taxable year of less than 12 months are placed on an annual basis under section 711 (a) (3) (A), the normal tax net income used in computing excess profits net income for each tentative tax shall be the normal tax net income determined under section 108 (b) (1) (A) or section 108 (b) (1) (B), as the case may be, and the appropriate adjustments under section 711 (a) (1) and (2) shall be based upon such normal tax net income. If such tentative taxes are computed under section 711 (a) (3) (B) on the basis of an established adjusted excess profits net income for a 12-month period, the normal tax net income used in computing excess profits net income for each tentative tax shall be the normal tax net income determined under section 108 (b) (1) (A) or section 108 (b) (1) (B), as the case may be, for the appropriate 12-month period described in section 711 (a) (3) (B), and the proper adjustments under section 711 (a) (1) and (2) shall be made with respect to such normal tax net income.

Each tentative excess profits tax is subject to the limitation in section 710 (a) (1) (B) that such tax when added to the corresponding normal tax and surtax shall not exceed 80 percent of the corporation surtax net income computed with the proper adjustments prescribed

in section 710 (a) (1) (B). If section 710 (a) (1) (B) is applicable to the computation of the first tentative excess profits tax under section 710 (a) (6) (A), the normal tax and surtax shall be the first tentative normal tax and surtax ascertained under section 108 (b) (1) (A); the corporation surtax net income shall be the corporation surtax net income computed under section 108 (b) (1) (A) without regard to the credit under section 26 (e) (relating to income subject to excess profits tax), but upon the basis, annual basis or basis of an established twelve-month period, which is used in computing the excess profits tax. If section 710 (a) (1) (B) is applicable to the computation of the second tentative excess profits tax under section 710 (a) (6) (B), the normal tax and surtax shall be the second tentative normal tax and surtax ascertained under section 108 (b) (1) (B); the corporation surtax net income shall be the corporation surtax net income computed under section 108 (b) (1) (B) without regard to the credit under section 26 (e) (relating to income subject to excess profits tax) and without regard to 80 percent of the credit provided in section 26 (h) (relating to dividends paid on certain preferred stock), but upon the basis, annual basis or basis of an established twelve-month period, which is used in computing the excess profits tax. The amount determined by multiplying the corporation surtax net income so computed by 80 percent shall be properly reduced pursuant to section 711 (a) (3). The difference between such amount so reduced and the sum of the appropriate tentative normal tax and surtax shall be the tentative excess profits tax computed under section 710 (a) (1) (B). For the computation of the excess profits tax in case of a taxable year of less than twelve months, see section 711 (a) (3) and § 35.711 (a)-4.

(c) *Taxable years beginning after December 31, 1943.* The excess profits tax for taxable years beginning after December 31, 1943, shall be whichever of the following is the lesser:

(1) An amount equal to 95 percent of the adjusted excess profits net income, or

(2) An amount which when added to the tax imposed for the taxable year under Chapter 1 (not including the tax under section 102 on account of the improper accumulation of surplus) equals 80 percent of the corporation's surtax net income, computed under section 15 or Supplement G (relating to insurance companies), as the case may be, but without regard to the credit provided in section 26 (e), relating to income subject to excess profits tax, and without regard to 80 percent of the credit provided in section 26 (h), relating to credit for dividends paid on certain preferred stock.

For the purposes of section 710 (a) (1) (B) and of clause (2) of the preceding sentence, the tax imposed for the taxable year under Chapter 1 is the sum of the normal tax and surtax for such year prior to the credit under section 131 for taxes paid to a foreign country or pos-

session of the United States. The corporation surtax net income for such purposes shall be computed by disregarding the credit under section 26 (e) (relating to income subject to excess profits tax), otherwise provided in section 15 (a) or Supplement G as a reduction against net income both in determining corporation surtax net income and in determining the amount of net income upon which is computed the 85 percent limitation upon the credit for dividends received, and by disregarding 80 percent of the credit under section 26 (h) (relating to dividends paid on certain preferred stock) otherwise provided in section 15 (a) or Supplement G as a reduction in determining corporation surtax net income. The credit provided in section 26 (h) shall not include any amount distributed with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. In all other respects, corporation surtax net income shall be computed as provided in section 15 (a) or Supplement G, as the case may be, with respect to taxable years beginning after December 31, 1943.

The application of section 710 (a) (1) and of this paragraph may be shown by the following example:

Assume that Corporation A, which makes its return on the calendar year basis, is a public utility corporation within the definition in section 26 (h) (2) (A). Its net income for the calendar year 1944 is \$411,000 and includes \$100,000 of dividends upon the common stock of a domestic manufacturing company. It has paid a dividend of \$5,000 on its preferred stock (as defined in section 26 (h) (2) (B)), and the amount so distributed did not include any dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. Its excess profits net income is \$500,000, its excess profits credit is \$145,000, and it has no unused excess profits credit adjustment. Its excess profits tax is \$257,927, computed as follows:

#### EXCESS PROFITS TAX

1. Excess profits net income.....	\$500,000
2. Specific exemption.....	10,000
3. Excess profits credit.....	145,000
4. Total of item 2 and item 3.....	155,000
5. Adjusted excess profits net income.....	\$345,000
6. Excess profits tax (95% of item 5).....	327,750
7. Net income (computed without regard to credit provided in section 26 (e) relating to income subject to excess profits tax).....	\$411,000
8. Less:	
(a) Dividends received credit (85 percent of \$100,000 but not in excess of 85 percent of item (7)).....	85,000
(b) Credit provided in section 26 (h) for dividends paid on certain preferred stock, computed without regard to 80 percent thereof (20 percent of \$5,000).....	1,000
	<u>86,000</u>



EXCESS PROFITS TAX—Continued

9. Corporation surtax net income (computed without regard to the credit provided in section 26 (e) and without regard to 80 percent of the credit provided in section 26 (h)) (item 7 minus item 8)-----	\$325,000
10. 80 percent of item 9-----	260,000
11. Income tax under Chapter 1 (other than section 102) for the taxable year (item 26)---	2,073
12. Excess of item 10 over item 11-----	257,927
13. Excess profits tax (item 6 or item 12, whichever is the lesser)-----	257,927
NORMAL TAX	
14. Net income (adjusted net income)-----	411,000
15. Less income subject to excess profits tax (credit under section 26 (e)) (item 5)-----	345,000
16. Item 14 minus item 15-----	66,000
17. Dividends received credit (85 percent of \$100,000 but not in excess of 85 percent of item 16)-----	56,100
18. Normal tax net income-----	9,900
19. Normal tax (\$750 plus 17 percent of \$4,900)-----	1,583
SURTAX	
20. Net income-----	411,000
21. Less income subject to excess profits tax (credit under section 26 (e)) (item 5)-----	345,000
22. Item 20 minus item 21-----	66,000
23. Less:	
(a) Dividends received credit (85 percent of \$100,000 but not in excess of 85 percent of item 22)-----	56,100
(b) Dividends paid on certain preferred stock-----	5,000
	61,100
24. Corporation surtax net income-----	4,900
25. Surtax (10 percent of item 24)-----	490
26. Total normal tax and surtax (item 19 plus item 25)-----	2,073

PAR. 9. Section 35.710-5 is amended by striking out the last sentence of the second paragraph and inserting in lieu thereof the following:

In any case in which the excess profits tax computed with the use of the constructive average base period net income is determined under section 710 (a) (1) (B) as an amount which when added to the normal tax and surtax imposed under Chapter 1 equals 80 percent of the corporation surtax net income properly adjusted under section 710 (a) (1) (B), the credit for income subject to excess profits tax provided in section 26 (e), used in determining normal tax net income and corporation surtax net income, shall be computed for the purposes of determining such normal tax and surtax by using the excess profits credit based upon the constructive average base period net income in lieu of the actual excess profits credit.

No. 132—4

PAR. 10. There is inserted immediately preceding § 35.714-1 the following:

SEC. 205. REDUCTION OF EXCESS PROFITS CREDIT BASED ON INVESTED CAPITAL IN CERTAIN BRACKETS. (Revenue Act of 1943, Title II.)

Section 714 (relating to the excess profits credit based on invested capital) is amended to read as follows:

SEC. 714. EXCESS PROFITS CREDIT—BASED ON INVESTED CAPITAL.

The excess profits credit, for any taxable year, computed under this section, shall be the amount shown in the following table:

If the invested capital for the taxable year, determined under section 715 is:	The credit shall be:
Not over \$5,000,000-----	8% of the invested capital.
Over \$5,000,000, but not over \$10,000,000-----	\$400,000, plus 6% of the excess over \$5,000,000.
Over \$10,000,000-----	\$700,000, plus 5% of the excess over \$10,000,000.

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 11. Section 35.714-1 is amended by striking out the second sentence and inserting in lieu thereof the following:

Regardless of the ratio of earnings to invested capital for previous taxable years, such credit is an amount equal to 8 percent of the corporation's invested capital for the taxable year, except that if such invested capital for any taxable year exceeds \$5,000,000, the credit for such taxable year is an amount determined in accordance with the following tables:

TAXABLE YEARS BEGINNING PRIOR TO JANUARY 1, 1944

Invested capital	Credit
Over \$5,000,000 but not over \$10,000,000.	\$400,000, plus 7% of the excess over \$5,000,000.
Over \$10,000,000, but not over \$200,000,000.	\$750,000, plus 6% of the excess over \$10,000,000.
Over \$200,000,000-----	\$12,150,000, plus 5% of the excess over \$200,000,000.

TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1943

Over \$5,000,000 but not over \$10,000,000.	\$400,000, plus 6% of the excess over \$5,000,000.
Over \$10,000,000-----	\$700,000, plus 5% of the excess over \$10,000,000.

PAR. 12. There is inserted immediately preceding § 35.722-1 the following:

SEC. 206. PUBLICITY OF RELIEF GRANTED UNDER SECTION 722. (Revenue Act of 1943, Title II.)

(a) In general. Section 722 is amended by inserting at the end thereof the following new subsection:

(g) The Commissioner shall compile for each fiscal year beginning after June 30, 1941, by internal revenue districts, and alphabetically arranged, all cases in which relief has been allowed during such year under the provisions of this section by the Commissioner and by the Tax Court of the United States, as the case may be. Such compilation

shall contain the name and address of each taxpayer to which relief has been so allowed, the business in which the taxpayer is engaged, the amount of the excess profits credit before such allowance, the increase in such credit claimed, the increase in such credit allowed, and the amount of the gross reduction in the tax under this subchapter and of the gross increase in the tax under Chapter 1, which results from the operation of this section. In the case of relief allowed by The Tax Court of the United States, the Commissioner shall also set forth the data previously reported under this subsection with respect to relief previously allowed in such case by the Commissioner. Such compilation shall be published in the FEDERAL REGISTER.

(b) Taxable years to which applicable. The compilation of cases required by the amendment made by subsection (a) shall not be limited to cases relating to taxable years beginning after December 31, 1943.

PAR. 13. There is inserted immediately preceding § 35.729-1 the following:

SEC. 204. INCREASE IN SPECIFIC EXEMPTION. (Revenue Act of 1943, Title II.)

(b) Return requirement. Section 729 (b) (2) (relating to return requirement) is amended by striking out "\$5,000" and inserting in lieu thereof "\$10,000".

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) as made applicable by sec. 729 (a); Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a)) and secs. 201, 202 (a) and (b), 203, 204 (a) and (b), 205, and 206, Revenue Act of 1943 (Pub. Law 235, 78th Cong.) enacted Feb. 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: July 1, 1944.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-9704; Filed, July 1, 1944; 4:13 p. m.]

Subchapter C—Miscellaneous Excise Taxes  
[T. D. 5385]

PART 101—TAXES ON ADMISSIONS, DUES, AND INITIATION FEES

CABARET TAX

In order to conform Regulations 43 (26 CFR, Cum. Supp., Part 101), relating to taxes on admissions, cabarets, dues, and initiation fees under Chapter 10 of the Internal Revenue Code, as amended, to section 3 of the Public Debt Act of 1944 (Pub. Law 333, 78th Cong.), approved June 9, 1944, and for other purposes, such regulations are hereby amended as follows:

PARAGRAPH 1. The words appearing in parentheses in the heading beginning "Part 101" immediately preceding "Subpart A—Introductory," as amended by Treasury Decision 5349, approved March 17, 1944, are further amended by adding

at the end thereof "and the Public Debt Act of 1944."

PAR. 2. The first sentence of the first paragraph of § 101.0, as amended by Treasury Decision 5349, is further amended by changing the period at the end thereof to a comma and adding thereafter the following: "and the Public Debt Act of 1944."

PAR. 3. Immediately preceding § 101.1 there is inserted the following:

SEC. 3. REDUCTION OF WAR TAX RATE ON CABARETS, ROOF GARDENS, ETC. (Public Debt Act of 1944, approved June 9, 1944.)

(b) *Effective date.* The amendment made by subsection (a) shall be applicable only with respect to the period beginning at 10 antemeridian on the first day of the first month following the date of enactment of this Act.

PAR. 4. Section 101.1 as amended by Treasury Decision 5349, is further amended as follows:

(A) By changing the period at the end of the second paragraph to a comma and adding thereafter the following: "and the Public Debt Act of 1944."

(B) By inserting at the end of the third paragraph the following: "The amendment made by the Public Debt Act of 1944, and the amendments of these regulations pursuant to such act, with respect to the cabaret tax become effective at 10 a. m. on July 1, 1944."

PAR. 5. Immediately preceding § 101.13 there is inserted the following:

SEC. 3. REDUCTION OF WAR TAX RATE ON CABARETS, ROOF GARDENS, ETC. (Public Debt Act of 1944.)

(a) *Reduction of rate.* Section 1650 of the Internal Revenue Code is amended by striking out "30 per centum" where it appears in the table therein as the war tax rate on cabarets, roof gardens, and so forth, and inserting in lieu thereof "20 per centum".

PAR. 6. Section 101.13, as amended by Treasury Decision 5349, is further amended as follows:

(A) By changing "30 percent" in the second sentence of the first paragraph to "20 percent".

(B) By substituting for the fourth paragraph thereof the following new paragraphs:

Where the tax is passed on to the patrons, which may be shown by any one of the three methods outlined below, the amount thereof shall be excluded in determining the total amount of the charges upon which the tax is to be computed:

(1) The cabaret tax at the rate of 20 per cent of the total amount charged for admission, refreshment, service, and merchandise is entered and shown as a separate item on the waiters' checks or bills given to the patrons.

(2) The charge for admission, refreshment, service, or merchandise and the cabaret tax of 20 per cent applicable thereto are rung up on separate keys of a cash register and recorded under separate symbols on the cash register tape.

(3) Signs are prominently displayed, or statements are printed conspicuously on menus or price lists, reading as follows:

"All prices include 20 per cent Federal cabaret tax." Where this method is used, the tax due for any month on the basis of 20 per cent of the total amount paid by the patrons for admission, refreshment, service, and merchandise, exclusive of the tax passed on to them, may be computed by dividing the total receipts for the month by 120 and multiplying the result by 20.

An establishment subject to the cabaret tax has the option of using whichever of the foregoing three methods it may select. (For records see § 101.32 (b).)

Where a State tax imposed upon the amounts paid for admission, refreshment, service, or merchandise, is passed on to the patrons, which may be shown by one of the foregoing methods, the State tax may likewise be excluded in computing the Federal tax liability. Where the third method is used, the computation of the Federal tax must be modified to make allowance for the inclusion of the State tax in the total receipts. For example, if the rate of the State tax is 2 per cent, the total receipts for any month should be divided by 122 and the result multiplied by 20 in order to compute the Federal tax liability for such month on the basis of 20 per cent of the total amount paid for admission, refreshment, service, or merchandise.

If the Federal tax or the State tax is not passed on to the patrons, the amount thereof shall not be excluded in computing the cabaret tax.

PAR. 7. Section 101.14, as amended by Treasury Decision 5349, is further amended by changing "\$1.50" in the third sentence of example (3) to "\$1.00".

PAR. 8. Section 101.32, as amended by Treasury Decision 5349, is further amended as follows:

(A) By inserting at the end of the first paragraph of paragraph (b) the following:

Where the passing on of the tax is evidenced by the use of waiters' checks or bills which show the tax as a separate item or by the use of a cash register which records the tax under separate symbols on the cash register tape, as provided by method (1) or (2) included in paragraph four of § 101.13, the total receipts from patrons (exclusive of tax) and the total taxes passed on to them as disclosed by the waiters' checks or bills or the cash register tapes for each day should be entered in the daily record. Where the tax is not shown as a separate item but the passing on of the tax is evidenced by the use of signs or by statements on the menus, as provided by method (3) included in paragraph four of § 101.13, the gross receipts for each day should be entered in the daily record.

(B) By inserting at the end of paragraph (b) the following paragraph:

Where the passing on of the tax to the patrons is evidenced by entries on waiters' checks or bills or by the use of a cash register, the waiters' checks or bills or the cash register tapes must be kept by the establishment for a period of not less than six months.

(Pub. Law 333, 78th Cong.; sec. 3791, Internal Revenue Code (53 Stat. 467; 26 U.S.C., 1940 ed., 3791))

JOSEPH D. NUNAN, JR.,

Commissioner of Internal Revenue.

Approved: June 30, 1944.

JOHN L. SULLIVAN,

Acting Secretary of the Treasury.

[F. R. Doc. 44-9694; Filed, July 1, 1944; 12:54 p. m.]

## TITLE 29—LABOR

### Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 13, Amdt. 1]

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

##### WORKERS ENGAGED IN TREE PICKING AND CUTTING APRICOTS IN CERTAIN CALIFORNIA COUNTIES

Section 1102.10 (9 F.R. 7047) is hereby amended as set forth below:

The title of 1102.10 is amended to read as follows:

§ 1102.10 *Wages of workers engaged in tree picking of apricots and cutting of apricots in Areas A, B, and C (hereinafter defined), State of California.*

Paragraph (a) is revised and amended to read as follows:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking apricots from trees, and persons so engaged a portion of the time who are also engaged on a farm in the cutting of apricots in Areas A, B, and C, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

Paragraph (b) (2) is revised and amended to include within the term "Area B" the County of Contra Costa, California.

Paragraph (c) is revised and amended to read as follows:

(c) *Wage rates; maximum wage rates for tree picking of apricots and cutting apricots.*

- (1) In Area A:
  - (i) Picking:
 

Piece work rate.....	\$12 per ton.
Hourly rate.....	75 cents per hour.
  - (ii) Cutting:
 

Piece work rate.....	\$15 per ton.
Hourly rate.....	75 cents per hour.
- (2) In Area B:
  - (i) Picking:
 

Piece work rate....	\$13 per ton.
Hourly rate.....	80 cents per hour.
  - (ii) Cutting:
 

Piece work rate....	\$16 per ton.
Hourly rate.....	80 cents per hour.
- (3) In Area C:
  - (i) Picking:
 

Piece work rate....	\$13 per ton.
Hourly rate.....	85 cents per hour.
  - (ii) Cutting:
 

Piece work rate....	\$16 per ton.
Hourly rate.....	85 cents per ton.

If workers in any of the areas above described are paid on other than tonnage basis, the compensation must be equivalent to the above.

All the above rates are exclusive of any payments to labor contractors.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 30th day of June 1944.

WILSON R. BUIE,  
Acting Director of Labor.

[F. R. Doc. 44-9639; Filed, June 30, 1944; 4:59 p. m.]

[Specific Wage Ceiling Reg. 19]

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

WORKERS ENGAGED IN PICKING AND CUTTING PEACHES IN CERTAIN CALIFORNIA COUNTIES

§ 1102.12 *Wages of workers engaged in the picking of peaches from trees and the cutting of peaches in Areas A, B, and C, (hereinafter defined), State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulation of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking peaches from trees, and persons so engaged a portion of the time who are also engaged on a farm in the cutting of peaches in Areas A, B, and C, State of California, are agricultural labor as defined in Section 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization, issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* (1) Area A means the Counties of Kern, Kings, Tulare, Fresno, Madera, Merced, and that portion of Stanislaus County west of the San Joaquin River.

(2) Area B means the Counties of Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Sonoma, Napa, Yolo, Solano, Sacramento, Placer, El Dorado, Contra Costa, San Joaquin, and that portion of Stanislaus County lying east of the San Joaquin River, and that portion of Santa Clara County lying south of the town of Coyote.

(3) Area C means that portion of Santa Clara County lying north of the town of Coyote.

(c) *Wage rates; maximum wage rates for picking and cutting peaches.*

In Area A:

- (1) Tree picking freestone peaches:
  - (i) For market:
    - Piece rate..... \$8 per ton.
    - Hourly rate..... 75¢ per hour.
  - (ii) For drying or canning:
    - Piece rate..... \$6 per ton.
    - Hourly rate..... 75¢ per hour.
- (2) Tree picking clingstone peaches:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 75¢ per hour.
- (3) Cutting of freestone peaches for drying:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 75¢ per hour.

In Area B:

- (1) Tree picking freestone peaches:
  - (i) For market:
    - Piece rate..... \$8 per ton.
    - Hourly rate..... 80¢ per hour.
  - (ii) For drying or canning:
    - Piece rate..... \$6 per ton.
    - Hourly rate..... 80¢ per hour.
- (2) Tree picking clingstone peaches:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 80¢ per hour.
- (3) Cutting of freestone peaches for drying:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 80¢ per hour.

In Area C:

- (1) Tree picking freestone peaches:
  - (i) For market:
    - Piece rate..... \$8 per ton.
    - Hourly rate..... 85¢ per hour.
  - (ii) For drying or canning:
    - Piece rate..... \$6 per ton.
    - Hourly rate..... 85¢ per hour.
- (2) Tree picking clingstone peaches:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 85¢ per hour.
- (3) Cutting of freestone peaches for drying:
  - Piece rate..... \$6 per ton.
  - Hourly rate..... 85¢ per hour.

If workers are paid on other than a per ton basis, the rates paid cannot exceed the equivalent of the above maximum rates. The above rates are exclusive of any payment to labor contractors.

(d) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 19 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 19 and any violation of this specific wage ceiling regulation No. 19 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of

the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 30th day of June 1944.

WILSON R. BUIE,  
Acting Director of Labor.

[F. R. Doc. 44-9640; Filed, June 30, 1944; 4:59 p. m.]

[Specific Wage Ceiling Reg. 20]

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

WORKERS IN DAIRYING IN CERTAIN PORTIONS OF THE LOS ANGELES METROPOLITAN MILK SHED, CALIF.

§ 1102.13 *Workers engaged as milkers, milk-house machine operators, and milk-house can men in dairying in the Counties of Los Angeles, Orange, Riverside, San Bernardino and Ventura, State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged as milkers, milk-house machine operators, and milk-house can men in dairying in the Counties of Los Angeles, Orange, Riverside, San Bernardino and Ventura, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* When used in this specific wage ceiling regulation, unless otherwise distinctly expressed, or manifestly incompatible with the intent thereof:

(1) The term "wage rates" means wages, salary, bonuses, the actual value of all perquisites such as board, lodging, and other items, and all other forms of direct or indirect compensation as defined in the general regulations; provided, in cases where board and lodging are furnished the worker, the minimum deduction shall be \$40 per month. Where milk is furnished, the minimum deduction shall be the actual value of the milk f. o. b. the ranch. All rates per month provide for one day off in each seven days. Monthly wage rates for workers other than regular, relief, and emergency milkers, shall apply to the work period customarily in effect on each dairy prior to December 9, 1943.

(2) (i) The term "Holstein string" means a string composed of two-thirds (2/3) or more black and white cows, and black cows of Holstein types;

(ii) The term "Jersey and Guernsey string" means a string composed of two-thirds ( $\frac{2}{3}$ ) or more Jersey and Guernsey type cows; and

(iii) The term "mixed string" means any other string not fitting the classifications of (i) or (ii). The above classification of strings shall be applicable in determining the base poundage for hand milkers.

(3) The term "string", for machine milkers, means a string of 60 cows except for certified dairies the number of cows is 52; *Provided, however*, That any number less than 60 and 52, respectively, is a string if the average daily production is equal to the base poundage of 1900 pounds. For hand milkers a string is 30 cows, except for certified dairies the number of cows is 26; *Provided, however*, That any number less than 30 and 26, respectively, is a string if the average daily production is equal to the applicable base poundage set forth in paragraph (c) (1) (ii) hereof.

(4) The term "long string" for machine milking means a string in excess of 60 cows (or 52 cows on certified dairies); a "long string" for hand milking is in excess of 30 cows (or 26 cows on certified dairies).

(5) The term "short string" for machine milking means a string of less than 60 cows (or 52 cows on certified dairies) not producing the base poundage; a "short string" for hand milking is less than 30 cows (or 26 cows on certified dairies) not producing the base poundage.

(6) The term "milkers" means persons whose duties are to bring the string to and from the corral, feed grain, wash the cows, milk and strip the cows, dump the milk, clean the barn in conformity with sanitary standards, and perform other duties customarily related to the milking operation.

(7) The term "milk-house machine operators" means persons whose duties are to operate and clean the bottle washers, bottle fillers, pasteurizers, and other milk-house equipment, to keep the milk-house in the required sanitary condition, and to perform other duties customarily related to the above major duties.

(8) The term "milk-house can men" means persons whose duties consist of filling cans or tankers with bulk milk, to clean and sterilize milking machines, cans, refrigerator and cooling equipment, and all other milk-house equipment, to keep the milk-house in the required sanitary condition, and to perform other duties customarily related to the above major duties.

(9) The term "emergency and relief milkers" means persons whose duties are the same as "milkers."

(c) *Wage rates; maximum rates for dairy workers*—(1) *Milkers*. (i) Machine: base pay per string per month \$205, plus bonus per month of  $12\frac{1}{2}\%$  for each daily average pound of milk drawn in excess of the base poundage of 1,900 pounds.

(ii) Hand: base pay per string per month \$205, plus bonus per month of 25¢ for each daily average pound of milk

drawn in excess of the following base poundage:

- (a) 1050 pounds..... Holstein strings.
- (b) 950 pounds..... Mixed strings.
- (c) 850 pounds..... Jersey and Guernsey strings.

(iii) For machine milking of long strings the maximum additional payment shall be the bonus per month of  $12\frac{1}{2}\%$  for each pound drawn in excess of the base poundage, or \$4 per month for each cow in excess of 60 cows (or 52 cows on certified dairies), whichever is greater.

(iv) For hand milking of long strings the maximum additional payment shall be the bonus per month of 25¢ for each pound drawn in excess of the base poundage, or \$8 per month for each cow in excess of 30 cows (or 26 cows on certified dairies), whichever is greater.

(v) For relief milkers: the maximum wage paid shall be the highest wage paid to any milker of a string which is relieved.

(vi) Maximum payment for milking less than a string (short string) by machine or by hand, shall be in proportion to the base pay as the actual number of cows milked bears to 60 or 30 cows for machine and hand milking respectively (or 52 or 26 cows respectively on certified dairies) or as the actual daily poundage of milk bears to the applicable base poundage, whichever is greater; *Provided, however*, That milkers on short strings doing other jobs may receive additional compensation at the legal rate for the other job or jobs for the proportionate time spent on such other job or jobs.

(vii) Extra turnins: \$5.00 additional per month may be allowed if turnins are in excess of 3 per milking.

(viii) Payments on other than bonus basis: if payments are made on a flat monthly wage or other basis, the maximum payment may not exceed the equivalent rate when calculated as above.

(2) Emergency milkers for one milking \$7.00; for periods of one to six days, inclusive, \$12.00 per day.

(3) Milk-house man: machine or can, \$195 per month.

(d) *Administration*. The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations*. This specific wage ceiling regulation No. 20 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 20 and any violation of this specific wage ceiling regulation No. 20 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960,

12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 30th day of June 1944.

WILSON R. BUIE,  
Acting Director of Labor.

[F. R. Doc. 44-9641; Filed, June 30, 1944; 4:59 p. m.]

PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

ESTABLISHMENT OF WAGE CEILING

The regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655) and amended on June 1, 1944 (9 F.R. 6011) are hereby amended as follows:

1. Section 1100.1 is amended by adding the following at the end thereof:

(1) The term "producer" means the person who is in charge of the farming operations on a farm.

2. Section 1100.8 is amended to read as follows:

§ 1100.8 *Procedure for recommending establishment of wage ceilings*. Whenever it is requested in writing, by petition or otherwise, by a majority of the producers of any commodity in a particular area who would be affected by a specific wage ceiling relative to that particular commodity and area, the wage board having jurisdiction over that area shall hold a public hearing for the purpose of aiding the Administrator in the establishment of a specific wage ceiling regulation, as described in § 1100.7 hereof.

For the purposes of such a hearing a member of the staff of the Office of Labor, sitting as a non-voting member of the board, may be appointed. The board shall give public notice of such hearing at least three days prior to the hearing. Such public notice shall be given by posting in prominent places in the area to be affected, and by publication in local newspapers of general circulation. The hearing shall be conducted by two or more members of the board as the board shall direct. The hearing shall be informal. Testimony shall be taken concerning the type of work to be controlled, the exact areas to be subject to control, the crop or crops to be affected, the wage rates paid, and all related matters relative to the establishment of a wage ceiling. All interested persons may appear and testify. A transcript of the record shall be kept. The presiding officer shall open the hearing with a statement of its purpose and the rules which will govern. As soon as possible after the hearing is concluded, the board shall prepare its recommendations (which must be approved by at least a majority of the board) as to the type of employment, wage rates to be paid, crop or crops to be affected, the extent of the area to be subject to control, and other related matters, and forward the report together with the transcript of the hearing to the Administrator. Neither the testimony received nor the

recommendations of the board are binding upon the Administrator in establishing a specific wage ceiling regulation. Any interested person may file a petition for reconsideration of a specific wage ceiling regulation with the wage board administering the regulation or with the Administrator. If such a petition is filed with a wage board, such board shall forward the petition together with its recommendations to the Administrator.

Effective July 1, 1944.

(56 Stat. 765, 50 U.S.C. Supp. II 961 et seq., as amended by Pub. Law 34, 78th Cong.; E.O. 9328, 8 F.R. 9681, regulations of Economic Stabilization Director, dated Aug. 28, 1943, as amended, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035)

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-9696; Filed, July 1, 1944;  
3:55 p. m.]

**TITLE 31—MONEY AND FINANCE:  
TREASURY**

**Chapter I—Monetary Offices, Department  
of the Treasury**

**PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO**

**FINLAND**

JUNE 30, 1944.

Amendment to General License No. 32 under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32 is hereby amended by deleting from paragraph (1) (a) thereof, wherever it appears, the following: "Finland."

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1, 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs. Apr. 10, 1940, as amended June 14, 1941, July 26, 1941)

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

[F. R. Doc. 44-9638; Filed, June 30, 1944;  
4:18 p. m.]

**APPENDIX A—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO**

**FINLAND**

JUNE 30, 1944.

Amendment to General Ruling No. 11 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General Ruling No. 11 is hereby amended by inserting in paragraph (4) (b) (ii) thereof immediately before the words "and any other territory controlled or occupied by Germany, Italy or Japan" the following: "Finland;"

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941; E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs., Apr. 10, 1940, as amended June 14, 1941, July 26, 1941)

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

[F. R. Doc. 44-9637; Filed, June 30, 1944;  
4:19 p. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter IX—War Production Board**

**Subchapter B—Executive Vice-Chairman**

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-518, Reinstatement]

**GENERAL PLAYGROUND EQUIPMENT, INC.**

General Playground Equipment, Inc., 1133 South Courtland Avenue, Kokomo, Indiana, which is a corporation engaged among other things, in the business of manufacturing playground equipment, was suspended on April 24, 1944, by Suspension Order No. S-518. It appealed from the provisions of the Suspension Order, and, pending determination of the appeal, the Suspension Order was stayed by the Chief Compliance Commissioner on June 13, 1944, with regard to orders bearing preference ratings of AA-2X or higher and to orders placed by the Armed Services of the United States. The appeal has been considered by the Deputy Chief Compliance Commissioner who dismissed the appeal and directed that the amendment by order of the Chief Compliance Commissioner of June 13, 1944, be made permanent. In view of the foregoing: *It is hereby ordered, That:*

Section 1010.518, *Suspension Order No. S-518* issued April 17, 1944, and effective April 24, 1944, be and hereby is reinstated; and Amendment 1, staying the provisions of the order with regard to orders bearing preference ratings of AA-2X or higher and to orders placed by the Armed Services of the United States, directed by the Chief Compliance Commissioner on June 13, 1944, be made permanent.

Issued this 30th day of June 1944.

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

[F. R. Doc. 44-9615; Filed, June 30, 1944;  
4:31 p. m.]

**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 1, Direction 53]

**CONTROLLED MATERIALS PURCHASED FOR MRO IN FOREIGN COUNTRIES**

The following direction is issued pursuant to CMP Regulation 1:

(a) Exporters may buy for shipment on general export license in each calendar quarter not more than the amounts of controlled material listed below for each single consignee by the use of the allotment symbol E-2. An exporter may buy this material only if he knows or has reason to believe that the consignee will use it for maintenance, repair, or operating supplies (not including capital additions). The exporter may not buy any controlled material under this direction if he knows or has reason to believe that the consignee will use it for any other purpose.

Carbon steel (including wrought iron).	3 tons
Alloy steel	1,200 pounds
Copper and copper base alloy	300 pounds.
Aluminum	500 pounds.

(b) The exporter may buy the controlled materials as explained in paragraph (a) by placing on his order the symbol E-2 and the certification described in Priorities Regulation 7. Such an order is an authorized controlled material order for the purpose of all CMP Regulations. The exporter may place separate orders for material destined for one consignee, but the total of all such orders in one calendar quarter for each consignee may not exceed the amounts set forth in paragraph (a).

(c) Nothing in this direction shall be construed to relieve any exporter from complying with the provisions of any applicable regulation, rule or order of the War Production Board or the Foreign Economic Administration.

(d) An exporter may not buy any controlled material under this direction for a consignee in any case where he knows or has reason to believe that the consignee has been given an authorization and quota for maintenance, repair and operating supplies under Direction 20 to CMP Regulation 5, or where the consignee obtains maintenance, repair and operating supplies under Order P-58 (mines and smelters).

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9662; Filed, July 1, 1944;  
11:33 a. m.]

**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 5, Direction 20]

**MRO FOR PERSONS ABROAD PRODUCING FOR THE UNITED STATES GOVERNMENT**

The following direction is issued pursuant to CMP Regulation 5:

A person producing material in foreign areas on contract with or for sale to the United States Government may get maintenance, repair and operating supplies under CMP Regulation 5, but only upon specific authorization and within a quota issued by the War Production Board upon the recommendation of the Foreign Economic Administration. An application for issuance of an authorization and quota should be made by letter in triplicate, addressed to the War Production Board but filed with the Foreign

Economic Administration, Requirements and Supply Branch, Washington, D. C., which will forward the application to the War Production Board with appropriate recommendations for action. This direction does not apply, however, to an operator in the petroleum industry or to any person for whom Order P-56 ("Mines and Smelters") prescribes the procedure for obtaining maintenance, repair and operating supplies.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9663; Filed, July 1, 1944;  
11:33 a. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-290, Direction 4]

##### DELIVERIES OF SHEETS TO SHEET PLANTS UNDER SECOND QUARTER AUTHORIZATIONS AFTER JULY 1, 1944

The following direction is issued pursuant to Conservation Order M-290:

(a) If all of the conditions stated in this direction are fulfilled, a sheet plant may accept against second quarter authorizations deliveries of corrugated and solid fibre sheets, even though they were not delivered or in transit to it by June 30, 1944.

(1) The sheet plant must have placed its order, duly certified in accordance with Order M-290 (see paragraphs (c) and (d)), for the sheets with its supplier prior to June 20, 1944, and must be entitled to accept the sheets, in so far as tonnage is concerned, within the authorization it received for the second quarter of 1944.

(2) The corrugated or solid fibre sheets must be made from containerboard which was delivered or in transit to the sheet supplier prior to July 1, 1944, pursuant to a duly certified purchase order carrying the sheet plant's authorization number in accordance with paragraph (c) of Order M-290.

(b) This direction supersedes, to the extent indicated, the statement contained in outstanding second quarter authorizations for containerboard, to the effect that such authorizations lapse with respect to any containerboard not actually delivered or in transit to the consumer by the last day of the quarter covered by his application. In all other respects, the provisions of Order M-290 and all authorizations issued thereunder remain fully applicable.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9664; Filed, July 1, 1944;  
11:33 a. m.]

#### PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule I, as  
Amended July 1, 1944]

##### PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

§ 3281.17 *Schedule I to Limitation Order L-120-(a) Definitions.* For the purpose of this schedule, including the appendix:

(1) The term "paper and paperboard" means and is limited to the kinds of paper and paperboard commonly described and distributed in the paper trade

by the names used as captions in the appendix below.

(2) The term "paper and paperboard for use in commercial printing" means all paper and paperboard commonly manufactured and distributed for use in printing, including but not limited to the printing of house organs, music, labels and posters; and excluding only those manufactured and distributed for use in printing newspapers and magazines, pamphlets published for resale, and books, or for conversion into another paper product or products otherwise than by printing.

(3) A "grade" means one particular quality within a kind of paper or paperboard such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or paperboard, or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(6) The term "thickness" means the thickness of a sheet of paper or paperboard expressed either in terms of plies or in terms of thousandths of an inch measured by the Cady Micrometer.

(7) An "item" means a quantity of paper or paperboard all of which is of the same size, grain, basis weight, finish, color and grade.

(8) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight or thickness, and size specified under A of the appropriate caption in the appendix below.

(9) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight, thickness or size that is not standard.

(10) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or consumer.

(11) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(12) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common

executive or operating management or with a common sales organization.

(b) *Identification of the papers or paperboards subject to this schedule.* It shall be the duty of each person who manufactures paper or paperboard to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each of the "paper and paperboard for use in commercial printing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or paperboard in question, the common designation in the paper trade of similar papers or paperboards selling within the same general price range as the paper or paperboard in question, and the common designation in the paper trade of papers or paperboards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or paperboard in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "paper or paperboard for use in commercial printing", or whether a particular kind of paper or paperboard is such a paper or paperboard at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or paperboard, submitting with his application representative samples of the grade or grades in which he manufactures such paper or paperboard, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or paperboard with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer, shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing", shall select such "grade" or "grades" (if selection is indicated under the appropriate caption and has not already been made by him), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to

the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted with respect to a particular grade of a kind of "paper and paperboard for use in commercial printing", to select a number of colors and such selection is indicated and has not already been reported by him, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB 1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of "paper or paperboard for use in commercial printing" in any grade, color, basis weight, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (where such standards are specified or selected under A of the appropriate caption), or contrary to any other provision under the appropriate caption. This general rule is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the heaviest standard basis weight or thickness permitted under A of such caption.

(6) Paper or paperboard in process of manufacture on June 5, 1944, and conforming to the requirements of this order prior to the amendment effective that date, may be completed otherwise than by pasting.

(7) Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, provided the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and provided all other provisions of this or such other orders are fully complied with.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or paperboard under each caption and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "paper and paperboard" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper or paperboard is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any "kind" of "paper or paperboard for use in commercial printing" in any size, basis weight or thickness required, regardless of quantity, provided all other provisions of this schedule are complied with and (if the basis weight or thickness is heavier than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such heavier basis weight.

(j) *Records and reports—(1) Standard samples.* Each person who manufactures any kind of "paper or paperboard for use in commercial printing" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after September 1, 1943, each person who manufactures any "special making or-

der" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after September 1, 1943 each person who manufactures "paper or paperboard for use in commercial printing" for export shall require from the buyer a statement on his purchase order to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of paragraphs (c) and (d) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 1st day of July 1944.

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

APPENDIX—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD FOR USE IN COMMERCIAL PRINTING

UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 30, 35, 40; and, if for use in printing sheet music, basis weight 80, or music other than sheet music, basis weight 50, or cigarette cups, basis weight 65, or seed packets, basis weight 60, or labels, basis weight 45; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and  
(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Basis Weights below 30 pound. No restriction on grade, basis weights or sizes in basis weights below 30 pound.

#### UNCOATED BOOK PAPERS, SUPERCALENDERED

**A. Grades, Colors, Weights and Sizes for regular manufacture:**

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) Standard Colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (For 500 sheets 25" x 38"): 35, 40, 45; and if for use in printing sheet music, basis weight 80, or music other than sheet music, basis weight 50; or for use in producing labels, basis weight 50; or cigarette cups, basis weight 65; or seed packets basis weight 65; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

**B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:**

(1) A Special Grade may be manufactured to fill a special making order, provided that:  
(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### ANTIQUÉ (EGGSHELL) FINISH BOOK PAPERS

**A. Grades, Colors, Weights and Sizes for regular manufacture.**

(1) Standard grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(2) Standard colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 35, 40, 45; and, if in a standard watermarked text grade, basis weight 50.

(4) Standard sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

**B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:**

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### UNCOATED OFFSET BOOK PAPERS

**A. Grades, colors, weights and sizes for regular manufacture.**

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50; and, if for use in multi-color printing on an offset press, basis weight 60; provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for use exclusively in multi-color printing on an offset press. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

**Definition of multi-color printing.** Multi-color printing means the use of more than two colors of ink including black, two or more colors being superimposed on the base color ink to produce the desired design or illustration.

(4) Standard Sizes (in inches):  
Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54, 44 x 64.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

**B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:**

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing Schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above:

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight, in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.



(7) A Supercalender Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

PROCESS (MACHINE) COATED BOOK PAPERS

A. Grades, Colors, Weights and Sizes for regular manufacture.

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

NOTE: A person may, upon application to and approval by the War Production Board select for regular manufacture not more than 2 additional grades of Process (Machine) Coated Book Papers, each in lieu of a grade of Glossy Coated Two Sides Book Papers and, if his application is granted, may not thereafter, unless and until permitted by the War Production Board, regularly manufacture the grade or grades of Glossy Coated Two Sides Book Papers thus replaced.

(2) Standard Colors: White only.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 45, 50, 60 and 70; providing the basis weight of the body stock is no heavier than 45.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

COATED ONE SIDE BOOK PAPERS

A. Grades, Colors, Weights and Sizes for regular manufacture.

(1) Standard Grades: Not more than one grade of body stock to which may be applied two grades of coating, selected according to paragraph (c) of the foregoing schedule, one for general use and the other suitable for varnishing and gloss ink printing.

(2) Standard Colors: White only.

(3) Standard basis weights (per 500 sheets 25" x 38"): 50, 60; and if for use in printing cigarette cups, basis weight 70, or if for use in printing sheet music, basis weight 85;

No. 132—5

Provided, That before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement together with a complete record of the order, readily available for inspection by the War Production Board.

(4) Standard sizes (in inches):

Sheets: 25" x 38", 28" x 42", 28" x 44", 32" x 44", 35" x 45", 38" x 50".

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated one side coating formula may be applied to the one grade of body stock permitted under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds or more of White or any one color, standard or special, and in any one basis weight permitted, standard or special, with at least 5,000 pounds of each item.

GLOSSY COATED TWO SIDES BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In each of two of the grades selected under A (1), White and either India or Ivory but not both. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above

(5) Special Coating Formulae: Any glossy coated two sides coating formula may be applied to a grade of body stock regularly manufactured under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds or more of White or any one color, standard or special, and in any one basis weight permitted, standard or special, and with at least 5,000 pounds of each item.

(6) Glossy Coated One Side: Any body stock and coating used for a standard grade of Glossy Coated Two Sides Book Papers may be used to manufacture a similar grade coated one side to fill a special making order, provided that:

(a) The quantity of each basis weight permitted for coated one side is at least 10,000 pounds; and

(b) The quantity of each item is at least 5,000 pounds.

COATED TWO SIDES OFFSET PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture.

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):

Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### DULL COATED BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (Per 500 sheets 25" x 38"): 50, 60; and, providing the basis weight of the body stock (i. e., finished paper minus coating) is no heavier than 45, basis weight 70.

(4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### PLAIN COATED COVER PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 20" x 26"): 50, 60; and in addition, any finished basis weight in a soilproof, greaseproof or moisture resistant cover which results from coating a 20" x 26" -65# raw stock is permitted.

(4) Standard Sizes (in inches):

Sheets: 29 x 26, 23 x 35, 26 x 40, 35 x 46.

Rolls: any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (10) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each permitted basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds

(3) A special basis weight may be manufactured, subject to the provisions of paragraph (e) of the foregoing schedule, to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above; and

(c) Provided that before the sale of Plain Coated Cover in any basis weight lighter than 20" x 26"—50 the manufacturer shall require from the buyer a statement that the order is for use only as a cover. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### BOGUS (TICKET) BRISTOL

Maximum basis weight permitted: 22½" x 28½" -120.

#### POSTER PAPERS

Maximum basis weight permitted: 25" x 38"—50; and, if for 24 sheet poster for outdoor billboards, 25" x 38"—55, provided that before the sale thereof the manufacturer shall require from the buyer a statement

that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

#### COATED POSTCARD BRISTOL

Maximum thickness permitted: .011 of an inch.

#### NEWSPRINT

Maximum basis weight permitted: 24" x 36"—32.

#### SCHOOL DRAWING

(Excluding "Artists Drawing" and "Drafting")

Maximum basis weight permitted: 25" x 38"—45.

[F. R. Doc. 44-9667; Filed, July 1, 1944; 11:33 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 6]

#### RESTRICTION ON PROCESSING OF HORSEHIDE FRONTS

The following general direction is issued pursuant to General Conservation Order M-310:

Effective July 1, 1944, and until further notice, no tanner shall put into process for his own account or the account of others, and no converter shall cause to be put into process for his account, in any calendar quarter, more than 300% of his monthly average of wet salted horsehide fronts put into process for his own account or the account of others, or caused to be put into process for his account, during the year ending June 30, 1942.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9668; Filed, July 1, 1944; 11:33 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-531, Amdt. 1]

#### CARTMELL'S SALES & SERVICE

Suspension Order No. S-531 was issued against Robert J. Cartmell, doing business as Cartmell's Sales & Service, on April 18, 1944. Mr. Cartmell has applied for an amendment of the order.

The Regional Compliance Chief, the Regional Attorney, and the Compliance Commissioner have reviewed the case and concluded that undue hardship would result unless the order were modified.

Wherefore, upon the agreement and consent of Robert J. Cartmell, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

Section 1010.531 *Suspension Order S-531*, issued April 18, 1944, be, and hereby is, amended by the substitution of the following paragraphs (c) and (e) in place of the present paragraphs (c) and (e):

(c) The provisions of this order shall not apply to repair parts for the servicing of refrigerating equipment and farm machinery nor to the installation of two complete food lockers, one for Chester Cooperative Freeze Locker, Inc., of Chester, Vermont, and one for Frozen Food Lockers, Inc., Hanover, New Hampshire.

(e) This order shall take effect on April 25, 1944, and shall expire on October 25, 1944.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9698; Filed, July 1, 1944;  
4:12 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-570]

MAJESTIC FURNITURE & UPHOLSTERING MFG.  
CO.

The Majestic Furniture & Upholstering Manufacturing Company, a corporation, was engaged in the business of manufacturing furniture and of recovering and repairing used furniture, and was also a retail dealer in furniture. It maintained a store for the sale of furniture at 1518 6th Avenue, and an upholstery shop at 1118 Pine Street in Seattle, Washington. On June 30, 1943, the corporation was dissolved, since which time Sam J. Doces, Gust Doces, Peter Michael and George Barbazuny, who were all of the stockholders of the corporation, have continued the business as a partnership under the firm name of Majestic Furniture & Upholstering Manufacturing Company. During the period beginning November 1, 1942 and ending August 25, 1943, the corporation and later the partnership processed, fabricated, worked on, and assembled 52 pieces of new wood upholstered furniture containing steel springs and coils in violation of Limitation Order L-135. The respondents were familiar with the provisions of Limitation Order L-135, and their violations were substantial, significant and deliberately wilful.

These violations of Limitation Order L-135 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.570 *Suspension Order No. S-570.* (a) Sam J. Doces, Gust Doces, Peter Michael and George Barbazuny, individually and as co-partners, doing business as Majestic Furniture & Upholstering Manufacturing Company, or under any other name, their or any of their successors or assigns, shall not use any metal upholstery springs (as defined in Limitation Order L-260-a) in the production of upholstered furniture (as defined in Limitation Order L-260-a) unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Sam J. Doces, Gust Doces, Peter Michael and George Barbazuny, individually and as co-partners, doing business as Majestic Furni-

ture & Upholstering Manufacturing Company, or under any other name, their or any of their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 1, 1944 and shall expire on September 30, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9697; Filed, July 1, 1944;  
4:12 p. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-289, as Amended July 3, 1944]

GREETING CARDS AND ILLUSTRATED POST CARDS

Section 3133.20, Limitation Order L-289, is hereby amended to read as follows:

##### § 3133.20 *Limitation Order L-289*

###### SCOPE

- (a) The purpose of this order.

###### DEFINITIONS AND EXPLANATIONS

- (b) Greeting cards and illustrated post cards.  
(c) Publisher.  
(d) Paper.  
(e) Paperboard.  
(f) Use.  
(g) Production waste.  
(h) Inventory.  
(i) Transfer of quota.

###### RESTRICTIONS

- (j) Number of designs.  
(k) Dealer helps.

###### CONSUMPTION QUOTA

- (l) Computation of consumption quota, paper.  
(m) Computation of consumption quota, paperboard.  
(n) Borrowing and carry-over.  
(o) Total permitted consumption.  
(p) New publishers.  
(q) Certification to printer.

###### DELIVERY RESTRICTIONS

- (r) Limit on tonnage which may be accepted.  
(s) Increase of deliveries.  
(t) Certification to paper dealer or mill.

###### MISCELLANEOUS PROVISIONS

- (u) Records.  
(v) Applicability of regulations.  
(w) Appeals.  
(x) Communications.  
(y) Violations.

###### Scope

(a) *The purpose of this order.* This order does five things. First, it limits the tonnage of paper which a publisher may cause to be used in the production of greeting cards and illustrated post cards. Second, it limits the tonnage of paperboard which a publisher may cause to be used in the packaging of greeting cards and illustrated post cards. A publisher's "consumption quotas" of paper

and paperboard are determined by the tonnage of these materials which he caused to be consumed in 1942. A publisher may not exceed his consumption quotas even though the paper or paperboard is physically available to him. Third, the order limits the tonnage of paper and paperboard which may be accepted by or on behalf of a publisher of greeting cards or illustrated post cards. This is based upon his inventory of these items. Fourth, it limits the number of designs which a publisher may cause to be printed, based upon the number of designs which he caused to be printed in 1942. Fifth, it prohibits the furnishing of "dealer help" material by a publisher.

###### Definitions and Explanations

(b) *Greeting cards and illustrated post cards.* (1) "Greeting card" means any commercial form of card, sheet or folder which conveys a greeting or similar type of message by means of printed reading matter or pictorial matter. The term includes "chromos" which contain pictures but no words, and also cards which contain words but no pictures. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(2) "Illustrated post card" means any form of card, sheet or folder containing printed pictorial matter and space for the addition of a personal message. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(c) *Publisher.* (1) A person who was engaged in the greeting card or illustrated post card business in 1942 is the "publisher" of any greeting card or illustrated post card which he caused to be produced in that year, unless exclusive distribution rights in that card for 1942 were transferred to another person engaged primarily in the greeting card or illustrated post card business. In such a case, the person who had the exclusive distribution rights in 1942 is the "publisher" of that card.

(2) A "publisher" may use his consumption quota for the production of greeting cards or illustrated post cards whether he retains for himself or assigns to someone else the exclusive or non-exclusive reproduction rights or distribution rights, either permanently or temporarily.

(3) The term "publisher" includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. It does not mean the author or designer of the cards or the plate maker, printer, finisher, packager, wholesaler, jobber or retailer, unless one of these persons also performs the functions of a publisher. It is immaterial whether the cards are produced in the publisher's plant or in someone else's plant.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper or paperlike substance used in the manu-

facture of greeting cards or illustrated post cards. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Paperboard*. "Paperboard" means any grade, quality, type, basis weight or size of paperboard or bristol used in the manufacture of boxes or packages for greeting cards or illustrated post cards. The term includes paperboard reclaimed wholly or partly from printed or unprinted waste, as well as paperboard made entirely from virgin fiber.

(f) *Use*. (1) Paper is "used" in the manufacture of greeting cards and illustrated post cards when ink is first applied to it or, if unprinted, when the paper is first assembled with printed sheets in the manufacture of a card.

(2) Paperboard is "used" in the boxing or packaging of greeting cards and illustrated post cards when the first operation occurs in manufacturing the boxes.

(3) When a job is started in one calendar quarter and runs over into the next, the paper or paperboard actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(g) *Production waste*. All production waste shall be included in determining the tonnage of paper or paperboard which a publisher uses in the manufacture of greetings cards and illustrated post cards.

(h) *Inventory*. "Inventory" means all the paper or paperboard which is available for a publisher's use. It is immaterial whether such paper or paperboard is in the publisher's hands or in the hands of a paper dealer or other person. Paper or paperboard in transit is not included.

(i) *Transfer of quotas*. (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the manufacture of greeting cards or illustrated post cards any part of a paper consumption quota established under Order L-241 (Commercial printing), Order L-244 (Magazines), Order L-245 (Books), or any other order, and he may not permit any part of his consumption quota for paper established under this order to be used for any purpose other than the manufacture of greeting cards and illustrated post cards.

(2) Similarly, a publisher may not permit any part of his consumption quota for paperboard established under this order to be used for any purpose other than the boxing or packaging of greeting cards or illustrated post cards, and he may not cause any paperboard other than that provided by his consumption quota established under this order to be used for the boxing or packaging of greeting cards and illustrated post cards.

(3) The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

#### Restrictions

(j) *Limit on number of designs*. In the year 1944 and in each calendar year after that, no publisher may publish more than 80% of the total number of greeting card or illustrated post card designs, new or old, which he published during 1942.

(k) *Prohibition of dealer helps*. No publisher may furnish any "dealer helps" for greeting cards or illustrated post cards, except "dealer helps" which he already had in inventory on May 20, 1943. This prohibition applies to items such as date books, advertising cards, banners, merchandise bags, window displays, inserts, etc., and to sample cards. However, it does not apply to mounted samples for the display of cards to the public.

#### Consumption Quota

(1) *Computation of consumption quota for paper*. In the third calendar quarter of 1944 and in each calendar quarter after that, no publisher may cause to be used for the manufacture of greeting cards and illustrated post cards any paper in excess of his quarterly consumption quota of paper, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in manufacturing the publisher's greeting cards and illustrated post cards during the corresponding calendar quarter of 1942.

(2) Determine the gross tonnage of paper consumed during the corresponding calendar quarter of 1942 in manufacturing the publisher's "dealer helps" as defined in paragraph (k) of this order.

(3) Take 60 percent of the total of these two tonnage figures. This is the publisher's consumption quota of paper which he may cause to be used in the manufacture of greeting cards and illustrated post cards in the corresponding calendar quarter of 1944 and succeeding years.

(m) *Computation of consumption quota for paperboard*. In the third calendar quarter of 1944 and in each calendar quarter after that, no publisher may cause to be used for the manufacture of boxes or packages for greeting cards and illustrated post cards any paperboard in excess of his quarterly consumption quota of paperboard, which shall be computed as follows:

(1) Determine the gross tonnage of paperboard consumed in boxing and packaging the publisher's greeting cards and illustrated post cards during the corresponding calendar quarter of 1942.

(2) Take 50 percent of this tonnage figure. This is the publisher's consumption quota of paperboard which he may cause to be used in boxing and packaging his greeting cards and illustrated post cards in the corresponding calendar quarter of 1944 and succeeding years.

(n) *Borrowing and carry-over*. (1) A publisher may add an extra 15 percent to his consumption quota of either paper or paperboard in any quarter if he subtracts that amount from his consumption quota of that material for the next quarter.

(2) If a publisher uses less paper or paperboard than he is allowed in any

calendar quarter, he may add the saving to his consumption quota of that material in a subsequent quarter or distribute the saving over several subsequent quarters.

(o) *Total permitted consumption*. A publisher may use in any calendar quarter:

(1) His quarterly consumption quota of the particular material as determined under paragraphs (l) and (m),

(2) Plus permitted borrowing from his consumption quota of that material for the next calendar quarter, as provided in paragraph (n) (1),

(3) Plus any less-than-quota savings of that material carried over from previous calendar quarters as provided in paragraph (n) (2), or minus any tonnage of that material which had been borrowed during the preceding calendar quarter from his consumption quota of that material for that calendar quarter, as provided in paragraph (n) (1),

(4) Plus ex quota tonnage of that material, if any, which may have been granted on appeal for consumption in that quarter.

(p) *New publishers*. Any person who did not publish greeting cards or illustrated post cards in 1942 has no consumption quota of paper or paperboard under this order and may not publish greeting cards or illustrated post cards.

(q) *Certification to printer*. No publisher may order greeting cards or illustrated post cards to be printed or manufactured, and no person may print or manufacture such cards unless the publisher furnishes, or has previously furnished, to that printer or manufacturer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-289 and that all orders placed by the publisher with that printer for items regulated by Order L-289, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

#### Delivery restrictions

(r) *Limits on tonnage which may be accepted*. No publisher may accept, and no person may accept for a publisher's use, delivery of paper or paperboard (including boxes) if the publisher's inventory of that material exceeds a 90-days' supply, or if acceptance of the delivery will bring his inventory above this level. This restriction applies to a publisher's total inventory of all grades, qualities, types, basis weights, and sizes of paper and paperboard (including boxes), regardless of the quantity of any particular item in his inventory. For the purpose of this limitation, inventories of paper for use in the manufacture of cards and of paperboard (including boxes) for the boxing and packaging of the cards may be determined independently. The number of days' supply shall

be computed at the average daily rate of allowable consumption for the current calendar quarter.

(s) *Increase of deliveries.* A publisher may accept delivery of paper or of paperboard (including boxes) which would increase his inventory to more than a 90-days' supply of that material only in the following two circumstances:

(1) If a publisher's total inventory of all paper or of all paperboard exceeds a 90-days' supply and his inventory of a particular item (grade, basis weight and size) of paper or of paperboard is less than a 30-days' supply, he may bring his inventory of that item up to a 90-days' supply, provided it is required for his production within 30 days after receipt of the paper or paperboard.

(2) Regardless of the quantity of a particular item, or of all items, in a publisher's inventory, he may accept delivery of any item which he is entitled to accept under paragraphs (r) and (s) (1) in the unit quantity (e. g. full carload, full truckload, 10,000 pounds, 5,000 pounds, 4 cases) in which he accepted delivery of that item in 1942.

(t) *Certification to paper dealer or mill.* No publisher or his agent may order or accept delivery of paper or paperboard and no person may deliver paper or paperboard to a publisher or his agent, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with the provisions of Order L-289 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

#### Miscellaneous Provisions

(u) *Records.* In order to assure compliance with this order, every publisher must calculate, as accurately as he can, the tonnage of paper and paperboard which he used during each calendar quarter of 1942 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with July 1, 1943. He must preserve these figures and his work sheets subject to inspection by War Production Board officials as long as this order remains in force and for two years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

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

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board,

Printing and Publishing Division, Washington 25, D. C., Ref: L-289.

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

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9736; Filed, July 3, 1944;  
11:23 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, as Amended July 3, 1944]

##### PREFERENCE RATINGS UNDER THE CONTROLLED MATERIALS PLAN

§ 3175.3 *CMP Regulation 3—(a) Purpose and scope.* The purpose of this regulation is to define the operation of preference ratings under the Controlled Materials Plan.

(b) *Definitions.* The following definitions shall apply for the purpose of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Production material" means, with respect to any person, material or products (including fabricated parts and sub-assemblies) which will be physically incorporated into his product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line, if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

(2) "Allotment number or symbol" means:

(i) An allotment number or symbol placed on a delivery order as provided in paragraphs (f) and (g) of this regulation, or as provided in CMP Regulation 1 or CMP Regulation 5; or

(ii) A number or symbol placed on a delivery order pursuant to any other regulation or order of the War Production Board, if, but only if, such number or symbol is expressly called or is expressly described as an "allotment number or symbol."

(c) *Superiority of ratings with allotment numbers or symbols over other ratings of equal grade during the second quarter.* A delivery order bearing a preference rating with an allotment number or symbol applied before July 1, 1943 shall (unless otherwise ordered by

the War Production Board) be deemed superior in rating, for purposes of Priorities Regulation 1, to any delivery order bearing a rating of the same grade without an allotment number or symbol, but shall not be superior to another order bearing a rating of a higher grade. For example, a rating of AA-2X with an allotment number or symbol is superior to another rating of AA-2X without an allotment number or symbol, but is inferior to any rating of AA-1 with or without an allotment number or symbol.

An allotment number or symbol applied to a rating after June 30, 1943, shall not have any effect on the rating. For example, an order placed in June with a rating of AA-2X to which an allotment number is applied in July or an order placed in July with a rating of AA-2X and bearing an allotment number shall each be deemed equal in rating to orders rated AA-2X to which no allotment number or symbol is applied.

(d) *Preference ratings with allotment numbers for production schedules—(1) Prime consumers.* In each case when an allotment is made to a prime consumer making Class A or Class B products, and his production schedule is authorized by a Claimant Agency or an Industry Division, a preference rating will be assigned to such schedule for use with the allotment number applicable to the schedule.

(2) *Secondary consumers.* In each case when an allotment is made to a secondary consumer making Class A products and his production schedule is authorized by the consumer making the allotment, the consumer making the allotment shall apply or extend to such production schedule the same rating as he has received for his own related production schedule for use with the appropriate allotment number, except as otherwise provided in paragraph (h) of this regulation.

(3) *Use of ratings received for authorized production schedules.* A prime or secondary consumer who has received a preference rating for an authorized production schedule as provided in this paragraph (d) may use said rating, with the appropriate allotment number, only to acquire production materials in the minimum practicable amounts required to fulfill such schedules, or to replace production materials in his inventory, subject to the restrictions of paragraph (d) (3) of Priorities Regulation 3. He may not use such rating for any other purpose.

(e) *No extension of customers' ratings by prime consumers making Class B products.* A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer, except that if a delivery to be made by him is rated AAA, he may extend said rating to the extent necessary to obtain production material required to fill his AAA order, but may not extend the same for purposes of replenishing his inventory.

(f) *Use of allotment numbers and symbols on delivery orders.* (1) Each prime or secondary consumer shall place on each rated delivery order for production materials, required to fulfill his authorized production schedule of Class A or Class B products, his allotment number with the certification provided in paragraph (g) of this regulation or in Priorities Regulation No. 7.

(2) A person placing a rated order for maintenance, repair or operating supplies under CMP Regulation 5 shall place thereon the allotment symbol MRO with the certification required by said regulation or the certification in Priorities Regulation No. 7.

(3) A person placing a rated small order for Class A products under paragraph (1) of CMP Regulation No. 1 does not have to put his allotment number on the order. He can place on the order the symbol "SO" with the rating and the certification provided in paragraph (g) of this regulation or in Priorities Regulation No. 7.

(4) A dealer, distributor, jobber or other person who receives a rated order bearing an allotment number or symbol for any material (other than a controlled material) or product, which is not manufactured by him (or which is manufactured by him, but for the manufacture of which he has received no authorized production schedule), may extend the rating to the extent permitted by Priorities Regulation No. 3, with the same allotment number or symbol, using the form of certification prescribed in paragraph (g) of this regulation or in Priorities Regulation No. 7. If he places a single rated order to which he extends ratings bearing different allotment numbers or symbols, he shall include a statement indicating all the allotment numbers or symbols extended and the amount of the delivery order (in quantity or dollar value) represented by each. He may, if he prefers, extend the rating without any allotment number or symbol.

(5) No person shall place any allotment number or symbol on any delivery order except as provided in the foregoing provisions of this paragraph (f) or as specifically provided in any other regulation or order of the War Production Board.

(g) *Form of certification.* Any person when placing an allotment number or symbol on a rated delivery order pursuant to this regulation or CMP Regulation No. 1 shall accompany or endorse the same with a certification in substantially the following form (in lieu of the certification provided in Priorities Regulation No. 3) signed manually or as provided in Priorities Regulation No. 7:

Preference rating----- Allotment number or symbol-----  
The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized under CMP Regulation No. 3 to apply or extend the above preference rating and allotment num-

ber or symbol to the delivery of the items covered by the attached delivery order.

An allotment number shall consist of the appropriate Claimant Agency letter symbol followed by the major program number (consisting of one digit only as provided in paragraph (c) (6) (ii) of CMP Regulation No. 1) but the quarterly designation does not have to be used.

However, if the order is placed in connection with an allotment of controlled materials by the purchaser to the seller, the quarterly designation as described in paragraph (c) of CMP Regulation No. 1 must be used.

(h) *Use of existing ratings.* (1) A person who has not yet received his allotment and CMP rating for a particular production schedule may apply and extend other preference ratings for such production to the extent permitted by existing Priorities Regulations and Orders (including, in the case of PRP Units, Priorities Regulation 11A regarding transition from PRP to CMP).

(2) [Deleted July 3, 1944]

(i) *Construction and facilities.* Preference ratings assigned for construction or facilities may be applied or extended in the manner and subject to the restrictions provided in CMP Regulation No. 6.

(j) *Effect of preference ratings on deliveries of controlled materials.* (1) Authorized controlled material orders placed with controlled materials producers shall be accepted and filled by such producers as provided in CMP Regulation No. 1 without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as may be otherwise specifically directed. To the extent that controlled materials producers are able to fill orders other than authorized controlled material orders, they shall fill such orders until July 1, 1943, in accordance with preference ratings as provided in Priorities Regulation 1 and subject to any other applicable regulations or orders of the War Production Board.

(2) Authorized controlled material orders placed pursuant to applicable CMP Regulations, with persons who are not controlled materials producers, shall be filled by them without regard to any preference ratings applicable to such delivery orders and in preference to all other delivery orders, except as otherwise specifically provided in applicable regulations or orders of the War Production Board, and except that an authorized controlled material order placed with any such person which is rated AAA shall take precedence over other authorized controlled material orders.

(k) *Effect of ratings on conflicting production and delivery schedules for Class A and Class B products.* Manufacturers of Class A and Class B products must comply with the requirements of paragraph (p) of CMP Regulation 1 with respect to the rejection of orders in excess of capacity, and, in the event they are unable to fulfill all orders which they have accepted, they must report for instructions as provided in paragraph (q)

of CMP Regulation 1 but until and unless otherwise instructed, they shall fill orders in accordance with preference ratings as provided in Priorities Regulation No. 1 and paragraph (c) of this regulation.

Issued this 3d day of July 1944.

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

#### INTERPRETATION 2

##### PURCHASES TO ROUND OUT A LINE

(a) Under CMP Regulation No. 3 preference ratings assigned to an authorized production schedule may be used with the related allotment number to acquire production materials required to fulfill the schedule. The term "production material" is defined in paragraph (b) (1) of the regulation to include "items purchased by a manufacturer for resale to round out his line, if such items do not represent more than 10 percent of his total sales."

(b) The provision may not be used indiscriminately by a manufacturer to compel others to furnish him with materials for resale which he normally is able to produce himself. It was intended to permit acquisition of resale items normally sold by a producer as his own product, rather than as a distributor, in accordance with customary trade practices. Examples of such cases are (a) repair parts or special accessories for the product manufactured; (b) articles necessary to complete a "kit" or "package" which is sold as such and thereby becomes the "product," of the manufacturer such as goggles and gloves sold with welding equipment; (c) articles necessary to fill out a specific line or type of product such as sets of wrenches where the manufacturer produces some of the sizes in the set but purchases the remaining sizes to complete the set.

(c) The provision may not be used by persons, such as service repair shops, who do not manufacture products for sale.

(d) In those cases where the estimated amount of resale items to be purchased by a manufacturer will exceed 10 percent of his sales, he may not use this provision to purchase any resale items but will be treated as a distributor with respect to the entire quantity. Priorities assistance may be obtained by applying to the Wholesale and Retail Trade Division of the War Production Board on Form PD-1X, if the items are to be purchased from manufacturers, or the distributor may extend his customers' ratings, to the extent permitted by Priorities Regulation No. 3, and in extending ratings may use allotment numbers appearing on his customers' orders as provided in paragraph (f) (4) of CMP Regulation No. 3.

(e) It should be borne in mind that a preference rating assigned to an authorized production schedule may be used by a manufacturer "only to acquire production materials in the minimum practicable amounts required to fulfill such schedule, or to replace production materials in his inventory, subject to the restrictions of paragraph (c) (2) of Priorities Regulation No. 3. He may not use such rating for any other purpose."

(f) In illustration of the above, assume that a manufacturer's authorized production schedule permits him to manufacture electric motors having a value of \$10,000. He may apply the preference rating assigned to such schedule to obtain all materials and components incorporated in motors produced by him and, in addition, he may purchase up to \$1,000 worth of finished parts to be sold separately as repair parts for such motors. If the manufacturer desires to purchase \$2,000 worth of such repair parts, he may not acquire

any of them with the rating assigned to his authorized production schedule. (Issued June 2, 1943.)

#### INTERPRETATION 4

#### USE OF PRODUCTION MATERIAL RATINGS IN ORDERING NON-CONTROLLED MATERIALS AND COMPONENTS FOR ADVANCE QUARTER DELIVERY

(a) Under paragraph (d) (3) of CMP Regulation 3 a consumer may use the preference rating assigned with an authorized production schedule only to get production materials (other than controlled materials) "in the minimum practicable amounts required to fill such schedules or to replace production materials in his inventory." This does not prevent placing rated orders for delivery after the quarter for which the allotment of controlled material is made. While an allotment authorizes the ordering of controlled materials for delivery only in the quarter for which the allotment is valid, it is recognized that the production for which controlled materials are allotted may not be completed until a later quarter, if there is a long production cycle or if the controlled materials are received near the end of the quarter. In such cases, non-controlled materials and components may not be needed until a later quarter and the rating may be used to order them for delivery when required. In fact, they must not be ordered for delivery before they are actually needed. Also, where items are taken from inventory in meeting the schedules, replacements may not be needed until a later quarter.

(b) For purposes of using the rating to fill authorized production schedules, a consumer may assume (in the absence of specific information to the contrary), that he will receive authorized production schedules at least big enough to use all the controlled materials he is allotted, and he may place his rated orders accordingly. For example, if a manufacturer of generators which take six months to make has received allotments only through the third quarter of 1944, he may assume that he will receive authorized production schedules for the fourth quarter and the first quarter of 1945 big enough to use up the controlled materials allotted, and he may proceed on this assumption in ordering the non-controlled materials and components which he will need in those quarters. (Issued Jan. 10, 1944.)

[F. R. Doc. 44-9737; Filed, July 3, 1944; 11:24 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Interpretation 1 as amended July 3, 1944]

#### EFFECT OF AN ALLOTMENT SYMBOL

The following amended interpretation is issued with respect to CMP Regulation 3:

In § 3175.3 the provisions of paragraph (c) of CMP Regulation No. 3 with respect to the superiority of a rating with an allotment number over the same rating without an allotment number are subject to the provisions of Priorities Regulation No. 12 regarding reratings. The receipt of an allotment number against a delivery order previously rated without an allotment number is equivalent to a rerating of the delivery order.

NOTE: Second paragraph deleted July 3, 1944, because obsolete.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9738; Filed, July 3, 1944; 11:24 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Interpretation 3 as Amended July 3, 1944]

#### USE OF ALLOTMENT NUMBERS FOR PURPOSES OF IDENTIFICATION

The following amended interpretation is issued with respect to CMP Regulation 3:

(a) Under paragraph (f) of CMP Regulation No. 3 each manufacturer of Class A or Class B products who has received an authorized production schedule is required to show the allotment number assigned to the schedule on each rated order for production materials required to fill the schedule. However, if he is placing a "small order" he need only use the "SO" symbol, as explained in paragraph (1) (4) of CMP Regulation No. 1. This requirement is for identification purposes and remains effective even though allotment numbers placed on orders after June 30, 1943, will not have any up rating effect.

(b) On the other hand, a dealer, distributor, jobber or other person receiving a rated order bearing an allotment number or symbol for any material (other than a controlled material) or product, which is not manufactured by him (or which is manufactured by him, but for the manufacture of which he has received no authorized production schedule) is not required to show the allotment number or symbol appearing on his customer's order in extending the rating.

(c) In brief, prime and secondary consumers who have received an authorized production schedule must identify all orders for production materials by the allotment number assigned to the related schedule and persons who are not operating under authorized production schedules may, but need not, do so.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9739; Filed, July 3, 1944; 11:24 a. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-81, Direction 4]

#### EXPERIMENTAL USE OF ALUMINUM FOR CANS

The following direction is issued pursuant to Conservation Order M-81:

(a) *Purpose.* The War Production Board has made available aluminum to be used for experimental purposes during the third quarter of 1944 in the manufacture of cans, and it may be used in accordance with the following provisions:

(b) *Use of aluminum.* During the third quarter of 1944 aluminum may be used in the manufacture of cans and these cans may only be used in the sizes specified for the packing of the following products (where no size is specified, any size is permitted):

1. Baking Powder (2 lb. and up)
2. Lard (50 lb. size)
3. Malted Milk Powder (5 lb. and up)
4. Tobacco (8 oz. and 16 oz. only)
5. Snuff
6. Tooth Powder
7. Cereal Beverages and soluble coffee
8. Cocoa
9. Ointment & Salve Boxes
10. Tablet Boxes
11. Pretzels, Crackers, Biscuits & Potato Chips (12% x 14 1/2" and larger)

(c) *Other products.* Container manufacturers who do not make containers for any

product listed in Paragraph (b) may apply for an allotment of aluminum to make an experimental run of cans to pack any other product.

(d) *Filing applications.* Application for permission to use aluminum for the purposes stated in Paragraphs (b) and (c) shall be made by letter stating the product to be packed and the tonnage of steel used to make cans for that product in 1941, and shall be accompanied by a CMP 4-B application requesting an allotment of aluminum for that purpose. They shall be filed before July 10, 1944 with the Containers Division, War Production Board, Washington 25, D. C., even though the applicant has been notified that his CMP case has been transferred to the field office. An allotment of aluminum on such application shall constitute authorization for any packer to use the cans made therefrom for packing the stated product.

(e) *Non-interference with war production.* In processing applications under this Direction the War Production Board will be guided by the policy that production in any one plant or labor requirements for that production, shall not interfere with war production in that plant or any other plant located in the same area.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9740; Filed, July 3, 1944; 11:23 a. m.]

#### PART 3270—CONTAINERS

[Preference Rating Order P-140, Direction 2]

#### CANCELLATION OF RATINGS FOR CONTAINERS FOR DISTILLED SPIRITS AND HIGH WINES

The following direction is issued pursuant to Preference Rating Order P-140:

(a) *Cancellation of rating.* Schedule A of Order P-140 assigns a rating of AA-2 to get wooden shipping containers for the products under Order M-69—namely, distilled spirits and high wines as defined in that order. The assignment of that rating for wooden shipping containers for those products is hereby revoked and may no longer be used for that purpose. All ratings of AA-2 applied or extended to any order for wooden shipping containers for those products are hereby cancelled.

(b) *Rerating of existing orders.* Orders for wooden shipping containers for distilled spirits and high wines heretofore placed shall be regarded as having an AA-5 rating and shall be scheduled and filled accordingly. Any person who is entitled to a higher rating than AA-5 to get wooden shipping containers for those products (except under the provision revoked by this direction) may re-rate his order accordingly and such rating shall supersede the rating of AA-5 assigned herein.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9666; Filed, July 1, 1944; 11:32 a. m.]

#### PART 3270—CONTAINERS

[Preference Rating Order P-146, Direction 2]

#### CANCELLATION OF RATINGS FOR CONTAINERS FOR DISTILLED SPIRITS AND HIGH WINES

The following direction is issued pursuant to Preference Rating Order P-146:

(a) *Cancellation of rating.* Schedule A of Order P-146 assigns a rating of AA-2 to get

fibre shipping containers for the products under Order M-69—namely, distilled spirits and high wines as defined in that order. The assignment of that rating for fibre shipping containers for those products is hereby revoked and may no longer be used for that purpose. All ratings of AA-2 applied or extended to any order for fibre shipping containers for those products are hereby cancelled.

(b) *Rerating of existing orders.* Orders for fibre shipping containers for distilled spirits and high wines heretofore placed shall be regarded as having an AA-5 rating and shall be scheduled and filled accordingly. Any person who is entitled to a higher rating than AA-5 to get fibre shipping containers for those products (except under the provision revoked by this direction) may re-rate his order accordingly and such rating shall supersede the rating of AA-5 assigned herein.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9742; Filed, July 3, 1944;  
11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 1]

SAWMILLS' SHIPMENTS OF DOUGLAS FIR,  
WHITE FIR, NOBLE FIR, SITKA SPRUCE (EX-  
CEPT AIRCRAFT GRADE) AND WEST COAST  
HEMLOCK

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

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

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 25,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 25,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 35 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order. Orders of the types described in paragraph (c) below requiring delivery after August 1, 1944 which were placed with a sawmill before July 1, 1944 and validated before July 20, 1944 shall be treated as certified orders placed before July 1, 1944.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited

against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for "command construction" or "advance base procurement".

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation." A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 35 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 25,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and unrated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Direction 8 to be issued under the order.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9741; Filed, July 3, 1944;  
11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 2]

SAWMILLS' SHIPMENTS FROM WESTERN PINE  
REGION

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

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Washington,

Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota which produce the following species of lumber: Ponderosa pine, sugar pine, lodgepole pine, Idaho White pine, white fir, and Douglas fir (except Idaho white pine, white fir, and Douglas fir produced west of the crest of the Cascade mountain range in the States of Oregon and Washington), Western white spruce, Engelmann spruce, and larch.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 10,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 10,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 20 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order. Orders of the types described in paragraph (c) below requiring delivery after August 1, 1944 which were placed with a sawmill before July 1, 1944 and validated before July 20, 1944 shall be treated as certified orders placed before July 1, 1944.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for "command construction" or "advance base procurement".

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation." A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above



the required 20 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 10,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and unrated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Direction 8 to be issued under the order.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9742; Filed, July 3, 1944;  
11:23 a. m.]

PART 3285—LUMBER AND LUMBER  
PRODUCTS

[Order L-335, Direction 3]

SAWMILLS' SHIPMENTS OF REDWOOD

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

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the State of California which produce redwood lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 25,000 or more board feet of lumber (whether redwood or not) per average day of eight hours of continuous operation or which produced an average of 25,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the type described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 60 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order. Orders of the types described in paragraph (c) below requiring delivery after August 1, 1944 which were placed with a sawmill before July 1, 1944 and validated before July 20, 1944 shall be treated as certified orders placed before July 1, 1944.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army,

U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration.

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for "command construction" or "advance base procurement".

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 60 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 25,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and unrated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Direction 8 to be issued under the order.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9743; Filed, July 3, 1944;  
11:23 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Order L-335, Direction 4]

SAWMILLS' SHIPMENTS OF SOUTHERN YELLOW  
PINE

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

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the United States which produce Southern yellow pine lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 5,000 or more board feet of lumber (whether Southern yellow pine or not) per

average day of eight hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 35 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order. Orders of the types described in paragraph (c) below requiring delivery after August 1, 1944 which were placed with a sawmill before July 1, 1944 and validated before July 20, 1944 shall be treated as certified orders placed before July 1, 1944.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for "command construction" or "advance base procurement".

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 35 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 5,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and un-

rated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Direction 8 to be issued under the order.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9744; Filed, July 3, 1944;  
11:23 a. m.]

**PART 3285—LUMBER AND LUMBER PRODUCTS**  
[Order L-335, Direction 5]

**SAWMILLS' SHIPMENTS OF CYPRESS (RED OR YELLOW) LUMBER**

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

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the United States which produce cypress (red or yellow) lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 5,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 30 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order. Orders of the types described in paragraph (c) below requiring delivery after August 1, 1944 which were placed with a sawmill before July 1, 1944 and validated before July 20, 1944 shall be treated as certified orders placed before July 1, 1944.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for

"command construction" or "advance base procurement".

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 30 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 5,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and unrated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Direction 8 to be issued under the order.

Issued this 3d day of July 1944.

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

[F. R. Doc. 44-9745; Filed, July 3, 1944;  
11:23 a. m.]

**PART 3288—PLUMBING AND HEATING EQUIPMENT**

[General Limitation Order L-185, as Amended  
July 1, 1944]

**WATER HEATERS**

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

§ 3288.51 *General Limitation Order L-185—(a) Definitions.* (1) "Direct fired water heater" means any device for the direct transference of heat produced by electricity or by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters

having not more than two cored water sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, electric water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in.

or less) and designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L-199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L-123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (put not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper

base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of 1½" outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B-145-42-T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) thereof do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B-145-42-T.

(6) For current carrying parts and heating elements for electric water heaters.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Copper Order M-9.

(d) *Manufacture of metal jackets.* No person shall manufacture or fabricate any metal jacket except: (1) From materials in his inventory on May 8, 1944; (2) From materials obtained from frozen, idle and excess inventories; (3) From allotted materials; or (4) From aluminum the use of which for making metal jackets is specifically authorized by the War Production Board pursuant to Order M-1-i.

(e) *Restrictions on production—(1) Water heaters except electric.* No person shall manufacture or assemble more units of direct fired (other than electric) or indirect water heaters than his quota,

which for each calendar year, shall be determined by the percentage indicated on Schedule A of his 1941 unit production of the same classification of water heaters. However, regardless of the number of water heaters he may have produced before July 1, 1944, his quota for the period from that date through December 31, 1944, shall be ½ the quota for each calendar year. If additional production is necessary to fulfill the approved War Production Board program, any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA-1850.

(2) *Electric water heaters.* (i) No person shall manufacture or assemble any electric water heaters except to the extent authorized by the War Production Board on Form GA-1850. The War Production Board will authorize limited production so that the aggregate production of electric water heaters for each calendar-year will not exceed 37 per cent of the aggregate production of the industry from July 1, 1940 through June 30, 1941, except that for the period from July 1, 1944, through December 31, 1944, the aggregate production shall not exceed 18½ per cent. Production will not be authorized in any plant where such production or labor requirement therefor will interfere with war production in that plant or in any other plant located in the same area.

(ii) A person wishing to make electric water heaters (other than those excepted by paragraph (f)), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-185. This letter should state the proposed production in units per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(iii) No person may manufacture or assemble electric water heaters in more than three sizes (based on water storage capacity) nor in more than one model in each size, but a change in the number or design of heating elements shall not constitute a change in size or model. Each person shall report in a letter the size and model designation of the electric water heaters he intends to produce. Each person shall thereafter produce only those sizes and models so reported unless written authorization is received from the War Production Board to pro-

duce any other models or sizes. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Exceptions to manufacturing restrictions.* The restrictions of this order do not apply to the production of water heaters or parts required by the Army, Navy, Maritime Commission, or War Shipping Administration, or by rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases, or to fill orders authorized by the Maritime Commission on Form WPB-646. Water heaters produced under this paragraph (f) shall not be charged against the production quotas set forth in paragraphs (e) (1) and (e) (2).

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 with the Field Office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-185.

(i) *Reports.* Manufacturers of water heaters shall report on or before the tenth day of each month on Form WPB-3717, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

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

Issued this 1st day of July 1944.

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

SCHEDULE A—PERMITTED PERCENTAGES OF 1941  
UNIT PRODUCTION

NOTE: Schedule A amended in its entirety July 1, 1944.

A. Direct fired water heaters:	Percent
1. Underfired water heaters.....	80
2. Coal and wood fired water heaters..	100
3. Side-arm heaters.....	70
4. All others.....	50
B. Indirect water heaters.....	57

[P. R. Doc. 44-9672; Filed, July 1, 1944; 11:34 a. m.]

**PART 3291—CONSUMER'S DURABLE GOODS**  
[Limitation Order L-30-b, Direction 1 as Amended July 1, 1944]

**ENAMELED COLD PACK CANNERS**

The following amended direction is issued pursuant to Limitation Order L-30-b:

(a) *What this direction does.* This direction is designed to provide for the production of enameled cold pack canners for use in the 1944 canning season. It permits production before October 1, 1944, only.

(b) *Definition of enameled cold pack canner.* An "enameled cold pack canner" is a covered utensil made of vitreous-enameled iron and steel having a capacity of from 17 to 25 quarts which may be used for canning food products and is designed to hold 7 one-quart jars, 9 one-pint jars or 4 half-gallon jars.

(c) *What sizes of canners may be made.* Each manufacturer is permitted by this direction to make one size of enameled cold pack canner. This may be the same as one of the sizes of stock pots which he makes under Table A of Order L-30-b, or may be made in addition to those sizes, but no cold pack canner made under this direction may be sold by a manufacturer as a stock pot.

(d) *How many cold pack canners may be made.* No manufacturer may produce more enameled cold pack canners between February 19 and October 1, 1944, than 50% of the number of such canners which he made in the twelve months ending June 30, 1941.

(e) *Effect of Order L-30-b.* Under paragraph (h) of Order L-30-b the iron and steel which a manufacturer uses in making cold pack canners may be used in addition to his quotas for civilian orders of enameled ware under paragraph (e) of that order.

(f) *Wire racks.* Wire racks may be made of carbon steel for use in the enameled cold pack canners to be produced under this direction. Tin may be used in plating these wire racks. These provisions supersede any provisions in Orders M-126 and M-43 which would prevent the use of these materials.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9670; Filed, July 1, 1944;  
11:32 a. m.]

**PART 3291—CONSUMERS DURABLE GOODS**  
[Limitation Order L-30-d, Direction 1, as Amended July 1, 1944]

The following amended direction is issued pursuant to L-30-d:

**ALUMINUM PRESSURE CANNERS**

(a) *What this direction does.* In order to provide for the production of aluminum pressure canners for the 1944 canning season, this direction tells what types of pressure canners may be made, who may make them and how many may be made.

(b) *Definition of "pressure canners".* As used in this direction, "pressure canner" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, and which is equipped with a dial, indicating or weighted gauge, a venting device and a safety valve.

(c) *Production of pressure canners—(1) Authorized list of manufacturers.* The following manufacturers may produce or assemble between January 31 and October 1, 1944 at their plants at the addresses indi-

cated, aluminum pressure canners in quantities not exceeding the number indicated opposite their names:

NOTE: Table amended July 1, 1944.

	7-quart size	14-quart size
Burpee Can Sealer Co., Barrington, Ill.	39,500	10,000
National Aluminum Mfg. Co., Peoria, Ill.	34,000	22,500
Wisconsin Aluminum Foundry Co., Manitowoc, Wis.	12,500	-----
Pressure Cooker Co., Denver, Colo.	2,614	-----
National Pressure Cooker Co., Eau Claire, Wis.	191,700	67,500
Lakeside Aluminum Co., Minneapolis, Minn.	19,886	-----

(2) *Restriction on aluminum permanent mold castings.* No person may make any aluminum permanent mold castings for the aluminum pressure canners to be produced under this direction without first obtaining the written specific authorization of the War Production Board. Applications for authorization to make such castings should be made by letter to the War Production Board, Washington 25, D. C., Ref: L-30-d, Direction 1. Each applicant should submit complete information as to the availability of his facilities for making castings in the light of his present and potential war work and the manpower situation in his plant and in the area where it is located. The War Production Board will not issue any authorization to produce permanent mold castings if the Board finds that such production will interfere with the production and delivery of war orders, and the Board intends to change or revoke any authorization if later conditions show that such interference is likely.

(3) *Additional production.* The War Production Board may add additional manufacturers to those listed above or increase the quantities specified to the extent that materials, facilities and manpower are available and additional pressure canners are needed to meet requirements. Any person desiring to produce aluminum pressure canners in addition to those mentioned above should apply by letter to the War Production Board, Washington 25, D. C., Ref: L-30-d, Direction 1. Each applicant should submit full details of the pressure canners he proposes to make, including a bill of materials on Form CMP-1, and illustrations, designs or samples when practicable. He should also submit complete information as to the availability of his facilities for this production in the light of the war work which he is doing and the manpower situation in his plant and in the area where his plant is located. A CMP-1B application for any controlled materials needed should accompany any application under this paragraph.

(4) *Revision of quotas.* If the War Production Board finds that any manufacturer will be unable to produce his quota of pressure canners because of interference with war orders or for any other reason, the Board intends to reduce his quota and transfer the excess to another manufacturer.

(d) *What types of pressure canners may be made; sizes and permissible metals—(1) Sizes.* Only two sizes of pressure canners may be made under this direction, one with a capacity of 7 one-quart glass jars, and the other with a capacity of 14 one-quart glass jars.

(2) *Materials which may be used.* The body, cover and insets for preparing food must be made of aluminum or aluminum alloy. Carbon steel may be used in any other parts or attachments, including wire racks. Alloy steel may be used in locking devices and safety and relief valves only. Copper and copper base alloy may be used in indicating gauges, safety and relief valves and blow-out plugs only. Tin may be used in plating

wire racks only. These provisions supersede any provisions in Orders M-1-1, M-9-c, M-43 and M-126, which would prevent the use of these materials. In all other respects the use of materials in pressure canners must conform to applicable conservation orders.

(e) *Reports.* (1) Beginning March 10, 1944, each manufacturer shall file by the 10th day of each month, a report by letter with the War Production Board, Washington 25, D. C., Ref: L-30-d, Direction 1, stating the number of pressure canners which he made in the preceding calendar month by sizes.

(2) The reporting provisions in this Direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9671; Filed, July 1, 1944;  
11:32 a. m.]

**PART 3291—CONSUMERS DURABLE GOODS**  
[Supplementary Limitation Order L-7-c, Schedule VIII]

**DOMESTIC ICE REFRIGERATORS**

§ 3291.23 *Schedule VIII to Limitation Order L-7-c.* Pursuant to paragraph (b) (2) of Limitation Order L-7-c:

The following production quotas for domestic ice refrigerators are established for the period from July 1, 1944 through September 30, 1944, inclusive. During that period each manufacturer listed is authorized to make the number of domestic ice refrigerators set forth below opposite his name. Manufacturers listed may only make the refrigerators in their own plants at the location set forth opposite their respective names. Manufacturers listed may not make more domestic ice refrigerators than the number opposite their names, even for orders bearing preference ratings. All domestic ice refrigerators made by each manufacturer must be included in the quotas assigned in this Schedule.

Company and Location	Units
American Fixture & Mfg. Co., St. Louis, Mo.	6,000
Arctic Refrigerator Co., Brooklyn, N. Y.	7,000
Atkins Table & Cabinet Co., Brooklyn, N. Y.	5,000
Brunswick Refrigerator Co., Brooklyn, N. Y.	4,000
Craftbilt Cabinets, Burbank, Calif.	3,000
Doherty-Stirling, Inc., Baton Rouge, La.	2,000
Dratch's Victory Refrigerator Box, Brooklyn, N. Y.	2,500
Durasteel Co., Hannibal, Mo.	200
Fy-Boro Metal Products Co., Brooklyn, N. Y.	6,000
Globe Wood Products Co., Brooklyn, N. Y.	1,500
Home Building Corporation, Kansas City, Mo.	150
Ice Cooling Appliance Corporation, Morrison, Ill.	18,325
Iceland Refrigerator Co., Brooklyn, N. Y.	5,000
King Refrigerator Corporation, Brooklyn, N. Y.	7,500
Maine Manufacturing Co., Nashua, N. H.	12,000

<sup>1</sup>1,000 ice refrigerators and 1,000 ice chest.

Company and Location	Units
Modern Refrigerator Works, Glendale, Calif.	3,000
Precision Metal Products Co., Brooklyn, N. Y.	6,000
Sanitary Refrigerator Co., Fond du Lac, Wis.	15,000
Stoddard Manufacturing Co., Mason City, Iowa	3,000
Success Manufacturing Co., Gloucester, Mass.	6,000
Ward Refrigerator & Mfg. Co., Los Angeles, Calif.	15,000

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9669; Filed, July 1, 1944; 11:32 a. m.]

Subchapter C—Office of Director of War Utilities

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U-8, as Amended July 1, 1944]

ORDER LIMITING THE MANUFACTURE OF TELEPHONES

The purpose of this order is to conserve materials and manufacturing capacity required for the prosecution of the war by restricting the manufacture of telephones. However, because of the prime necessity for maintaining telephone service, this order is not intended to prevent the maintenance, repair or conversion of telephone sets, nor is it intended to prevent the manufacture of parts to maintain, repair or convert telephone sets.

§ 4501.26 *Utilities Order U-8*—(a) **Definitions.** For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not.

(2) "Standard telephone set" means any telephone set except those on List B attached. It does not include any of the apparatus or wiring set forth on List A attached.

(3) "Wire intercommunicating telephone set" means any telephone set for use in a wire intercommunicating system which is not owned by a public telephone system and does not involve the use of substantial amounts of outside plant. Thus, it includes any telephone set for use in connection with a system contained within a building or within a group of buildings located nearby one another. It does not include a telephone set for use in a system employing large amounts of outside plant such as are required by the telephone lines of railroad or pipe line companies. Nor does it include a wire intercommunicating set which employs electronic tubes as an essential part of such set.

(b) **Restrictions.** (1) No person shall produce any standard telephone sets except:

(i) To fill orders of the kind shown on List C, or

(ii) To maintain an inventory specifically permitted by the War Production Board, or

(iii) To fill authorized production quotas established by the War Production Board. Production will be authorized so as not to exceed the approved WPB program and so that the production authorized in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

However, any person may maintain, repair or convert existing standard telephone sets.

(2) No person shall produce parts of standard telephone sets, except:

(i) For the maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) For another person who regularly produces or assembles telephones for sale, or

(iv) To assemble standard telephone sets permitted by Order U-8, or

(v) To assemble standard telephone sets permitted by a specific grant of relief from the restrictions of Order U-8 by the War Production Board, or

(vi) To assemble standard telephone sets within an authorized production quota established by the War Production Board.

Any person producing telephone parts may produce any part in a minimum production run whenever his inventory contains less than a 60 days supply.

(3) No person shall sell parts of standard telephone sets manufactured after November 15, 1942 unless the buyer certifies in writing to the seller and the War Production Board that the parts are to be used:

(i) For maintenance, repair or conversion of existing telephone sets, or

(ii) For non-telephone use, or

(iii) To assemble telephone sets permitted by Order U-8, or

(iv) To assemble standard telephone sets permitted by a specific grant of relief from the restrictions of Order U-8 by the War Production Board, or

(v) To assemble standard telephone sets within an authorized production quota established by the War Production Board.

However, parts manufactured and sold under a specific WPB permission to produce or assemble a complete telephone(s), may be resold without a certification as to use.

The requirement of this paragraph (b) (3) will be satisfied for all future purchase orders for telephone parts if the buyer makes a single written certification to his supplier and the War Production Board that all telephone parts ordered by him will be used only in ways described in this paragraph.

(4) No person shall produce or assemble any wire intercommunicating telephone sets except:

(i) To fill an order bearing a preference rating of AA-5 or higher for a maintenance replacement of an existing set or for additional stations within the designed capacity of an existing system.

(ii) To fill an order specifically authorized and rated by the War Production Board on Form WPB-1319 for telephones in connection with a new wire intercommunicating system or with an addition beyond the designed capacity of an existing wire intercommunicating system. Applications for such specific authorization shall be addressed to the Communications Division, Office of War Utilities, Washington (25), D. C.

(iii) To fill orders of the kinds shown on List C.

(iv) To maintain an inventory specifically permitted by the War Production Board.

(c) **Records.** All persons who produce telephone sets or parts shall keep and preserve for not less than two years accurate and complete records concerning production and sale of telephone sets and parts. Any person who sells telephone parts manufactured after November 15, 1942 for which a buyer's certification is required by paragraph (b) (3) shall keep and preserve the buyer's certification(s) for not less than two years.

(d) **Reports.** All persons who produce or assemble telephone sets or parts shall make such reports as shall be required from time to time by the War Production Board; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(f) **Appeals.** Any person affected by this order may apply for relief by letter, specifying the particular provision involved and stating all the facts on which he relies.

(g) **Communications.** All reports required and all communications concerning this order shall be addressed to the Communications Division, Office of War Utilities, War Production Board, Washington (25), D. C., Reference: U-8.

Issued this 1st day of July 1944.

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

LIST A—ITEMS NOT AFFECTED BY THE ORDER

1. Jacks and plugs.
2. Switching keys.
3. Extension bells.
4. Loud-ringing bells.
5. Connecting blocks.
6. Protectors.
7. Station, drop and line wiring and cabling.
8. Battery boxes.
9. Dials or equivalent calling devices.

LIST B—TELEPHONES WHICH MAY BE MANUFACTURED

1. Head and chest telephone sets.
2. Telephone test sets for use in connection with the construction and maintenance of wire communication plant.
3. Any telephone set assembled in connection with a coin collecting device for use as a public pay station.

4. Outdoor and mine type telephone sets which are so designed as to employ a minimum of critical materials consistent with the essential service requirements.

5. Explosion proof sets for use in mines, and in locations in munitions plants and other essential industries where the use of a standard telephone set would give rise to danger of explosion.

6. Telephone sets, of special design, required for use on shipboard or in connection with underwater and flying operations and for gas masks.

7. Portable telephone sets (outdoor type) and sound powered telephone sets for use by railroads, pipe line companies, the Coast and Geodetic Survey, the Forest Service and the Alaska Highway.

8. Telephone sets for railroad train dispatching service or for railroad traffic control service, or for service with railway electric switch locks.

9. Push-to-talk handsets, that is, handsets having a selector device which permits the use of either the transmitter or the receiver or both, for use by the armed services.

#### LIST C—PERSONS FOR WHOM TELEPHONES MAY BE MANUFACTURED

1. Any telephone set or part ordered by, or for the account of, or for resale to, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, and the Civil Aeronautics Administration.

2. Any telephone set or part for use in combat or for combat equipment, ordered by, or for the account of, or for resale to, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its dominions, crown colonies and protectorates, and Yugoslavia, or any other country, including those of the Western Hemisphere, now or hereafter designated, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

[F. R. Doc. 44-9659; Filed, July 1, 1944; 11:32 a. m.]

#### Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

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

[Rubber Order R-1, as Amended July 1, 1944]

Rubber Order R-1, as amended, including Appendices I and II is hereby amended to read as follows:

Sec. 4600.01 Meaning of certain terms.

#### GENERAL RESTRICTIONS ON CONSUMPTION

4600.02 Authorized consumption.  
4600.03 Permitted uses.  
4600.04 Balata.

#### PURCHASE PROCEDURE

4600.05 Purchase requests for rubber or synthetic rubber.

#### DELIVERIES AND IMPORTATION

4600.06 Delivery restrictions.  
4600.07 Inventories of material.  
4600.08 Importation.

#### PRODUCTION AND OPERATIONS

4600.09 Special regulations for tire and tube production.  
4600.10 Heel and sole products.  
4600.11 Garden hose.  
4600.12 regrooving tires.  
4600.13 Recapping or retreading tires.  
4600.14 Destruction of scrap; consumption of rubber products.

#### MISCELLANEOUS

4600.15 Reports.  
4600.16 Outstanding authorizations and directives.  
4600.17 Applicability of regulations.  
4600.18 Appeals.  
4600.19 Violations.  
4600.20 Communications.

#### APPENDIX I—GENERAL PERMITTED USES

General permitted uses including listed products for Government and Civilian orders.

#### APPENDIX II—MANUFACTURING REGULATIONS

##### Table of lists

List  
1 Compounds for mechanical rubber goods.  
6 Tire and tube production pattern.  
17 Tire and flap curing bags.  
18 Airplane tire tubes.  
20 Vibration mount and shock absorbers.  
21 Rubber footwear.  
22 Compounds for tires and tire casings.  
23 Tire and tube repair materials.  
24 Tires and tire casings (except airplane and bicycle tires).  
25 Tire tubes (except airplane and bicycle tire tubes).  
26 Tire flaps.  
27 Insulated wire and cable.  
28 Feeding nipples.  
29 Airplane tire and tire casings.  
30 Retreading materials.

##### Table of lists

List  
31 Tank blocks, treads and band tracks.  
32 Use of high-tensacity rayon cord.  
33 Tire tube valves (except bicycle tire tube valves).  
34 Bicycle tires and tubes.

For temporary or special manufacturing regulations, see Part B of Appendix III.

#### APPENDIX III

(Printed separately)

##### A—End Product Regulations

Sec.  
4600.30 Acquisition of tires and tubes for original equipment.  
4600.31 Acquisition of industrial type tires and tubes and solid tires for replacement purposes.  
4600.32 Lifesaving suits.  
4600.33 Crude rubber or latex gloves.  
4600.34 Miscellaneous products.

##### B—Temporary or Special Manufacturing Regulations

#### APPENDIX IV

(Printed separately)

##### Tire Allotment Plan.

AUTHORITY: §§ 4600.01 to 4600.20, inclusive, issued under P.D. Reg. 1, as amended, 6 F.R. 6680; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; sec. 2 (a), Pub. Law 671; 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

##### Definitions

§ 4600.01 Meaning of certain terms. As used in this order:

(a) "Rubber" when used alone refers to any or all of the following: Crude rubber, latex, reclaimed rubber and scrap rubber.

(b) "Crude rubber" means all forms and types of natural crude rubber, but does not mean or include balata, chilte, gutta-percha, gutta siak, gutta jelutong, pontianac, latex, reclaimed rubber or scrap rubber.

(c) "Latex" means the dry latex solids contained in natural liquid latex.

(d) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber except reclaimed residue or "mud". Reclaimed residue or "mud" means dried and recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(e) "Scrap rubber" means any material which results from or is incident to the processing of rubber or synthetic rubber in the manufacture or repair of any product including any unvulcanized scrap rubber containing fabric and any defectively processed materials or products which are not usable for a purpose for which they are designed. The term also means any finished product or part thereof made in whole or in part from rubber or synthetic rubber which through wear, deterioration or obsolescence has served its purpose in its present state.

The term does not include (1) a pneumatic tire or tire casing which can be made serviceable under present limited operating conditions for a use for which it was designed, by means of a temporary or permanent repair or by retreading or recapping in accordance with recognized commercial practice; (2) any other product which is still usable for a primary purpose for which it was designed; (3) any residual piece of uncured tire cord friction (cord end) which is of sufficient size to be usable as new material in the manufacture of tire patches or in the repair of tires.

(f) "Synthetic rubber" includes Neoprene (all types including GR-M), Thiokol all types except GR-P; all Isobutylene polymer and copolymer types, including Butyl (GR-I) and Polyisobutylene (also known as Polybutene, Vistanex, Vistac and Synthetic 100); all Butadiene polymer and copolymer types, including but not limited to Buna S (GR-S all types, Hycar OS and Styraloy) and all Buna N types, such as Hycar, Perbunan, Chemigum, Butaprene, GR-A and Neoprene ILS; and all Isoprene polymer and copolymer types.

(g) "Balata" means any of the gums of recognized commercial grades, having a gutta hydrocarbon base and a high resin content, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata, or Coquirana, Chicken-Wire, Peruvian F. A. Q. white, and Massaranduba Balata.

(h) "Chlorinated rubber" means the reaction product of chlorine and rubber, synthetic rubber or balata.

(i) "Consume" means to fabricate, process, stamp, cut or in any manner make any substantial change in the form, shape or chemical composition of rubber, synthetic rubber or balata and include both the consumption of scrap rub-

ber for the production of reclaimed rubber, and the separating, tearing, splitting or pulling apart of scrap rubber for any purpose.

(j) "Government order" means any contract or purchase order for material or equipment:

(1) To be delivered to or for the account of any agency of the United States, including any independent regulatory commission or board, any executive department, independent establishment, commission, board, bureau, division, agency, administration, service, or office of the Executive branch of the Federal Government, and any corporation operated by the Federal Government. The term does not include any contract or purchase order for (i) maintenance, operating or repair material or equipment to be delivered to or for the account of any Federal Government-owned or controlled plant or facility which is not operated by the Federal Government or, (ii) material or equipment to be delivered to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', non-commissioned officers' or enlisted men's club, or any similar agency or organization, whether or not such contract or purchase order bears an endorsement specified in Priorities Regulation No. 17.

(2) To be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Required by the person placing the same to fill his contracts or purchase orders on hand, provided the material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under paragraphs (1) and (2) of this § 4600.01 (j).

(k) "Civilian order" means any contract or purchase order for material or equipment which is not a "Government order" as defined above.

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

*General Restrictions on Consumption*

§ 4600.02 *Authorized consumption.* No person shall consume any of the following materials without first obtaining authorization to do so from the Rubber Director, War Production Board, on Form WPB-3662:

- Crude rubber.
- Natural latex.
- Any synthetic rubber except GR-S (all types) or Thiokol types.
- Chlorinated rubber.

No person shall consume any materials listed above except in the amounts and for the purposes authorized on Form WPB-3662. The consumer may, however, substitute synthetic rubber for crude rubber and may exceed by 5% the amount of material authorized for a particular purpose, but he must not exceed the total amount of any type of material which he is authorized to consume for all purposes. In addition, material may be consumed for experimental use with-

out authorization to the extent permitted by Appendix I.

In order to obtain authorization under this section, a consumer must file Form WPB-3662 for each calendar month.

§ 4600.03 *Permitted uses.* No person shall use crude rubber, natural latex, reclaimed, scrap or chlorinated rubber or any synthetic rubber except for the products and purposes specified in Appendix I, subject to the applicable manufacturing regulations of this order.

§ 4600.04 *Balata.* No person shall consume balata except upon specific authorization of the Rubber Director, War Production Board. Requests for authorization to consume balata may be made by letter to the Office of Rubber Director, War Production Board, Washington 25, D. C. See definition of "Balata" at § 4600.01 (g) for types of balata not restricted by this order.

*Purchase Procedure*

§ 4600.05 *Purchase requests for rubber or synthetic rubber.* Purchase requests for crude rubber, natural latex, neoprene (GR-M), or butyl (GR-I or Class types) must be made on Form WPB-3682 in accordance with the instructions accompanying the form. Purchase requests for GR-S (all types) should be made to Rubber Reserve Company in accordance with regulations of Rubber Reserve Company.

Authorized consumers may purchase synthetic rubber which is privately produced or chlorinated rubber, directly from the producer subject to the inventory restrictions of § 4600.07.

Material subject to prior authorization on Form WPB-3662 may be consumed only to the extent authorized on the form in accordance with applicable manufacturing regulations.

For purchases of material for experimental use, see Appendix I.

*Deliveries and Importation*

§ 4600.06 *Delivery restrictions.* No person shall deliver to another person any material controlled by this order other than reclaimed and scrap rubber except as permitted by regulations of Rubber Reserve Company, or as specifically authorized by the Rubber Director, War Production Board. Nothing contained in this section shall be deemed to prohibit:

(a) Delivery of rubber, synthetic rubber, chlorinated rubber or balata from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary.

(b) A "loan" of GR-S (all types) for permitted uses under this order. A loan must not be made unless the person lending the material is reasonably certain that an equivalent amount of the material will be returned to him when he needs it. Full records of the loan transactions must be kept by both persons lending and persons borrowing, and the transactions must be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur.

(c) Any person from accepting delivery from another of rubber, synthetic rubber, chlorinated rubber, or balata for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

§ 4600.07 *Inventories of material.* No person, other than Rubber Reserve Company, shall acquire or maintain an inventory of any of the following materials in excess of an amount which can reasonably be expected to last him for the period designated below:

Type of material	Permissible inventory.— days for each type
Crude rubber, latex, reclaimed rubber, balata, GR-S, neoprene or thiokol.....	60
Any type of synthetic rubber not listed above; or chlorinated rubber.....	30

A person engaged in the business of reclaiming rubber, however, may maintain such inventories of scrap and reclaimed rubber as he deems advisable, notwithstanding the provisions of this section or of section 944.14 of Priorities Regulation 1 as amended.

§ 4600.08 *Importation.* No person shall import any rubber, synthetic rubber, or balata, or any finished or semi-finished product of which 10% or more by weight is composed of rubber, synthetic rubber or balata or any combination thereof except as permitted under this section.

For the purposes of this section, "import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

The restrictions of this section shall not apply to any of the following:

(a) Any importation by Rubber Reserve Company, Rubber Development Corporation, or any Corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one or more of them.

(b) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of rubber, synthetic rubber and balata, provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale;

(c) The importation by any person of tires and tubes for the personal use of such person, provided such importation (except of bicycle tires and tubes) is expressly authorized by the Office of Price Administration;

(d) The importation for testing purposes of camelback, or of tires or tubes or sections thereof by any manufacturer of camelback, tires or tubes;

(e) The importation of bicycle tires and tubes originally manufactured in the continental United States, Canada or the British Isles;

(f) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported;

(g) The importation of any scrap rubber by the Army or Navy of the United States or the United States Maritime Commission;

(h) The importation of any finished products made of rubber, synthetic rubber or balata by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs;

(i) The importation of any finished product made of rubber, synthetic rubber or balata by commercial representatives of any foreign government for use in their official business;

(j) The importation from the Dominion of Canada by any person of rubber, synthetic rubber or balata or any products thereof manufactured in the continental United States, Canada or the British Isles.

#### Production and Operations

§ 4600.09 *Special regulations for tire and tube production.* No person shall manufacture tire and tube products except in accordance with the regulations prescribed in List 6 of Appendix II.

§ 4600.10 *Heel and sole products.* Each manufacturer of heel and sole products shall fill orders in the sequence established by the following pattern and may produce and ship orders classified in a lower group of the pattern only to the extent that such production and shipments do not interfere with the fulfillment of orders in each higher group:

Group No.	Type of order
1	Orders for manufacture or repair of shoes for U. S. Armed Forces.
2	Civilian orders for repair materials and for manufacture of rationed new shoes.
3	Orders for manufacture of shoes to fill Government orders other than U. S. Armed Forces.
4	All other orders.

Orders must be filled in accordance with the above pattern without regard to preference ratings.

§ 4600.11 *Garden hose.* Garden hose may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to garden hose, and no person selling garden hose shall require a rating as a condition of sale. Any rating purporting to be applied or extended to garden hose shall be void and no person shall give any effect to it.

§ 4600.12 *Regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing (except airplane and bus mileage contract tire casings) whether by cutting, scraping, grinding, burning, heating, remolding or any other means. This restriction does not apply to the grooving of tires in the course of recapping or retreading or restoring the original design to tread sectional repairs.

§ 4600.13 *Recapping or retreading tires.* No person shall recap or retread a tire unless the tire is worn smooth in the middle of the tread. As used herein, a tire is "worn smooth" when the tread design is no longer visible.

§ 4600.14 *Destruction of scrap; consumption of rubber products.* No person shall destroy, damage, cut or tear apart any Class 1 scrap rubber except for the purpose of consuming the same in accordance with the provisions of this order. (See Appendix I for definition of Class 1 scrap).

No person shall consume any finished or semi-finished product containing in the aggregate more than 10% by weight of rubber or synthetic rubber, except for a purpose for which it was designed.

#### Miscellaneous

§ 4600.15 *Reports.* The following reports shall be filed:

(a) Each person who owned any rubber, chlorinated or synthetic rubber during any calendar month, except scrap rubber, shall file with the Office of Rubber Director, War Production Board, a report on his stocks, receipts, production, consumption and shipments, on Form WPB-3410 in accordance with the instructions accompanying the form. This paragraph shall not apply to persons who perform the operations listed in § 4600.06 (c) of this order except that producers of reclaimed rubber shall report their entire production regardless of the ownership of the material consumed.

(b) Each manufacturer of tires and tubes or camelback, and any mass distributor who sells tires and tubes manufactured for him under his own brands or trade marks and whose sales volume of tires and tubes in 1941 exceeded 50,000 tires or 100,000 tubes, shall file a report on his production, shipments and inventory for each calendar month on Form WPB-3438 with the Office of Rubber Director, War Production Board, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Each manufacturer of light weight rubber gloves from crude rubber or natural latex shall report by letter to the Office of Rubber Director, War Production Board, the number of "firsts" and of "seconds" and "rejects" manufactured by him in each calendar quarter. Reports shall be filed not later than the 15th day of the calendar month follow-

ing the quarterly period in which such manufacture took place.

(d) Each manufacturer of heels, heel bases, soles, taps, soling sheets or top-lifting sheets, shall file with the Office of Rubber Director, War Production Board, a report on his production, shipments and inventory on Form WPB-2592 in accordance with the instructions accompanying the form.

§ 4600.16 *Outstanding authorizations and directives.* All outstanding special authorizations and directives (other than authorizations granted pursuant to appeal) issued prior to July 1, 1944, are hereby revoked.

§ 4600.17 *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of War Production Board Priorities and CMP Regulations as amended from time to time.

§ 4600.18 *Appeals.* Appeal from the provisions of this order shall be made by filing Form WPB-2242 (formerly PD-500-b), referring to the particular provision appealed from and stating fully the grounds of the appeal.

§ 4600.19 *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

§ 4600.20 *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of Rubber Director, War Production Board, Washington 25, D. C., Ref.: Order R-1.

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

Issued this 1st day of July 1944.

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

#### APPENDIX I—GENERAL PERMITTED USES

Type of material	General permitted uses	Monthly consumption for experimental use without authorization <sup>1</sup>
Crude rubber or natural latex.....	In the manufacture of products listed below for which crude rubber or natural latex is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	None.
Reclaimed rubber.....	In the manufacture of any product listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	No limit.

<sup>1</sup> Permitted uses of material in this Appendix do not apply to experimentation. Materials in the amounts indicated may be diverted from inventory or from purchases for manufacturing operations. To purchase privately produced synthetic rubber for experimental purposes, make application directly to the producer; for GR-synthetic rubbers, make application to Rubber Reserve Company, Washington, D. C.



APPENDIX I—PERMITTED PRODUCTS

Code No.	Product	Appendix II	Percent crude	Neoprene	Buna N	Butyl	Special restrictions or provisions
1	Pneumatic tires: Airplane tires..... Bicycle tires..... All other.....	29 34 34		Y Y 0	0 0 0	0 0 0	Class 1 scrap for Code #1.  Class 1 scrap for Code #2.
2	Solid tires: Airplane tires..... Bogie, idler and support rollers..... Pressed on..... Cured on, 4 x 1 1/2 and up.....	29 24 24 24		X 0 0 0	0 0 0 0	0 0 0 0	Latex for splicing purposes only.
3	Tire tubes: Airplane..... Bicycle (including valves)..... All other.....	18 34 34		0 0 Y	0 0 0	0 0 0	
4	Tire tube valves and curing bags: The tube valves (including repair valves)..... The tube valve inside washers..... Curing bags.....	33 17 26	X	0 0 0	X X X	X X X	Class 1 scrap for Code #5. Class 1 scrap.
5	Tire retreading materials: Air bags, full circle, for retreading..... Other.....	30 30		0 0	0 0	0 0	Class 1 scrap.
6	Tire and tube repair materials: Air bags, sectional..... Bulk tire repair materials..... Tire patches and reinlins.....	23 23 23		0 0 0	0 0 0	0 0 0	Class 1 scrap except #1 and #2 light colored carcass and inner tubes. Class 1 scrap. Beltting must be manufactured in accordance with the following regulations, except V-belts to fill Government orders for component parts of watercraft, aircraft, military vehicles or gun mounts when the Army or Navy contract specifically requires the use of different construction. Rubber beltting utilizing a solid woven carcass is permitted, provided such construction uses no more crude rubber than is permitted in laminated beltting of equivalent size and thickness. Constructions using combinations of fabric and other reinforcing materials, such as cord or wire, are permitted provided total crude rubber does not exceed that which is used in an equivalent grade, fabric ply construction belt. Any brands or labels used shall be spaced at least ten feet apart, except that each belt may have at least one brand or label. When making open-end belts, endless, crude rubber may be used provided that it does not exceed .025 lbs. per ply per inch of width. Color: Black unless otherwise indicated.
7	Tank patches..... Tire blocks, tread and band tracks..... Beltting.....	23 31 No		0 0 0	0 0 0	0 0 0	
8	Conveyor and elevator beltting: Conveyor and elevator beltting and pulley lagging therefor, including the following services: Coal handling.....		5	0	0	0	Neoprene permitted in belts for handling coal over 4" size in underground applications.
9A	Hot materials handling..... Limestone and rock over 4"..... Metal ore..... Mill aprons..... Oily material handling..... Steel mill charging..... Special molded belts..... Elevator belt buckets and cleats.....		5 5 5 5 5 5 0	X X X X X X X	0 0 0 0 0 0 0	0 0 0 0 0 0 0	

APPENDIX I—GENERAL PERMITTED USES—Continued

Type of material	General permitted uses	Monthly consumption for experimental use without authorization
Scrap rubber: Class 1 (defined as ground tire peels; uncured tire cord friction scrap; vulcanized scrap tires and tire parts (except tire beads) and inner tubes; any cured or uncured scrap having a specific gravity of 1.15 or less, excluding tread buffings and fuel cell scrap).	Class 1 scrap may be consumed only: Where specifically permitted in products listed below except in process scrap which may be used in the manufacture of the product from which it was derived; in the manufacture of reclaimed rubber provided no light colored carcass scrap is used in the production of black reclaimed rubber. "Light colored carcass" means all-white zinc carcass (No. 1), and any light colored types such as white, black, light gray, pure gum, and light brown carcass (No. 2). No restrictions on use except uncured Class 2 scrap and scorchel compounds, excluding fuel cell scrap, may be consumed only in the manufacture of products listed below.	No limit.
Class 2 (any scrap not included in Class 1 above).	In the manufacture of any product listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	200 lbs.; latices, 250 lbs.
Synthetic rubber: GR-S (all types).....	In the manufacture of products listed below for which neoprene is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	200 lbs.; latices, 250 lbs.
Neoprene types. (GR-M, GN, CG, E, FF, FR-S, KNR, ILS, M, latex).	In the manufacture of products listed below for which Buna N is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	200 lbs.
Buna N types (GR-A, Hycar, Perbunan, Butaprene, Chemifgum).	In the manufacture of products listed below for which butyl is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB-3662.	200 lbs.; dispersions, 250 lbs.
Butyl (GR-I, standard and class, dispersions).	In the manufacture of any product listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	No limit.
Thiokol types.....	As specifically authorized on Form WPB-3662.	200 lbs.
Polyisobutylene (Vistanex, synthetic 100, polybutene, Vistac).	As specifically authorized on Form WPB-3662.	None.
Miscellaneous (Hycar OS, Styraoloy, other).	As specifically authorized on Form WPB-3662.	Do.
Chlorinated rubber (Farlon, Farlon A).....	As specifically authorized on Form WPB-3662.	

PERMITTED PRODUCTS FOR GOVERNMENT OR CIVILIAN ORDERS

NOTE: For general permitted uses, see above. In applying on Form WPB-3662 for those types of material which are subject to prior authorization, use this appendix in accordance with the instructions accompanying the form. Form WPB-3662 may not be used in applying for permission to consume any material for a purpose which is not permitted by Appendix I.

Monthly consumption of crude rubber, natural latex, neoprene, buna N and butyl will be permitted on the basis of uses shown in this appendix, but only to the extent that material and manufacturing facilities are available after requirements for Army, Navy, Maritime Commission and other essential orders have been fulfilled.

COLUMNS AND SYMBOLS

Appendix II column refers to applicable regulations in Appendix II by list number. The other columns show to what extent crude, natural latex, neoprene, buna N and butyl authorized on Form WPB-3662 may be used in the manufacture of particular products. The material columns are blank when

applicable regulations in Appendix II or special restrictions limit the use of the material. "O" indicates that the use of the material is prohibited, subject to any special restrictions or provisions applicable to the particular product. Any synthetic rubber may, however, be substituted for crude rubber when the use of crude is permitted, even though "O" appears opposite the product for the particular synthetic rubber.

"X" indicates that the material may be consumed in the minimum quantities required by a manufacturer who has received authorization to consume on Form WPB-3662, subject to any special restrictions or provisions applicable to the particular product. Percentage figures indicate maximum percent of total volume of compound, unless otherwise specified.

"Y" indicates that the material may be consumed in the minimum quantities required but only after the material has been specifically authorized for the particular product on Form WPB-3662. The end product and the quantity of material required must be separately stated in applying on the form. Limited quantities will be authorized after all other requirements have been fulfilled.

APPENDIX I—PERMITTED PRODUCTS—Continued

Code No.	Product	Appendix II	Percent crude	Neoprene	Buna N	Butyl	Special restrictions or provisions
9B	Miscellaneous belting and related products: Belt splicing and repair material..... Chute lining..... Conveyor skirting or skirtboard rubber..... Cigar machine aprons..... Concentrator belts..... Escalator handrails..... Hatters' belts..... Hog beater belts..... Last puller belts..... Paper machine aprons..... Postal cancellation feed belts..... Rubber scrapers for conveyor belts..... Screen diaphragms for paper-making equipment..... Street sweeper belts..... Transmission belting..... Flat transmission belting.....		5	0	0	0	Neoprene permitted for repair of belting made with neoprene.
9C	Street sweeper belts..... Transmission belting..... Flat transmission belting.....		5	0	0	0	Crude or latex—0.07 lbs. maximum per 1,200 square inches per ply permitted. Neoprene permitted in cord and hard duck belts only except axle generator, farm and hammermill belts. Color of seaming stripe is optional.
9D	Round transmission belting..... V-Belts.....		5	0	0	0	Crude or latex (9% maximum of total volume of the belt) permitted except belting for use on passenger cars, household equipment and trucks under 1½ tons in which case crude or latex must be limited to 1% maximum of total volume of the belt. Color: Black unless otherwise indicated.
10	Hose and tubing.....	No					
10A	Automotive and aircraft hose: Air and vacuum brake hose, truck and bus..... Brake expander tubing..... Bullet sealing hose..... Carburetor air intake hose (for trucks over 1½ tons and buses only). Flame resistant hose..... Fuel and oil line hose..... Fuel tank filler hose..... Hydraulic brake hose..... Oil and coolant aircraft hose..... Radiator and coolant hose..... Radiator hose.....		0	X	X	0	Crude permitted for Government orders only. Neoprene permitted in cover only. Specification 26587 only. Following specifications only: 26577; AN-II-26; and AN-ZZ-II-456. Specification ANS-1045, Type 3, only, for Government orders. Crude permitted in cements only, Neoprene and Buna N permitted for buses, trucks over 1½ tons, railroad gas-electric power units and Government watercraft.
10B	Vacuum gear shift hose..... Cement hose: Cement and material hose, dry and ice slinger..... Cement gun hose..... Cement handling, including grouting..... Concrete placing.....		0	X	X	0	Crude permitted in cements only. Neoprene permitted in tube only. Neoprene permitted in tube only.
10C	Divers' hose..... Diving apparatus hose..... Submarine rescue chamber hose.....		3	X	0	0	Specification 33119 only; Neoprene and Buna N permitted in cover. Specification 33114 only; Neoprene and Buna N permitted in cover.
10D	Miscellaneous hose and tubing: Acid conducting and acid suction hose..... Air and air tool hose, industrial..... Alcohol, brewers and beverage hose, tubing and suction hose..... Arbor type forming hose..... Chemical etching hose.....		3	X	0	0	Butyl permitted for tube only. Tube color: Optional. Crude permitted in cements only.
10E	Miscellaneous related products: Expansion joints (normally used in rigid lines to absorb thrust on excessive motion or to isolate vibration and/or noise) Flanged flexible pipe..... Pinch valve..... Shaft covering, flexible..... Tapered rubber nozzle (when built on end of hose) Floater hose.....		25	X	0	0	Tube: ¼" maximum on sizes 8" I. D. and under; 3/16" maximum on sizes over 8" I. D. Cover: 3/16" maximum on all sizes.
10F	Oil and gasoline hose: Floater hose.....		0	X	X	0	Crude permitted in cements only. Neoprene and Buna N permitted for etchery hose. Specification 33H18 for Government orders only.
10G	Fuel oil and gasoline hose including service station pump hose. Oil suction and discharge hose: Rough bore and chernak boom..... Smooth bore..... Tank car and tank truck hose..... Railroad hose: Air brake and train air signal hose..... Air, gas and oxygen hose..... Steam and hot water hose..... Tender tank hose..... Water hose, all sizes..... Steam hose.....		0	X	X	0	Neoprene permitted in cover only. Cover: Black or red on welding hose only. Crude permitted in cements only.
10H	Steam hose.....		3	0	0	0	Crude permitted in cements only.
10D	Miscellaneous hose and tubing—Cont. CO <sub>2</sub> Fire extinguisher hose..... Creamery (sanitary) hose..... Decontamination hose..... Fire hose, cotton rubber lined.....		0	X	0	0	Neoprene and Buna N permitted in cover only. Neoprene or Buna N permitted, in cover only for fire protection in chemical plants and oil refineries. Maximum crude permitted per 100 feet of hose: Nominal size Crude (inches) (lbs.) 1 1.0 1¼ 1.3 1½ 1.6 2 2.2 2½ 2.8 3 3.0 3½ 4.0 Neoprene or Buna N permitted in cover only for fire protection in chemical plants and oil refineries.
10D	Fire hose, wrapped duck..... Hose and tubing not elsewhere listed..... Hydraulic control and industrial grease hose, high pressure..... Industrial mandrel made hose for hose masks as required by Bureau of Mines..... Jetting and hydraulic..... Milk conveying and food handling hose..... Miscellaneous Hose and Tubing: Oxygen (not welding) hose..... Phosphate flexible hose..... Propane and butane hose..... Rock wool insulation hose..... Rotary drilling hose..... Sand blast hose..... Smooth bore (electrically heated) hose..... Spray hose, agricultural: High pressure..... Low pressure..... Spray hose, paint fluid line..... Tender tank hose..... Tubing.....		1.5	0	0	0	Crude, neoprene and Buna N permitted for Government orders only. Crude permitted in cements only. Specification 33H26 for Government orders only. Cover: Black or red. Neoprene permitted for cover only. Neoprene and Buna N permitted for oil and solvent service only. Government orders only. Crude permitted in cements only. Cover: Black or red.
10E	Tubing to AMS Spec. 3202-3229 inclusive Water hose, all sizes..... Welding hose.....		1.5	0	0	0	Crude permitted in cements only. Cover: Black or red.



APPENDIX I—PERMITTED PRODUCTS—Continued

APPENDIX I—PERMITTED PRODUCTS—Continued

Code No.	Product	Appendix II	Percent crude	Neoprene	Buna N	Butyl	Special restrictions or provisions	
12B	Automotive and railroad equipment and suspension parts for truck laying vehicles—Continued Engine transmission and propeller center bearing mountings. Fan bases and blades. Grommets. Grommets for dry batteries. Gudgeon bushings for tractor, 18 ton, M4, Part No. B25590. Gudgeon bushings for tractor, 38 ton, M6, Part No. C13909. Gudgeon bushings for medium tanks with Horizontal Volute Suspension, Part No. C13587. Hydraulic brake cylinder parts excepting boots and linings. Hydraulic clutch and throttle controls. Insulating forms or shapes for high tension wiring. Packing rings for sleeve assemblies (farm tractors only). Pitman arm bushings for independent suspensions. Radiator test plugs. Recoil pad for tractor, 13 ton, M5, Part No. B38054. Remote control gearshift bushings. Sealed beam gaskets. Shock absorber bushings. Shock and instrument mount. Shock absorber bushings for light tank, T24, Part No. B327569. Shock absorber bushings for medium tanks with Horizontal Volute Suspension, Part No. A705625. Spring seat bushings for tractor, 18 ton, M4, Part No. A32588. Spring seat bushings for tractor, 38 ton, M6, Part No. A32582. Spring bumpers, front and rear. Steering-box-to-frame pads for independent suspensions. Steering post alignment bushings. Steering wheels. Suspension and torque arm bushings. Tailpipe supports. Torsional vibration dampers. Vibration insulator and absorbers. Water pump seals. Windshield wiper blades and pivot-to-housing gaskets. Electrical products equipment: Antenna base. Cable connectors. Cord protectors. Electric base plugs, plug connectors and light sockets. Electroplating racks. Electroplating automatic machine perforated steel base baskets. Extension lamp handles and guards. Floortile, base and tiling for wainscoting (for conductive purposes only). Handle grips, for dielectric purposes only. Lineman's protective devices including only: Blankets. Cable barge. Cable and test caps and separators. Insulator hoods.	20	0	X	X	0	0	For combat vehicles only. Neoprene and Buna N permitted for oil and solvent service only. Government orders only.
12C	Electrical products equipment—Con. Lineman's protective, etc.—Continued. Insulating stools. Line hose. Lineman's sleeves. Mats and matting. Hard rubber products: Baskets (etching), beakers, buckets, dippers, frames, funnels, measure, pails, racks and trays. Bleaching rods. Bottles. Cellular rubber. Component hard rubber parts of machinery for manufacture of rayon, explosives and corrosive chemicals. Dyesticks. Filters. Hard rubber latex covering for: Agitators, baskets, buckets, concave rollers, dippers, drums, fans, frames, fume ducts, funnels, measures, pumps, pipe and fittings, racks, screens, trays and valves and valve parts only. Hard rubber insulated tools. Hooks. Magneto parts. Mine safety battery parts. Mine safety lamp parts (except insulated wire). Pipe and fittings. Pumps. Pump lining. Pistons. Potentiometer cards. Sheet, rod and tubing. Sheet for baffle discs. Spatulas. Storage battery parts, including only: Binding strips. Hand built jars, except automotive SLI types, farm-light, mine safety and radio. Hand built monoblocs, except automotive SLI types, farm-light, mine safety and radio. Microporous separators: From latex. From crude rubber. Molded single cell jars and molded monoblocs, except automotive SLI—SAE Groups 1, 2 and 3. Molded rubber: Boots, bridges, covers, discs and sleeves, filler caps, insulators, moss shields, plate supports, post sealing nuts, protectors, spacers splash covers, vents, wedges. Molded terminal blocks. Separators, perforated sheet or molded retainers, support and tie rods. Submarine battery jars. Submarine battery vents and parts (handmade only). Tubular retainers. Valves and valve parts. Water meter parts. X-ray and photographic tanks.	Appendix II	0 21 95 0	0 0 0 0	0 0 0 0	0 0 0 0	Conductive and switchboards with exposed switches only. For handling explosives and corrosive chemicals. Crude, 10% maximum by volume of compound permitted in handmade products only. Neoprene and Buna N permitted for Government orders only. Crude, 10% maximum by volume of compound permitted in handmade products only. For corrosive chemical service only. For corrosive chemical service only. For industrial use only. Government orders only. For industrial use and fountain pen parts only. For handling explosives and corrosive materials.	
12D	Electrical products equipment—Con. Lineman's protective, etc.—Continued. Insulating stools. Line hose. Lineman's sleeves. Mats and matting. Hard rubber products: Baskets (etching), beakers, buckets, dippers, frames, funnels, measure, pails, racks and trays. Bleaching rods. Bottles. Cellular rubber. Component hard rubber parts of machinery for manufacture of rayon, explosives and corrosive chemicals. Dyesticks. Filters. Hard rubber latex covering for: Agitators, baskets, buckets, concave rollers, dippers, drums, fans, frames, fume ducts, funnels, measures, pumps, pipe and fittings, racks, screens, trays and valves and valve parts only. Hard rubber insulated tools. Hooks. Magneto parts. Mine safety battery parts. Mine safety lamp parts (except insulated wire). Pipe and fittings. Pumps. Pump lining. Pistons. Potentiometer cards. Sheet, rod and tubing. Sheet for baffle discs. Spatulas. Storage battery parts, including only: Binding strips. Hand built jars, except automotive SLI types, farm-light, mine safety and radio. Hand built monoblocs, except automotive SLI types, farm-light, mine safety and radio. Microporous separators: From latex. From crude rubber. Molded single cell jars and molded monoblocs, except automotive SLI—SAE Groups 1, 2 and 3. Molded rubber: Boots, bridges, covers, discs and sleeves, filler caps, insulators, moss shields, plate supports, post sealing nuts, protectors, spacers splash covers, vents, wedges. Molded terminal blocks. Separators, perforated sheet or molded retainers, support and tie rods. Submarine battery jars. Submarine battery vents and parts (handmade only). Tubular retainers. Valves and valve parts. Water meter parts. X-ray and photographic tanks.	Appendix II	0 21 95 0	0 0 0 0	0 0 0 0	0 0 0 0	Conductive and switchboards with exposed switches only. For handling explosives and corrosive chemicals. Crude, 10% maximum by volume of compound permitted in handmade products only. Neoprene and Buna N permitted for Government orders only. Crude, 10% maximum by volume of compound permitted in handmade products only. For corrosive chemical service only. For corrosive chemical service only. For industrial use only. Government orders only. For industrial use and fountain pen parts only. For handling explosives and corrosive materials.	







APPENDIX I—PERMITTED PRODUCTS—Continued

APPENDIX I—PERMITTED PRODUCTS—Continued

Code No.	Product	Appendix II	Percent crude	Neoprene	Buna N	Butyl	Special restrictions or provisions
18E	Gloves and cots—Continued Gloves— Other, including all-rubber, net-lined, mortuary and autopsy and rubberized fabric.			X	0	0	For professional, industrial, commercial, educational, laboratory use only (See Appendix III for restrictions). Crude or latex permitted only for seaming net-lined gloves.
18F	Infant goods: Baby pants..... Breast shields, nursing..... Crib sheets..... Diaper covers..... Feeding bottle caps and covers..... Feeding nipples (including lambs)..... Pacifiers..... Teethers and teething rings..... Miscellaneous sundries..... Acoustic aids designed for individual hearing instruments and audiometers..... Blood pressure bags except tubing..... Brain surgery caps..... Breast forms..... Catheters.....	28	0	0	0	0	
18G	Colostomy outfits, molded and dipped. Colostomy outfits, hand made. Conductive rubber (for medical and surgical uses). Crutch pads..... Crutch tips..... Diathermy pad electrodes..... Dilators..... Ear stoppers..... Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only). Inhalation bags and face pieces not including oxygen tents and tubing (medical, dental, surgical and veterinary types only). Lead-impregnated X-Ray sheets, lead-impregnated gloves, lead-impregnated aprons and cooling hose. Parts for medical, surgical, dental, veterinary and mortuary instruments. Prostatic bags..... Prosthetic devices..... Rubber bands and cushions designed for artificial limbs. Self-adhering gauze bandage..... Stoppers (laboratory types only). Stoppers (medical, surgical, dental, veterinary and mortuary types only). Tourniquets..... Truss pads, pneumatic..... Truss pads and covers..... Urinals..... Vaccine caps..... Veterinary sleeves..... Pessaries and prophylactics:	75	0	0	0	0	Latex (98% maximum by volume) permitted.
18H	Prophylactics..... Sheet goods: Bandage gun (surgical and medical only). Hospital sheeting..... Oxygen tent canopies..... Tubing: Fountain syringe tubing lengths..... Tubes and tubing for surgical purposes only limited to multiple lumen tubes, plasma and surgical tubing.	98	0	0	0	0	Crude or latex permitted (98% maximum by volume) until Sept. 1, 1944.
18I		98	0	0	0	0	
18J		98	0	0	0	0	
18K		98	0	0	0	0	
18L		98	0	0	0	0	
18M		98	0	0	0	0	
18N		98	0	0	0	0	
18O		98	0	0	0	0	
18P		98	0	0	0	0	
18Q		98	0	0	0	0	
18R		98	0	0	0	0	
18S		98	0	0	0	0	
18T		98	0	0	0	0	
18U		98	0	0	0	0	
18V		98	0	0	0	0	
18W		98	0	0	0	0	
18X		98	0	0	0	0	
18Y		98	0	0	0	0	
18Z		98	0	0	0	0	
19A		98	0	0	0	0	
19B		98	0	0	0	0	
19C		98	0	0	0	0	
19D		98	0	0	0	0	
19E		98	0	0	0	0	
19F		98	0	0	0	0	
19G		98	0	0	0	0	
19H		98	0	0	0	0	
19I		98	0	0	0	0	
19J		98	0	0	0	0	
19K		98	0	0	0	0	
19L		98	0	0	0	0	
19M		98	0	0	0	0	
19N		98	0	0	0	0	
19O		98	0	0	0	0	
19P		98	0	0	0	0	
19Q		98	0	0	0	0	
19R		98	0	0	0	0	
19S		98	0	0	0	0	
19T		98	0	0	0	0	
19U		98	0	0	0	0	
19V		98	0	0	0	0	
19W		98	0	0	0	0	
19X		98	0	0	0	0	
19Y		98	0	0	0	0	
19Z		98	0	0	0	0	
20A		98	0	0	0	0	
20B		98	0	0	0	0	
20C		98	0	0	0	0	
20D		98	0	0	0	0	
20E		98	0	0	0	0	
20F		98	0	0	0	0	
20G		98	0	0	0	0	
20H		98	0	0	0	0	
20I		98	0	0	0	0	
20J		98	0	0	0	0	
20K		98	0	0	0	0	
20L		98	0	0	0	0	
20M		98	0	0	0	0	
20N		98	0	0	0	0	
20O		98	0	0	0	0	
20P		98	0	0	0	0	
20Q		98	0	0	0	0	
20R		98	0	0	0	0	
20S		98	0	0	0	0	
20T		98	0	0	0	0	
20U		98	0	0	0	0	
20V		98	0	0	0	0	
20W		98	0	0	0	0	
20X		98	0	0	0	0	
20Y		98	0	0	0	0	
20Z		98	0	0	0	0	
21A		98	0	0	0	0	
21B		98	0	0	0	0	
21C		98	0	0	0	0	
21D		98	0	0	0	0	
21E		98	0	0	0	0	
21F		98	0	0	0	0	
21G		98	0	0	0	0	
21H		98	0	0	0	0	
21I		98	0	0	0	0	
21J		98	0	0	0	0	
21K		98	0	0	0	0	
21L		98	0	0	0	0	
21M		98	0	0	0	0	
21N		98	0	0	0	0	
21O		98	0	0	0	0	
21P		98	0	0	0	0	
21Q		98	0	0	0	0	
21R		98	0	0	0	0	
21S		98	0	0	0	0	
21T		98	0	0	0	0	
21U		98	0	0	0	0	
21V		98	0	0	0	0	
21W		98	0	0	0	0	
21X		98	0	0	0	0	
21Y		98	0	0	0	0	
21Z		98	0	0	0	0	
22A		98	0	0	0	0	
22B		98	0	0	0	0	
22C		98	0	0	0	0	
22D		98	0	0	0	0	
22E		98	0	0	0	0	
22F		98	0	0	0	0	
22G		98	0	0	0	0	
22H		98	0	0	0	0	
22I		98	0	0	0	0	
22J		98	0	0	0	0	
22K		98	0	0	0	0	
22L		98	0	0	0	0	
22M		98	0	0	0	0	
22N		98	0	0	0	0	
22O		98	0	0	0	0	
22P		98	0	0	0	0	
22Q		98	0	0	0	0	
22R		98	0	0	0	0	
22S		98	0	0	0	0	
22T		98	0	0	0	0	
22U		98	0	0	0	0	
22V		98	0	0	0	0	
22W		98	0	0	0	0	
22X		98	0	0	0	0	
22Y		98	0	0	0	0	
22Z		98	0	0	0	0	
23A		98	0	0	0	0	
23B		98	0	0	0	0	
23C		98	0	0	0	0	
23D		98	0	0	0	0	
23E		98	0	0	0	0	
23F		98	0	0	0	0	
23G		98	0	0	0	0	
23H		98	0	0	0	0	
23I		98	0	0	0	0	
23J		98	0	0	0	0	
23K		98	0	0	0	0	
23L		98	0	0	0	0	
23M		98	0	0	0	0	
23N		98	0	0	0	0	
23O		98	0	0	0	0	
23P		98	0	0	0	0	
23Q		98	0	0	0	0	
23R		98	0	0	0	0	
23S		98	0	0	0	0	
23T		98	0	0	0	0	
23U		98	0	0	0	0	
23V		98	0	0	0	0	
23W		98	0	0	0	0	
23X		98	0	0	0	0	
23Y		98	0	0	0	0	
23Z		98	0	0	0	0	
24A		98	0	0	0	0	
24B		98	0	0	0	0	
24C		98	0	0	0	0	
24D		98	0	0	0	0	
24E		98	0	0	0	0	
24F		98	0	0	0	0	
24G		98	0	0	0	0	
24H		98	0	0	0	0	
24I		98	0	0	0	0	
24J		98	0	0	0	0	
24K		98	0	0	0	0	
24L		98	0	0	0	0	
24M		98	0	0	0	0	
24N		98	0	0	0	0	
24O		98	0	0	0	0	
24P		98	0	0	0	0	
24Q		98	0	0	0	0	
24R		98	0	0	0	0	
24S		98	0	0	0	0	
24T		98	0	0	0	0	
24U		98	0	0	0	0	
24V		98	0	0	0	0	
24W		98	0	0	0	0	
24X		98	0	0	0	0	
24Y		98	0	0	0	0	
24Z		98	0	0	0	0	
25A		98	0	0	0	0	
25B		98	0	0	0	0	
25C		98	0	0	0	0	
25D		98	0	0	0	0	
25E		98	0	0	0	0	
25F		98	0	0	0	0	
25G		98	0	0	0	0	
25							



PRODUCTION PATTERN  
Group and Type of Product

the latest issue or amendment of the particular specifications.

TABLE OF LISTS ATTACHED TO APPENDIX II

List and title:

- 1 Compounds for mechanical rubber goods.
- 6 Tire and tube production pattern.
- 17 Tire and flap curing bags.
- 18 Airplane tire tubes.
- 20 Vibration mount and shock absorbers.
- 21 Rubber footwear.
- 22 Compounds for tires and tire casings.
- 23 Tire and tube repair materials.
- 24 Tires and tire casings (except airplane and bicycle tires).
- 25 Tire tubes (except airplane and bicycle tire tubes).
- 26 Tire flaps.
- 27 Insulated wire and cable.
- 28 Feeding nipples.
- 29 Airplane tire and tire casings.
- 30 Retreading materials.
- 31 Tank blocks, treads, and band tracks.
- 32 Use of high-tensacity rayon cord.
- 33 Tire tube valves (except bicycle tire tube valves).
- 34 Bicycle tires and tubes.

LIST 1—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR MECHANICAL RUBBER GOODS

(a) *Applicability.* This List 1 establishes certain general provisions and regulations governing the compounds to be used in the manufacture of mechanical rubber products. These regulations shall apply to all mechanical goods compounds, whether manufactured from crude rubber, reclaimed rubber, synthetic rubber, latex, scrap or any combination of these materials.

(b) *General provisions.* (1) Compounds containing less crude rubber or latex than that amount designated either in Schedule A, Appendix I, or in lists now or hereafter attached to this Appendix II may be used in manufacturing products governed by said schedule or lists, provided the physical or service requirements, where designated, are met.

(2) All compounds shall be black, except where otherwise designated in Schedule A or in other applicable lists.

(3) Where maximum percent by volume for crude rubber and latex is designated, it shall include crude rubber used in cements to aid processing.

LIST 6—REGULATIONS FOR THE TIRE AND TUBE PRODUCTION PATTERN

(a) *Production pattern.* (1) In order to secure maximum output from existing tire and tube production facilities in accordance with the essentiality of demand, the following production pattern shall be observed and followed by all manufacturers, notwithstanding any other applicable order, regulation or authorization of the War Production Board.

Code No.	Product	Appendix II	Percent crude	Neoprene	Buna N	Butyl	Special restrictions or provisions
22E	Miscellaneous products—Continued Parts of flotation or life-saving equipment not elsewhere listed. Mastic deck covering—repairs only. Mats and matting (limited to airplane walkway, pilot house, bridge deck and gun platform). Muzzle covers. Parachute bands and ventilating rings. Flodim packaging.	---	0	X	0	0	Latex permitted in place of crude. Government orders only for packaging aircraft engines, aircraft engine sub-assemblies, gyro compasses and bomb sights.
22F	Ship hold and underground ventilating tubing. Smoking pipe bits. Weatherstripping. Pressure sensitive tape.	---	0	X	0	0	Crude and neoprene permitted for high heat resistance and non-corrosive electrical tape only. Class Butyl permitted. Fabric backed tape subject to end use restrictions (See Appendix III).
22G	Stationers supplies: Erasers, including typewriter. Fingerpads. Fountain pen sacs. Ink eradicator stoppers and closures. Pencil plugs. Rubber bands. Thread and related products: Rubber thread.	---	0	0	0	0	See Appendix III for end use restrictions. Thread may be manufactured in the following sizes only:
22H	Rubber tape for clothing. Webbing, elastic (combined knitted fabric cut to desired width).	---	0	0	0	0	

Extruded thread	Square or C-4 thread
22	24
26	30
30	36
37	42
44	50
50	58
65	70
75	85
100	112
---	120
---	140

APPENDIX II—MANUFACTURING REGULATIONS

(a) *Applicability.* (1) This appendix sets forth certain compounding proportions and manufacturing regulations for many of the products listed in Schedule A of Appendix I. No person may manufacture the products in this appendix unless such product is manufactured in accordance with the applicable regulations set forth in this appendix.

(2) All regulations apply to all purchase orders, including both Government and Civilian orders, except where otherwise designated in the appropriate list.

(3) Regulations in the appendix do not apply to the manufacture of experimental products or experimental compounds designed for:

(1) The substitution of synthetic rubber, reclaimed rubber or scrap rubber for crude rubber and latex.

(1) The conservation of crude rubber, latex, synthetic rubber, reclaimed rubber or scrap rubber.

(b) *General provisions.* (1) The total rubber hydrocarbon (sometimes designated RHC in this appendix) is the sum total of crude rubber and the average rubber hydrocarbon value of reclaimed rubber, expressed on a volume basis. The average rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference (or indirect)" method.

(2) Reference to Army, Navy, Federal, Railroad, etc., specifications by number mean

- 1. Airplane tires and tubes:
  - (a) Large size tires, built on truck equipment.
  - (b) Small size tires, hand built or built on industrial pneumatic equipment.
  - (c) Other small size tires, built on passenger equipment.
  - (d) Tubes.
- 2. Truck-bus tires and tubes:
  - (a) Combat tires.
  - (b) Extra large size tires, 16.00 and larger cross-section.
  - (c) Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10-12 ply; 8.25 x 15-10, 12 and 14 ply.
  - (d) Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.
  - (e) Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in sub-group (f) below.
  - (f) Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).
  - (g) Solid tires.
  - (h) Tubes.
- 3. Tractor-implement tires and tubes:
  - (a) Large size tires, over 7.50 cross-section.
  - (b) Front and small size tires, up to and including 7.50 cross-section.
  - (c) Tubes.
- 4. Industrial tires and tubes:
  - (a) Bogie rollers.
  - (b) Pressed-on solids.
  - (c) Cured-on solids.
  - (d) Pneumatic tires.
  - (e) Tubes.
- 5. Camelback and repair materials:
  - (a) Truck type and heavy duty.
  - (b) Passenger and motorcycle tires and tubes.
- 6. Passenger and motorcycle tires and tubes:
  - (a) Tires.
  - (b) Tubes.
- 7. Bicycle tires and tubes:
  - (a) Tires.
  - (b) Tubes.

(2) The foregoing production pattern establishes the order of preference in which each manufacturer's interchangeable facilities must be used in the manufacture of tire and tube products and applies to facilities in each group or sub-group or in as many groups as are covered by the manufacturer's facilities.

(3) Where there is any degree of interchangeability in the use of the manufacturer's facilities, these facilities shall be extended to a lower group or sub-group in accordance with the production pattern when the manufacturer has established an inven-

tory position not exceeding 15 days' supply in each higher group or sub-group for which the facilities are used. Inventories thus established shall be maintained in accordance with the production pattern.

For the purposes of this list, a 15-day inventory position means one-fourth of the manufacturer's sales during the preceding 60 day period.

For example: Assume that a 15-day position has been established in groups 1 and 2. This releases interchangeable facilities for the remaining groups in order of preference. When inventories are exhausted in groups 1 and 2, then any interchangeable facilities which are used in a lower group in the pattern must be diverted to groups 1 and 2 as soon as possible in order to re-establish an inventory not exceeding a 15-days' supply in groups 1 and 2 and in accordance with the pattern.

Another example: Requirements for Item f of group 2—truck tires of 15 inch and 16 inch bead diameter through 7.50 cross-section (these are also passenger type sizes) must be met to the extent of an inventory not exceeding a 15 days' supply before production facilities shall be used for regular passenger tires in group 6.

(4) The use of interchangeable tire and tube production facilities, except in accordance with the foregoing production pattern, is prohibited unless specific authorization in writing is secured from the Office of Rubber Director, War Production Board.

(b) *Miscellaneous provisions.* (1) Because of the urgency for maximum tire and tube production and in view of the critical manpower shortage, no manufacturer shall perform the following operations:

(i) Wrapping of tires, regardless of end use.

(ii) Removal of minor light spots and surface imperfections not actually harmful from a service standpoint.

(2) Deviations from normal manufacturing practices which are set forth in this paragraph (b) shall not be interpreted as permitting any relaxation of essential inspection of the finished product.

**LIST 17—REGULATIONS FOR THE MANUFACTURE OF TIRE AND FLAP CURING BAGS**

(a) *Manufacturing regulations.* The manufacture of tire and flap curing bags of all sizes and types is subject only to the following regulations:

(1) The use of crude rubber or latex in the manufacture of tire and flap curing bags shall conform to the regulations shown in Table A.

(2) GR-I, GR-S and reclaimed rubber may be used in any amounts and proportions desired.

Size	Type	Maximum percent crude rubber, by volume, of the sum of the total RHC plus synthetic rubber
All	Passenger	20
All	Motorcycle	20
15" and 16" rim diameter.	Industrial pneumatic.	20
All (except 15" and 16" rim diameter).	Industrial pneumatic.	60
15" and 16" rim diameter.	Farm tractor	20
All (except 15" and 16" rim diameter).	Farm tractor	60
6.00 through 9.00, all rim diameter.	Truck	20

TABLE A—continued

Size	Type	Maximum percent crude rubber, by volume, of the sum of the total RHC plus synthetic rubber
10.00 up, all rim diameter.	All (except Airplane).	80
All (except tailwheel sizes).	Airplane	80
Tailwheel	Airplane	(1)
All	Bicycle	20
All	Flap Bags	20

<sup>1</sup> As required.

<sup>2</sup> Crude rubber and latex permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(b) *Marking of synthetic curing bags.* All curing bags containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the bag. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

**LIST 18—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRE TUBES**

(a) *General provisions.* (1) The crude rubber content of any tube governed by this List 18 shall not include processing losses or crude rubber used in valves.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured to fill both Government and civilian orders, (subject, for Government orders, to the approval of the procuring agency) provided that:

(1) Crude rubber and latex may be consumed only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(ii) GR-S and GR-I synthetic rubber and reclaimed rubber may be used in any amounts and in any proportions desired.

(2) The manufacture of tubes consuming more crude rubber than permitted by paragraph (b) (1) of this List 18 shall be limited to the sizes and types listed in Table A, subject to the maximum crude rubber contents designated therefor.

TABLE A

Size	Type	Maximum content crude rubber in pounds
27	S. C. Landing wheel tubes.	2.39
30	do	3.34
33	do	4.06
36	do	5.00
39	do	5.96
44	do	7.63
47	do	10.50
51	do	12.40
56	do	17.60
65	do	29.10
27 SCB	S. C. Nosewheel tubes.	6.20
30 SCB	do	7.63
33 SCB	do	9.54
36 SCB	do	11.90
39 SCB	do	14.31
44 SCB	do	18.15
47 SCB	do	20.50
51 SCB	do	27.50
56 SCB	do	44.80
8.00	S. C. tailwheel tubes.	.24
10.00	do	.36
12.50	do	.48
14.50	do	.72
17.00	do	.95
19.00	do	1.32
23.00	do	1.80

TABLE A—continued

Size	Type	Maximum content crude rubber in pounds
26.00	S. C. tailwheel tubes.	2.14
30.00	do	2.98
19.00 SCA	S. C. Nose wheel tubes.	2.86
23.00 SCA	do	4.78
26.00 SCA	do	6.20
30.00 SCA	do	8.10
26 x 6	High pressure landing wheel tubes.	2.10
30 x 7	do	2.74
32 x 8	do	3.23
34 x 9	do	4.55
26 x 6.6	High pressure special duty landing wheel tubes.	1.43
30 x 7.7	do	2.15
32 x 8.8	do	2.63
34 x 9.9	do	3.80
36 x 10	do	4.05
38 x 10	do	4.51
40 x 11	do	5.96
42 x 11	do	6.45
44 x 12	do	8.82
46 x 13	do	11.45
10 x 3	High pressure tailwheel tubes.	.24
10 1/2 x 4	do	.62
12 1/2 x 4 1/2	do	.81
14 1/2 x 5	do	1.19
8.00-4	Low pressure landing wheel tubes.	1.07
6.00-6	do	.95
7.00-6	do	.95
6.50-10	do	1.90
7.50-10	do	2.14
8.50-10	do	2.28
8.90-12.50	do	2.62
15.00-16 DC	do	8.35
15.00-16 FB	do	8.35
16.00-16	do	8.35
17.00-16	do	9.54
18.00-16	do	9.54
20.00-18	do	11.45
15.50-20	do	9.54
17.00-20	do	12.40
19.00-23	do	14.80
5.00-4	Low pressure tailwheel tubes.	.62
7.00-5	do	1.07
8.00-5	do	1.24
9.00-6 FB	do	1.53
10.00-7	do	2.86
9.00-6 DC	Low pressure beading wheel tubes.	1.80
9.50-12	do	2.74
11.00-12	do	3.58
12.50-14	do	5.71
29 x 13-5	Extra low pressure landing wheel tubes.	3.10
30 x 13-6	do	3.34
35 x 15-6	do	4.40
45 x 20-10	do	10.00
12 x 5-3	Extra low pressure tailwheel tubes.	.72
16 x 7-3	do	.96
18 x 8-3	do	1.19
19 x 6.80-10	Low profile nosewheel tubes.	1.43
22 x 7.25-11.50	do	1.67
26 x 9.00-13	do	2.39
33 x 11.50-16.50	do	3.94

(c) *Marking of synthetic tubes.* (1) All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22.

**LIST 20—REGULATIONS FOR THE MANUFACTURE OF VIBRATION MOUNT AND SHOCK ABSORBERS**

(a) *Manufacturing regulations.* (1) No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations regardless of shore durometer reading.

(2) No crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations where the temperature of applications are minus 40° F. and above. Engine and instrument mounts for aircraft may be considered as falling in the applications functioning below minus 40° F. Therefore, crude rubber or natural latex may be consumed in the manufacture of plate,

sandwich, tubular or other types of shear mountings or insulations for aircraft engine and instrument mounts.

(3) No crude rubber or natural latex may be consumed in the manufacture of non-bonded torsional vibration dampers but bonded torsional vibration dampers may be manufactured from crude rubber or latex until further notice.

(4) No crude or natural latex may be consumed in the manufacture of cushioning for cameras, or cushioning or parts for radio and radar instruments and/or fire and flight control mechanisms.

(5) Crude rubber or latex may be used for bonding cements and tie-gum compounds but shall not exceed 1/32" thickness for any type of vibration mount or shock absorber.

**LIST 21—REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR**

(a) *General provisions.* (1) The manufacture of rubber footwear and canvas rubber soled shoes shall be limited to the items shown in paragraphs (b), (c), (d), and (e) of this List 21.

(2) All rubber footwear and canvas shoes shall be manufactured in black color compound only.

(3) Unlimited plus or minus variations from average weight of total crude rubber and latex per pair are permitted provided the over-all consumption of crude rubber and latex does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(4) Reclaimed rubber and GR-S synthetic rubber may be consumed in any amount required for the manufacture of these products.

	<i>Average weight of crude rubber and latex per pair maximum (in pounds)</i>
(b) <i>Essential health items.</i> (in pounds)	
Men's short boots—regulation height	0.08
Women's short boots—(molded heel)	.05
Men's lumber-over	.07
Men's 2-buckle perfection	.12
Men's 5-buckle rubber mid-weight arctic	.09
Men's 4-buckle rubber mid-weight arctic	.08
Men's 4-buckle rubber light-weight arctic	.06
Men's 4-buckle cloth farm-weight arctic	.05
Men's 4-buckle cloth light-weight arctic	.05
Boys' 3-buckle rubber light-weight arctic	.05
Youths' 3-buckle rubber light-weight arctic	.05
Women's 4-buckle rubber light-weight arctic (low heel)	.05
Women's 2-snap gaiter (rubber)	.025
Misses' 2-snap gaiter (rubber)	.025
Child's 2-snap gaiter (rubber)	.02
Men's 2-buckle work rubber	.05
Men's work rubber-storm & semi-storm	.05
Boys' storm work rubber	.04
Men's dress rubber-storm, over & clog (full lined)	.03
Men's clog (molded)	.018
Boys' dress rubber-storm & over (soft back only)	.025
Youths' storm rubbers	.025
Women's toe rubbers	.01
Growing girls' storm rubber	.02
Misses' storm rubber	.02
Women's over	.02
Child's storm rubber	.015
Women's 10½" over-the-shoe arctic	.025
Misses' 9" over-the-shoe arctic	.025
Child's 8" over-the-shoe arctic	.02

*Average weight of crude rubber and latex per pair maximum (in pounds)*

(c) <i>Severe occupational items.</i>	
Men's short boot (plain toe)	0.14
Men's short boot (steel toe)	.15
Men's storm king boot (plain toe)	.19
Men's storm king boot (steel toe)	.20
Men's storm king fireman's boot (plain toe)	.20
Men's hip boot and thigh (plain toe)	.24
Men's hip boot and thigh (steel toe)	.24
Men's 15" lace pac (plain toe)	.14
Men's 15" lace pac (steel toe)	.15
Men's 10" mine pac (plain toe)	.12
Men's 10" mine pac (steel toe)	.13
Men's work shoe (plain toe)	.09
Men's work shoe (steel toe)	.10
Women's work shoe (plain toe)	.09
Men's body boot	.33

(d) *Canvas rubber soled shoes of vulcanized construction.*

Men's training shoe—black duck upper	.12
Boys' training shoe—black duck upper	.12
Men's trimmed lace to toe bal. black or brown duck upper	.09
Boys' trimmed lace to toe bal. black or brown duck upper	.08
Youths' trimmed lace to toe bal. black or brown duck upper	.07
Little gents' lace to toe bal. black or brown duck upper (trimmed)	.06
Women's lace to toe gym bal. white duck upper	.07
Misses' lace to toe gym bal. white duck upper	.06
Men's untrimmed oxford white duck upper	.07
Boys' untrimmed cir. vamp oxford white duck upper	.07
Youths' untrimmed cir. vamp oxford white duck upper	.06
Women's untrimmed oxford white duck upper	.07
Misses' untrimmed cir. vamp oxford white duck upper	.06
Child's untrimmed cir. vamp oxford white duck upper	.05

(e) *Government order arsenal-ordnance order and munition plant order items.*

Men's hip boot BQD #113—16 April 1943	.38
Men's toplace short boot BQD #112—12 April 1943	.20
Men's lumber-over shell, Yukon type BQD #57F—7 May 1943	.18
Men's 4-bkle. rubber arctic (Army-Navy Spec.)	.19
Men's 5-bkle. rubber arctic with safety sole BQD #116—2 Sept. 1943	.17
Men's 4-bkle. cashmerette arctic BQD #56C—29 Jan. 1944	.14
Men's 4-bkle. extra large cashmerette arctic (Spec. pending)	.14
Women's 4-bkle. cashmerette arctic BQD #99B—20 Jan. 1944	.08
Women's 4-bkle. extra large cashmerette arctic (Spec. pending)	.08
Women's 2-snap gaiters (rubber) (EQD No. 70)	.06
Men's Jungle Boot BQD #79B—8 Nov. 1943	.10
Women's heavy storm rubber BQD 97A—1 Nov. 1943	.06
Men's short legging boot—conductive sole (Army Ord. Spec.)	.23
Men's short legging boot (Army Ord. Spec.)	.23
Men's powder-plant over-the-shoe boot	.22

*Average weight of crude rubber and latex per pair maximum (in pounds)*

(e) <i>Government order, etc.—Con.</i>	
Women's 10" pullover boot—conductive sole (Army Ord. Spec.)	0.10
Men's work shoe—conductive sole (Army Ord. Spec.)	.19
Men's work rubber—conductive sole (Army Ord. Spec.)	.14
Men's clog—conductive sole (Army Ord. Spec.)	.10
Men's industrial hip boot—shell construction	.42
Men's industrial hip boot—shell construction—steel toe	.43
Men's industrial short boot—shell construction	.25
Men's industrial short boot—shell construction—steel toe	.27
Aviators' winter flying boot (Aero. Spec. M380-B)	(1)
Men's flying boot (A6)	(1)
Men's flying boot (A9)	(1)
D-1 electrically heated flying boot insert (Used in A9 boot)	.10
Men's flying boot (A10)	.13
Pilots' shoes—rubber surface—mukluk type (A13)	.14
Pilots' shoes—canvas and rubber—mukluk type (A14)	.10
Men's tennis shoe with safety sole BQD #117—26 July 1943	.07
Men's hip boot, medium weight (Navy Spec.)	.38
Men's short boot, heavy weight (Navy Spec.)	.28
Men's storm rubber (Navy Spec.)	.07
Men's clog non-slip sole (Navy Spec. M449)	.06
Men's clog molded (Navy Spec.)	.03
Women's snap gaiter (rubber) (Navy Spec.)	.06
Men's gym shoes (Navy Spec.)	.07
Women's gym shoe (Navy Spec.)	.07
Men's training shoe (molded sole) (Navy Spec.)	.12
Men's electrically heated flying boot (Navy-Aero M456)	.13
Men's 5-bkle. sea arctic N-1 non-slip sole (rubber) (Navy Spec. 72A-3)	.17
Men's wading suit (Aero Spec.)	.66
Men's wading shoe (Aero Spec.)	.08
Men's wader overshoe—armpit height (Engineers Spec.) BQD #139	.65
Men's wader over-the-foot, waist height (Signal Corps Spec.)	.50
Men's 2-bkle. cloth arctic (Marine Spec.)	.14
Men's 2-bkle. perfection (diving suits and felt boots) (Merchant Marine Spec.)	.17
Men's sea boot—non-slip sole, Navy Spec. 32B-6	.36
Men's firemen's storm king boot Navy 72B2 revised 8-30-43	.59
Men's 5-bkle. rub. arctic (Navy) 72-A-4 shore arctic N2	.22

**LIST 22—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR TIRES AND TIRE CASINGS**

(a) *Applicability.* These regulations govern the manufacture of compounds for tires and tire casings. Other lists attached to Appendix II will govern the use of these compounds in the manufacture of finished products. These compounds need be used only when required by other regulations contained in lists attached to Appendix II. The variations permitted by this List 22 are allowed in the manufacture of finished products covered by other applicable lists unless expressly prohibited by such other lists.

(b) *Natural rubber compounds.* The composition of natural rubber compounds shall be governed by the regulations set forth in the following table:

Description of compound	Grade	Percent by volume		Restrictions
		Crude rubber	Total RHO	
Tread compounds	A	73.0	75.0	For Civilian orders only. For Gov't. orders only. For Civilian orders only. For Gov't. orders only. For Civilian orders only. For Gov't. orders only.
	B	57.5	65.0	
Fraction compounds	A	88.5	83.5	
	B	78.0	94.2	

(c) **Synthetic rubber compounds.** (1) No regulations are now designated for the manufacture of synthetic rubber compounds for tires and tire casings. (2) The identification of the various types of synthetic rubber is effected by designating each type by a letter and a color.

Letter	Color	Type of synthetic
S	Red	GR-S (Buna S).
M	Yellow	GR-M (Neoprene).
I	Light blue	GR-I (Butyl).

(d) **Synthetic tire constructions.** (1) The distribution of synthetic rubber in tires and tire casings is controlled by the following synthetic construction identification numbers, which indicate the proportion of synthetic rubber to crude rubber, and the placement of the synthetic rubber.

Synthetic construction identification numbers:  
S-3, S-4, S-5, etc.

(2) S-3 denotes 100% GR-S tread on a 100% GR-S carcass, except that:

(1) Crude rubber may be used throughout the tire at the manufacturer's discretion, but shall not exceed, by weight, the following percentage of the sum of the crude rubber, GR-S synthetic rubber and reclaimed rubber hydrocarbon contents:

Passenger and motorcycle	Percent
Truck	1.25
Airplane	2.00
Combat	5.00
All other	1.50

Individual sizes may exceed the indicated maximum percentage, provided that the average crude rubber content of all sizes of the same type of tire does not exceed the indicated maximum percentage.

(1) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(3) S-4 denotes approximately 90% GR-S and 10% crude rubber, distributed through-

out the tire at the manufacturer's discretion, except that:

(1) Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(2) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(4) S-5 denotes 100% GR-S tread on a natural rubber carcass, except that:

(1) Crude rubber may be used only in cements, in tread and side-wall splice gum strips and in the tire body, but only to the extent permitted by the "maximum content crude rubber" designated.

(2) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(5) S-6 denotes approximately 70% GR-S and 30% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

(1) Crude rubber may be used to the extent permitted by the "maximum content crude rubber" designated.

(2) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(6) S-7 denotes approximately 35% GR-S and 65% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

(1) Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(2) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

**LIST 23—REGULATIONS FOR THE MANUFACTURE OF TIRE AND TUBE REPAIR MATERIALS**

(a) **General provisions.** Only one grade of product may be manufactured in each item governed by this List 23, and that grade must be consistent with maintaining a quality adequate for the service for which the product is designed.

(b) **Manufacturing regulations.** The manufacture of tire and tube repair materials shall be limited to the items shown in this subdivision (b), subject to the compound regulations designated therefor.

- (1) Bulk tire repair materials:
  - (a) Tread repair stock (1/16" max. ga.)
  - (b) Repair cushion stock
  - (c) Cord repair friction (.047 max. ga.)
  - (d) Sq. woven fabric friction
  - (e) Cements (cold cure)
- (2) Cements (vulcanizing)
- (3) Cements (cold cure)

(2) Tire patches: 1

- (a) Uncured-vulcanizing type:
  - Body
  - Facing
  - Body
  - Body
  - Facing
  - (c) Temporary emergency-cold cure type (composite)
  - (d) Tire liners
  - (e) Nail hole plugs
- (3) Tube patches:
  - (a) Combination tube repair gum (cured back, uncured face)
  - (b) Tube repair gum (uncured)
  - (c) Hot patch gum (uncured)
  - (d) Truck tube valve repair patches (composite)
  - (e) Tube replacement valve facing
  - (f) Sectional bags

1 Crude rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

2 Maximum 1.15 pounds crude rubber per square yard.

3 Maximum of 80% crude rubber, by volume, of the sum of the total RHC plus synthetic rubber.

(c) **Restrictions.** (1) In items (2) (c), (3) (a), and (3) (d), different grades of compounds may be used in the cured and uncured portions of each, provided the total crude rubber content in the whole item does not exceed the percent represented by the compound grade specified.

(2) Repair kits containing any of the above materials, except garage kits, shall not contain more than .04 pound of combination tube repair gum, nor more than 1.5 cubic inches of any rubber cement.

(3) Garage kits containing any of the above materials shall contain either 1/2 pound, 1/2 pound or 1 pound of combination tube repair gum and not more than 1/2 pint of rubber cement.

**LIST 24—REGULATIONS FOR THE MANUFACTURE OF TIRES AND TIRE CASINGS (EXCEPT AIRPLANE AND BICYCLE TIRES)**

(a) **General provisions.** (1) The crude rubber content of any tire or tire casing governed by this List 24 shall not include processing losses or crude rubber used in curing bags.

(2) The use of rayon in the manufacture of tires and tire casings governed by this List 24 shall conform to the regulations set forth in List 32, Appendix II.

(6) When the cord used in any tire is made of rayon or is of a gauge less than .027 inch as measured by the current ASTM standard in effect, the "maximum content crude rub-

Description of item	Maximum percent, by volume, of crude rubber in compound	Restrictions
40.0	For Gov't. orders only.	
60.0	For Civilian orders only.	
60.0	For Gov't. orders only.	
60.0	For Civilian orders only.	
60.0	For Gov't. orders only.	
Max. .20 pound cruderubber per gallon.		
Min. .55 pound cruderubber per gallon.		

TABLE A—TRUCK AND BUS TIRES—continued

Size	Ply	Tread type	Compound designation		Maximum contents crude rubber in pounds	
			Civilian orders	Government orders	Civilian orders	Government orders
10.00-22	12	Mud-snow	S-6	S-6	18.15	19.30
24	12	Standard highway	S-6	S-6	19.30	19.30
11.00-18	10	Desert	S-6	B-B	19.00	43.50
18	10	Highway	S-6	S-6	19.00	19.30
20	12	do	S-5	S-5	39.75	20.00
20	12	Mud-snow	S-6	S-6	20.90	20.90
20	14	Highway	S-5	S-5	41.85	22.40
22	12	do	S-6	S-6	22.00	23.90
24	14	do	S-6	S-6	23.90	23.90
12.00-20	14	Mud-snow	S-6	S-6	24.50	25.20
24	14	Highway	S-6	S-6	27.00	28.70
20	16	do	S-6	S-6	28.00	32.00
24	16	Mud-snow	S-6	S-6	32.00	32.00
13.00-20	16	Highway	S-6	S-6	105.00	112.50
24	16	do	S-6	S-6	124.55	131.50
14.00-20	16	Mud-snow	S-6	S-6	141.00	148.05
20	20	Standard highway	S-5	S-5	15.60	17.10
24	20	do	S-5	S-5	21.05	24.85
7.50-15	12	Standard low plat. tr.	S-5	S-5	30.10	30.10
15	12	do	S-5	S-5	(1)	(1)
8.25-15	14	do	S-5	S-5	(1)	(1)
9.00-15	12	do	S-5	S-5	A friction	A friction
10.00-15	12	do	S-5	S-5		
10.00-15	14	do	S-5	S-5		
All	All	City bus mileage	S-6	S-6		
7.50 Down	All	Intercity bus mileage	S-6	S-6		
8.25 & 9.00	All	do	S-5	S-5		
10.00 up	All	do	AA	AA		

133% of total RHC plus synthetic rubber.

TABLE B—SPECIAL PURPOSE TIRES

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds	
			Civilian orders	Government orders	Civilian orders	Government orders
8.25-20	10	Earthmover	S-7	S-7	19.00	19.00
10.00-20	10	do	S-7	S-7	22.00	22.00
11.00-20	12	do	S-7	S-7	26.00	26.00
12.00-20	12	do	S-7	S-7	29.00	29.00
13.00-20	14	do	S-7	S-7	31.00	31.00
14.00-20	16	do	S-7	S-7	39.00	39.00
16.00-20	16	do	S-7	S-7	50.00	50.00
18.00-24	16	do	S-7	S-7	65.00	65.00
21.00-24	16	do	S-7	S-7	88.00	88.00
24.00-32	20	do	AA	AA	98.00	98.00
24.00-32	24	do	AA	AA		
32	30	do	AA	AA		

(1) Crude rubber is consumed only as follows:  
*Hard rubber base type.* Crude rubber shall be consumed only in cements and/or hard base and shall not exceed, by weight, ten percent of the sum of the crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents.  
*Tie-gum base (soft base) type.* Crude rubber shall be consumed only in cements and/or tie gum and shall not exceed, by weight, five percent of the sum of the crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents. Individual sizes may exceed the five percent maximum, provided that the average crude rubber content of all sizes does not exceed the five percent maximum.

(11) GR-S synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.  
 (12) The manufacture of tires and tire casings consuming more crude rubber than permitted by paragraph (b) (1) and (b) (2) of this List 24 shall be limited to the sizes, plies and tread types listed in this paragraph (b) (3), subject to the maximum crude rubber contents or compound grades designated therefor.

ber" permitted, if based on cotton construction, shall be reduced by 6 percent.  
 (7) Only one grade of tire may be manufactured in any size, ply and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tire is designed.  
 (8) Where "Mud-Snow" type tread is designated in this List 24, tires with either directional or non-directional (ND) tread designs may be manufactured.

(9) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.  
 (10) S-7 synthetic construction may be substituted for S-5 synthetic construction wherever S-5 is designated in this List 24, subject, for Government orders, to the approval of the procuring agency. The "maximum content crude rubber" designated for S-5 shall also apply to S-7.

(b) *Manufacturing regulations.* (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S-3 synthetic construction tires in List 23, Appendix II.  
 (2) Solid tires (except bogie, idler and support rollers), including cured-on solid tires, 4" x 1 1/2" up, may be manufactured, provided, That:

TABLE A—TRUCK AND BUS TIRES

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds	
			Civilian orders	Government orders	Civilian orders	Government orders
7.00-18	10	Standard highway	S-4	S-4	3.70	4.05
20/32 x 6	10	do	S-4	S-4	4.05	4.05
20/32 x 6	10	Mud-snow	S-4	S-4	4.05	4.05
24/36 x 6	10	Standard highway	S-4	S-4	4.60	4.60
7.50-16	6	do	S-6	S-6	6.70	6.70
16	6	Mud-snow	S-6	S-6	7.40	7.40
16	8	Standard highway	S-6	S-6	8.40	8.40
17	8	Mud-snow	S-6	S-6	8.90	8.90
17	8	Standard highway	S-6	S-6	9.40	9.40
7.50-20	8	do	S-6	S-6	9.40	9.40
20	8	Mud-snow	S-6	S-6	12.60	12.60
20/34 x 7	10	Standard highway	S-4	S-4	4.70	4.70
20/34 x 7	10	Mud-snow	S-4	S-4	4.70	4.70
24/38 x 7	10	Standard highway	S-4	S-4	5.35	5.35
8.25-18	10	do	S-6	S-6	10.85	10.85
20	10	do	S-6	S-6	21.00	21.00
20	10	Mud-snow	S-6	S-6	5.35	5.35
20	10	Standard highway	S-6	S-6	27.55	27.55
9.00-15	12	do	S-6	S-6	12.80	12.80
15	12	Mud-snow	S-6	S-6	13.55	13.55
15	12	Standard highway	S-6	S-6	27.30	27.30
20	12	do	S-6	S-6	6.20	6.20
20	12	Mud-snow	S-6	S-6	31.40	31.40
20/36 x 8	10	Standard highway	S-6	S-6	14.75	14.75
22	10	do	S-6	S-6	17.40	17.40
24/40 x 8	12	do	S-6	S-6	17.40	17.40
24/40 x 8	12	Mud-snow	S-6	S-6	15.55	15.55
10.00-18	12	Standard highway	S-6	S-6	34.55	34.55
20	12	do	S-6	S-6	17.10	17.10
20	12	Mud-snow	S-6	S-6	17.10	17.10
20/38 x 9	14	do	S-6	S-6	37.15	37.15
22	12	Standard highway	S-6	S-6	18.15	18.15

TABLE B—continued

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds			
			Civilian orders	Government orders	Civilian orders		Government orders	
					Rayon	Cotton	Rayon	Cotton
36.00-40	34	Earthmover	AA	AA				
8.25-20	12	Rock service and logger	AA	AA				
9.00-20	12	do	AA	AA				
10.00-20	14	do	AA	AA				
-22	14	do	AA	AA				
-24	14	do	AA	AA				
11.00-20	14	do	AA	AA				
-22	14	do	AA	AA				
-24	14	do	AA	AA				
12.00-24	16	Rock service	AA	AA				
13.00-24	16	do	AA	AA				
14.00-24	20	do	AA	AA				
16.00-24	20	do	AA	AA				
18.00-24	20	do	AA	AA				
21.00-24	20	do	AA	AA				
-24	24	do	AA	AA				
8.25-20	10	Logger	AA	AA				
9.00-20	10	do	AA	AA				
10.00-20	12	do	AA	AA				
-22	12	do	AA	AA				
-24	12	do	AA	AA				
11.00-20	12	do	AA	AA				
-22	12	do	AA	AA				
-24	12	do	AA	AA				
18.00-24	16	Mud-snow	AA	AA				
-24	20	do	AA	AA				
-40	20	do	AA	AA				
21.00-24	16	do	AA	AA				
-24	20	do	AA	AA				
-28	20	do	AA	AA				
24.00-32	24	do	AA	AA				
-32	36	do	AA	AA				
30.00-40	34	do	AA	AA				
7.00-20	10	Ribbed (flat base)	S-4	S-4	3.80		3.80	
-24	10	do	S-4	S-4	4.40		4.40	
7.50-24	10	do	S-4	S-4	5.10		5.10	
9.00-24	10	do	S-4	S-4	7.50		7.50	
-24	10	Traction (flat base)	S-4	S-4	6.80		6.80	
-24	10	Traction (drop center)	S-4	S-4	6.80		6.80	
10.00-24	8	do	S-4	S-4	6.80		6.80	
11.00-24	8	do	S-4	S-4	7.10		7.10	
12.00-24	8	do	S-4	S-4	8.10		8.10	
13.00-20	10	do	S-4	S-4	9.60		9.60	
-24	8	do	S-4	S-4	10.10		10.10	
14.00-20	12	do	S-4	S-4	12.30		12.30	
6.00-16		Combat (U. S.)		S-3				(1)
8.00-16		do		S-6			12.25	
8.25-20		do		S-6			24.50	
9.00-20		do		S-6			28.20	
14.00-20		do		AA			197.50	

<sup>1</sup> Crude rubber may be consumed up to 5%, by weight, of the sum of crude rubber, synthetic rubber and reclaimed rubber hydrocarbon content.

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS

Description of product	Maximum percent, by weight, of total hydrocarbon which may be crude rubber
Bogie wheel tires for light tanks, size 20 x 6 x 16	8
Idlers for light tanks, size 30 x 6 x 26	8
Bogie wheel tires for light tank, T-24, size 25½ x 4½	As needed.
Support rollers for light tank, T-24, size 11 x 3	8
Bogie wheel tires for medium tanks, size 20 x 9 x 16	As needed.
Bogie wheel tires for medium tanks (Horizontal volute Suspension), size 20½ x 6¼	As needed.
Support rollers for medium tanks (Horizontal volute Suspension), size 13½ x 3¾ and 10 x 4¾	8
Idlers for medium tanks (Horizontal volute Suspension), size 22 x 6¼	8
Bogie wheel tires for medium tank, T26E1, size 26 x 6	As needed.
Support rollers for medium tank, T26E1, size 14 x 3	6
Idlers for medium tank, T26E1, size 26 x 6	As needed.
Bogie wheel tires for 76 mm. gun motor carriage, M-18 and tractor T41E1, size 26 x 4¼	8
Support roller tires for 76 mm. gun motor carriage, M-18 and tractor T41E1, size 10 x 3¼	8

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS—continued

Description of product	Maximum percent, by weight, of total hydrocarbon which may be crude rubber
Bogie wheels for half-tracks, size 12 x 4½	8
Bogie wheel tires for carrier, Universal, T-16, 20 x 3	As needed.
Idlers for carrier, Universal, T-16, size 19 x 3	As needed.
Bogie wheel tires for carrier, cargo, M29 and M-29C size 8 x 1¼	8
Bogie wheel tires for tractor, 7 ton, M2, size 14 x 4½	8
Support rollers for tractor, 7 ton, M2, size 7 x 2¼	8
Bogie wheel tires for tractor, 13 ton, M5, size 20 x 6 x 16	8
Support rollers for tractor, 13 ton, M5, size 9 x 6	8
Bogie wheel tires for tractor, 18 ton, M4, size 20 x 9 x 16	8
Bogie wheel tires for tractor, 38 ton, M6, size 20 x 6 x 16	As needed.
Bogie wheel tires and support rollers for tractor, snow, M7, size 8 x 1¼	8
Bogie wheel tires for LVT, size 12 x 7¼	As needed.
Idlers for LVT, size 7 x 7¼	As needed.
Support rollers for LVT, size 7¼ x 1¼	As needed.
Support idler for LVT, size 24 x 7¼	As needed.
All other	As needed.

(c) Branding of tires. (1) All natural rubber tires or tire casings manufactured to fill Civilian orders shall bear, on the serial side and near the serial number, a brand with the words "War Tire" and the letters designated under Compound Designation. Letters used to brand tires of a cross-section of 6.50 inches or more shall be at least one-fourth inch high, while those used to brand smaller tires shall be at least one-eighth inch high. This "War Tire" brand may (but need not) be applied to natural rubber tires or tire casings manufactured to fill Government orders, at the discretion of the manufacturer.

(2) All synthetic rubber tires or tire casings manufactured to fill either Civilian or Government orders shall have a colored dot, either circular or rectangular (with or without rounded corners or ends) and with an average effective dimension of at least one inch, vulcanized on both sides of the tire, the appropriate color to be determined from subdivision (c) (2) of said List 22. In addition, all synthetic rubber pneumatic tires or tire casings shall bear, on both sides of the tire and in characters at least five-eighths inch high, a brand showing the appropriate synthetic construction identification. The colored dot and the brand shall be permanent and may be superimposed if desired. The colored dot and synthetic construction identification may be smaller than the designated minimum on sizes of tires for which the designated minimum is unreasonably large.

(d) Tolerances. (1) On those sizes of natural rubber tires, in this List 24, for which no "maximum content crude rubber" is designated, but for which friction and tread compound grades are designated, a manufacturer can calculate the maximum amount of crude rubber and total RHC which may be used in the manufacture of a tire or tire casing of any such size. Within the maximum amounts thus calculated, a manufacturer may, at his discretion, shift the amounts between friction and tread.

(2) On those sizes, in this List 24, for which no "maximum content crude rubber" is designated, a manufacturer shall have, in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

(3) On those sizes, in this List 24, for which no "maximum content crude rubber" is designated but for which friction and tread compound grades are designated, the tolerance set forth in said List 22 shall apply.

(e) Definitions. (1) Where used in this List 24, "Standard Highway" as applied to tread type means regular skid-depth, "100" level, on-the-road type.

(2) Where used in this List 24, "Mud-Snow", as applied to tread type means extra-traction, on-and-off-the-road type.

LIST 25—REGULATIONS FOR THE MANUFACTURE OF TIRE TUBES (EXCEPT AIRPLANE AND BICYCLE TIRE TUBES)

(a) General provisions. (1) The crude rubber content of any tube governed by this List 25 shall not include processing losses or crude rubber used in valves.

(2) Only one grade of tube may be manufactured in any size and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tube is designed.

(3) The restrictions of this List 25 shall not apply to tubes for city and intercity bus mileage contract tires of cross-sections 10.00 and larger.

(b) Manufacturing regulations. (1) Tubes of any size and type may be manufactured to fill both Government and Civilian orders (subject, for Government orders, to the approval of the procuring agency) Provided, That:

(1) Crude rubber and latex may be consumed only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(1) GR-S and reclaimed rubber may be used in any amounts and in any proportion desired.

(2) The manufacture of tubes consuming more crude rubber than permitted by subdivision (b) (1) of this List 25 shall be limited to the sizes and types listed in Tables A and B, subject to the maximum tube volumes and crude rubber contents designated therefor.

(3) The manufacture of tubes from GR-I shall be limited to the sizes and types listed in Tables A, B, C and D. No restriction is placed on maximum tube volumes or maximum content GR-I.

TABLE A—GOVERNMENT AND CIVILIAN ORDERS

Size	Type	Maximum tube volume in cubic inches	Maximum content crude rubber in pounds
1" T -20	Truck and bus	500	13.20
-24	do.	568	15.00
1 1/2" T -20	do.	635	16.75
-24	do.	718	18.95
1 3/4" 00-20	do.	827.5	21.95
-24	do.	925	24.50
1 7/8" 00-24	do.	1,100	29.15
-40	do.	1,520	40.30
2" 00-24	do.	1,460	38.70
-28	do.	1,590	42.15
2 1/4" 00-32	do.	2,035	53.95
3" 00-40	do.	3,460	91.70
3 1/2" 00-40	do.	4,515	119.65

TABLE B—GOVERNMENT ORDERS ONLY

Size	Typ.	Maximum tube volume in cubic inches	Maximum content crude rubber in pounds
11.00-18	Truck and bus (desert).	348	9.30
14.00-20	do.	595	15.75
14.00-20	Combat	485	12.85
14.00-24	do.	550	14.60

TABLE D—GOVERNMENT AND CIVILIAN ORDERS

Size	Type
6.00-16	Passenger.
-16	Truck.
6.50-16	Do.
7.00-15	Do.
-16	Do.
7.50-15	Do.
-16	Do.
-17	Do.
-18	Do.
-20	Do.
-24	Do.
8.25-16	Do.
-18	Do.
-20	Do.
9.00-16	Do.
-18	Do.
-20	Do.
-22	Do.
-24	Do.
6.00-16	Combat (U. S.)
-20	Do.
8.00-16	Do.
8.25-20	Do.
9.00-20	Do.
7.50-15	Low Plat. Trailer.
8.25-15	Do.
9.00-15	Do.

TABLE D—GOVERNMENT AND CIVILIAN ORDERS

Size	Type
LT-15	Truck and bus.
-18	Do.
-20	Do.
-22	Do.
-24	Do.
MT-18	Do.
-20	Do.
-22	Do.
-24	Do.
CT 20	Do.
-22	Do.
-24	Do.

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

(d) *Tolerances.* On those sizes in this List 26, for which a "maximum tube volume" and a "maximum content crude rubber" is designated, a manufacturer shall have a tolerance on the tube volume and the content of crude rubber limited only by the maximums designated therefor.

LIST 26—REGULATIONS FOR THE MANUFACTURE OF TIRE FLAPS

(a) *Manufacturing regulations.* The manufacture of flaps for all sizes and types of tires to fill both Government and Civilian orders is subject only to the following regulations:

(1) Crude rubber may be consumed only for splicing cements and for identification inks or cements.

(2) GR-S synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.

(b) *Marking of synthetic flaps.* All flaps containing synthetic rubber shall have a permanent circumferential colored stripe, at least three-eighths inch wide applied on either side of the flap. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

LIST 27—REGULATIONS FOR THE MANUFACTURE OF INSULATED WIRE AND CABLE

(a) *Compounds.* (1) The crude rubber content of compounds referred to in this List 27 shall conform to the regulations designated in the table below.

(2) In addition to the crude rubber designated, GR-S synthetic rubber and reclaimed rubber may be used in any amounts.

Use	Compound grade	Maximum crude rubber by volume
Insulation	W-AAA	98
	W-AA	70
	W-A	55
	W-B	40

(b) *Manufacturing regulations.* (1) Insulated wire and cable of any type may be manufactured, *Provided, That,*

(1) No crude rubber or latex may be used (except as permitted by paragraph (b) (2) of this List 27).

(1) GR-S rubber and reclaimed rubber may be used in any amounts and in any proportions desired.

(2) The manufacture of insulated wire and cable consuming crude rubber and latex shall be limited to the types shown in this paragraph (b) (2). However, the use of crude rubber and latex is limited to insulation compounds only and is subject to the compound restrictions designated.

WIRE AND CABLE (WITH CRUDE RUBBER OR LATEX INSULATION)

(i) U. S. Signal Corps

Item	Specification	Type	Insulation compound
Cable	71-470	WC-513	W-A.1
Do.	71-983	WC-534, WC-535	W-AAA.1
Cordage	71-471	CO-98	W-A.1
Do.	71-1105	CO-119-B	W-A.
Do.	71-817-B	CO-120	W-A.
Do.	71-818-C	CO-121	W-A.
Do.	71-886-A	CO-122-A and B	W-A.
Do.	71-827-A	CO-127	W-A.
Do.	71-700	CO-130 to CO-139	W-A.1
Do.	71-684	CO-144, CO-145	W-A.
Do.	71-935	CO-146	W-A.
Do.	71-817-B	CO-150	W-A.
Do.	71-8184-A	CO-159	W-A.
Do.	71-471	CO-208, CO-209	W-A.1
Do.	71-880	CO-219	W-AAA.1
Do.	71-1019	CO-238	W-A.
Do.	71-571	CD-298, CD-333, CD-334, CD-427, CD-785	W-A.1
Tinsel cord	71-571		W-A.

(ii) Navy Department, Bureau of Ships

Shlpboard cables	15-C-1 INT	CP, OP, CS, OS	W-AAA.1
------------------	------------	----------------	---------

(iii) U. S. Army, Corps of Engineers

Searchlight Cable	T-1532 (c)		W-AAA.1
Do.	T-1555 (c)		W-AAA.1

(iv) U. S. Army Ordnance (Frankford Arsenal)

Portable cable	FXS-238		W-AAA.1
Do.	FXS-692		W-AAA.1

(v) Department of Commerce

R. F. transmission cable	CAA-31		W-AA.
Do.	CAA-84		W-AA.
Do.	CAA-161		W-AA.
Do.	CAA-683		W-AA.
Do.	1751		W-AA.
Do.	1854		W-AA.

1 Permitted only when insulation wall is 0.025" or less in thickness.

2 W-AAA may be used for latex dip process.

3 Permitted only when insulation wall is 0.020" or less in thickness.

TABLE A—AIRPLANE TIRES—continued

Size	Ply	Type	Maximum content crude rubber in pounds	
			S-6	S-4
65	18	Smooth contour landing	58.00	25.00
65	22	Smooth contour auxiliary	60.00	26.00
8.00	4	do	4.5	.25
10.00	6	do	1.35	.85
12.50	6	do	1.75	.85
14.50	6	do	1.90	.75
17.00	8	do	1.60	.90
19.00	8	do	2.00	1.00
23.00	8	do	3.10	1.65
26.00	10	do	4.75	2.40
30.00	10	do	6.00	2.65
26 x 6	8	High Pressure Landing	3.50	1.50
26 x 6	8	High Pressure Landing (Channel)	4.15	1.80
30 x 7	8	High Pressure Landing	4.20	1.95
32 x 8	8	do	5.50	2.70
34 x 9	10	do	7.30	3.30
10 x 3	14	High pressure auxiliary	3.00	2.00
10 1/2 x 4	6	do	.00	.35
12 1/2 x 4 1/2	4	do	.00	.45
14 1/2 x 5	8	do	1.35	.70
28 x 6.6	8	High pressure special duty	4.15	1.85
30 x 7.7	8	do	6.20	2.80
32 x 8.8	8	do	7.50	3.40
34 x 9.9	10	do	9.05	4.10
36 x 10	10	do	10.80	4.60
38 x 10	12	do	12.80	5.80
40 x 11	12	do	15.00	6.00
42 x 11	14	do	16.00	8.70
44 x 12	14	do	19.30	8.70
46 x 13	16	do	23.90	11.65
6.00-6	4	Low pressure landing	1.10	.60
6.50-10	6	do	1.90	.90
7.00-4	4	do	2.20	1.20
7.50-10	6	do	2.40	1.10
8.00-4	4	do	2.65	1.70
8.50-10	6	do	2.70	1.35
8.90-12.50	4	do	11.70	6.30
15.00-16	10	do	12.90	6.80
15.50-16	12	do	14.00	6.30
16.00-16	12	do	18.50	7.80
17.00-16	12	do	16.80	7.90
18.00-16	12	do	17.00	7.30
19.00-23	16	do	20.65	9.20
20.00-18	12	do	17.00	7.30
20.00-18	12	do	32.50	14.00
5.00-4	4	Low pressure auxiliary	20.00	9.00
7.00-5	4	do	.75	.65
8.00-5	6	do	1.90	.65
9.00-6	8	do	4.00	1.00
10.00-7	10	do	4.32	2.80
29 x 13-5	16	Extra low pressure landing	4.70	2.00
30 x 13-6	16	do	6.00	2.60
35 x 15-6	10	do	7.30	3.30
45 x 20-10	6	do	7.30	3.30
12x5-3	4	Extra low pressure auxiliary	18.50	7.30
16x7-3	4	do	.65	.35
18x8-3	4	do	.65	.35
16x5.80-8.50	6	Low profile auxiliary	1.90	.60
19x6.80-10	6	do	1.70	.75
22x7.25-11.50	6	do	1.70	.75
26 x 9.00-13.00	8	do	2.15	1.20
30 x 10.50-15	8	do	3.40	1.55
33 x 11.50-16.50	8	do	3.35	2.40
36 x 12.50-18	10	do	6.00	2.70
9.50-12	6	Low pressure beaching gear	9.55	4.30
11.00-12	8	do	3.40	1.75
12.50-14	8	do	4.80	2.90
All	10	ice grip	8.50	4.75
6 x 2 1/2	(1)	Solid auxiliary	(*)	(*)
6 x 3 1/2	(1)	do	(*)	(*)
8 1/2 x 4	(1)	do	(*)	(*)
10 x 4	(1)	do	(*)	(*)

(\*) These sizes inactive for new design.  
 (1) Carcass (friction) for ice grip tires shall be identical to those used in like sizes for regular tires in above table. Crude rubber and synthetic rubber may be used in treads without limitation.

(3) Rubber insulating tape. Compounds for rubber insulating tape shall conform to regulations set forth in Appendix I, except that compounds designed for tape for the following uses may be manufactured in W-AA quality.

- (i) For operating voltages in excess of 3,000 volts.
- (ii) For cables to be used in wet locations.
- (iii) For operation at conductor temperatures of 70° C. or higher.
- (iv) For cable manufactured for Armed Forces.
- (4) Cable tape. No crude rubber or latex may be consumed in the manufacture of

TABLE A

Type	Molded	Latex dipped	Crude rubber dipped	Hand made
Minimum tensile strength, per square inch	2,000	2,000	2,000	1,500
Ultimate elongation, in percent	750	750	750	550
Reclaimed rubber, in percent	None	None	None	None
Maximum crude rubber and/or latex by volume, in percent	98	98	98	98
Maximum rubber hydrocarbon by volume, in percent	98	98	98	98
The total weight in pounds of crude rubber and/or latex in each finished nipple shall not exceed	0.0105	0.007	0.007	0.007
Original tensile strength and ultimate elongation retained in percent after 96 hours continuous boiling in water and 48 hours after removal	60	60	40	50

(2) Compounds may contain ground scrap rubber generated by the manufacturer in the production of infants' feeding nipples.

(c) Lambs' nipples. The total weight of crude rubber and/or latex in each finished nipple shall not exceed 0.0105 pounds.

LIST 29—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRE AND TIRE CASINGS

(a) General provisions. (1) The crude rubber content of any tire or tire casing governed by this List 29 shall not include processing losses, crude rubber used in curing bags or latex used in the cord treatment. Latex, however, shall be consumed only in the treatment of nylon cord.

(2) On those sizes of synthetic rubber tires for which no "maximum content crude rubber" is designated, the tire construction shall be of the synthetic type designated and the compounds thereof shall conform to the appropriate regulations set forth in List 22, Appendix II.

(3) S-7 synthetic construction may be substituted for S-5 synthetic construction wherever S-5 is designated in this List 29, subject, for Government orders, to the approval of the procuring agency. The "maximum content crude rubber" designated for S-5 shall also apply to S-7.

(4) The regulations contained in Army-Navy aeronautical Specification AN-C-55b (Casings: Aircraft Landing, Auxiliary and Beaching Tire), as amended, shall govern the following:

(i) The type of tread design used on tires listed in this List 29.

(ii) The use of rayon in tires listed in this List 29 (see also List 32 attached to this Appendix II).

(5) The "maximum content crude rubber" is based on rayon or nylon cord construction.

(b) Manufacturing regulations. The manufacture of airplane tires and tire casings shall be limited to the sizes, plies and tread types listed in this paragraph (b) (subject to the maximum crude rubber contents or compounds grades designated therefor).

TABLE A—AIRPLANE TIRES

Size	Ply	Type	Maximum content crude rubber in pounds	
			S-6	S-4
27	8	Smooth contour landing	1.80	1.80
31	8	do	4.20	2.30
33	8	do	4.75	2.90
36	10	do	6.00	3.90
39	10	do	8.65	5.65
41	10	do	10.25	6.80
47	12	do	12.50	8.90
50	14	do	14.75	10.60
50	14	do	24.00	13.70
50	14	do	32.00	17.70



(c) **Branding of tires.** All synthetic rubber airplane tires or tire casings shall have a brand permanently vulcanized on both sides of the tire, consisting of the appropriate synthetic construction identification, in characters at least three-eighths inch high, superimposed upon a rectangular colored medallion (with or without rounded corners or ends) at least five-eighths inch wide and one and one-fourth inches long, the appropriate color to be determined from paragraph (c) (2) of said List 22. When a brand with dimensions larger than the designated minimums is used, its dimensions shall be in the same relative proportions as the designated minimums.

(d) **Tolerances.** On those sizes in this List 29 for which a "maximum content crude rubber" is designated, a manufacturer shall have in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

**LIST 30—REGULATIONS FOR THE MANUFACTURE OF RETREADING MATERIALS INCLUDING CAMELBACK (WING-DIE), CAPPING STOCK (BEVEL-DIE), LUG STOCK, BASE STOCK, PADDING STOCK, STRIPPING STOCK, FILLER STRIP AND FULL CIRCLE CURING TUBES.**

(a) **General provisions.** (1) Crude rubber may be consumed in cements for application of cushion gum and in inks or cements for identification purposes.

(b) **Manufacturing regulations.** (1) The manufacture of retreading materials to fill both Government and civilian orders shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and cushion gum for application by the manufacturer to camelback, capping stock, lug stock and base stock and full circle curing tubes.

(2) The compounds used in manufacturing the items permitted by paragraph (b) (1) of this List 30 shall conform to the regulations shown in the following table:

RETREADING MATERIALS

Description of product	Percent by volume in compound					Restrictions
	Crude rubber	GR-S	Total new rubber		Total RHC plus syn. rubber	
			Max.	Min.		
'A' Camelback, capping stock, lug stock and base stock. <sup>1</sup>	0.0	65.0	-----	65.0	70.0	No restrictions on use for treading purposes.
'C' Camelback, capping stock, lug stock and base stock. <sup>1</sup>	0.0	45.0	50.0	45.0	60.0	No restrictions on use for treading purposes.
'F' Camelback and capping stock. <sup>2,3</sup>	0.0	0.0	0.0	0.0	5.0	Passenger only. Max. thickness 1/8". Max. width 1".
Padding stock.....	40.0	-----	-----	-----	-----	Max. thickness 1/8", 2 1/2" and 3 1/4" widths only.
Stripping stock.....	30.0	-----	-----	-----	-----	Crude rubber permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements. Synthetic curing tubes shall be marked in accordance with List 25, Para. (c).
Filler strip.....	30.0	-----	-----	-----	-----	
Full circle curing tubes.....	0.0	-----	-----	-----	-----	

<sup>1</sup> Crude rubber may be consumed in cushion gum to be applied to Grades 'A' and 'C' treading materials, but the crude rubber so consumed shall not exceed, by weight, 2.0 percent of the total weight of treading material.  
<sup>2</sup> Crude rubber may be consumed in cushion gum to be applied to Grade 'F' camelback or capping stock, but the crude rubber so consumed shall not exceed, by weight, 1.6 percent of the total weight of camelback.  
<sup>3</sup> 'F' Grade camelback and capping stock shall not be manufactured in die sizes with crown widths wider than 5"

**LIST 31—REGULATIONS FOR THE MANUFACTURE OF TANK BLOCKS, TREADS, AND BAND TRACKS**

(a) **Manufacturing regulations.** The manufacture of tank blocks, treads and band tracks is subject only to the following regulations:

- (1) The use of crude rubber shall conform to the regulations shown in Table A.
- (2) GR-S synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportions desired.

TABLE A—TANK BLOCKS, TREADS AND BAND TRACKS

Description of product:	Maximum percent, by weight, of total hydrocarbon which may be crude rubber
Band Tracks, Tractor, M-2....	28.
Band Tracks, Tractor, M-7....	50.
Band Tracks, Carrier, Cargo, M-29 and M-29C.....	50.
Band Tracks, Half-Track Vehicles.....	40.
Light Tank Track Blocks....	8.
Medium Tank Track Blocks; Smooth Blocks T-51.....	8.
Chevron Blocks T-48.....	As required.
Tank Track Pin Bushings and Links.....	As required.
All Other.....	As required.

**LIST 32—REGULATIONS FOR THE USE OF HIGH TENACITY RAYON CORD**

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

**Order of preference:**

1. Airplane tires.
2. Self-sealing fuel cells.
3. Bullet-sealing hose.
4. Combat (U. S.) tires including only cross-sections 8.00 and larger.
5. Mileage contract bus tires:

(a) Intercity bus tires of cross-section 9.00 and smaller in S-3, S-4, S-5, S-6 and S-7 synthetic constructions only.

(b) Intercity bus tires of cross-sections 10.00 and larger in any crude rubber or synthetic rubber constructions.

(c) City bus tires in S-3, S-4, S-5, S-6 and S-7 synthetic constructions only.

6. Synthetic rubber truck and bus tires, including only:

Tread Types: Standard low Platform Trailer.

Sizes: 7.50 and up, 10 plies and more. Constructions: S-3, S-4, S-5, S-6 and S-7.

Orders: Government and Civilian.

**Order of preference:** **Type of product**

7. Truck and bus tires, including only:  
Tread Types: Standard Highway and Mud-Snow.

Sizes: 14.00-20-24, 20 plies.  
Constructions: Any.  
Orders: Government only.

8. Synthetic rubber truck and bus tires, including only:

Tread Types: Standard Highway, Mud-Snow.

Sizes: 8.25 through 10.00, 10 plies and more.  
Constructions: S-4 and S-6.

Orders: Government and Civilian.

9. Truck and bus tires, including only:

Tread Types: Standard Highway:

Sizes: 8.25-20, 10 and 12 plies.  
9.00-20, 10 plies.  
9.00-20/36x8, 12 plies.  
10.00-20-22, 12 plies.  
11.00-20-22, 12 plies.

Constructions: S-4, S-5, S-6 and S-7.  
Orders: Civilian only.

10. Synthetic truck and bus tires including only:

Tread Types: Standard Highway, Mud-Snow.

Sizes: 11.00 and up, 12 plies and more.  
Constructions: S-4 and S-6.

Orders: Government and Civilian.

11. Synthetic special purpose tires including:

Tread Types: Rock Service, Logger, Earthmover, and 18.00 and up Mud-Snow.

Sizes: All.  
Constructions: S-4, S-5, S-6 and S-7.

Orders: Government and Civilian.

12. Synthetic truck and bus tires including only:

Tread Types: Standard Highway, Mud-Snow.

Sizes: 7.00 and 7.50, 10 plies.  
Construction: S-3 and S-4.

Orders: Government and Civilian.

13. Tire repair materials (to be made only from scrap rayon cord friction material resulting from the manufacture of products listed above).

(b) All available rayon for a given allocation period will be allocated in accordance with the order of preference in the above usage pattern, full allocations being made for total industry requirements for the first group before any allocations are made for the second group, and so on down the list until the entire supply of rayon available for that period has been allocated.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

**LIST 33—REGULATIONS FOR THE MANUFACTURE OF TIRE TUBE VALVES (EXCEPT BICYCLE TIRE TUBE VALVES)**

(a) **Manufacturing regulations.** The manufacture of tire tube valves (excepting bicycle tire tube valves) of all sizes and types is subject only to the following regulations:

(1) The use of crude rubber or latex in the manufacture of tire tube valves shall conform to the regulations shown in Table A.

(2) GR-I, GR-S and reclaimed rubber may be used in any amounts and proportions desired.

TABLE A

Size	Type	Maximum percent crude rubber, by volume, of total RHC plus synthetic rubber
TR-13	All Types	0
TR-14	do	0
TR-15	All Types (except Airplane)	0
TR-25	All Types (except Airplane)	0
TR-35	All Types (except Airplane)	0
TR-75	Truck	0
TR-76	do	0
TR-78	do	0
TR-79	do	0
TR-175	do	0
TR-177	do	0
TR-179	do	0
TR-215	Tractor	50
TR-50	Hand Bendable	As required.
TR-150	do	Do.
TR-12	Airplane	Do.
TR-15	do	Do.
TR-20	do	Do.
TR-25	do	Do.
TR-35	do	Do.
TR-350	do	Do.
Miscellaneous	do	Do.

LIST 34—REGULATIONS FOR THE MANUFACTURE OF BICYCLE TIRES AND TUBES

(a) *Manufacturing regulations.* (1) The manufacture of bicycle tires (clincher, wire-edge or single tube) and tubes, including rim strips, valves, cots, washers and curing bags, to fill both Government and Civilian orders, is subject only to the following regulations:

(1) No crude rubber may be consumed for any purpose.

(1) GR-S synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.

(b) *Marking of synthetic tires and tubes.* (1) All tires containing synthetic rubber shall have a square or circular colored dot with a minimum dimension of at least three-eighths inch, permanently vulcanized on one side of the tire, the appropriate color to be determined from paragraph (c) (2) of List 22, Appendix II.

(2) All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least one-eighth inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

[F. R. Doc. 44-9660; Filed, July 1, 1944; 11:32 a. m.]

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

[Rubber Order R-1, Appendix III, as Amended July 1, 1944]

Rubber Order R-1, Appendix III, is hereby amended in its entirety to read as follows:

*Introductory*

Appendix III to Rubber Order R-1 as amended is divided into two parts. Part A contains regulations applicable to the distribution or use of end products.

Part B contains special or temporary manufacturing regulations which for the most part involve the conversion of products from crude rubber to synthetics. Part B manufacturing regulations govern in case of inconsistency with other provisions of Rubber Order R-1.

Appendix III will be reissued from time to time for the purpose of deleting or revising special or temporary regulations.

**A. End Product Regulations**

§ 4600.30 *Acquisition of tires and tubes for original equipment.* In order to obtain tires and tubes for original equipment, a manufacturer must certify his purchase order in substantially the following form signed by an authorized official unless the tires are subject to the Tire Allotment Plan (Appendix IV of this order), in which case the tires may be obtained only under Appendix IV:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the tires listed on the attached purchase order are required by him for mounting on original equipment and that the deliveries specified will not result at any time in an inventory exceeding 30 days' supply based upon his total authorized monthly production.

-----  
Authorized official.

Use of the above certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more tires and tubes (including inventory) than are required for the particular manufacturer's production of vehicles or equipment during the 30-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

§ 4600.31 *Acquisition of industrial type tires and tubes and solid tires for replacement purposes.* (a) No person shall deliver or accept delivery of any pneumatic tire described in paragraph (b) below for replacement on any passenger automobile, motorcycle, bus, farm implement, farm tractor or commercial motor vehicle except in accordance with OPA Ration Order 1A. The following certification procedure is applicable only to new pneumatic tires and tubes of the sizes and types described below for replacement on other types of vehicles and equipment and to any industrial or highway solid tire for replacement purposes regardless of the type of vehicle or equipment.

For example, a person who wishes to replace a straight side pneumatic tire in size 4.00-12 on a passenger car or small delivery truck, may do so only under the ration order. On the other hand, a person who requires the same tire for replacement on material handling equipment such as an industrial power truck uses the certification procedure.

Replacement tires or tubes of the following types are subject to the provisions

of the ration order, even though the tires or tubes are required for industrial equipment: passenger, motorcycle, truck-bus and special purpose, or farm tractor-implement.

(b) *Certification of purchase orders.* No person shall deliver any tires or tubes for replacement purposes (except as otherwise provided in OPA Ration Order 1A) in the following classifications:

(1) Any straight side pneumatic tire designed primarily for industrial use up to and including size 4.50-12 and the following sizes: 6.00-9, 7.50-10, 7.50-15 (4-ply, smooth tread only) and 9.00-10;

(2) Any single tube pneumatic tire designed primarily for industrial use;

(3) Any industrial or highway solid tire;

Unless the person acquiring the same shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to-----  
----- (insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R-1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification and do not include any pneumatic tires or tubes for any passenger automobile, motorcycle, bus, farm implement, farm tractor, or commercial motor vehicle.

-----  
Date  
-----  
Name of Purchaser  
-----  
Authorized Official

Definitions of the vehicles and equipment for which replacement tires or tubes may not be obtained by certification are set forth in OPA Ration Order 1A.

(c) *Preference ratings.* Tires and tubes which are subject to the foregoing certification procedure may be produced or delivered to fill civilian orders for replacement purposes (identified by certification) without regard to preference ratings. Any rating purporting to be applied or extended to any such tires or tubes for replacement purposes shall be void and no person shall give any effect to it except in filling Government orders.

§ 4600.32 *Lifesaving suits.* No person shall deliver or accept delivery of any lifesaving suit except for use on board an ocean or coastwise cargo or tank vessel of over 1,000 gross tons, and then only in accordance with regulations of the United States Coast Guard.

This section does not apply, however, to deliveries made to or for the account of the United States Army, Navy, Coast Guard or any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). In addition, dealers may acquire lifesaving suits for resale under this section.

"Lifesaving suit" means any suit approved by the United States Coast Guard, made in whole or in part of rubber or

synthetic rubber, designed for use with an approved life preserver and intended for rescuing or preserving the lives of seamen.

§ 4600.33 *Crude rubber or latex gloves.* No person shall manufacture light weight gloves from crude rubber or natural latex except for sale to resellers or to institutions for use by surgeons. No reseller shall sell any such gloves acquired after July 1, 1944 except to institutions for use by surgeons under orders rated under CMP Regulation 5-A.

Use of the certification provided in CMP Regulation 5-A constitutes a representation by the institution to its supplier that it requires light weight gloves manufactured from crude rubber or natural latex for use by surgeons.

"Firsts" in resellers' inventories as of July 1, 1944, "seconds", and "rejects", however, may be sold for any professional, industrial, commercial, educational or laboratory use under the certification procedure provided in § 4600.34 for light weight synthetic rubber gloves.

The restrictions of this section shall not apply to U. S. Army and Navy orders.

§ 4600.34 *Miscellaneous products.* No person shall deliver any of the following listed products to fill civilian orders unless the purchaser certifies to his supplier in substantially the following form:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the products purchased by him are required for a permitted use specified in Rubber Order R-1, in connection with his business or profession (or if reseller, substitute the following clause—that the products purchased by him will be sold only in accordance with Rubber Order R-1 as amended).

Purchaser or authorized official.

This section does not apply to Government orders.

Product description	Permitted uses
Any synthetic rubber glove less than 12" in length and with a customary gauge of less than 0.026 inches including rubberized fabric gloves, net-lined gloves (except hand made gloves of calendered stock and electricians' gloves). Also "seconds" or "rejects" including those manufactured from crude rubber or natural latex.	For any professional, industrial, commercial, educational, or laboratory use, excluding any household or domestic use.
Rubber bands.....	For agricultural purposes and for the processing of products or materials, excluding stationery or office supply uses.

Product description	Permitted uses
Fabric backed pressure sensitive tape (except high heat resistant and non-corrosive electrical tape).	Repair of transportation facilities; Maintenance and manufacture of industrial and mining equipment; the manufacture of the following products and parts thereof: (a) Aircraft, (b) Armored tanks, (c) Ships, (d) Army transport vehicles, (e) Guns, (f) Small arms, (g) Signalling devices, (h) Precision instruments, (i) Munitions, (j) Electrical equipment, (k) Machine tools, (l) Vehicles for common carriers and related transportation facilities. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails; production and shipping of photographic and motion picture film and X-ray film; sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

A person who has filed the above certification with his supplier need not certify subsequent purchases of the same products. The certification shall be deemed applicable to all purchases, unless the purchaser notifies his supplier to the contrary.

A supplier may continue to fill orders for fabric backed pressure sensitive tape under the form certification previously required for purchases of pressure sensitive tape.

**B. Temporary or Special Manufacturing Regulations**

§ 4600.40 *Tires and tubes.* The following regulations are applicable to tires and tubes notwithstanding other regulations contained in Rubber Order R-1 as amended:

(a) *Solid tires.* List 24, Appendix II, regulates the use of crude rubber in solid tires. Until July 15, 1944, crude rubber may, however, be consumed for cements and/or tie gum (or hard base) not exceeding ten percent by weight of the sum of the crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents.

(b) *Synthetic construction, airplane tires.* List 29, Appendix II, regulates the manufacture of airplane tires, but synthetic construction shall be used in the manufacture of airplane tires in accordance with the following regulations:

Size	Synthetic construction	Mandatory date
4, 6 and 8 ply (including Nylon construction).....	S-6	May 1, 1944
10 and 12 ply (excepting Nylon construction).....	S-6	Do.
10 x 3/4 ply HPA (excepting Nylon construction).....	S-4	June 1, 1944
6.00-6/4 ply LPL (excepting Nylon construction).....	S-4	Do.
6.50-10/6 ply LPL (excepting Nylon construction).....	S-4	Do.
7.00-6/4 ply LPL (excepting Nylon construction).....	S-4	Do.
6.50-10/6 ply LPL (excepting Nylon construction).....	S-4	Do.
7.00-6/4 ply LPL (excepting Nylon construction).....	S-4	Do.
7.50-10/6 ply LPL (excepting Nylon construction).....	S-4	Do.
8.50-10/6 ply LPL (excepting Nylon construction).....	S-4	Do.
8.90-12.50/4 ply LPL (excepting Nylon construction).....	S-4	Do.
5.00-4/6 ply LPA (excepting Nylon construction).....	S-4	Do.
7.00-5/4 ply LPA (excepting Nylon construction).....	S-4	Do.
8.00-5/6 ply LPA (excepting Nylon construction).....	S-4	Do.
9.50-12/6 ply LPBG (excepting Nylon construction).....	S-4	Do.
11.00-12/8 ply LPBG (excepting Nylon construction).....	S-4	Do.
10 and 12 ply (including Nylon construction).....	S-6	July 1, 1944
14 ply and up (including Nylon construction).....	S-6	Aug. 1, 1944
All 4, 6 and 8 ply (excepting Nylon construction).....	S-4	Do
All 4, 6 and 8 ply (including Nylon construction).....	S-4	Oct. 1, 1944

When nylon is used the S-6 or S-4 construction may be used at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S-6 and S-4 constructions shall apply to nylon tires. If the S-6 or S-4 construction is not used with nylon prior to the date on which it is mandatory, as shown above, then the S-5 (or S-7) construction shall be used and shall conform to the regulations for S-5 (or S-7) construction as set forth in List 22, Appendix II, Rubber Order R-1, as amended.

Airplane tires in 14 plies and up may be manufactured in S-6 construction at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S-6 construction shall apply. If the S-6 construction is not used prior to the date on which it is mandatory, as shown above, then the S-5 (or S-7) construction shall be used and shall conform to the regulations for S-5 (or S-7) construction as set forth in List 22, Appendix II, Rubber Order R-1, as amended.

(c) *Truck-bus tires.* List 24, Appendix II, regulates the manufacture of tires and tire casings except airplane and bicycle tires. The tires listed below, however, may be manufactured in accordance with the following regulations until the applicable expiration date indicated:

(1) The following regulations effective until July 15, 1944, applicable to Civilian orders only:

<sup>1</sup> Crude rubber may be consumed in cushion gum to be applied to Grade "F" Camelback or capping stock, but the crude rubber so consumed shall not exceed, by weight, 1.6 percent of the total weight of camelback. The use of tread buffings is permitted.

<sup>2</sup> "F" Grade camelback and capping stock shall not be manufactured in die sizes with crown widths wider than 5".

(e) *Tire and tube repair materials.* List 23, Appendix II, regulates the manufacture of tire and tube repair materials. Until July 15, 1944, however, tire and tube repair materials may be manufactured in accordance with the following regulations:

TIRE AND TUBE REPAIR MATERIALS

Description of Item	Percent by volume in compound				Restriction:
	Crude rubber GR-S		Total new rubber		
	Max.	Min.	Max.	Min.	
(1) Bulk tire repair materials:					
(a) Tread repair stock (1/16" max. ga.)	30.0	30.0	57.5	57.5	For Civilian orders only
(b) Repair cushion stock	44.5	15.0	57.5	56.0	For Gov't. orders only
(c) Cord repair friction (.047 max. ga.)	60.0	20.0	75.0	78.0	For Civilian orders only
(d) Sq. woven fabric friction	40.0	40.0	75.0	78.0	For Civilian orders only
(e) Cements (cold cure)	60.0	20.0	75.0	78.0	For Gov't. orders only
(f) Cements (vulcanizing)	60.0	20.0	75.0	78.0	For Gov't. orders only
(2) Tire patches:					
(a) Uncured-vulcanizing type:					
Body	60.0	20.0	75.0	78.0	
Facing	60.0	20.0	73.0	78.0	
(b) Cured and semi-cured-vulcanizing type:					
Body	0.0	0.0	0.0	0.0	
Facing	60.0	20.0	73.0	78.0	
(c) Temporary emergency-cold cure type (composite)	5.0	0.0	0.0	0.0	
(d) Tire rollers	0.0	0.0	0.0	0.0	
(3) Tube patches:					
(a) Combination tube repair gum (cured back, uncured face)	50.0	0.0	48.0	65.0	For Civilian orders only
(b) Tube repair gum (uncured)	60.0	0.0	48.0	65.0	For Gov't. orders only
(c) Hot patch gum (uncured)	60.0	20.0	75.0	78.0	
(d) Truck tube valve repair patches (composite)	60.0	20.0	75.0	78.0	
(e) Tube replacement valve facing	60.0	20.0	75.0	78.0	
(4) Sectional bases	80.0	0.0	75.0	78.0	

<sup>1</sup> Crude rubber may be consumed in cements for adhesion purposes in manufacturing the patches.

§ 4600.41 *Wire and cable.* The following regulations are applicable to wire and cable notwithstanding other regulations of Rubber Order R-1 as amended.

(a) *Insulation.* List 27, Appendix II, regulates the use of crude rubber and latex in wire and cable insulation. Until October 1, 1944, the following ignition cables may be manufactured in accordance with the regulations set forth below:

Item	Specification	Insulation compound
Aircraft ignition cable	32477	W-AA.
	AN-JC-56	W-AA.

Issued this 1st day of July 1944.

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

(2) The following regulations effective until September 1, 1944:

Size	Ply	Tread type	Tread type	Compound designation		Maximum content crude rubber in pounds		Restrictions
				Civilian orders	Government orders	Rayon	Cotton	
7.00-18	10	Standard highway	S-6	S-6	8.70	9.40		
-20/32 x 6	10	do	S-6	S-6	9.40	9.40		
-20/32 x 6	10	Mud-snow	S-4	S-4	4.30	4.30		
-24/36 x 6	10	Standard highway	S-6	S-6	10.90	10.90		
7.50-20/34 x 7	10	do	S-6	S-6	11.00	11.00		
-20/34 x 7	10	Mud-snow	S-4	S-4	5.00	5.00		
-24/38 x 7	10	Standard highway	S-6	S-6	12.00	12.00		

(3) Until July 15, 1944, intercity bus mileage tires in cross-sections 7.50 and down, all plies, may be manufactured in S-5 synthetic construction.

(d) *Retreading materials.* List 30, Appendix II, regulates the manufacture of retreading materials. Until July 15, 1944, however, retreading materials may be manufactured in accordance with the following regulations:

RETTREADING MATERIALS

Description of product	Percent by volume in compound				Restrictions
	Crude rubber GR-S	Total new rubber		Total RHC plus synthetic rubber	
		Max.	Min.		
"A" Camelback, capping stock and lug stock	0.0	65.0	65.0	70.0	No restrictions on use for treading purposes.
"C" Camelback, capping stock and lug stock	0.0	45.0	45.0	60.0	No restrictions on use for treading purposes.
"F" Camelback and capping stock <sup>1,2</sup>	0.0	0.0	0.0	50.0	Passenger only.
Cushion gum	60.0	20.0	50.0	60.0	For "A", and "C" Camelback, capping stock and lug stock only.
Base stock	44.5	15.0	57.5	65.0	For use only with lug stock in open steam curbing.
Padding stock	60.0	20.0	75.0	75.0	Max. thickness, 3/16".
Stripping stock	44.5	15.0	57.5	65.0	Max. width 1".
Filler strip	44.5	15.0	57.5	65.0	Max. thickness 3/8", 2 1/2" and 3 1/2" widths only.
Full circle curing tubes	0.0				Crude rubber permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification links and cements. Synthetic curing tubes shall be marked in accordance with List 25, Para. (c).

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 8,<sup>1</sup> Amdt. 9]

GENERAL PROHIBITIONS, PENALTIES AND CONDITIONS

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

General Ration Order No. 8 is amended in the following respects:

1. A new section 2.19 is added to read as follows:

SEC. 2.19 *Miscellaneous.* Nothing in this or any other ration order issued by the Office of Price Administration shall be construed to contain any requirement as to the observance of any regulation, order, license or requirement issued or prescribed pursuant to the Emergency Price Control Act or the Stabilization Act of 1942.

2. Section 4.1 of General Ration Order 8 is amended to read as follows:

SEC. 4.1 *Suspension orders.* (a) Any person who violates a ration order may, by administrative suspension order, be prohibited from receiving any transfer or delivery of, or from selling, using or otherwise disposing of, any rationed commodity. Proceedings for suspension orders shall be in accordance with the provisions of Revised Procedural Regulation No. 4 of the Office of Price Administration.

This amendment shall become effective July 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; War Food Order No. 58, 8 F.R. 2251; War Food Order No. 59, 8 F.R. 3471; War Food Order No. 61, 8 F.R. 3471; War Food Order No. 64, 8 F.R. 7093)

Issued this 1st day of July 1944.

IVAN D. CARSON,  
Acting Administrator.

[F. R. Doc. 44-9712; Filed, July 1, 1944; 4:34 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 91]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES, SERVICES, COMMODITY TRANSACTIONS AND SERVICE TRANSACTIONS IN THE TERRITORY OF HAWAII

A statement to accompany this Supplementary Order No. 91 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered, that:

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

<sup>1</sup> 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878.

§ 1305.119 *Exemption from price control of certain commodities, services, commodity transactions and service transactions in the Territory of Hawaii.*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration which are effective in the Territory of Hawaii, all sales by any person of the following listed commodities, services, commodity transactions and service transactions are exempt from price control either absolutely, or where the exemption is qualified, upon the conditions and to the extent qualified.

(1) Those commodity transactions excepted from the General Maximum Price Regulation under the provisions of Revised Supplementary Regulation No. 1.

(2) Those services excepted from the General Maximum Price Regulation under the provisions of Revised Supplementary Regulation No. 11.

(3) Those commodities controlled under Maximum Price Regulation 429—Certain Used Consumer Goods; Maximum Price Regulation 139—Used Household Mechanical Refrigerators; Maximum Price Regulation 294—Used Vacuum Cleaners; Maximum Price Regulation 372—Used Washing Machines; and Maximum Price Regulation 320—Used Bedsprings, when sold in connection with and as a part of a bona fide sale of real estate.

(4) Sales of any commodity by an administrator or executor in liquidation of the assets of an estate (other than in connection with the continuation of a business) pursuant to statutory authority granted such administrator or executor under the provisions of the Revised Laws of Hawaii.

This Supplementary Order No. 91 shall become effective July 8, 1944.

Issued this 3d day of July, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9752; Filed, July 3, 1944; 11:59 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 415,<sup>1</sup> Amdt. 7]

CERTAIN FEDERAL GOVERNMENT PURCHASES OF NEW RUBBER TIRES AND TUBES

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

Section 4 (c) is amended to read as follows:

(c) *Packing expenses.* The maximum prices fixed by this regulation include all expenses for standard government packing, and Revised Supplementary Order No. 34<sup>2</sup> shall not apply to such pack-

<sup>1</sup> 8 F.R. 8923, 10558, 10725, 14984, 16280, 9 F.R. 684, 5724.

<sup>2</sup> 8 F.R. 12404, 14073.

ing. However, Revised Supplementary Order 34 may be applied in the case of special government packing for overseas shipments.

This amendment shall become effective July 8, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9753; Filed, July 3, 1944; 12 m.]

PART 1340—FUEL

[RMPR 122,<sup>1</sup> Amdt. 25]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In § 1340.254 (c), new Rule 7 is added to read as follows:

Rule 7. Notwithstanding other provisions of this regulation, if a dealer is charged a price for oil or chemical treatment of coal, the dealer, on his sales of such treated coal, may charge a maximum price equal to his maximum price for the same coal untreated plus the treatment charge made of him by his supplier: *Provided*, That this Rule 7 shall not apply unless the treated coal is kept separate and is not mixed with untreated coal. The dealer shall state the treatment charge separately from all other items on his invoice.

2. Section 1340.256 (c) (1) is amended to read as follows:

(1) In the case of bituminous coal prepared at the dock as double-screened or lump sizes, the amount per net ton specified for the solid fuels following:

From mines in District Nos. 1, 2, 4 or 6.....	\$0.80
From mines in District No. 3 (except medium volatile in Price Classification A).....	.80
From mines in District No. 3 and in Price Classification a: medium volatile.....	1.05
From mines in District Nos. 7 or 8: low volatile.....	1.35
From mines in District Nos. 7 or 8: medium or high volatile.....	1.05

The maximum price for each size and kind of dock run bituminous coal shall be 50 cents per net ton lower than the maximum price for the same size and kind of coal when rescreened at the dock.

3. Section 1340.256 (c) (2) is amended to read as follows:

(2) in the case of bituminous coal in all other sizes, the amount per net ton specified for the solid fuels following:

From mines in District Nos. 7 and 8: low volatile screenings and run-of-mine.....	\$0.75
From mines in District Nos. 1, 2, 3, 4, 6, 7 or 8: high volatile screenings and run-of-mine.....	.65
From mines in District Nos. 1, 2, 3, 4 or 6: high volatile stoker size.....	.65
From mines in District Nos. 7 or 8: high volatile stoker size.....	.95

<sup>1</sup> 9 F.R. 2128, 2477, 3966, 4438.

From mines in District Nos. 7 or 8: low  
volatile stoker size----- .75

4. In § 1340.256 (c) (3), the third column of additions and its heading are deleted; and in the heading of the second column, the comma after 1944 is deleted and the words, "to and including June 30, 1944" are deleted.

This amendment shall become effective July 1, 1944.

Issued this 1st day of July 1944.

IVAN D. CARSON,  
Acting Administrator.

[F. R. Doc. 44-9710; Filed, July 1, 1944;  
4:36 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 53,<sup>1</sup> Amdt. 25]

FATS AND OILS

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

A new section 11.12 is added to read as follows:

SEC. 11.12 *Maximum prices are for processors and for other sellers who would otherwise have lower ceilings.* The above maximum prices are maximum prices for processors. They are also the maximum prices for any other sellers whose maximum prices, as established under any other regulation, would be less than the maximum prices hereinabove established for processors.

This amendment shall be effective July 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9755; Filed, July 3, 1944;  
12 m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 53,<sup>1</sup> Amdt. 26]

FATS AND OILS

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

Section 1.5 is amended to read as follows:

SEC. 1.5 *Imports and exports, adjustment of maximum prices caused by variances in freight and insurance charges.* (a) The maximum prices hereinafter established by this Maximum Price Regulation No. 53 for fats and oils shipped

into the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increase in such charges may be added only if such charges have been actually incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices hereinafter established by this Maximum Price Regulation No. 53.

(b) The maximum prices at which a person may export fats and oils for which maximum prices are established by this Maximum Price Regulation No. 53 outside the continental limits of the United States shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

This amendment shall become effective July 8, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9756; Filed, July 3, 1944;  
12 m.]

PART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS

[MPR 364,<sup>1</sup> Amdt. 19]

FROZEN FISH AND SEAFOOD

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

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *How processors' maximum prices are fixed—(a) General rule.* The processor's maximum price for sales of frozen fish or seafood, except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (a). This is the maximum price f. o. b. shipping point nearest freezer or other warehouse.

(b) *Branch warehouse sales.* Where the processor receives frozen fish or seafood in carload lots at a warehouse remote from the original freezer and sells and delivers such frozen fish or seafood in less-than-carload lots from the stock of such warehouse, his maximum price f. o. b. shipping point nearest warehouse for such sales to wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any

transportation cost allowable under section 3a (a) (1), plus a mark-up of 12 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

However, the prices established in this paragraph (b) may be charged by such processor only if he has two or more full-time employees stationed in the city where such warehouse is located and such employees are engaged in selling and handling frozen fish or seafood at such warehouse solely for such processor. Furthermore, the prices established in this paragraph (b) apply only to sales of those species of frozen fish or seafood which the processor, during the greater portion of the year preceding April 13, 1943, received at such warehouse for the most part in carload lots and sold and delivered from such warehouse for the most part in less-than-carload lots.

(c) *Cash and carry sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood ex freezer, platform or other warehouse to individual retailers or purveyors of meals is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (1), plus a mark-up of 15 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

(d) *Service and delivery sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood to individual retailers or purveyors of meals, where the processor delivers such fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals, is the applicable listed base price in section 14, with any appropriate adjustment for kind of package as provided in section 13, plus any transportation cost allowable under section 3a (a) (1), plus a mark-up of 25 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (a) (2).

(e) *Special provisions applicable to processors' sales of frozen halibut.* The processor in determining his maximum price for frozen halibut under the provisions of paragraph (a), (b), (c) or (d) of this section 2 shall use as the base price plus any transportation allowance the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to the processor's distribution point; (2) the appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used

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

<sup>1</sup> 9 F.R. 4200, 5314, 6232, 6434, 6452, 6817.

<sup>1</sup> 8 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998, 9 F.R. 183, 946, 2023, 3388, 3459, 3424, 4182, 4650, 5163.

from Prince Rupert, British Columbia, to the processor's distribution point or (3) the appropriate base price listed in section 14 with respect to the point of landing plus the transportation allowance provided in section 3a (a).

2. Section 3 (a) is amended to read as follows:

(a) *General instructions.* Each wholesaler's maximum price for the kind of frozen fish or seafood listed in section 14 is found by multiplying his "net cost", as defined in the following paragraph (b), by the appropriate percentage mark-up figure, set out in the following paragraphs (c) and (d), adding the result to the net cost, and adding thereto the allowance in section 3a (b) (2) for transportation between warehouses of the same wholesaler, when such transportation is involved.

3. Section 3 (b) is amended to read as follows:

(b) *Net cost.* (1) Except as otherwise provided in subparagraphs (2) and (3) of this paragraph the wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any appropriate package differentials listed in section 13, less all discounts allowed him except the discount for prompt payment, and excluding all charges for local trucking, hauling and handling.

When a wholesaler buys frozen fish or seafood in a style of processing for which a base price is listed in section 14 and further processes it in a style of processing for which a different price is listed, he may add to his net cost the difference between the two base prices.

(2) The wholesaler's "net cost" must not exceed the sum of the following: (i) the applicable listed base price in section 14, plus or minus (ii) any appropriate package differentials listed in section 13 added or subtracted by previous handlers of the fish or seafood, plus (iii) allowable transportation costs added by previous handlers of the fish or seafood, plus (iv) the appropriate mark-up, if any, allowed his supplier, plus or minus (v) any package differentials listed in section 13 for repackaging, if any, by the wholesaler, plus (vi) allowable transportation costs for delivery of the frozen fish or seafood to the wholesaler's established place of doing business, from his supplier's place of business, exclusive of local trucking, hauling and handling charges.

(3) *Net cost for sales of halibut.* The wholesaler, in determining his "net cost" for sales of frozen halibut in accordance with the provisions of section 3 (b) (1) and (2), shall use as the base price plus any transportation allowance permitted him or his supplier the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 14 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to his established place of business; (2) the appropriate base price listed in section 14 for halibut which was originally landed

fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, British Columbia, to his established place of business; (3) the appropriate base price listed in section 14 with respect to the point of landing plus the transportation allowance permitted him or his supplier in section 4.

4. Section 3 (c) is amended to read as follows:

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure; the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the buyer and seller fall and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

No wholesaler who purchases frozen fish or seafood from another wholesaler or from a processor whose sales are governed by section 2 (b) may sell such frozen fish and seafood to other wholesalers at a price higher than his supplier's maximum price plus transportation cost allowable under section 3a (b) (1).

In no event shall the price charged for a sale to an individual retailer or purveyor of meals include more than one mark-up of either 7 percent or 12 percent, as the case may be (regardless of whether the mark-up is taken pursuant to this section or section 2), and one retailer-owned cooperative or cash and carry or service and delivery wholesaler mark-up.

5. Section 3 (d) (1) is amended to read as follows:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of base prices of section 14 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused, the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up. Sales to wholesalers, government agencies, retailer-owned cooperatives, or chain store warehouses by wholesalers other than those who qualify as primary wholesalers as defined in this section shall be at prices no higher than their

supplier's ceiling prices plus transportation costs allowable under section 3a (b) (1), except for such less-than-carload lot sales to government agencies to which subparagraphs (3) and (4) of section 3 (d) are applicable.

6. Section 3 (d) (3) is amended to read as follows:

(3) *Cash and carry sales.* Cash and carry sales are sales of frozen fish or seafood to individual retailers and purveyors of meals by wholesalers who normally do not extend credit and whose sales are made ex freezer or platform. The mark-up for this class of sale is 15 percent.

7. Section 3 (d) (4) is amended to read as follows:

(4) *Service and delivery sales.* Service and delivery sales are sales of frozen fish or seafood by wholesalers to individual retailers or purveyors of meals where the wholesaler delivers such frozen fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals.

8. Section 3 (d) (6) is amended to read as follows:

(6) *Country trade shipments.* Processors or wholesalers who ship to retailers and purveyors of meals located in rural areas or outlying points may add to their permitted mark-ups the actual cost of any special shipping cases and the cost of any extra refrigerant used for the shipment. Such processors or wholesalers must denote separately on invoices to customers the actual cost of the cases and the refrigerant.

9. Section 3 (e) is amended to read as follows:

(e) *Imported frozen fish and seafood.* The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any frozen fish or seafood listed in section 14 which he imports is the applicable listed base price in section 14, plus or minus the appropriate differential for packaging provided in section 13, plus transportation cost allowable under section 4 (c) plus the appropriate mark-up provided in paragraphs (c) and (d) of section 3 applied to the sum of the foregoing, plus any transportation cost allowable under section 3a (b) (2) for transportation between warehouses of the same wholesaler.

10. A new section 3a is inserted to read as follows:

**Sec. 3a. Allowance for transportation—**(a) *When a processor may add transportation costs—*(1) *Fresh fish transportation.* Any processor may include as part of his maximum price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, if such rate is available, from the port of entry to the freezing point. Where a carload rail freight

rate is not available such per pound transportation cost must not exceed the lowest available common carrier rate. However, no such transportation allowance may be added in the case of fish listed in Schedule No. 11 (g) (Petrale sole—Pacific), 17 (Lingcod—Pacific), 40 (Dover sole), 40A (English sole), 40B (Sand sole), 40C (Turbot sole), 62 (Flounder—Pacific) or 67 (Rex sole), if any of these varieties has been landed fresh ex-vessel at any of the following ports of entry in California: Half Moon Bay, Point Reyes, Bodega Bay, Crescent City, Trinidad or Shelter Cove, and it is frozen in California, Washington, or Oregon.

(2) *Frozen fish transportation.* If a processor ships frozen fish or seafood to a warehouse or other distribution point remote from the original freezer, such processor may include as part of his maximum selling price, for sales from such warehouse or other distribution point, the actual transportation cost. Such transportation cost shall not include charges for local trucking, hauling and handling, and shall not exceed the common carrier rate for the type of transportation used.

(b) *When a wholesaler may add transportation costs.* (1) Any wholesaler who buys frozen fish or seafood from a processor or other wholesaler may include as part of his net cost the actual transportation cost from his supplier's shipping point to his established place of business.

(2) Any wholesaler who ships frozen fish or seafood from one of his warehouses to a remote warehouse or other distribution point may add to his maximum price the actual transportation cost from the shipping point nearest the first warehouse to such remote warehouse or other distribution point.

(3) The actual transportation cost referred to in paragraph (b) (1) and (2) shall not include local trucking, hauling and handling charges and shall not exceed the common carrier rate for the type of shipment used.

(c) *Transportation allowance for imported frozen fish.* Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 may add as a transportation allowance the lowest amount determined on the following three bases:

(1) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point:

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the frozen fish or seafood entered the United States or the carload rail rate for frozen fish or seafood from the point in the United States nearest the foreign shipper's shipping point, whichever is designated on the invoice by the importer.

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic

port from which a substantial volume of that species is shipped.

However, with respect to the species listed hereinafter the cost of transportation shall not exceed the cost for the type of shipment used from the ports listed for that species.

Species:	Port
Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, mackerel, rosefish -----	Boston, Mass.

(4) In determining the transportation allowance, provided in subparagraphs (1), (2) and (3) of this paragraph (c), common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using.

Where frozen Atlantic Coast smelts are imported for resale in the United States the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail freight rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

11. Paragraph (f) is added to section 7 to read as follows:

(f) *Authorization to regional offices to modify invoice provisions.* Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (e) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction and is consistent with the effective enforcement of this Maximum Price Regulation No. 364. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (e) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such or-

der on his own initiative or upon application for adjustment of the requirements in paragraph (e) by any person subject to them. Subpart B of Revised Procedural Regulation No. 1 shall apply to such applications for adjustment.

12. In section 12 after the definition of "Butterfly fillet" and before the definition of "cellophane wrapped", the following definition is inserted:

"Carload lot" means a shipment of not less than 24,000 pounds of frozen fish or seafood.

13. In section 12 after the definition of "Processor" and before the definition of "Round fish" the following definition is inserted:

"A retailer" is a person other than a purveyor of meals or a chain store warehouse who buys frozen fish or seafood and resells more than 80 percent of such fish or seafood to ultimate consumers.

14. In section 12 after the last definition the following definition is inserted:

"A wholesaler" is a person who buys frozen fish or seafood and resells 20 percent or more of such frozen fish or seafood to persons other than ultimate consumers.

15. In section 13 an introductory paragraph is inserted to read as follows:

SEC. 13. *Table of package differentials.* This section sets out the amount which may be added to, or which must be subtracted from, the base price listed in section 14 when the frozen fish or seafood is packed in containers of sizes and kinds herein listed or when the frozen fish or seafood is not packed in boxes or other containers.

16. In section 14 an introductory paragraph is inserted to read as follows:

SEC. 14. *Table of base prices for frozen fish and seafood.* This section lists the various species of frozen fish and seafood for which maximum prices are fixed by this regulation. The base price, in cents per pound, is listed for each species according to the style of processing and the size and in some instances, the grade. The listed base prices in this section are base prices per pound for frozen fish and seafood as packed in and including a container of a size and kind other than those containers of the sizes and kinds listed in section 13.

17. In the table of base prices in section 14 Schedule No. 11 (g) Item No. 4, Schedule No. 17, Item No. 2, Schedule No. 25, Item No. 3, Schedule No. 40, Item No. 4, Schedule No. 40 A, Item No. 6, Schedule No. 40 B, Item No. 4, Schedule No. 40 C, Item No. 4, and Schedule 62, Item No. 3 are amended to read as follows:

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
11.....	(g) Sole, Petrale—Pacific.....	4	Fillets.....	All sizes.....	\$0.27
17.....	Lingcod—Pacific (Ophiodon elongatus).....	2	Fillets.....	All sizes.....	.27
25.....	Red cod or Rock cod—Pacific (Sebastes specie).....	3	Fillets.....	All sizes.....	.25
40.....	Sole, Dover—Pacific.....	4	Fillets.....	All sizes.....	.27
40 A.....	Sole, English—Pacific.....	6	Fillets.....	All sizes.....	.27
40 B.....	Sole, Sand—Pacific.....	4	Fillets.....	All sizes.....	.27
40 C.....	Sole, Turbot—Pacific.....	4	Fillets.....	All sizes.....	.27
62.....	Flounder—Pacific.....	3	Fillets.....	All sizes.....	.27



18. Footnote 6 at the end of the table of base prices in section 14 is amended to read as follows:

\*These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota, or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

19. Footnote 10 at the end of the table of base prices in section 14 is amended to read as follows:

<sup>10</sup>The base prices listed for halibut apply to frozen halibut originally landed fresh on the Pacific Coast of the Continental United States. For frozen halibut originally landed fresh in Canada or Alaska, deduct the following amounts from the listed prices:

Style of dressing:	Deductions cents
Dressed.....	2½
Steaks.....	3¾
Fillets.....	4
Round.....	2½
Drawn.....	2½

For frozen halibut originally landed fresh on the Atlantic Coast of the United States, add ½ cent to the listed prices.

This amendment shall become effective July 1, 1944.

Issued this 1st day of July 1944.

IVAN D. CARSON,  
Acting Administrator.

[F. R. Doc. 44-9711; Filed, July 1, 1944; 4:35 p. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[Rev. RO 13, Amdt. 20 to 2d Rev. Supp. 1]

**PROCESSED FOODS**

Section 1407.1102 (c) (9) is added to read as follows:

(9) For the reporting period beginning July 30, 1944 and ending September 2, 1944—4.5.

This amendment shall become effective July 7, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9762; Filed, July 3, 1944; 11:59 a. m.]

<sup>19</sup> F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6455, 6151.

**PART 1418—TERRITORIES AND POSSESSIONS**  
[RMFR 183, Amdt. 42]

**FERTILIZER IN PUERTO RICO**

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

Section 61 is amended in the following respects:

1. The heading is amended to read as follows: "*Maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material.*"

2. Paragraphs (a) (2), (3) and (7) are amended to read as follows:

(2) "Dealer" means a person who purchases mixed fertilizer, superphosphate, potash or nitrogenous material and resells it to a consumer.

(3) "Consumer" means a person purchasing mixed fertilizer, superphosphate, potash or nitrogenous material for use in aiding the growth of crops or plants (and not for resale) including the Agricultural Adjustment Agency.

(7) "Nitrogenous material" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants.

3. Paragraph (b) is amended in the following respects:

a. The heading is amended to read as follows: "*Manufacturer's maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material.*"

b. Subparagraphs (1), (2) and (3) are redesignated subdivisions (i), (ii) and (iii).

c. A new heading for subparagraph (1) is added to read as follows: "*Maximum prices for sales of mixed fertilizer, superphosphate, and potash.*"

d. Subparagraphs (2) and (3) are added to read as follows:

(2) *Manufacturer's maximum prices for cash sales of nitrogenous fertilizer material.* The maximum price for a cash sale of nitrogenous fertilizer material by fertilizer manufacturers, direct or through agents, to a consumer shall be:

(i) The manufacturer's actual landed cost of the material, in the case of ammonium nitrate; or the manufacturer's weighted average landed cost of each material, calculated as of July 1, October 1, January 1 and April 1, in the case of sulphate of ammonia or any other nitrogenous fertilizer material, for all of the lots of each material received by him

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

<sup>18</sup> F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

during the quarter-annual period last preceding the date of the calculation; or, if none was received in that period, the cost of the latest quarter-annual period in which material was received.

(ii) An additional amount equal to the fertilizer manufacturer's expenditure, if any, for transportation of the nitrogenous fertilizer material within the territory to the fertilizer manufacturer's plant or warehouse or direct to the buyer's delivery point.

(iii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in and delivered from the fertilizer manufacturer's plant.

(iv) Plus the actual cost of bags used, and \$1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags.

(v) An additional amount equal to the cost of governmental tax tags, if any, and the attaching thereof, or governmental tonnage or inspection tax, but no license cost or registration fee.

(vi) In addition a maximum margin of: \$4.00 per ton if the cost (subdivisions (i) through (v)) is less than \$40.00 per ton; \$5.00 per ton if such cost is \$40.00 or more but less than \$50.00 per ton; \$6.00 per ton if such cost is \$50.00 or more but less than \$60.00 per ton; \$7.00 per ton if such cost is \$60.00 or more but less than \$70.00 per ton; \$8.00 per ton if such cost is \$70.00 or more per ton.

(vii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in, and delivered from a warehouse owned or operated by a fertilizer manufacturer or agent.

(viii) An additional amount equal to the actual transportation expense incurred in making delivery from a fertilizer manufacturer's plant or warehouse or from the buyer's delivery point, to the consumer.

(ix) An amount equal to the actual loading or handling charges incurred in making delivery to the buyer.

(3) *Manufacturer's maximum prices for credit sales of nitrogenous fertilizer material.* In the case of credit sales, credit terms shall not be more onerous on Spring season sales than those in effect and applicable to such dealer or consumer for the period from February 16, 1942, to February 20, 1942, inclusive, and for Fall season sales, credit terms shall not be more onerous than those in effect and applicable to such dealer or consumer for the period from October 1, 1941, to October 15, 1941, inclusive.

4. Paragraph (c) is amended in the following respects:

a. The heading is amended to read as follows: "*Dealer's maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material.*"

b. The first paragraph of subparagraph (1) is amended to read as follows:

(1) *Cash prices.* A dealer's maximum cash prices for sale of mixed fertilizer, superphosphate, potash or nitrogenous material shall be determined by adding together the following factors:

(c) Subparagraph (2) is amended to read as follows:

(2) *Time prices.* A dealer's maximum time prices for sales of fertilizer, superphosphate, potash and nitrogenous material shall be equal to his maximum cash prices plus 6 percent.

5. Paragraph (e) is amended to read as follows:

(e) *Filing of price schedules by manufacturers.* Not later than July 1, 1944, every manufacturer of mixed fertilizer, superphosphate, potash and nitrogenous material in Puerto Rico shall file with the Territorial Office of Price Administration, San Juan, Puerto Rico, a complete schedule of prices in effect on that date and thereafter shall file within five days of their effective date all supplements and amendments to price schedules in effect on July 1, 1944.

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

This amendment shall become effective as of July 1, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9764; Filed, July 3, 1944;  
11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373,<sup>1</sup> Amdt. 70]

TEXTILE PRINTING IN HAWAII

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

Amendment 64 is amended by changing the effective date of such amendment from June 21, 1944 to July 15, 1944.

This amendment shall become effective as of June 13, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9759; Filed, July 3, 1944;  
11:58 a. m.]

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

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373,<sup>1</sup> Amdt. 71]

GRAPEFRUIT IN HAWAII

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

The table following section 21 (d) (1) is amended by adding a new item to read as follows:

	Wholesale maximum price (per box)	Retail maximum price (each)
Grapefruit—48's.....	\$5.35	\$0.15

This amendment shall become effective as of June 19, 1944.

TABLE XV—MAXIMUM RETAIL PRICES FOR MATCHES

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
All types of boxed wooden safety matches.....	Per box.....	\$0.02 or two for \$0.03.	\$0.02 or two for \$0.03.	\$0.02 or two for \$0.03.

This amendment shall become effective as of June 23, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9761; Filed, July 3, 1944;  
11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373,<sup>1</sup> Amdt. 69]

INTOXICATING BEVERAGES IN HAWAII

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

Section 25 (c) (1) is amended to read as follows:

(1) An amount equal to your invoice cost. Invoice cost shall include:

(i) In the case of any intoxicating liquors, wines, beers and ales, covered by this section, which were imported to or sold on the mainland and priced under Maximum Price Regulations 445 or 259, as the case may be: The amount you paid your supplier or the manufacturer's

<sup>1</sup> 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4351, 4783, 4821, 4785, 4819, 5168, 5438, 5482, 6259, 6810, 6813, 6818, 6885.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9760; Filed, July 3, 1944;  
11:58 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 395,<sup>2</sup> Amdt. 27]

SAFETY MATCHES IN VIRGIN ISLANDS

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

Section 27, Table XV is amended to read as follows:

maximum price established by Maximum Price Regulations 445 or 259, whichever is lower, less all discounts and allowances except the discount for cash or prompt payment. This amount will include all Federal excise taxes except those imposed on or after April 1, 1944. No export premium may be included in the computation of your "landed cost".

(ii) In the case of any intoxicating liquors, wines, beers and ales, covered by this section imported directly into the Territory, which were not previously imported to or sold on the mainland and priced under Maximum Price Regulations 445 or 259: An amount to be determined upon application to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

This amendment shall become effective as of May 17, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9754; Filed, July 3, 1944;  
12:00 m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 395,<sup>2</sup> Amdt. 28]

SHOES IN VIRGIN ISLANDS

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

<sup>2</sup> 7 F.R. 6259, 6744, 9996, 8847, 10231, 10790;  
8 F.R. 1860, 10984.  
<sup>3</sup> 8 F.R. 6621, 8873, 9996, 11438, 12661, 13342, 14144, 15865, 17052, 16298, 16793; 9 F.R. 1398.

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

Section 45 (b) (1) Table XXXIII is amended by inserting the expression "(except as noted)" after the figure "1.50" in the column headed "Sales in the Municipality of St. Croix."

This amendment shall become effective July 24, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9757; Filed, July 3, 1944; 12:00 m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346, Correction]

CORN

Section 20 (f) (2) of Second Revised Maximum Price Regulation No. 346 is hereby corrected by changing the word "the" appearing between the words "to" and "provision" to the word "this".

This correction shall become effective July 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9758; Filed, July 3, 1944; 12:00 m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 37]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

In Appendix J of section 15, paragraph (d) is amended in the following respects:

1. In Table I, Columns 1, 4 and 5 respectively are amended to read as follows:

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

<sup>8</sup> F.R. 16409, 16249, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023 2091, 2493, 4030, 4086, 4439, 4786, 4787, 5926, 4088, 5959, 6420, 6711, 7269, 7268.

Column 1 Item No.	Column 4 Season	Column 5 Maximum price for fruit loaded in car or truck at shipping point <sup>1</sup>
1.....	Beginning of season—June 16..	\$4.00.
2.....	June 17 to July 1.....	\$3.64.
3.....	July 2 to end of season.....	\$4.00.
4.....	Beginning of season—June 16..	\$4.75.
5.....	June 17 to July 1.....	\$4.32.
6.....	July 2 to end of season.....	\$4.75.
7.....	Beginning of season—June 16..	\$6.00.
8.....	June 17 to July 1.....	\$5.46.
9.....	July 2 to end of season.....	\$6.00.
10.....	Beginning of season—June 16..	25.0¢.
11.....	June 17 to July 1.....	22.75¢.
12.....	July 2 to end of season.....	25.0¢.
13.....	Beginning of season—June 16..	19.0¢.
14.....	June 17 to July 1.....	16.75¢.
15.....	July 2 to end of season.....	19.0¢.
16.....	Beginning of season—June 16..	\$3.75.
17.....	June 17 to July 1.....	\$3.41.
18.....	July 2 to end of season.....	\$3.75.
19.....	Beginning of season—June 16..	\$5.00.
20.....	June 17 to July 1.....	\$4.55.
21.....	July 2 to end of season.....	\$5.00.
22.....	Beginning of season—June 16..	25.0¢.
23.....	June 17 to July 1.....	22.75¢.
24.....	July 2 to end of season.....	25.0¢.
25.....	Beginning of season—June 16..	19.0¢.
26.....	June 17 to July 1.....	16.75¢.
27.....	July 2 to end of season.....	19.0¢.

2. In Table IA, Columns 1, 4 and 5 respectively are amended to read as follows:

Column 1 Item No.	Column 4 Season	Column 5 Maximum price for fruit loaded in car or truck at shipping point <sup>1</sup>
1.....	Beginning of season—June 12..	\$3.28.
2.....	June 13 to July 1.....	\$2.91.
3.....	July 2 to end of season.....	\$3.28.
4.....	Beginning of season—June 12..	\$3.90.
5.....	June 13 to July 1.....	\$3.46.
6.....	July 2 to end of season.....	\$3.90.
7.....	Beginning of season—June 12..	\$4.92.
8.....	June 13 to July 1.....	\$4.37.
9.....	July 2 to end of season.....	\$4.92.
10.....	Beginning of season—June 12..	20.5¢.
11.....	June 13 to July 1.....	18.2¢.
12.....	July 2 to end of season.....	20.5¢.
13.....	Beginning of season—June 12..	14.5¢.
14.....	June 13 to July 1.....	12.2¢.
15.....	July 2 to end of season.....	14.5¢.
16.....	Beginning of season—June 12..	\$3.08.
17.....	June 13 to July 1.....	\$2.73.
18.....	July 2 to end of season.....	\$3.08.
19.....	Beginning of season—June 12..	\$4.10.
20.....	June 13 to July 1.....	\$3.64.
21.....	July 2 to end of season.....	\$4.10.
22.....	Beginning of season—June 12..	20.5¢.
23.....	June 13 to July 1.....	18.2¢.
24.....	July 2 to end of season.....	20.5¢.
25.....	Beginning of season—June 12..	14.5¢.
26.....	June 13 to July 1.....	12.2¢.
27.....	July 2 to end of season.....	14.5¢.

3. In Table I, and IA as renumbered by this amendment, item 7-8-9 in Column 7 is amended by substituting the figure \$1.38 in place of the figure \$1.33.

This amendment shall become effective at 12:01 A. M. July 2, 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

Approved: July 1, 1944.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 44-9713; Filed, July 1, 1944; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1<sup>1</sup> to GMPR, Amdt. 63]

SKI TROOP EQUIPMENT, ETC.

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

Revised Supplementary Regulation No. 1 is amended in the following respects:

Section 4.2 (f) is amended to read as set forth below:

(f) Clay pigeons, but this exemption shall expire on July 1, 1945.

Section 4.2 (f) is amended to read as set forth below:

(k) The following commodities, but this exemption shall expire October 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons (rock and ice), and ski bindings.

This amendment shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9680; Filed, July 1, 1944; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 27]

PLUG CHEWING TOBACCO

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

<sup>1</sup> 9 F.R. 3581, 3590, 4391, 4948, 5268, 5908, 7020, 6570, 6648, 7077.

Supplementary Regulation 15 to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.75 (a) (13) (i) is amended to read as follows:

(i) His over-all net profits for the most recent fiscal year before all taxes on income are less than his average over-all net profits before such taxes during the period 1936-1939, inclusive; and

2. Section 1499.75 (a) (13) (ii) is amended to read as follows:

(ii) His maximum prices are less than the total of his costs of manufacturing and selling the plug chewing tobacco during the most recent 6-month period; and

3. Section 1499.75 (a) (13) (iii) (c) is amended to read as follows:

(c) For the most recent fiscal year, a statement showing separately for plug chewing tobacco and the total of all other commodities manufactured, the net dollar sales volume before and after deduction of excise taxes.

4. Section 1499.75 (a) (13) (iii) (d) is amended to read as follows:

(d) Detailed dollar manufacturing and selling costs of applicant's plug chewing tobacco operations during each 6-month period of applicant's two most recent fiscal years, number of pounds of plug chewing tobacco produced and number of pounds of such tobacco sold during each such period, and a brief explanation of all expenses and cost increases during each such period.

5. Section 1499.75 (a) (13) (iii) (e) is amended to read as follows:

(e) Annual profit and loss statements prepared according to applicant's usual system of accounts for 1936 to 1939, inclusive, and for the most recent fiscal year, unless such data have already been made available to the Office of Price Administration.

This amendment shall become effective July 8, 1944.

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

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9763; Filed, July 3, 1944;  
11:59 a. m.]

PART 1367—FERTILIZERS  
[RMFR 205]

FERTILIZER RAW MATERIALS

Maximum Price Regulation 205 is redesignated Revised Maximum Price Reg-

ulation 205 and is revised and amended to read as set forth herein.

Revised Maximum Price Regulation 205 now covers all of the major fertilizer raw materials when sold to fertilizer manufacturers.

Article I contains the provisions of general applicability.

Article II provides for maximum prices of sulphate of ammonia which were formerly governed by Maximum Price Regulation 205 and also provides for maximum prices for other chemical nitrogenous fertilizer materials which were formerly governed by the General Maximum Price Regulation.

Article III provides for maximum prices of organic nitrogenous fertilizer materials which were formerly covered by Maximum Price Regulation 470.

Article IV provides for maximum prices of superphosphate which were formerly covered by section 4.4 of RSR 14 to the General Maximum Price Regulation.

Article V provides for maximum prices of potash which were formerly covered by Maximum Price Regulation 404.

So far as practicable, the Price Administrator has ascertained and given due consideration to the prices of fertilizer raw materials prevailing between October 1 and 15, 1941, and has made adjustments for such relevant facts as he has determined and deemed to be of general applicability; and he has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328.

Such standards and specifications as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

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

REVISED MAXIMUM PRICE REGULATION 205—  
FERTILIZER RAW MATERIALS

ARTICLE I—SCOPE AND MISCELLANEOUS PROVISIONS OF THE REGULATION

Sec.

1. Applicability.
2. Sales at other than maximum prices.
3. Evasion.
4. Records and reports.
5. Enforcement.
6. Licensing.
7. Protests and petitions for amendment.
8. Definitions.

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

ARTICLE II—MAXIMUM PRICES OF CHEMICAL  
NITROGENOUS FERTILIZER MATERIALS

Sec.

9. Sulphate of ammonia.
10. Nitrate of soda.
11. Nitrate of soda-potash.
12. Calcium cyanamide.
13. Urea compound.
14. Ammonium nitrate-lime compound.
15. Nitrogen solutions and urea-ammonia liquors.
16. Ammoniacal liquors.
17. Anhydrous ammonia.

ARTICLE III—MAXIMUM PRICES OF ORGANIC  
NITROGENOUS FERTILIZER MATERIALS

18. Process tankage.
19. Dried activated sewage sludge.
20. Castor pomace and unground castor cake.

ARTICLE IV—MAXIMUM PRICES OF SUPERPHOSPHATE

21. Pulverized and granulated superphosphate.
22. Triple superphosphate.
23. Double superphosphate.
24. Sales of superphosphate in bags.
25. Sales of superphosphate to Government departments and agencies.
26. Resales of double or triple superphosphate.

ARTICLE V—MAXIMUM PRICES OF POTASH

27. Muriate of potash.
28. Manure salts.
29. Sulphate of potash.
30. Sulphate of potash-magnesia.
31. Contract sales of potash.
32. Sales of potash in bags.
33. Sales of imported potash.
34. Freight adjustments; potash ports.

AUTHORITY: Secs. 1 to 34, incl. (§ 1367.51) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE AND MISCELLANEOUS PROVISIONS OF THE REGULATION

SECTION 1. *Applicability*—(a) *In general*. Except as provided in paragraph (b) of this section with reference to emergency sales to the United States and its agencies and paragraph (c) of this section with reference to export sales, this regulation shall apply to all sales to fertilizer manufacturers or governmental departments and agencies (except sales by non-producers to the Agricultural Adjustment Agency of superphosphate) of the domestic and imported fertilizer raw materials covered by this regulation, whether sold for immediate or future delivery, within the District of Columbia and the 48 states of the United States.

(b) *Emergency purchases*. This regulation shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary

Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

(c) *Export sales.* This regulation shall have no application to export sales of the fertilizer raw materials covered herein. The maximum price of such sales shall be determined in accordance with the provisions of the Second Revised Export Price Regulation. For the purposes of that regulation in the case of exports to Puerto Rico or the Virgin Islands the maximum domestic price of sulphate of ammonia shall be \$29.20 per ton in bulk, f. o. b. New York, New York; Philadelphia, Pennsylvania; and Baltimore, Maryland, the normal ports of exit.

SEC. 2. *Sales at other than maximum prices*—(a) *Prohibition.* Regardless of any contract or obligation, no person shall sell or deliver to a fertilizer manufacturer or governmental department or agency and no fertilizer manufacturer or governmental department or agency shall buy or receive in the course of trade or business any of the fertilizer raw materials covered by this regulation at a price above the maximum price established by this regulation for sales to such fertilizer manufacturer or governmental department or agency, nor shall any person agree, solicit, offer or attempt to do any of the foregoing. This prohibition, however, is subject to the provision for adjustable pricing contained in paragraph (b) of this section, the exception for emergency purchases by the United States and its agencies contained in paragraph (b) of section 1 and the exception for export sales contained in paragraph (c) of section 1.

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

thorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(c) *Lower prices.* Prices lower than the maximum prices established by this regulation may, of course, be charged or paid.

SEC. 3. *Evasion.* Any method whereby a seller obtains greater consideration than the maximum price, or whereby he gives less than the consideration due the buyer for the maximum price is an evasion of this regulation, and therefore prohibited; and any offer or agreement which accomplishes or attempts to accomplish such a result is equally prohibited; except, that the foregoing does not prohibit practices which were customary either to the seller or to the trade prior to April 1, 1942 of requiring the buyer to purchase combinations of commodities or of requiring the buyer to sell back to the seller other commodities or the same commodity, *Provided,* All such sales and purchases are at the market price, not exceeding the maximum price.

SEC. 4. *Records and reports.* (a) All sellers of fertilizer raw materials covered by this regulation shall keep, for so long as the Emergency Price Control Act of 1942, as amended, is in effect, for inspection by the Office of Price Administration customary records of each offer, agreement, purchase, sale or delivery showing the date thereof, the name and address of buyer, the destination point, the material sold, the price charged or received, the total transportation charges and the amount of transportation charges, if any, paid by the seller.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 5. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942 as amended.

SEC. 6. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of any one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any

sale for which his license has been suspended.

SEC. 7. *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>1</sup> Issued by the Office of Price Administration.

SEC. 8. *Definitions.* When used in this regulation, the terms:

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

(b) "Fertilizer manufacturer" means a person who produces, mixes or processes mixed fertilizer or who markets mixed fertilizer or fertilizer raw materials for his own account and who purchases fertilizer raw materials from a producer, importer or jobber for resale to consumers or to dealers either as straight materials or as ingredients in mixed fertilizers.

(c) "Ton" means 2,000 pounds.

(d) "Unit" means 1% of a ton or 20 pounds.

(e) "Transportation cost" means the cost of transportation actually incurred by a person except that for movement other than by for-hire carrier the transportation cost shall be the reasonable value of the service, not exceeding any maximum price established therefor.

#### ARTICLE II—MAXIMUM PRICES OF CHEMICAL NITROGENOUS FERTILIZER MATERIALS

SEC. 9. *Sulphate of ammonia. (Minimum nitrogen content 20.5%)*—(a) *Washington, Oregon, California and Arizona.* The maximum price that may be charged for sulphate of ammonia delivered to any destination in Washington, Oregon, California and Arizona shall be \$36.50 per ton in bulk and \$38.00 per ton in bags: *Provided,* That on any shipment from a California production point to such destination where the freight charges exceed \$4.53 per ton such excess freight charges may be for the account of the buyer, and *Provided further,* That on any shipments from a Utah production point where the freight charges exceed \$7.21 per ton, such excess freight charges may be for the account of the buyer.

(b) *Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.* The maximum price that may be charged for sulphate of ammonia in bags shall be: \$41.00 per ton delivered to any des-

<sup>1</sup> 7 F.R. 8961, 8 F.R. 3313, 3533, 6173, 11806, 9 F.R. 1594, 3075.

mination in Colorado; \$42.60 per ton delivered to any destination in New Mexico; and, for deliveries to any destination in Idaho, Montana, Nevada, Utah and Wyoming, \$31.50 per ton in carload quantities of 40 tons or more, \$34.10 per ton in quantities of 15 tons or more but less than 40 tons and \$41.60 per ton in quantities of less than 15 tons. In the case of deliveries of material in bulk, the above maximum prices shall be reduced by \$2.50 per ton.

(c) *Illinois, Indiana, Kentucky, Michigan, Ohio, Wisconsin and the Ohio River section of West Virginia.* The maximum price that may be charged for sulphate of ammonia, in bulk, delivered to any destination in Illinois, Indiana, Kentucky, Michigan, Ohio, Wisconsin and the Ohio River section of West Virginia shall be \$29.20 per ton but not in excess of \$28.20 per ton plus the lowest carload rail freight rate per ton on the commodity to such destination from the inland oven which has the lowest carload rail freight rate to such destination.

For bagged sales there may be added to the above maximum prices \$1.00 per ton plus a sum not in excess of the established maximum price, at the time of the sale, for the bags containing the ton.

(d) *All other states.* The maximum price that may be charged for sulphate of ammonia, in bulk, delivered to any destination in all other states than those set forth under (a), (b) and (c) above, shall be the lower of the following prices:

(1) \$28.20 per ton plus the lowest carload rail freight rate per ton on the commodity to such destination from the inland oven which has the lowest carload rail freight rate to such destination.

(2) \$29.20 per ton at port plus the lowest carload rail freight rate per ton on the commodity to such destination from the port which has the lowest carload rail freight rate to such destination.

For bagged sales there may be added to the above maximum prices \$1.00 per ton plus a sum not in excess of the established maximum price, at the time of the sale, for the bags containing the ton.

(e) "Inland oven" means the following:

Alabama:	Ohio:
Alabama City.	Canton.
Fairfield.	Cleveland.
North Birmingham.	Hamilton.
Tarrant.	Lorain.
Thomas.	Massillon.
Woodward.	Toledo.
Illinois:	Warren.
Granite City.	Youngstown.
Chicago.	Pennsylvania:
Joliet.	Alliquippa.
Rockford.	Bethlehem.
South Chicago.	Clariton.
Waukegan.	Erie.
Indiana:	Johnstown.
Gary.	Midland.
Indiana Harbor.	Neville Island.
Indianapolis.	Pittsburgh.
Michigan:	Steelton.
Detroit.	Swedeland.
Flint.	Tennessee:
Minnesota:	Chattanooga.
Duluth.	West Virginia:
St. Paul.	Fairmont.
Missouri:	Follansbee.
St. Louis.	Weirton.
New York:	
Buffalo.	
Lackawanna.	
Troy.	

"Port" means the following:

Maine:	Virginia:
Searsport.	Norfolk.
Massachusetts:	North Carolina:
Everett.	Wilmington.
Boston.	South Carolina:
Connecticut:	Charleston.
New Haven.	Georgia:
New York:	Savannah.
Hunts Point.	Florida:
Brooklyn.	Jacksonville.
New York.	Tampa.
New Jersey:	Panama City.
Kearny.	Pensacola.
Carteret.	Alabama:
Camden.	Mobile.
Paulsboro.	Mississippi:
Pennsylvania:	Gulfport.
Philadelphia.	Louisiana:
Maryland:	New Orleans.
Baltimore.	Lake Charles.

(f) If sulphate of ammonia is shipped from the producer's plant or, in the case of imports, from the point of discharge, to a warehouse situated at a point other than the point of production or discharge, is handled through a warehouse, and re-shipped from the warehouse in bags, there may be added to the maximum bagged price the sum of \$0.50 per ton. The point of discharge is the port at which the imported sulphate of ammonia is unloaded from a vessel, or, in the case of rail shipments of imported sulphate of ammonia, the place at which such shipment is first unloaded.

SEC. 10. *Nitrate of soda (minimum nitrogen content, 16.0%).*—(a) *Domestic.* The maximum price that may be charged for domestically produced nitrate of soda shall be \$27.00 per ton in bulk, \$30.05 per ton in 100-pound bags, or \$29.35 per ton in 167 or 200-pound bags f. o. b. production point, provided that if and when this material is stored at Atlantic and Gulf nitrate ports by the seller, the maximum delivered price at any destination that may be charged shall be \$1.00 per ton higher than the above prices, plus the lowest carload rail freight rate per ton on the material to such destination from the Atlantic or Gulf nitrate port which has the lowest carload rail freight rate to such destination. For nitrate of soda containing less than 16 units of nitrogen, the above maximum price shall be reduced at the rate of \$2.00 per unit.

(b) *Imported.* The maximum delivered price at any destination that may be charged for imported nitrate of soda shall be \$30.00 per ton in bulk, \$33.00 per ton in 100-pound bags, or \$32.40 in 167 or 200-pound bags, plus the lowest carload rail freight rate per ton on the material to such destination from the nitrate port which has the lowest carload rail freight rate to such destination.

For the purpose of this and the following section, "nitrate port" shall mean any one of the following:

Searsport, Maine
Boston, Massachusetts
New York, New York
Camden, New Jersey
Baltimore, Maryland.
Norfolk, Virginia
Wilmington, North Carolina
Charleston, South Carolina
Savannah, Georgia
Jacksonville, Florida
Tampa, Florida

Panama City, Florida
Pensacola, Florida
Mobile, Alabama
Gulfport, Mississippi
New Orleans, Louisiana
Lake Charles, Louisiana
Los Angeles, California
San Francisco, California
Portland, Oregon
Tacoma, Washington
Seattle, Washington
DuPont, Washington

SEC. 11. *Nitrate of soda-potash (minimum nitrogen content 14%).* The maximum delivered price at any destination that may be charged for nitrate of soda-potash (potash-nitrate) shall be \$38.00 per ton, in bulk, \$41.00 per ton in 100-pound bags, or \$40.40 per ton in 167 or 200-pound bags, plus the lowest carload rail freight rate per ton on the material to such destination from the nitrate port which has the lowest carload rail freight rate to such destination.

SEC. 12. *Calcium cyanamide*—(a) *Granular (minimum nitrogen content, 20.6%).* The maximum price that may be charged for granular calcium cyanamide shall be \$37.25 per ton in 100-pound bags or \$1.62½ per unit of nitrogen, in bulk, f. o. b. Niagara Falls, Ontario, Canada.

(b) *Pulverized (minimum nitrogen content, 21%).* The maximum price that may be charged for pulverized calcium cyanamide shall be \$37.25 per ton in 100-pound bags or \$1.52½ per unit of nitrogen, in bulk, f. o. b. Niagara Falls, Ontario, Canada.

SEC. 13. *Urea compound (minimum nitrogen content, 42%).* (a) At destinations in states other than Washington, Oregon, California and Arizona, the maximum delivered price that may be charged for urea compound ("Uramon") shall be \$57.40 per ton in bulk or \$59.40 per ton in 100-pound bags, plus the lowest carload rail freight rate per ton on the commodity to such destination from Belle, West Virginia, or the Atlantic or Gulf port which has the lowest carload rail freight rate to such destination. In case such freight rate per ton from a port to a destination for urea compound exceeds the freight rate on sulphate of ammonia from the same port to the same destination, such lower sulphate of ammonia rate shall be used.

(b) At destinations located in Washington, Oregon, California, and Arizona the maximum delivered price shall be \$71.00 per ton in bulk or \$73.00 per ton in 100-pound bags.

SEC. 14. *Ammonium nitrate-lime compound (minimum nitrogen content, 20.5%).* The maximum price that may be charged for ammonium nitrate-lime compound ("Cal-Nitro" or "A-N-L Brand") shall be \$29.00 per ton in bulk and \$32.50 per ton in bags, f. o. b. Hopewell, Virginia.

SEC. 15. *Nitrogen solutions and urea-ammonia liquors.* The maximum price that may be charged for nitrogen solutions or urea-ammonia liquors shall be:

(a) \$127.00 per ton of nitrogen contained in "UAL-37" and

\$121.58 per ton of nitrogen contained in other nitrogen solutions or urea-ammonia liquors, in seller's tank cars,

f. o. b. Belle, West Virginia, or the following ports:

- Searsport, Me.
- Boston, Mass.
- New Haven, Conn.
- Port of N. Y.
- Philadelphia, Pa.
- Carteret, N. J.
- Camden, N. J.
- Paulsboro, N. J.
- Wilmington, Del.
- Baltimore, Md.
- Norfolk, Va.
- Hopewell, Va.
- Wilmington, N. C.
- Charleston, S. C.
- Savannah, Ga.
- Jacksonville, Fla.
- Tampa, Fla.
- Pensacola, Fla.
- Panama City, Fla.
- Mobile, Ala.
- Gulfport, Miss.
- New Orleans, La.
- Lake Charles, La.

(b) At any other destination, to the prices set forth in (a) above, there may be added that one of the following which gives the lowest delivered cost per ton of nitrogen:

(1) The lowest carload rail freight rate per ton on the urea-ammonia liquor (fertilizer ammoniating solutions) or nitrogen solution to such destination from Belle, West Virginia, or that one of the above ports which has the lowest carload rail freight to such destination, or

(2) The lowest carload rail freight rate per ton on anhydrous ammonia to such destination from Belle, West Virginia, or that one of the above ports which has the lowest carload rail freight rate to such destination.

SEC. 16. *Ammoniacal liquors.* The maximum delivered price at any destination that may be charged for ammoniacal liquor shall be:

(a) \$75.00 per ton of ammonia contained in such liquor, in seller's tank cars, f. o. b. producer's plant at Indiana Harbor, Indiana; South Chicago, Illinois; or Detroit, Michigan, plus the lowest carload rail freight rate per ton on the commodity to such destination from that one of the above points which has the lowest carload rail freight rate to such destination.

(b) \$80.00 per ton of ammonia contained in such liquor, in seller's tank cars, f. o. b. producer's plant at Ashland, Kentucky; Ironton, Ohio; Portsmouth, Ohio; Belle, West Virginia; Hopewell, Virginia; or Niagara Falls, New York, plus the lowest carload rail freight rate per ton on the commodity to such destination from that one of the above points which has the lowest carload rail freight rate to such destination.

(c) \$80.00 per ton of ammonia contained in such liquor, in seller's tank cars, f. o. b. producer's plant at Milwaukee, Wisconsin, plus the lowest carload rail freight rate per ton on the commodity to such destination from that one of the following points: Milwaukee, Wisconsin; Detroit, Michigan; or Chicago, Illinois, which has the lowest carload rail freight rate to such destination.

(d) \$80.00 per ton of ammonia contained in such liquor, in seller's tank cars,

f. o. b. producer's plant at Baton Rouge, Louisiana; Ensley, Alabama; or Bethlehem, Pennsylvania.

SEC. 17. *Anhydrous ammonia.* The maximum price that may be charged for anhydrous ammonia (commercial grade) shall be:

(a) \$90.00 per ton, in seller's tank cars, f. o. b. California production points.

(b) \$90.00 per ton, in seller's tank cars, f. o. b. producer's plant at Belle, West Virginia; Niagara Falls, New York; Hopewell, Virginia; or Wyandotte, Michigan, plus the lowest carload rail freight rate per ton on the commodity to such destination from that one of the above points which has the lowest carload rail freight rate to such destination.

ARTICLE III—MAXIMUM PRICES OF ORGANIC NITROGENOUS FERTILIZER MATERIALS

SEC. 18. *Process tankage in bulk.* The maximum price that may be charged for process tankage, in bulk, f. o. b. plant at point of production, shall be:

Production point:	Price per unit of ammonia
Norfolk, Va.	\$3.50
Carrollville, Wis.	3.20
Endicott, N. Y.	3.20
Carteret, N. J.	3.15
Chemical, Ill.	3.15

SEC. 19. *Dried activated sewage sludge, in bulk.* The maximum price that may be charged for dried activated sewage sludge, in bulk, f. o. b. plant at point of production, shall be:

Production point:	Price per unit of ammonia
Milwaukee, Wis.	\$3.00
Chicago, Ill.	2.80
Houston, Tex.	2.60

In addition to the above, seller may make a charge of \$.40 per unit of available phosphoric acid.

SEC. 20. *Castor pomace and unground castor cake, in bags.* The maximum price, f. o. b. point of production, that may be charged for castor pomace in bags, shall be \$2.90 per unit of ammonia and for unground castor cake in bags shall be \$15.50 per ton.

ARTICLE IV—MAXIMUM PRICES OF SUPERPHOSPHATE

SEC. 21. *Ordinary superphosphate, in bulk.* The maximum price that may be charged for ordinary superphosphate (containing less than 22% available phosphoric acid) for sale in bulk shall be:

(a) *Pulverized superphosphate.* (1) For sales of run-of-pile, f. o. b. cars at each producing point, the price specified for that point as listed below:

Point of production:	Maximum price per unit of available phosphoric acid
Little Rock, Ark.	\$0.71
Texarkana, Ark.	.71
Stege, Calif.	.84
Vernon, Calif.	.84
East Tampa, Fla.	.51
Jacksonville, Fla.	.54
Nichols, Fla.	.51
Pierce, Fla.	.51
Calumet City, Ill.	.68
Chicago Heights, Ill.	.68
East St. Louis, Ill.	.67

Maximum price per unit of available phosphoric acid

Point of production:	Maximum price per unit of available phosphoric acid
Fort Wayne, Ind.	\$0.69
Indianapolis, Ind.	.63
New Albany, Ind.	.66
Searsport, Maine	.82
Baltimore, Md.	.65
Hagerstown, Md.	.67
Lowell, Mass.	.76
North Weymouth, Mass.	.76
Woburn, Mass.	.76
Detroit, Mich.	.71
Lansing, Mich.	.71
Rosemount, Minn.	.80
Joplin, Mo.	.73
Carteret, N. J.	.70
Paulsboro, N. J.	.68
Buffalo, N. Y.	.71
Acme, N. C.	.62
Charlotte, N. C.	.63
Durham, N. C.	.63
Greensboro, N. C.	.63
Laurinburg, N. C.	.63
Navassa, N. C.	.60
Selma, N. C.	.63
Wadesboro, N. C.	.63
Wilmington, N. C.	.60
Wilson, N. C.	.63
Cincinnati, Ohio	.66
Cleveland, Ohio	.68
Columbus, Ohio	.68
Lockland, Ohio	.66
Sandusky, Ohio	.68
Silica, Ohio	.68
Toledo, Ohio	.68
Washington Court House, Ohio	.68
Philadelphia, Pa.	.68
Anderson, S. C.	.63
Charleston, S. C.	.57
Columbia, S. C.	.61
Greenville, S. C.	.63
Hartsville, S. C.	.63
Lancaster, S. C.	.63
Spartanburg, S. C.	.63
Dallas, Tex.	.71
Houston, Tex.	.69
Alexandria, Va.	.65
Lynchburg, Va.	.65
Norfolk, Va.	.64
Portsmouth, Va.	.64
Richmond, Va.	.65
Baraboo, Wis.	.80

(2) For sales of run-of-pile, f. o. b. cars at any destination within a delivery area as described below from any producing point listed as a price basing point for that area, a price equal to the price f. o. b. the one of the price basing points listed, plus the lowest carload rail freight rate per ton on the commodity from such price basing point to such destination which gives the lowest net delivered cost to the buyer.

DELIVERY AREA

AREA I

STATE OF GEORGIA

Maximum price per unit of available phosphoric acid

Price basing points:	Maximum price per unit of available phosphoric acid
Albany, Ga.	\$0.62
Americus, Ga.	.62
Athens, Ga.	.62
Atlanta, Ga.	.62
Augusta, Ga.	.62
Columbus, Ga.	.62
East Point, Ga.	.62
La Grange, Ga.	.62
Macon, Ga.	.62
Pelham, Ga.	.62
Rome, Ga.	.62
Savannah, Ga.	.57
Tifton, Ga.	.62
Valdosta, Ga.	.62

## AREA II

## STATES OF ALABAMA AND FLORIDA WEST OF THE APALACHICOLA RIVER

Price basing points:	Maximum price per unit of available phosphoric acid
Bessemer, Ala.....	\$0.61
Birmingham, Ala.....	.61
Dothan, Ala.....	.61
Florence, Ala.....	.61
Mobile, Ala.....	.61
Montgomery, Ala.....	.61
Roanoke, Ala.....	.61
Troy, Ala.....	.61
Pensacola, Fla.....	.61
Nashville, Tenn.....	.61

## Area III

## STATES OF LOUISIANA AND MISSISSIPPI

Lake Charles, La.....	\$0.66
Pensacola, Fla.....	.61
Harvey, La.....	.635
New Orleans, La.....	.635
Shreveport, La.....	.70
Shrewsbury, La.....	.635
Gulfport, Miss.....	.635
Hattiesburg, Miss.....	.635
Jackson, Miss.....	.635
Tupelo, Miss.....	.635
Nashville, Tenn.....	.61

## AREA IV

## STATES OF KENTUCKY AND TENNESSEE

Chattanooga, Tenn.....	\$0.64
Greenville, Tenn.....	.64
Knoxville, Tenn.....	.64
Memphis, Tenn.....	.63
Mt. Pleasant, Tenn.....	.61
Nashville, Tenn.....	.61
Wales, Tenn.....	.61

Any person selling for delivery outside an area for which his producing point is listed as a price basing point, or selling to a buyer who does not specify a point of destination at the time of the sale, may charge a price, f. o. b. cars at producing point, no higher than the basing point price specified for that producing point.

(3) For sales of superphosphate guaranteed to contain 18%, 19%, or 20% available phosphoric acid, with no charge for over-run, the maximum price as established under (1) or (2), plus 30¢ per ton.

(b) *Granulated superphosphate.* The maximum price, as established under (1), (2) or (3) above, plus 2¢ per unit of available phosphoric acid.

SEC. 22. *Triple superphosphate in bulk*—(a) *Pulverized.* The maximum price that may be charged for triple superphosphate (containing 40% or more available phosphoric acid) for sale in bulk shall be:

(1) For material produced in Montana, 88½¢ per unit of available phosphoric acid delivered, except that actual freight in excess of \$7.62 per ton may be charged to the account of the buyer.

(2) For material produced at other production points prices, per unit of available phosphoric acid, f. o. b. point of production, as follows:

(i) Tennessee.....	\$0.75
(ii) South Carolina.....	.70
(iii) Florida.....	.63

(3) For material produced at production points not covered in (1) or (2) above, 63¢ per unit of available phosphoric acid plus the cost, per unit, of transportation at the lowest carload rail

freight rate on 48% superphosphate from East Tampa, Florida, to the production point, f. o. b. point of production.

(b) *Granulated.* The maximum price is that established under (1), (2) or (3) above, plus \$1.00 per ton, except that this \$1.00 may not be added on for sales in bags to Government departments and agencies.

SEC. 23. *Double superphosphate in bulk.* The maximum price per ton which may be charged f. o. b. railroad cars at point of production, for double superphosphate (containing 22% or more but less than 40% available phosphoric acid) for sale in bulk, shall be:

(a) The product of 20 units of available phosphoric acid times the price per unit for a guaranteed grade of ordinary superphosphate, f. o. b. cars at producing points, as established in section 21 (a), plus

(b) The product of the number of units contained therein in excess of 20 units times the applicable maximum price per unit for triple superphosphate, f. o. b. cars at the producing point, as established in section 22 (a). If the producer of such double superphosphate is not a producer of triple superphosphate, his applicable maximum price, for calculations required in this paragraph, shall be his actual delivered cost of triple superphosphate, or if none was purchased, the maximum price as established in section 22 (a) (3).

SEC. 24. *Sales of superphosphate in bags.* The maximum price that may be charged for superphosphate for sales in bags shall be the applicable maximum price for bulk sales as determined under section 21, 22 or 23 above, plus \$1.50 per ton and plus a sum not in excess of the established maximum price, at the time of the sale, for the bags containing the ton.

SEC. 25. *Sales of superphosphate to Government departments and agencies.* The maximum price that may be charged for sales of superphosphate to any agency of the United States Government shall be the applicable maximum price as established under sections 21, 22, 23 or 24 plus, in the case of such sales of triple superphosphate in bags, \$1.00 per ton in addition to the \$1.50 per ton for bagging under Section 24 above.

SEC. 26. *Resale of double or triple superphosphate.* The maximum price which one fertilizer manufacturer or mixer may charge another fertilizer manufacturer or mixer for the sale of double or triple superphosphate not produced by the seller shall be the applicable maximum price as established under sections 22, 23, or 24 above, plus \$3.00 per ton and any transportation cost from producing point to point of delivery paid by seller.

## ARTICLE V—MAXIMUM PRICES FOR POTASH

SEC. 27. *Muriate of Potash, in bulk, spot sales*—(a) *For the 60% grade.* The maximum price that may be charged for spot sales of domestic 60% muriate of potash, in bulk, shall be, at the option of the buyer:

(1) \$535 per unit of K<sub>2</sub>O, basis ex-vessel the potash port which has the lowest carload rail freight rate on potash

to destination, plus the customary delivery charges from the end of ship's tackle to destination; or

(2) \$455 per unit of K<sub>2</sub>O, f. o. b. cars at Trona, California; or

(3) \$423 per unit of K<sub>2</sub>O, f. o. b. cars at seller's plant near Carlsbad, New Mexico.

(b) *For the 50% grade.* The maximum price that may be charged for spot sales of domestic 50% muriate of potash, in bulk, shall be, at the option of the buyer:

(1) \$56 per unit of K<sub>2</sub>O, basis ex-vessel the potash port which has the lowest carload rail freight rate on potash to destination, plus the customary delivery charges from the end of ship's tackle to destination; or

(2) \$48 per unit of K<sub>2</sub>O, f. o. b. cars at Trona, California; or

(3) \$448 per unit of K<sub>2</sub>O, f. o. b. cars at seller's plant near Carlsbad, New Mexico.

SEC. 28. *Manure salts, in bulk, spot sales.* The maximum price that may be charged for spot sales of domestic manure salts, in bulk, shall be \$.20 per unit of K<sub>2</sub>O, f. o. b. cars at seller's plant near Carlsbad, New Mexico.

SEC. 29. *Sulphate of potash (basis 90% K<sub>2</sub>SO<sub>4</sub>), in bulk, spot sales.* The maximum price that may be charged for spot sales of domestic sulphate of potash (basis 90% K<sub>2</sub>SO<sub>4</sub>), in bulk, shall be \$36.25 per ton basis ex-vessel the potash port which has the lowest carload rail freight rate on potash to destination, plus the customary delivery charges from the end of ship's tackle to the buyer's destination.

SEC. 30. *Sulphate of potash magnesia (basis 40% K<sub>2</sub>SO<sub>4</sub> and 18.5% MgO), in bulk, spot sales.* The maximum price that may be charged for spot sales of domestic sulphate of potash magnesia (basis 40% K<sub>2</sub>SO<sub>4</sub> and 18.5% MgO), in bulk, shall be \$26.00 per ton basis ex-vessel the potash port which has the lowest carload rail freight rate on potash to destination, plus customary delivery charges from the end of ship's tackle to buyer's destination.

SEC. 31. *Contract sales of potash.* The maximum price at which contract sales of domestic potash, in bulk, may be made are:

(a) *Contracts executed prior to July 1.* Where a buyer contracts, prior to the first day of July, for the purchase of potash for delivery in approximately equal monthly quantities during the period from June 1 to the 31st day of March next succeeding, the buyer, and any person to whom the War Production Board allocates the whole or any part of the potash subject to such contract, may buy:

(1) On ex-vessel sales, at the spot prices set forth under sections 27 (a) (1) and (b) (1), 29 and 30 above, at a discount of 8% where the potash contracted for is accepted in approximately equal monthly quantities between June 1 and the 31st day of March next succeeding, and in addition, at a 4% discount when the full delivery contracted for, or delivery to the extent permitted under the War Production Board allocation, has been accepted.



(2) On f. o. b. cars sales, muriate of potash and manure salts at the spot prices set forth under sections 27 (a) (1) and (b) (1) and 28 above, at the discounts and under the conditions set forth under the paragraph (1) above, except that muriate of potash shall be subject to a further deduction of 8¢ per unit of K<sub>2</sub>O in the case of sales f. o. b. cars at Trona, California, and a deduction of 11.2¢ per unit of K<sub>2</sub>O in the case of sales f. o. b. cars at seller's plant near Carlsbad, New Mexico.

(b) *Contracts executed between July 1 and October 1.* Where a buyer contracts, on and after the first day of July and prior to October 1 of the same year, for the purchase of potash for delivery in approximately equal monthly quantities during the period from October 1 to the 31st day of March next succeeding, the buyer, and any person to whom the War Production Board allocates the whole or any part of the potash subject to such contract, may buy:

(1) On ex-vessel sales, at the spot sales prices as set forth under sections 27 (a) (1) and (b) (1), 29 and 30 above, at a discount of 4% where the potash contracted for is accepted in approximately equal monthly quantities between October 1 and the 31st day of March next succeeding, and in addition, at a 2% discount when the full delivery contracted for, or delivery to the extent permitted under War Production Board allocation, has been accepted.

(2) On f. o. b. cars sales, muriate of potash and manure salts at the spot prices set forth under sections 27 (a) (1) and (b) (1) and 28 above at the discounts and under the conditions set forth under the paragraph (b) (1) above, except the muriate of potash shall be subject to a further deduction of 8¢ per unit of K<sub>2</sub>O in the case of sales f. o. b. cars at Trona, California, and a deduction of 11.2¢ per unit of K<sub>2</sub>O in the case of sales f. o. b. cars at seller's plant near Carlsbad, New Mexico.

SEC. 32. *Sales of potash in bags.* For sales of potash in bags there may be added to the applicable bulk prices above set forth \$1.50 per ton plus a sum not in excess of the established maximum price, at the time of the sale, of the bags containing the ton.

SEC. 33. *Sales of imported potash.* The maximum prices at which potash originating outside of and imported into continental United States, may be sold and delivered, within the United States and any of its territories and possessions, are:

(a) *April and May deliveries.* For deliveries made during the months of April and May, the maximum spot prices set forth in sections 27, 28, 29 and 30 above;

(b) *October through March deliveries.* For deliveries made during the months beginning October 1 and ending March 31 next succeeding, the maximum spot prices set forth in sections 27, 28, 29 and 30 above less a discount of 6%.

(c) *June through September deliveries.* For deliveries made during the months beginning June 1 and ending September 30 next succeeding the maxi-

No. 132—11

imum spot prices set forth in sections 27, 28, 29 and 30 less a discount of 12%.

SEC. 34. *Sales of potash by one fertilizer manufacturer to another.* The maximum prices at which a fertilizer manufacturer may sell his potash to another fertilizer manufacturer shall be no more than the applicable maximum spot price hereinbefore established, plus an amount equal to the actual transportation costs, if any, incurred and paid by the fertilizer manufacturer making the sale.

SEC. 35. *Freight adjustments; potash ports.* (a) On sales of 60% muriate of potash, transportation costs payable by the buyer shall be equalized or adjusted so that his actual transportation cost per unit of K<sub>2</sub>O will be no greater than such cost would have been had the muriate of potash contained 62.5% K<sub>2</sub>O.

(b) "Potash port" means any of the following:

Searsport, Maine.  
Boston, Mass.  
New York, N. Y.  
Carteret, N. J.  
Philadelphia, Pa.  
Camden, N. J.  
Wilmington, Del.  
Baltimore, Md.  
Norfolk, Va.  
Wilmington, N. C.  
Charleston, S. C.  
Savannah, Ga.  
Jacksonville, Fla.  
Tampa, Fla.  
Panama City, Fla.  
Pensacola, Fla.  
Mobile, Ala.  
Gulfport, Miss.  
New Orleans, La.  
Lake Charles, La.  
Beaumont, Tex.  
Galveston, Tex.  
Houston, Tex.  
San Diego, Calif.  
Los Angeles, Calif.  
Oakland, Calif.  
San Francisco, Calif.  
Portland, Oreg.  
Tacoma, Wash.  
Seattle, Wash.  
Bellingham, Wash.

This revised regulation shall become effective July 5, 1944.

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

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9616; Filed, June 30, 1944;  
4:27 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,  
Amdt. 20]

#### DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

##### Correction

In F.R. Doc. 44-9584, appearing at page 7329 of the issue for Saturday, July 1, 1944, the bracketed document designation should read as set forth above.

#### PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[RPS 9, Amdt. 10]

##### HIDES, KIPS AND CALFSKINS

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

Revised Price Schedule No. 9 is amended in the following respects:

1. Section 1314.4 is amended to read as follows:

§ 1314.4 *Commissions.* In the event that a seller of hides, kips or calfskins shall employ a broker to sell hides, kips or calfskins on his behalf, or in the event that a buyer shall employ a broker to buy, receive and ship hides, kips or calfskins on his behalf, a brokerage commission of not more than 3% of the purchase price may be charged for such services and added to the applicable maximum price established hereunder. A commission may not be charged to both buyer and seller. A commission shall be payable only if (a) it is shown as a separate charge in billing; (b) the hides, kips or calfskins are purchased or sold at a price no higher than the applicable maximum price; and (c) no broker splits or divides the commission with the buyer or with the seller, or with an agent or employee of the buyer or the seller.

In no case may any person charge or receive such a commission or fee on hides, kips or calfskins sold for his own account even though such person may have performed the receiving service or any other service for the buyer, and in no case may any person charge or receive, pay or offer to pay such a commission or fee on hides, kips or calfskins purchased or sold in the green or partially cured state or on hides, kips or calfskins (except slunks) purchased or sold in lots of less than 20,000 pounds of hides or 5,000 pounds of skins.

2. Section 1314.5a is revoked.

3. Section 1314.6a is revoked.

4. Section 1314.7 is amended to read as follows:

§ 1314.7 *Reports.* (a) On and after July 24, 1942, every tanner, or agent acting on behalf of a tanner, and every person making sales of hides or skins to a tanner shall submit to the Office of Price Administration, Washington, D. C., a copy of each invoice or similar document delivered in connection with a purchase or a sale of hides or skins. Such invoice or document shall be transmitted by mail to the Office of Price Administration contemporaneously with its transmission to the buyer or seller, as the case may be, and shall contain all relevant details of the transaction, including (1) the quantity and price of each type, classification and grade of hides or skins sold and (2) the tare and other allowances given or received.

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

17 F.R. 1227, 2000, 2132, 5706, 8948; 8 F.R. 2997, 11676, 12312, 13513, 15259, 16279; 9 F.R. 1325.

(b) In the event that the hides or skins actually received by the tanner, or by the agent acting on his behalf, differ in any material respect from the description thereof contained in the invoice or similar document delivered in connection with the purchase, the tanner or such agent shall transmit to the Office of Price Administration on the same day the inspection of the hides or skins is made, a statement identifying the seller and the shipment and setting forth such difference.

5. Section 1314.8a is amended to read as follows:

§ 1314.8a *Licensing.* The provisions of Licensing Order No. 1,<sup>2</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

6. Section 1314.10 (j) is amended to read as follows:

(j) The term "shipping point" means the point from which the hides are shipped to the purchaser and shall include the point from which the seller, who has consolidated hides or skins into carload lots, ships them to the purchaser.

7. Section 1314.11 is amended to read as follows:

§ 1314.11 *Appendix A: Maximum prices for domestic hides—(a) Packer classifications—(1) Packer classifications sold on a selected basis.*<sup>3</sup>

TABLE I—STANDARD PRESENT TRIM, TARE ALLOWANCE AND DELIVERY

[Price per pound, f. o. b. shipping point]

	No. 1's	No. 2's
Native steers, heavy and light.....	\$0.15½	\$0.14½
Native steers, extreme light (30 to 48 pounds).....	.15½	.14½
Heavy native cows (53 pounds and up).....	.15½	.14½
Light native cows (less than 53 pounds).....	.15½	.14½
Butt branded steers.....	.14½	.13½
Texas steers, heavy and light.....	.14½	.13½
Texas steers, extreme light (30 to 48 pounds).....	.15	.14
Colorado steers.....	.14	.13
Branded cows.....	.14½	.13½
Native bulls.....	.12	.11
Branded bulls.....	.11	.10

TABLE II—OPTIONAL MAXIMUM PRICES

The maximum prices set forth in Table II may be used in lieu of those set forth in Table I by packers producing standard Packer selections so long as each of the selec-

<sup>3</sup> 8 F.R. 13240.

<sup>2</sup> Paragraphs (a) and (b) of § 1314.11, Appendix A, do not apply to hides originating in the Pacific Coast.

tions for classes and weights set forth below is cured in a separate pack:

[Price per pound, f. o. b. shipping point]

	No. 1's	No. 2's
Heavy native steers (58 pounds and up).....	\$0.15½	\$0.14½
Light and extreme light native steers (under 58 pounds).....	.15½	.14½
Heavy branded steers, butt and side branded (58 pounds and up).....	.14½	.13½
Light and extreme light branded steers (under 58 pounds).....	.14½	.13½
Heavy native cows (53 or 55 pounds <sup>1</sup> and up).....	.15½	.14½
Light native cows (under 53 or 55 pounds <sup>1</sup> ).....	.15½	.14½
Branded cows (all weights) <sup>2</sup> .....	.14½	.13½
Native bulls (all weights).....	.12	.11
Branded bulls (all weights).....	.11	.10

<sup>1</sup> Optional with the seller.

<sup>2</sup> Or divided into 53 or 55 pounds and up and under 53 or 55 pounds.

Packer classifications of hides which fail to meet established standards of trim, tare allowance or delivery shall be sold at a price at least 1¢ per pound less than the applicable maximum price set forth in paragraph (a) (1) of this section.

(2) *Packer classifications sold on an unselected basis.* The maximum prices for packer classifications of hides sold on an unselected basis, i. e., flat for No. 1's and No. 2's shall be the applicable maximum prices for No. 2's set forth in paragraph (a) (1) of this section.

(b) *Other than packer classifications.*<sup>4</sup>

[Price per pound, f. o. b. shipping point]

	Trimmed	Un-trimmed <sup>1</sup>
Free of brand steers and cows including free of brand bulls up to 58 pounds.....	\$0.15	\$0.14
Branded steers and cows, including branded bulls up to 58 pounds.....	.14	.13
Free of brand bulls.....	.11½	.10½
Branded bulls.....	.10½	.09½

<sup>1</sup> The term "untrimmed" as applied to hides, means hides without the standard head and tail trim prevailing on hides of packer classifications, in which the ears, ear butt fat and gristles, ox-lip, snouts and lower lips are trimmed off in the green state before salting and in which the tails are cut off to not more than eight inches in length.

*Tare allowance.* A tare allowance of not less than 2% shall be allowed on all sales of hides other than packer classifications.

(c) *Pacific coast hides.*

[Price per pound, f. o. b. shipping point]

	Trimmed	Un-trimmed <sup>1</sup>
Native and branded steers and cows (flat for No. 1's and No. 2's).....	\$0.13½	\$0.12½
Native and branded bulls (flat for No. 1's and No. 2's).....	.10	.09

<sup>1</sup> Supra, note 1.

*Tare allowance.* A tare allowance of not less than two pounds tare per hide shall be allowed on all sales of Pacific Coast hides.

(d) *Hides or skins in mixed lots.* When hides or skins are sold in lots

<sup>4</sup> Supra, note 3.

containing more than one type or grade of hides, kips or calfskins for which maximum prices are established by Price Schedule No. 9, unless the quantity of each such type or grade is determined by actual inspection and separately priced at not exceeding the applicable maximum, the maximum price for the lot shall be the maximum price for that type or grade of hide or skin included in the lot which has the lowest established maximum price.

(e) *Green or partially cured hides.* The maximum prices for green or partially cured hides shall be the maximum prices set forth above: *Provided*, That the maximum prices for green or partially cured hides sold to tanners, or for their account, or to persons who have hides tanned on contract (i. e., others than dealers buying and selling un-trimmed hides for their own account) shall be the maximum prices set forth above reduced by 20%.

(f) *Sales of bull hides at retail.* The maximum price for retail sales of bull hides shall be the applicable maximum price set forth in Appendix A hereof plus two cents per pound. The term "retail sales" means sales through a regularly maintained retail establishment to the ultimate consumer: *Provided*, That no tanner or other processor of hides and no purchaser of hides for resale shall be deemed to be an ultimate consumer.

8. Section 1314.12 is amended to read as follows:

§ 1314.12 *Appendix B: Maximum prices for domestic kips and calfskins—(a) (1) Packer calf and kipskins sold on a selected basis.*

No. 1 SELECTION, STANDARD PRESENT TRIM, TARE ALLOWANCE AND DELIVERY

Price per lb., f. o. b. shipping point

Chicago packer heavy northern (9½-15 lb.).....	\$0.27
Chicago packer lights (less than 9½ lb.).....	.23½
Packer kips, No. 1 northern native (15-30 lb.).....	.20
Branded kips (30 lb. and down).....	.17½
Slunks, regular.....	1.10
Slunks, hairless.....	.55

<sup>1</sup> Each, flat for No. 1's and No. 2's.

*Tare allowance for packer calf and kipskins.* A tare allowance of not less than one-half pound per skin for packer calf (except slunks) and three-fourths pound per skin for packer kip shall be allowed on all sales of packer calf and kipskins.

(2) *Chicago city calf and kipskins sold on a selected basis.*

No. 1 SELECTION, STANDARD PRESENT TRIM, TARE ALLOWANCE AND DELIVERY

Price per lb., f. o. b. shipping point

Chicago City (10 to 15 pounds).....	\$0.23
Chicago City (8 to 10 pounds).....	.20½
Chicago City native kips (15 to 30 pounds).....	.18
Chicago City branded kips (30 pounds and down).....	.17

Price per skin,  
f. o. b. shipping  
point

Chicago City (less than 8 pounds)----- \$1.43

Tare allowance for Chicago City calf and kipskins. A tare allowance of not less than one-half pound per skin for Chicago city calf (except slunks) and three-fourths pound per skin for Chicago city kip shall be allowed on all sales of Chicago city calf and kipskins.

(3) New York City packer and collector calf and kipskins sold on a selected basis.

No. 1 SELECTION, NEW YORK CITY TRIM, STANDARD TARE ALLOWANCE AND DELIVERY

Price per skin,  
f. o. b. shipping  
point

New York packer (3 to 4 lb.)-----	\$1.25
New York packer (4 to 5 lb.)-----	1.40
New York packer (5 to 7 lb.)-----	1.80
New York packer (7 to 9 lb.)-----	2.80
New York packer (9 to 12 lb.)-----	3.80
New York packer (12 to 17 lb.)-----	4.20
New York packer (17 lb. or more)-----	4.60
New York collector (3 to 4 lb.)-----	1.15
New York collector (4 to 5 lb.)-----	1.30
New York collector (5 to 7 lb.)-----	1.65
New York collector (7 to 9 lb.)-----	2.60
New York collector (9 to 12 lb.)-----	3.55
New York collector (12 to 17 lb.)-----	3.95
New York collector (17 lb. or more)-----	4.35

Calf and kipskins of the classifications set forth above which fail to meet established standards of trim, tare allowance or delivery for the type or grade sold, shall be sold at a price at least 2¢ per pound, or, when sold on a per skin basis, at least 20¢ per skin, less than the applicable maximum price set forth above.

Maximum prices for No. 2's. The maximum price for No. 2 calf and kipskins of the classifications set forth above shall not exceed the maximum price for each such classification reduced by a discount of 10%.

Maximum prices for skins not New York City trimmed. The maximum prices for calf and kipskins, other than Pacific Coast skins, which are not New York City trimmed, shall be the maximum prices established by Price Schedule No. 9 for packer calf and kipskins, Chicago City calf and kipskins or country calf and kipskins, whichever are applicable.

Maximum prices for skins sold on an unselected basis. The maximum prices for calfskins of the classifications set forth above sold on an unselected basis, i. e., flat for No. 1's and No. 2's, shall be the applicable maximum prices for No. 2's.

The maximum prices for kipskins of the classifications set forth above sold on an unselected basis, i. e., flat for No. 1's and No. 2's, shall be the applicable maximum prices for each such classification less 1¢ per pound.

When the quantity of No. 2's in any lot of skins sold is not determined by actual inspection or is based upon the buyer's or the seller's estimate thereof, the maximum price for the lot shall be the maximum price established by Price Schedule No. 9 for skins sold on an unselected basis.

(b) Country calf and kipskins.

Price per lb.,  
f. o. b. shipping  
point

Country calf (10 pounds and down) <sup>5</sup> -----	\$0.16
Country calf (10 to 15 pounds) <sup>5</sup> -----	.18
Country kips (15 to 30 pounds) <sup>5</sup> -----	.16

<sup>5</sup> Flat for No. 1's and 2's.

Tare allowance. A tare allowance of not less than 2% shall be allowed on all sales of country calf and kipskins.

(c) Pacific coast calf and kipskins,<sup>6</sup> standard tare allowance and delivery.

Price per lb.,  
f. o. b. shipping  
point

Pacific coast kips (15 pounds or more) <sup>1</sup> -----	\$0.19¼
Pacific coast New York City trimmed kips (15 pounds or more) <sup>1</sup> -----	.21
Pacific coast trimmed calf (6 to 13 pounds) <sup>1</sup> -----	.26
Pacific coast trimmed calf (13 to 15 pounds) <sup>1</sup> -----	.23½

Price per skin,  
f. o. b. shipping  
point

Pacific coast calf (less than 6 pounds) <sup>1</sup> -----	\$1.25
Pacific coast slunks, regular <sup>1</sup> -----	1.00
Pacific coast slunks, hairless <sup>1</sup> -----	.50

<sup>1</sup> Flat for No. 1's and 2's.

Pacific coast calf and kipskins which fail to meet established standards of tare allowance or delivery shall be sold at a price at least 1¢ per pound less than the applicable maximum price set forth above.

(d) Hides or skins sold in mixed lots.

When hides or skins are sold in lots containing more than one type or grade of hides, kips or calfskins for which maximum prices are established by Price Schedule No. 9, unless the quantity of each such type or grade is determined by actual inspection and separately priced at not exceeding the applicable maximum, the maximum price for the lot shall be the maximum price for that type or grade of hide or skin included in the lot which has the lowest established maximum price.

(e) Green or partially cured kips and calfskins. The maximum prices for green or partially cured kips or calfskins shall be the maximum prices set forth above: *Provided*, That the maximum prices for green or partially cured kips or calfskins sold to tanners, or for their account, or to persons who have kips or calfskins tanned on contract (i. e., others than dealers buying and selling untrimmed kips or calfskins for their own account) shall be the maximum prices set forth above reduced by 15%: *Provided further*, That where the buyer's agent or employee takes off the skin, the applicable maximum price shall be reduced by not less than 20¢ per skin.

9. Section 1314.13 is revoked.

This amendment shall become effective June 30, 1944.

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

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9632; Filed, June 30, 1944; 4:24 p. m.]

<sup>6</sup> The maximum price of any calfskin originating in the Pacific Coast, but not Pacific Coast trimmed, shall not exceed 80% of the maximum price set forth above for Pacific Coast Trimmed Calf of corresponding weight except that (a) in the case of skins weighing less than six pounds, the maximum price of \$1.25 per skin shall apply to both trimmed and untrimmed skins, and (b) New York City trimmed calfskins originating in the Pacific

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,<sup>1</sup> Amdt: 21 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 17) OPA Form R-1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., July 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9634; Filed, June 30, 1944; 4:25 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,<sup>2</sup> Amdt. 3 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 16) (OPA Forms R-1313 and 1611) which are made a part hereof.

2. Section 1407.3027 (e) (8) is added to read as follows:

(8) X8, Y8, and Z8 are valid beginning July 2, 1944.

This amendment shall become effective at 12:01 a. m., July 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9633; Filed, June 30, 1944; 4:25 p. m.]

Coast weighing 15 pounds or less may be sold by the skin at prices not exceeding the maximum prices established above for New York Collector skins.

<sup>1</sup> 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2947, 2830, 3707, 3580, 4542, 4605, 4883, 4607, 5956, 6103, 6455, 6151.

<sup>2</sup> 9 F.R. 6731, 7081, 7081, 7082, 7167, 7060, 7203.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 33]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

In section 15, Appendix H is amended in the following respects:  
1. Table 8 in paragraph (b) is amended to read as follows:

TABLE 8—MAXIMUM PRICES FOR CERTAIN BERRIES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item	Kind of berries and production Zone <sup>1</sup>	Unit	Season	Maximum prices f. o. b. country shipping point	Maximum price for sales delivered at any wholesale receiving point in any quantity <sup>2</sup>	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional user <sup>4</sup>
1	Strawberries, Zone I.	Pint....	May 2—end of season.	Cents 16½	Price in Column 5 plus freight from shipping point to wholesale receiving point, and plus actual cost of protective services, not to exceed a common carrier's lowest charge for the same services.	Price in Column 6 plus 3¼¢ for pints and pounds, or plus ½¢ for quarts.
2		Quart....		32½		
3		Pound...		21½		
4	Strawberries, Zone II.	Pint....	Entire season...	20		
5		Quart....		39		
6		Pound...		26½		
7	Strawberries, Zone III.	Pint....	Entire season...	13		
8		Quart....		27		
9		Pound...		18		
10	Red raspberries, Zones I & II.	Pint....	Entire season...	21		
11		Quart....		40½		
12		Pound...		27		
13	Red raspberries, Zone III.	Pint....	Entire season...	14½		
14		Quart....		27		
15		Pound...		18		
16	Black raspberries, Zones I & II.	Pint....	Entire season...	19½		
17		Quart....		37½		
18		Pound...		25		
19	Black raspberries, Zone III.	Pint....	Entire season...	13		
20		Quart....		24		
21		Pound...		16		
22	Blackberries and dewberries* Zones I & II.	Pint....	Entire season...	14		
23		Quart....		27		
24		Pound...		18		
25	Blackberries and dewberries* Zone III.	Pint....	Entire season...	12		
26		Quart....		22½		
27		Pound...		15		

\*Including both wild and cultivated blackberries and dewberries.  
<sup>1</sup> Zone I consists of the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas and all states east thereof.  
 Zone II consists of the states of Montana, Wyoming, Colorado, Idaho, New Mexico, Arizona, Nevada, Utah, California, Oregon (counties of Wasco, Jefferson, Deschutes, Douglas, Coos, Curry and all counties east thereof) and Washington (counties of Okanogan, Chelan, Kittitas, Yakima, Kllickitat and all counties east thereof).  
 Zone III consists of all other counties of Oregon and Washington.  
<sup>2</sup> The per pound price applies to berries in all containers other than pints and quarts.  
<sup>3</sup> In figuring a price under Column 6, or for sales made while the goods are in transit, the Column 5 price to be used is the price for the zone in which the berries were produced, in effect at the time of shipment from the country shipping point.  
<sup>4</sup> The prices figured under Columns 6 and 7 are maximum prices for each lot or shipment of berries received and sold by the particular seller. For the sellers covered by column 7, see general provisions of this appendix.

2. In the table in paragraph (c), item 8 in Column 2 is amended to read as follows:

Strawberries, blackberries, dewberries, red and black raspberries.

This amendment shall become effective July 3, 1944.  
 Issued this 29th day of June 1944.

Approved June 24, 1944.

WILSON COWEN,  
 Assistant War Food Administrator.

JAMES G. ROGERS, Jr.,  
 Acting Administrator.

[F. R. Doc. 44-9527; Filed, June 29, 1944; 11:44 a. m.]

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

<sup>1</sup> 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1561, 2008, 2023, 2493, 4030, 4086, 4434, 4786, 4787, 4877, 5926, 5959, 6104, 6108, 6420, 6711.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1B, Amdt. 8]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

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

Ration Order 1B is amended in the following respects:

- Section 1.3 (a) (5) is amended by deleting the phrase "tire, tube, recapping service or camelback" and inserting in lieu thereof the phrase "tire or tube."
- Sections 1.3 (a) (18), 1.3 (a) (24), 1.3 (a) (31), 2.1 (a) (1) (i), 2.4 (b) (4), 2.4 (c), 2.7 (b), 2.16 (b) (1), 2.29 (c), 2.31 (d) (3), 2.31 (d) (4), 2.33 (j) (1), 2.33 (k), 3.2 (c), 3.3 (a) (4) and 3.5 are hereby revoked.

3. Section 1.3 (a) (28) is amended by deleting the phrase "solid or" after the phrase "means any".

4. Sections 1.6 (a), 2.9 (a), 2.9 (b) and 2.15 (a) are amended by deleting the phrase "tires, tubes, recapping service or camelback" wherever it appears and inserting in lieu thereof, in each instance, the phrase "tires or tubes".

5. Sections 1.6 (b), 2.3 (a), 2.8 (a), 2.9 (d), 2.10 (a), 2.17 (c) and 2.31 (f) are amended by deleting the phrase "tires, tubes or recapping service" wherever it appears and inserting in lieu thereof, in each instance the phrase "tires or tubes".

6. Sections 2.1 (a), 2.2 (a), 2.2 (c), 2.3 (a), and 2.5 are amended by deleting the phrase "tire, tube or recapping service" wherever it appears, and inserting in lieu thereof, in each instance, the phrase "tire or tube".

7. Section 2.1 (a) (2) is amended by inserting a period after the word "replace" and deleting the phrase "or recap".

8. Section 2.1 (a) (2) (ii) is amended by deleting the phrase "make timely application for" and inserting in lieu thereof the phrase "obtain timely".

9. Section 2.1 (a) (3) is amended by deleting the phrase "or recap" after the phrase "to replace".

10. Section 2.1 (a) (5) is amended by inserting a period after the word "replace" and deleting the phrase "or tire sought to be recapped".

11. The table in section 2.2 (c) is amended to read as follows:

<sup>1</sup> 8 F.R. 9551, 12695, 14153; 9 F.R. 219, 1318, 1945, 3849, 6629.

Type of ration	Adjusted weekly mileage	Eligible for tires	Eligible for tubes
Basic "A" only.....	12 miles a week.....	None.....	New or used at applicant's option.
Supplemental "B" occupational.	Less than 48 miles a week.	Grade III tire if applicant does not have a recappable carcass.	New or used at applicant's option.
Supplemental "B" occupational, or "C" preferred.	48 miles or more a week.	At applicant's option a Grade III or a Grade I tire if he does not have a recappable carcass.	New or used at applicant's option.
Fleet passenger and bulk rations.	Adjusted mileage.....	According to adjusted mileage for each vehicle.	New or used at applicant's option.

12. Section 2.2 (d) (1) is amended by inserting a period after the word "office" and deleting the phrase "or if the Director finds that the recapping facilities are unavailable or inadequate".

13. Section 2.4 (b) is amended by deleting the phrase "or for recapping service" after the phrase "for a used tire".

14. Section 2.4 (b) (1) is amended by deleting the phrase "recapping service" after the phrase "paragraph for".

15. Section 2.8 (b) is amended to read as follows:

(b) *Issuance of certificates by the Director.* Upon letter of application from any dealer or distributor in Puerto Rico, accompanied by Parts B, the Director may issue Exchange Certificates for tires or tubes to dealers and distributors in exchange for the Parts B surrendered. The Exchange Certificate shall be prepared on Form OPA-R-2 (Revised), and shall authorize replenishment of the same number of units of passenger-type tires, passenger-type tubes, truck-type tires and truck-type tubes as are included in the Parts B surrendered for exchange. The types of tires on the Exchange Certificates shall be computed in accordance with the table in section 2.31 (c). The parts "B" surrendered by the dealers and distributors shall thereupon be destroyed.

16. Section 2.11 (a) is amended by deleting the phrase "or recapped" after the phrase "to be replaced".

17. Section 2.13 is amended by deleting the phrase "or the type of recapping service or camelback" after the phrase "tires or tubes".

18. Section 2.14 (a) (1) is amended to read as follows:

(1) *For tires and tubes.* OPA Form R-2 (Revised) authorizing an applicant to acquire tires or tubes. Separate certificates shall be issued for tires and for tubes.

19. Section 2.16 (a) (1) (i) is amended by deleting the phrase "he is having his tires recapped or if" after the word "when".

20. Section 2.16 (a) (2) is amended by deleting the phrase "or the amount and type of recapping service" after the word "tubes".

21. Section 2.17 (b) is amended by inserting a period after the word "recapper" and deleting the phrase "in accordance with section 2.33 (j) (2)."

22. Sections 2.18 (b), 2.31 (a), 2.31 (b), 2.31 (c) (3) (i), 2.31 (c) (3) (ii), 2.31 (e), 2.32 (a), 2.32 (a) (5), 2.32 (b), 2.33 (a), 2.33 (b), 2.33 (c), 2.33 (f), 2.33 (g), 2.33 (l), 2.33 (m), 2.33 (n), 2.34 (a), 2.35 (e), 3.2 (a), 3.2 (a) (3), 3.3 (a) and 3.6 (a) are amended by deleting the

phrase "tires, tubes or camelback" wherever it appears, and inserting in lieu thereof, in each instance, the phrase "tires or tubes".

23. Section 2.18 (c) is amended by deleting the phrase "or type of recapping service or camelback" after the word "tubes".

24. Section 2.19 is amended to read as follows:

SEC. 2.19 *Splitting of certificates.* A holder of a certificate or part of a certificate who is unable to acquire from one supplier all the tires or tubes which he has been authorized to acquire may return the certificate to the issuing Board and the Board shall thereupon cancel the returned certificate and issue as many certificates as are necessary to permit the acquisition of such tires or tubes from several suppliers. In the event that a certificate or part of a certificate is issued by a Board in the Virgin Islands of the United States, it may be surrendered by the holder to the Director in San Juan, Puerto Rico, who may issue as many certificates as are necessary.

25. Sections 2.28 (a) (1), 2.28 (a) (2), 2.32 (a) (1), 2.32 (a) (2), 2.32 (a) (3) and 2.32 (a) (4) are amended by deleting the phrase "tire, tube or camelback" wherever it appears and inserting in lieu thereof, in each instance, the phrase "tire or tube".

26. Sections 2.29 (a) (1) and 2.29 (a) (2) are amended by deleting the phrase "or recapped" wherever it appears.

27. Section 2.31 (c) (2) is amended by deleting the phrase "or 8½ lbs. of passenger type camelback" wherever it appears.

28. Section 2.31 (d) is amended to read as follows:

(d) *Camelback for recapping.* No recapper shall apply camelback to the tread surface of a carcass if the carcass will not be serviceable as a recapped tire.

29. Section 2.33 (i) is amended by inserting a period after the word "recapper" and deleting the phrase "in accordance with paragraph (j) (2) of this section".

30. Section 2.33 (j) (2) is amended to read as follows:

(2) If a dealer transfers a recappable tire to a recapper such recapper may transfer to such dealer a Grade III tire in exchange thereof.

31. Section 2.33 (q) is amended by deleting the word "camelback" and the last sentence.

32. Section 2.35 (f) is amended to read as follows:

(f) *Abuse of tires.* No person shall, without lawful authority abuse, alter,

damage or neglect any tire or tube in his possession or control. Failure to obtain timely recapping or make timely application for replacement shall constitute a form of abuse, within the meaning of this paragraph.

33. Section 2.35 (m) is amended by deleting the phrase "tire, tube, camelback or recapping" and inserting in lieu thereof, the phrase "tire or tube".

34. Section 3.3 (a) (2) is amended by inserting a period after the word "thereof" and deleting the phrase "and the type of camelback used in recapping the tires".

35. Section 3.13 is amended by deleting the word "camelback".

This amendment shall become effective July 1, 1944.

Issued this 1st day of July 1944.

JORGE L. CORDOVA,  
Territorial Director,  
Puerto Rico.

Approved:

GERALD A. BARRETT,  
Acting Regional Administrator,  
Region IX.

[F. R. Doc. 44-9675; Filed, July 1, 1944;  
11:59 a. m.]

PART 1367—FERTILIZERS  
[RMPR 240]

PHOSPHATE ROCK

Maximum Price Regulation 240 is redesignated Revised Maximum Price Regulation 240 and is revised and amended to read as set forth herein. RMPR 240 establishes maximum prices for Florida land pebble and hard phosphate rock and for Tennessee brown phosphate rock.

In the judgment of the Price Administrator, the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practical, the Price Administrator has advised and consulted with the members of the industry affected by this revised regulation.

Such standards and specifications as are used in this revised regulation were, prior to such use, in general use in the industry affected.

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

REVISED MAXIMUM PRICE REGULATION 240—  
PHOSPHATE ROCK

CONTENTS

- Sec.
1. Applicability.
  2. Sales at other than maximum prices.
  3. Evasion.
  4. Records and reports.
  5. Enforcement.
  6. Licensing.
  7. Protests and petitions for amendment.

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

## Sec.

## 8. Definitions.

Appendix A—Maximum prices for Florida land pebble phosphate

Appendix B—Maximum prices for Tennessee brown phosphate rock

Appendix C—Maximum prices for Florida hard phosphate

AUTHORITY: Secs. 1 to 8, incl. (§ 1367.101) issued under 56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

**SECTION 1. Applicability.**—(a) *In general.* Except as provided in paragraph (b) of this section with reference to emergency sales to the United States and its agencies and paragraph (c) of this section with reference to export sales, this regulation shall apply to all sales by miners of Florida land pebble and hard phosphate rock and of Tennessee brown phosphate rock, whether sold for immediate or future delivery, within the District of Columbia and the 48 states of the United States.

(b) *Emergency purchases.* This regulation shall have no application to any purchases by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

(c) *Export sales.* This regulation shall have no application to export sales of Florida land pebble and hard phosphate rock and of Tennessee brown phosphate rock. The maximum price of such sales shall be determined in accordance with the provisions of the Second Revised Export Price Regulation.

**SEC. 2. Sales at other than maximum prices.**—(a) *Prohibition.* Regardless of any contract or obligation, no miner shall sell or deliver, and no person in the course of trade or business shall buy or receive from a miner Florida land pebble and hard phosphate rock and Tennessee brown phosphate rock at a price above the maximum price established by Appendices A, B and C of this regulation for such sale, nor shall any person agree to solicit, offer or attempt to do any of the foregoing. This prohibition, however, is subject to the provision for adjustable pricing contained in paragraph (b) of this section, the exception for emergency purchases by the United States and its agencies contained in paragraph (b) of section 1 and the exception for export sales contained in paragraph (c) of section 1.

(b) *Adjustable pricing.* Any person may agree to sell at a price which can be

increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(c) *Lower prices.* Prices lower than the maximum prices established by this regulation may, of course, be charged or paid.

**SEC. 3. Evasion.** Any method whereby a miner obtains greater consideration than the maximum price, or whereby he gives less than the consideration due the buyer for the maximum price is an evasion of this regulation, and therefore prohibited; and any offer or agreement which accomplishes or attempts to accomplish such a result is equally prohibited; except, that the foregoing does not prohibit practices which were customary either to the miner or to the trade prior to April 1, 1942 of requiring the buyer to purchase combinations of commodities or of requiring the buyer to sell back to the miner other commodities or the same commodity; *Provided,* All such sales and purchases are at the market price, not exceeding the maximum price.

**SEC. 4. Records and reports.** (a) Every miner of Florida land pebble and hard phosphate rock and Tennessee brown phosphate rock who offers, agrees to sell, sells, or delivers such phosphate rock shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, a complete and accurate record of every such offer, agreement, purchase, sale or delivery showing the date thereof, the name and address, the amount of the transportation charges paid by the miner and the quantity, grade and size sold.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

**SEC. 5. Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

**SEC. 6. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all miners subject to this regulation. A miner's license may be suspended for violations of the license or of any one or more applicable price

schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 7. Protests and petitions for amendment.** Any person desiring to file a protest against or seeking an amendment of any provision of this regulation may do so in accordance with the provisions of Revised Procedural Regulation No. 1<sup>3</sup> issued by the Office of Price Administration.

**SEC. 8. Definitions.** When used in this Regulation 240, the terms:

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

(2) "Miner" means a person who mines or recovers from the soil, phosphate rock and who may process the same to whatsoever extent before shipment.

(3) "Phosphate rock" means rock composed of mixtures of phosphate minerals, the chief of which is tricalcium phosphate or tribasic phosphate of lime, a compound of phosphoric acid and lime chemically described as  $Ca_3(PO_4)_2$ .

(4) "Florida land pebble phosphate rock" means phosphate rock of pebble-like formation mined and recovered in the State of Florida from land as distinguished from river beds.

(5) "Tennessee brown phosphate rock" means phosphate rock brown in color mined and recovered in the State of Tennessee.

(6) "Florida hard phosphate rock" means phosphate rock mined in Florida of a more solid formation than pebble rock.

(7) "B. P. L." means bone phosphate of lime, a commercial description of phosphate rock based upon the content tricalcium phosphate or tribasic phosphate of lime ( $Ca_3(PO_4)_2$ ).

(8) "Kind" means a phosphate rock described by the name of the state in which it is mined, the basic substance of which it is composed and may include the color of its appearance, as for example, "Florida land pebble phosphate rock;" "Tennessee brown phosphate rock."

(9) "Grade" means the percentage of phosphorus content expressed in units of bone phosphate of lime or phosphorus pentoxide ( $P_2O_5$ ).

APPENDIX A—MAXIMUM PRICES FOR FLORIDA LAND PEBBLE PHOSPHATE ROCK

The miner may charge any person for Florida land pebble phosphate rock upon the terms and conditions, and for the grades and descriptions, the prices, all as set forth in the following schedule:

1. *Unground phosphate rock:*

*Size.*—Run of mine in carload lots—washed, dried and unground.

*Price.*—Basis gross ton (2240 lbs.) f. o. b. cars at mines.

<sup>3</sup> 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

**Quality.**—Bone phosphate of lime (B. P. L.) on a dry basis, and not more than 4% combined oxide of iron and aluminum (when determined separately on a dry basis) and not more than 3% moisture.

**Grades:**

- 68/66% B. P. L.—\$2.20 basis 68% B. P. L., 10¢ per unit rise to 70% maximum and 10¢ per unit fall to 64% minimum, fractions in proportion.
- 70/68% B. P. L.—\$2.60 basis 70% B. P. L., 10¢ per unit rise to 72% maximum and 20¢ per unit fall to 68% minimum, fractions in proportion.
- 72/70% B. P. L.—\$3.20 basis 72% B. P. L., 15¢ per unit rise to 74% maximum and 30¢ per unit fall to 70% minimum, fractions in proportion.
- 75/74% B. P. L.—\$4.20 basis 75% B. P. L., 20¢ per unit rise to 76% maximum and 40¢ per unit fall to 74% minimum, fractions in proportion.
- 77/76% B. P. L.—\$5.20 basis 77% B. P. L., 25¢ per unit rise to 81% maximum and 50¢ per unit fall to 76% minimum, fractions in proportion.

**Special sizes.**—Add 50¢ per gross ton for all pebble rock without any flotation concentrates.

**Screened rock after drying for furnace use:** Add \$1.00 per gross ton for all plus 5/32-inch screen size.

**Wet rock.**—Deduct 50¢ per gross ton for wet rock not dried.

**Calcining.**—Add \$1.10 per gross ton for calcining basis 1500° Fahrenheit plus 5¢ per gross ton for each 100° Fahrenheit above 1500° or less 5¢ per gross ton for each 100° below 1500° guaranteed, no adjustment for less than 100°.

**Grinding.**—Add 45¢ per gross ton for grinding 48 to 52% minus 200 mesh screen.

Add 55¢ per gross ton for grinding 58 to 62% minus 200 mesh screen.

**Car door boards.**—Add \$2.50 per car for boarding up box car doors.

**Lining cars.**—Add 75¢ per car for lining doors. Add \$1.75 per car for lining cars.

**NOTE:** Above prices without any guarantee as to oxide of iron and alumina apply to sales to ferrophosphorus and pig iron manufacturers.

**2. Finely ground phosphate rock:**

**Price.**—Basis net ton (2,000 lbs.) f. o. b. cars at mines in carload lots in bulk.

**Quality.**—Phosphorus pentoxide (P<sub>2</sub>O<sub>5</sub>) on a dry basis minimum grade guaranteed and not more than 3% moisture.

Ground not less than 85% minus 200 mesh.

**Grades:**

- 29% P<sub>2</sub>O<sub>5</sub>—\$2.70 per ton basis 29% P<sub>2</sub>O<sub>5</sub> minimum.
- 30% P<sub>2</sub>O<sub>5</sub>—\$2.90 per ton basis 30% P<sub>2</sub>O<sub>5</sub> minimum.
- 31% P<sub>2</sub>O<sub>5</sub>—\$3.10 per ton basis 31% P<sub>2</sub>O<sub>5</sub> minimum.
- 32% P<sub>2</sub>O<sub>5</sub>—\$3.45 per ton basis 32% P<sub>2</sub>O<sub>5</sub> minimum.
- 33% P<sub>2</sub>O<sub>5</sub>—\$4.00 per ton basis 33% P<sub>2</sub>O<sub>5</sub> minimum.
- 34% P<sub>2</sub>O<sub>5</sub>—\$4.65 per ton basis 34% P<sub>2</sub>O<sub>5</sub> minimum.
- 35% P<sub>2</sub>O<sub>5</sub>—\$5.55 per ton basis 35% P<sub>2</sub>O<sub>5</sub> minimum.

No charge for car liners or car door boards.

**Bagged.**—Add \$2.00 per net ton for ground rock in 100-lb. capacity multi-wall paper bags.

Add 50¢ per net ton for truck-load shipments in bulk.

**3. Dust collector product:** \$2.50 per net ton approximately 60% to 75%. B. P. L. and fineness of approximately 40 to 69%. Minus 200 mesh with no guarantee plus \$3.25 per car for partial paper lining and car door boards.

**APPENDIX B—MAXIMUM PRICES FOR TENNESSEE BROWN PHOSPHATE ROCK**

The miner may charge any person for Tennessee brown phosphate rock upon the terms and conditions, and for the grades and descriptions, the prices, all as set forth in the following schedule:

**1. Unground phosphate rock:**

**Size.**—Run of mine in carload lots—washed, dried and unground.

**Price.**—Basis gross ton (2,240 lbs.) f. o. b. cars at mines.

**Quality.**—Bone phosphate of lime (B. P. L.) on a dry basis combined oxide of iron and alumina (I. & A. determined separately on a dry basis) adjusted basis 2 units B. P. L. for 1 unit I. & A. and not more than 3% moisture.

**Grades:**

- 68/66% B. P. L. 6% I. & A.—\$4.50 basis 68% B. P. L., 12½¢ per unit rise to 70% maximum and 15¢ per unit fall to 66% minimum, fractions in proportion; I. & A. basis 6% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.
- 70/68% B. P. L. 5½% I. & A.—\$5.00 basis 70% B. P. L., 15¢ per unit rise to 72% maximum and 20¢ per unit fall to 68% minimum, fractions in proportion; I. & A. basis 5½% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.
- 72/70% B. P. L. 5½% I. & A.—\$5.50 basis 72% B. P. L., 20¢ per unit rise to 75% maximum and 25¢ per unit fall to 70% minimum, fractions in proportion; I. & A. basis 5½% with 2 units B. P. L. for 1 unit I. & A., fractions in proportion, added when below or deducted when above.

**Lump rock.**—Add 50¢ per gross ton for screened lump rock of not more than 8% moisture, and with no adjustment for I. & A.

**Wet rock.**—Deduct 50¢ per gross ton for wet rock not dried.

**Calcining.**—Add \$1.00 per gross ton for calcining basis 1500° Fahrenheit plus 5¢ per gross ton for each even 100° Fahrenheit above 1500° or less 5¢ per gross ton for each 100° below 1500° guaranteed.

**Grinding.**—Add 50¢ per gross ton for grinding 48 to 52% minus 200 mesh. Add 70¢ per gross ton for grinding 58 to 62% minus 200 mesh.

**Car door boards.**—Add \$2.50 per car for boarding up car doors.

**Lining cars.**—Add 75¢ per car for paper lining doors. Add \$1.75 per car for paper lining car.

**2. Finely ground phosphate rock:**

**Price.**—Basis net ton (2,000 lbs.) f. o. b. cars at mines in car load lots in bulk.

**Quality.**—Phosphorus pentoxide (P<sub>2</sub>O<sub>5</sub>) on a dry basis minimum grade guaranteed and not more than 3% moisture, no adjustment for excess grade or I. & A.

Ground 90 to 95% minus 200 mesh or 80 to 85% minus 300 mesh.

**Grades:**

- 29% P<sub>2</sub>O<sub>5</sub>—\$4.65 per net ton basis 29% P<sub>2</sub>O<sub>5</sub> minimum.
- 30% P<sub>2</sub>O<sub>5</sub>—\$4.85 per net ton basis 30% P<sub>2</sub>O<sub>5</sub> minimum.
- 31% P<sub>2</sub>O<sub>5</sub>—\$4.95 per net ton basis 31% P<sub>2</sub>O<sub>5</sub> minimum.
- 32% P<sub>2</sub>O<sub>5</sub>—\$5.20 per net ton basis 32% P<sub>2</sub>O<sub>5</sub> minimum.
- 33% P<sub>2</sub>O<sub>5</sub>—\$5.70 per net ton basis 33% P<sub>2</sub>O<sub>5</sub> minimum.

No charge for car liners or car door boards. Add 30¢ per net ton for bagging in valve bags which purchaser provides.

Add 30¢ per net ton for truck load shipments in bulk.

Add \$2.00 per net ton for bagging in 100-pound multi-wall paper bags.

**Car bulkheads.**—Add \$2.00 per car for installing wooden bulkheads to separate bagged rock from unbagged rock only at buyer's request.

**APPENDIX C—MAXIMUM PRICES FOR FLORIDA HARD PHOSPHATE ROCK**

The miner may charge any person for Florida hard phosphate rock upon the terms and conditions, and for the grades and descriptions, the prices, all as set forth in the following schedule:

**Unground phosphate rock**

**Size.**—Run of mine in carload lots—crushed, washed, dried and unground.

**Price.**—Basis gross ton (2240 lbs.) f. o. b. cars or F. A. S. vessel at Fernandina, Florida.

**Quality.**—Bone phosphate of lime (B. P. L.) on a dry basis, and not more than 4% combined oxide of iron and alumina (when determined separately on a dry basis) and not more than 3% moisture.

**Grades:**

- 72/70% B. P. L.—\$7.10 basis 72% B. P. L., 15¢ per unit rise to 74% maximum and 30¢ per unit fall to 68% minimum, fractions in proportion.
- 75/74% B. P. L.—\$7.85 basis 75% B. P. L., 20¢ per unit rise to 76% maximum and 40¢ per unit fall to 74% minimum, fractions in proportion.
- 77/76% B. P. L.—\$8.60 basis 77% B. P. L., 25¢ per unit rise to 81% maximum and 50¢ per unit fall to 76% minimum, fractions in proportion.

**Wet rock.**—Deduct \$2.70 per gross ton from the grade price f. o. b. cars at Fernandina, Florida for wet rock not dried, f. o. b. cars at the mines.

**Car door boards.**—Add \$2.50 per car for boarding up car doors.

This revised regulation shall become effective July 6, 1944.

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

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9676; Filed, July 1, 1944; 11:56 a. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[Rev. RO 13, Amdt. 46]

**PROCESSED FOODS**

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

Appendix A is amended by deleting the words "Brandied, spiced, or pickled fruits packed in hermetically sealed containers."

This amendment shall become effective at 12:01 a. m., July 2, 1944.

**NOTE:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in

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

<sup>1</sup> 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647.

accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319.)

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9677; Filed, July 1, 1944;  
11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,<sup>1</sup> Amdt. 9]

MEAT, FATS, FISH AND CHEESES

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

Section 7.6 (k) is added to read as follows:

(k) *Allotments for industrial users of meat having a point value.* An industrial user who, during the third quarter of his base period, used meat which on July 2, 1944 has a point value (other than zero) may apply for an allotment covering such meat. The application shall be made on OPA Form R-315, to the board or district office with which he is registered, and must estimate the number of pounds of such meat, separately for each item (as listed in section A of the Official Table of Trade Point Values—No. 10) which he used during the third quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the third quarter of his base period, used meat which has a point value other than zero on July 2, 1944. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of meat which he used during the third quarter of his base period is multiplied by the point value in effect for that item on July 2, 1944 as shown on the Official Table of Trade Point Values (No. 16);

(2) The resulting figures are added together and multiplied by 0.7.

The result represents his allotment for the third allotment period of 1944 for meat having a point value on July 2, 1944. (Section 7.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.)

This amendment shall become effective July 5, 1944.

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

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

<sup>1</sup> 9 F.R. 6731.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9678; Filed, July 1, 1944;  
11:57 a. m.]

PART 1441—CHEMICAL TANNING MATERIALS [MPR 352,<sup>1</sup> Amdt. 2]

CHESTNUT EXTRACT

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

Maximum Price Regulation No. 352 is amended in the following respects:

1. "Section 6a. Applications for adjustment" is added to the table of contents.

2. Section 2 is amended to read as follows:

SEC. 2. *Maximum prices for chestnut extract.* The maximum prices established for the following named manufacturers are identical with adjusted maximum prices which would be prescribed under section 6a of this regulation as of July 6, 1944 and are based on the standards and criteria for price adjustments prescribed therein.

(a) *Liquid chestnut extract.* The following maximum prices are established for sales of liquid chestnut extract containing 25 per cent of tannin content.

(1) *Sales by manufacturers, f. o. b. plant—(i) Standard chestnut extract.*

[Per 100 pounds]

	Tank cars or tank trucks	In barrels in carloads	In barrels in less than carloads
Champion Paper & Fibre Co.	\$2.41	\$3.01	\$3.26
The Mead Corporation	2.54	3.14	3.39
Leas and McVitty	2.50	3.10	3.35
Teas Extract Co.	2.95	3.55	3.80
Charles A. Schieren Co.	3.10	3.70	3.95
The Rosman Tanning Extract Co.	3.25	3.85	4.10
Gardner Extract Co.	3.10	3.70	3.95
All others	2.25	2.85	3.10

(ii) *Special chestnut extract.* For sales of special chestnut extract 25 cents per 100 pounds may be added to the maximum prices specified above.

(2) *Sales by jobbers, f. o. b. jobber's warehouse.* On sales by jobbers of standard or special chestnut extract in barrels, \$1.25 per 100 pounds may be added to the manufacturer's maximum carload barrel prices specified in subparagraph (1) above for the particular material and supplier involved.

<sup>1</sup> 7 F.R. 8875, 10476; 8 F.R. 3706.

(3) The following maximum prices are established for sales of liquid chestnut extract containing more or less than 25 per cent tannin content.

For every 1 per cent of tannin content less than 25 per cent, there shall be deducted from the applicable basic price set forth in (1) and (2) above not less than  $\frac{1}{25}$  of such price. For every 1 per cent of tannin content more than 25 per cent, there may be added not more than  $\frac{1}{25}$  of such price.

(4) The maximum prices set forth in subparagraphs (1), (2), and (3) above include barrels when sales are made in barrels and no additional charges may be made for such barrels.

(b) *Powdered chestnut extract.* The following maximum prices are established for sales of powdered chestnut extract containing 65 per cent of tannin content.

(1) *Sales by manufacturers, f. o. b. plant—(i) Standard chestnut extract.*

[Per 100 pounds]

	In bags in carloads	In bags in less than carloads
Champion Paper and Fibre Co.	\$6.92	\$7.67
The Mead Corporation	7.25	8.00
Leas and McVitty	7.15	7.90
Teas Extract Co.	8.32	9.07
Charles A. Schieren Co.	8.71	9.46
The Rosman Tanning Extract Co.	9.10	9.85
Gardner Extract Co.	8.71	9.46
All others	6.50	7.25

(ii) *Special chestnut extract.* For sales of special chestnut extract \$1.00 per 100 pounds may be added to the maximum prices specified above.

(2) *Sales by jobbers, f. o. b. jobber's warehouse.* On sales by jobbers of standard or special chestnut extract in bags, \$1.50 per 100 pounds may be added to the manufacturer's maximum carload bag prices specified in subparagraph (1) above for the particular material and supplies involved.

(3) The following maximum prices are established for sales of powdered chestnut extract containing more or less than 65 per cent tannin content:

For every 1 per cent of tannin content less than 65 per cent, there shall be deducted from the applicable basic price set forth in subparagraph (1) and (2) above not less than  $\frac{1}{65}$  of such price. For every 1 per cent of tannin content more than 65 per cent, there may be added not more than  $\frac{1}{65}$  of such price.

(4) The maximum prices set forth in subparagraphs (1), (2), and (3) above do not include bags and the seller may make an additional charge for bags. Such additional charge shall not exceed the maximum price for the bag actually used as established by the applicable maximum price regulation of the Office of Price Administration, or the actual delivered cost of the bag to the seller of the chestnut extract, whichever is lower. Where an extra charge is made for a bag, such charge shall be separately stated from the charge for the chestnut extract. Where the seller retains title to bags and requires their return, he may charge a reasonable deposit to insure the return of such bags. The deposit must be re-



funded to the buyer upon his return of the bags in good condition within a reasonable time. Transportation costs with respect to the return of such bags shall be borne by the seller.

(c) *Credit charges.* The maximum prices established by this regulation shall not be increased by any charges for the extension of credit.

3. The following new definitions are added to section 13 (a):

"Factory cost" means and includes materials, labor and other indirect manufacturing costs assignable to the production of chestnut extract.

"Over-all profits" means over-all aggregate dollar profits (adjusted for changes in investment and before deduction of income and excess profits taxes) of applicant or, in the event applicant is a parent, subsidiary or affiliate of other corporations or business units, of the entire investment enterprise.

4. The following new section 6a is added:

**SEC. 6a. Applications for adjustment.** Any manufacturer of chestnut extract may apply for an adjustment of his maximum prices established under this regulation if it can be shown that there is a general shortage of supply of chestnut extract, and that the factory costs involved in applicant's production thereof have increased so substantially that a price adjustment is necessary to enable him to maintain or expand his production of said commodity.

(a) *Information to be submitted.* Any application filed hereunder shall be in accordance with Revised Procedural Regulation No. 1 and shall include the following unless such information is already on file with the Office of Price Administration and the applicant so indicates.

(1) Proposed maximum prices and method of arriving at the latter.

(2) Description of applicant's business including a list by major groups of all commodities manufactured.

(3) A statement showing dollar sales volume of chestnut extract and the percentage to total sales for the last complete calendar or fiscal year and for the most recent period for which information is available.

(4) A statement showing factory cost per unit and administrative and selling expense per unit for the last complete calendar or fiscal year and for the most recent period for which the information is available, including:

(i) Itemization of direct material and labor costs per unit, and if increased labor costs are shown, a full explanation of the reason for the increase and a showing that any wage rates subject to approval by the War Labor Board have been approved by that Board.

(ii) Other factory costs directly assignable to the production of chestnut extract. (This may include: indirect labor, factory supplies, repairs and maintenance of building, machinery and equipment, insurance, property taxes, depreciation at normal rates on plant and equipment actually used in manufacture, purchased utility services, and

other items commonly associated with factory operation.)

(iii) General administrative and selling expenses such as: executive and administrative salaries, office expense, commissions, advertising, and similar items but not including income and excess profit taxes, charges to war reserves, or reserves for contingencies.

(5) The method of allocating indirect factory costs and administrative and selling expenses to chestnut extract and the method of charging inventories used in determining material costs.

(6) Profit and loss statements and balance sheets for each of the calendar or fiscal years between 1936 and 1939, inclusive; for the most recent full fiscal or calendar year; and for the latest period for which information is available prior to the date of filing the application. If this information has been submitted previously to the Office of Price Administration on Form A or on any other form, applicant should indicate when and with whom it was filed. Furthermore, the filing of this data is optional provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

(b) *Amount of adjustment.* No adjustment will be made under this section unless the Price Administrator finds that a price increase is necessary to aid in securing essential supply. Furthermore, any adjustment granted under this section shall be limited as follows:

(1) To an amount sufficient to make the adjusted price per unit equal to factory cost per unit where applicant's current over-all profits on an annual basis are favorable as judged by his own or the industry's historical experience.

(2) To an amount sufficient to make the adjusted price per unit equal to factory costs per unit, plus general administrative and selling expenses per unit, where applicant's current over-all profits on an annual basis are normal as judged by his own or the industry's historical experience or where his sales of chestnut extract constitute a substantial portion of the sales volume of his business or of a plant or division thereof.

(3) To an amount sufficient to make the adjusted price per unit equal to total cost per unit, plus an adequate margin of profit per unit, where applicant's current over-all profits on an annual basis are unfavorable as judged by his own or the industry's historical experience.

(4) Notwithstanding limitations on the amount of adjustment heretofore indicated, no maximum price adjusted under this section shall exceed the applicant's maximum price as of April 1, 1943, plus the amount by which applicant's per unit factory cost for chestnut extract has increased since that date. Furthermore, regardless of applicant's earnings position no adjusted price shall exceed factory or total cost per unit if historically applicant has sold chestnut extract at not more than factory or total cost per unit.

(c) *Orders issued under this section.* The Office of Price Administration may

authorize or deny by order the maximum prices requested or any modification thereof and may also adjust the maximum prices of resellers and processors. It may require in appropriate cases a compensatory decrease in the maximum prices for another product or products manufactured by applicant.

Any order issued hereunder may be amended or revoked at any time.

This amendment shall become effective July 6, 1944.

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

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9679; Filed, July 1, 1944;  
11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165]

SERVICES

Maximum Price Regulation No. 165 as amended, services, is redesignated Revised Maximum Price Regulation No. 165 (Services) and is revised and amended to read as follows:

Maximum Price Regulation No. 165 as amended covered only those services specifically listed therein. Most other services subject to price control were covered by the General Maximum Price Regulation, and a relatively small number by other OPA regulations. This revision brings under Revised Maximum Price Regulation No. 165 (Services) most of the services which were heretofore under the General Maximum Price Regulation.

A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.\*

REVISED MAXIMUM PRICE REGULATION 165—  
SERVICES

Sec.

1. Services covered.
2. Prohibitions.
3. Prices previously established.
4. General pricing provisions.
5. Services which cannot be priced under section 4.
6. Pricing of seasonal services.
7. Central pricing.
8. Commodities.
9. Special pricing provision (long-term contracts, etc.).
10. Transfer of business; moving of business; chains.
11. Taxes.
12. Additional charges.
13. Sales slips; receipts.
14. Records; filing of statements; posting.
15. Violation.
16. Adjustments.
17. Adjustable pricing.
18. Petitions for amendment.
19. Procedure.

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

## Sec.

20. Amendments; supplementary service regulations; area orders.  
 21. Evasion.  
 22. Applicability; base dates for territories and possessions.  
 23. Definitions and explanations.  
 24. Delegation of authority.

AUTHORITY: Sec. 1 to 24, inclusive, (§ 1499.101) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Services covered.* This regulation covers the prices charged for all services except:

(a) Services exempted by Revised Supplementary Regulation No. 11.

(b) Services sold to a government agency pursuant to (1) a secret contract or subcontract as provided in Supplementary Order No. 42, and (2) an emergency purchase subject to the conditions of § 4.3 (f) of Revised Supplementary Regulation No. 1.

(c) Services specifically covered by other OPA regulations.<sup>1</sup>

(d) The following services which remain under the General Maximum Price Regulation:

(1) Transportation services of contract carriers;

(2) Storage, warehousing and terminal services, and services incident thereto.

(3) The furnishing of electricity, gas, light, heat, power or water when the furnishing thereof is not subject to the requirements set forth in paragraph (c) of Revised Supplementary Regulation No. 11, § 1499.46.

SEC. 2. *Prohibitions.* On and after August 1, regardless of any contract or other obligation:

(a) You may not sell any service covered by this regulation at a price higher than your maximum price.

(b) No person in the course of trade or business may buy any service covered by this regulation at a price higher than the maximum price.

Of course, you may charge lower prices than your maximum prices at any time.

SEC. 3. *Prices previously established.* This regulation supersedes Maximum Price Regulation No. 165 as amended—Services (MPR 165) and the General Maximum Price Regulation (GMPR), insofar as the GMPR dealt with services now covered by this regulation.

Since this regulation keeps certain of the basic pricing provisions of MPR 165 and the GMPR, many of your maximum prices under this regulation will be the same as those you properly established under MPR 165 and the GMPR.

In addition all supplementary regulations, supplementary service regulations, or orders issued by OPA under MPR 165 or the GMPR and prices established

<sup>1</sup>Information as to these regulations may be obtained from OPA Regional and District Offices. Note particularly MPR 134 (Construction and Road Maintenance Equipment—Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services); MPR 136 (Machines and Parts, and Machinery Services); MPR 251 (Construction and Maintenance Services, etc.); MPR 211 (Cotton Ginning Services and Bagging and Ties). See also Supplementary Order No. 76, allowing sellers of services subject to more than one of the regulations listed therein to be covered by only one regulation.

thereunder, and prices previously approved by OPA under paragraph (c) and (d) of § 1499.102 of MPR 165, remain in effect under this regulation.

However, the following maximum prices must be re-determined, since the methods by which they were determined under MPR 165 and the GMPR have been eliminated in this regulation: prices based on similarity to another service; prices based on your competitor's offering price, and prices determined by adjusting differentials between classes of purchasers.

SEC. 4. *General pricing provisions.* In determining your maximum price, use the first of the following provisions which applies to you. Your maximum price shall be:

(a) The highest price at which you supplied the same service in March 1942 to a purchaser of the same class.<sup>2</sup> If, however, in March 1942 you used a rate or a pricing method to determine your price, you may continue to use your highest March 1942 rate or pricing method (using your highest March 1942 charges) to determine your maximum price for the same service, to a purchaser of the same class.<sup>2</sup>

(b) The highest price at which you offered to supply the same service for supply in March 1942 to a purchaser of the same class,<sup>2</sup> if you did not actually supply it in that month, or a price resulting from application of your highest March 1942 rate or pricing method (using your highest March 1942 charges to a purchaser of the same class) which would, by your usual trade practice, have been used by you had you supplied the service in that month.

(c) The maximum price of your closest competitor for the same service to a purchaser of the same class,<sup>2</sup> if you did not actually supply it or offer it for supply in that month to any purchaser.

SEC. 5. *Services which cannot be priced under section 4.* (a) If you cannot determine a maximum price under section 4, you must file an application with the appropriate OPA district office for approval of a maximum price in line with the level of maximum prices otherwise established by this regulation. The application shall contain a description of the service, anticipated direct labor and material costs, and the proposed maximum price. It shall also contain a full explanation of the reasons why you cannot price this service under section 4. If you supplied any other service in March 1942, submit, in addition, a description of the most comparable service showing your present direct labor and material costs for it and your present maximum price. You must also furnish any additional information which OPA may require.

(b) You may not sell the service for which a maximum price is requested under this section until that price has been approved by OPA, but the proposed price shall be considered approved 20 days after mailing the application (or all additional information which may have been requested), unless, within that time, OPA notifies you that your proposed price has been disapproved.

<sup>2</sup>Important! Be sure to read the definition of "purchaser of the same class." See section 23 (a) (10).

(c) OPA may at any time disapprove or revise maximum prices proposed or established under this section so as to bring them into line with the level of maximum prices otherwise established by this regulation. You may not redetermine your maximum price after it has been determined under this section unless it is changed by OPA, in which case the changed price shall be your maximum price.

SEC. 6. *Pricing of seasonal services—*  
 (a) *Services subject to seasonal variations in price.* If you have had a regularly established seasonal variation in price for the same service, your maximum price shall be the highest price charged to a purchaser of the same class during the corresponding season of the year from March 1, 1941 to February 28, 1942, inclusive, for the same service plus an amount equal to that price multiplied by the percentage increase in the cost of living between the last period of such corresponding season and March 1942.<sup>3</sup>

(b) *Services not supplied in March 1942 and supplied regularly only during one season of the year March 1, 1941 to February 28, 1942.* If you did not supply such service in March 1942 and supplied it regularly during only one season of the year March 1, 1941 to February 28, 1942, your maximum price shall be the highest price you charged to a purchaser of the same class for the same service during the last period previous to March 1942 in which such service was supplied plus an amount equal to that price multiplied by the percentage increase in the cost of living between that last period and March 1942.<sup>3</sup>

(c) This section applies only if the season during which the variation in price was in effect regularly consisted of at least 14 consecutive days.

(d) *Reports.* Within 10 days after determining a maximum price under this section, you must report the price in writing to the appropriate OPA district office, explaining how the price was computed. This price may be revised by OPA at any time to bring it into line with the level of prices established by this regulation.

SEC. 7. *Central pricing.* If you own or operate more than one service establishment and have established or desire to

<sup>3</sup>Percentage increase in the cost of living: The percentage used shall be as follows for the applicable period:

12.9% (.129) --	March 1, 1941 to April 14, 1941, incl.
11.8% (.118) --	April 15, 1941 to May 14, 1941, incl.
11.1% (.111) --	May 15, 1941 to June 14, 1941, incl.
9.3% (.093) --	June 15, 1941 to July 14, 1941, incl.
8.5% (.085) --	July 15, 1941 to August 14, 1941, incl.
7.6% (.076) --	August 15, 1941 to September 14, 1941, incl.
6.7% (.067) --	Sept. 15, 1941 to Oct. 14, 1941, incl.
4.6% (.046) --	Oct. 15, 1941 to Nov. 14, 1941, incl.
3.7% (.037) --	Nov. 15, 1941 to Dec. 14, 1941, incl.
3.4% (.034) --	Dec. 15, 1941 to Jan. 14, 1942, incl.
2.1% (.021) --	Jan. 15, 1942 to Feb. 14, 1942, incl.
1.2% (.012) --	Feb. 15, 1942 to Feb. 28, 1942, incl.

establish the practice of selling services at uniform prices in all or certain of your establishments, you may apply for a uniform pricing authorization, *Provided*, That you can propose a practicable method for determining prices centrally without increasing the general level of your prices and can show that a uniform pricing authorization will be an aid to price control. The application should be addressed to the Chief, Service Trades Branch, Washington 25, D. C. It should, as far as practicable, present such information regarding services as is required in the case of an application for uniform pricing of commodities by Revised Supplementary Order No. 13. OPA may on its own motion establish uniform prices for sellers owning or operating more than one service establishment and may for this purpose require sellers to furnish necessary information.

**SEC. 8. Commodities—(a) Commodities included in services.** Your maximum price for a service under this regulation includes any commodity furnished with the service. If your maximum price includes a separately stated charge for the commodity, your maximum price for the service shall be increased or decreased, as the case may be, by the difference between your separately stated charge for the commodity under this regulation and the maximum price fixed by the applicable commodity regulation.

(b) *Percentage commissions on commodity sales or purchases.* If you are a commission seller, buyer, broker, or auctioneer, and in March 1942 you used a percentage rate to determine your commission in connection with the sale or purchase of a commodity, you may now apply your highest March 1942 percentage rate to the current authorized price of the commodity under the applicable commodity maximum price regulation, or to your selling price of the commodity if it is lower, to determine your commission for the purchase or sale of the same commodity to a purchaser of the same class.

**SEC. 9. Special pricing provision (long-term contracts, etc.)** If in March 1942 you had in effect an increase in your prices for a service to your classes of purchasers generally, and you actually supplied the service to at least one class of purchaser in March 1942 at the increased price, but you did not supply the service at the increased price in March 1942 to a particular class of purchaser because either

(a) You did not supply the service to it in March 1942 after the price increase, or

(b) You supplied the service to it in March 1942 after the price increase at a lower price because you were bound to do so under a contract made before the price increase, then your maximum price to that particular class of purchaser shall be

(1) Your increased offering price to it for supply during March 1942, or

(2) If you had no such increased offering price, then the highest price at which you supplied the service to a purchaser of a different class during March 1942 adjusted to reflect the customary differential in price between the two classes of purchaser.

**SEC. 10. Transfer of business; moving of business; chains—(a) Transfer.** If you acquire the business, assets or stock in trade of any business after April 28, 1942, and you carry on the business, or continue to supply the same type of service, in an establishment separate from any other establishment previously owned or operated by you, your maximum price shall be the same as those to which your transferor would have been subject if no such transfer had taken place, and your obligation to keep records sufficient to verify such prices shall be the same. You must further prepare and file (if your transferor has not already done so) and keep up to date the statement required under section 14. Your transferor shall preserve and turn over to you all records of transactions prior to the transfer which are necessary to enable you to comply with the record and filing provisions of this regulation.

(b) *Moving.* If you sell services at retail and move the business out of your trading area after July 31, 1944, you must apply to OPA for establishment of your maximum prices under section 5. If you move the business in the same trading area you must keep the same maximum prices.

(c) *Chains.* If you operate more than one selling unit and you open a new unit, after July 31, 1944, you must apply to OPA for establishment of your maximum prices for that unit under section 5, except that if you close a selling unit and open another one in the same trading area, your maximum prices for the new unit shall be the same as those of the unit you closed.

**SEC. 11. Taxes.** If a tax is imposed on a service covered by this regulation and the tax law does not forbid you to pass the tax on to your customers, you may add the tax to your maximum price in accordance with the following provisions: If the tax becomes effective after March 1942, you may add the tax to your maximum price if you separately state it. If the tax was in effect in March 1942 and you were not then supplying the service, you may add the tax to your maximum price as established under this regulation if such price does not already reflect the tax, if you separately state it. If the tax was in effect in March 1942 and you were then supplying the service and passing on the tax, you may continue to do so; if you separately stated the tax then, you must do so now. If in March 1942 you did not pass the tax on to your customers, you may not do so now. ("Tax" as used in this section also includes a tax increase.)

**SEC. 12. Additional charges.** You may not make a higher charge for expediting, packaging, or other incidents of a service than you made in March 1942 to a purchaser of the same class; nor may you now make any charge for any incident of a service if it was not your practice to do so in that month. You may not require a purchaser to pay a larger proportion of transportation costs incurred in the supply of any service than you required a purchaser of the same class to pay during March 1942 for the same or similar types of service. Unless authorized by OPA, you may not now require a deposit for any reason, if you did not require one

in March 1942, nor may you now increase any such deposit which you required in March 1942.

**SEC. 13. Sales slips; receipts.** If you have customarily given a purchaser a sales slip or receipt, you must continue to do so. Upon request by a purchaser, you must, regardless of your previous custom, give the purchaser a sales slip or receipt.

**SEC. 14. Records; filings of statements; posting.** You must comply with the following provisions for keeping price records and for filing statements of your maximum prices:

(a) *Records.* Preserve for examination by the Office of Price Administration all records regarding your prices, rates, or pricing methods for services supplied or offered for supply during March 1942 (or such other period as is specified as your base period) and thereafter.

(b) *Filing of statements.* (1) *Prepare and keep for examination by any person during ordinary business hours, a statement of your maximum prices, rates, or pricing methods for purchasers of each class together with an adequate description of each such service.*

(i) If you have in any case taken the maximum price of your closest competitor for any service as your maximum price, indicate on the statement in every such case the service, the maximum price, and your closest competitor's name and address.

(ii) If your maximum prices are based upon a flat rate manual or similar pricing manual or parts catalog or list, you may (instead of appending it to the statement) clearly identify on the statement such manual, parts catalog, or list by name, edition, number, and date, indicating the instances in which it was not your practice in March 1942 to follow it.

(2) File a duplicate of your statement with the appropriate War Price and Rationing Board. You may, if you wish, file the statement, insofar as it applies to non-retail services which you sell, with the appropriate OPA district office and may request that it be treated as confidential and not subject to public disclosure. This statement will then be withheld from public inspection unless the withholding of the information it contains would be contrary to the purposes of the regulation, and you may also withhold from public inspection the statement required by (b) (1) above.

(3) You must prepare and file the statement (or a supplement thereto if the statement has previously been prepared and filed) within 30 days of the date that your maximum price for a service is first established by this regulation. You must also prepare and file an appropriate supplement to the statement within 10 days after any change in your maximum price is authorized by OPA.

(4) The statement and all supplements thereto must be signed by you or your authorized agent.

(5) If you can show that the foregoing requirements subject you to unusual hardship, you may apply to the National Office of OPA for written authorization to depart from those requirements. Such authorization will be given only if it will not be inconsistent with the purposes of this regulation.

(c) *Posting.* OPA may require you to post your maximum prices for any serv-

ice which you sell at retail whenever it is deemed necessary to the effective enforcement of this regulation.

**SEC. 15. Violation—(a) License suspension.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, apply to you. Your license may be suspended for violations of the license or of any price regulations applicable to licensed sales. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

**(b) Civil and criminal action.** If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended.

**(c) Record-keeping and filing violations; failure to establish maximum price.** If you fail to keep the records or file the statements required by section 14, or if you fail to apply to OPA for establishment of a maximum price under section 5, if you are required to do so, OPA may issue an order establishing maximum prices for the services you sell in line with prices established by this regulation. This will not relieve you of your obligation to comply with the requirements of section 14 and 5, or of the various penalties for any failure to do so.

**SEC. 16. Adjustments—(a) General adjustments.** OPA may adjust any maximum price established under this regulation upon a demonstration of substantial financial hardship threatening your ability to continue to supply a service, subject to the following limitations:

(1) No adjustment will increase your maximum prices above the levels necessary to permit you to continue the sale of your services;

(2) No adjustment will be made if it will create or tend to create a need for increases in the prices of other sellers in your locality or elsewhere; and

(3) No adjustment will increase your maximum prices above the prices at which your customers are able to obtain the same or a fairly equivalent service from other suppliers.

However, if, in the judgment of OPA, the loss of your services would be detrimental to the effective prosecution of the war or would impair the maintenance of an adequate wartime standard of living, OPA may apply only the first and second of the above limitation.

In judging whether a maximum price subjects you to substantial financial hardship, OPA will take into account such pertinent factors as the nature of your business, its earnings, and the earnings of your trade as a whole during a representative pre-war period. A price increase may be denied in whole or in part, however, if your hardship is attributable to such causes as a decline in sales volume because of reduced demand, general manpower shortage, shortage of essential supplies, or other difficulties apart from your maximum price. Even though a particular service or type of service is not profitable, an adjustment may be denied in whole or in part if, in the judgment of OPA, such

action is justified in view of the profitability of your business as a whole.

**(b) Adjustment by buyer-seller agreement.** If the buyer agrees to absorb the price increase, you may apply for permission to increase the price of a non-retail service by an amount not to exceed direct labor and material cost increases incurred by you since your maximum price for the service was established. Such application must be filed on Form OPA 687:116 and all the requirements stated on the form must be complied with. Within 15 days after filing the form, or supplying such additional information as OPA may request, with the appropriate OPA district office, you may charge your increased price unless you are advised by OPA that your application has been denied. The OPA may at any time deny the application for the price increase in any case where it appears to be inconsistent with the purposes of the Emergency Price Control Act, as amended. You may obtain copies of this form from the OPA district office, or you may copy the form from Appendix A.

**(c) Application by purchaser who buys services from numerous sellers.** If the purchaser buys non-retail services from sellers too numerous to make recourse to paragraph (b) practicable, he may apply for an adjustment of the charges made to him by letter addressed to the Chief, Service Trades Branch, Office of Price Administration, Washington 25, D. C. Such letter should show that the facts set forth in section II of Form OPA 687:116 exist, the nature and extent of the sellers' cost increases, and, where practicable, the names and addresses of the sellers and the maximum prices of each. A price increase under this paragraph may not become effective until the applicant is advised in writing of OPA approval, which will be given only where it is clear that there is no practicable recourse to paragraph (b) and where granting such approval will not be inconsistent with the purposes of the Emergency Price Control Act as amended.

**SEC. 17. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by OPA, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by OPA after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of OPA having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 18. Petitions for amendment.** If you seek a change in any provision of this regulation affecting sellers of a serv-

ice generally, you may file a petition for amendment.

**SEC. 19. Procedures.** Petitions for amendment and applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1. Supplementary Order No. 28 provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring approval of the National War Labor Board. Procedural Regulation No. 6 governs applications for adjustment of maximum prices for services supplied under government contracts or subcontracts.

**SEC. 20. Amendments; supplementary service regulations; area orders.** This regulation may be changed or supplemented at any time by amendments, supplementary service regulations, or area pricing orders.

**SEC. 21. Evasion.** This regulation shall not be evaded directly or indirectly by any reduction of your customary allowances, discounts, or other price differentials, or by tying agreements, or by deterioration of services, or otherwise.

**SEC. 22. Applicability; base dates for territories and possessions—(a) Applicability.** This regulation applies to services supplied in the 48 states of the United States, the District of Columbia, and the territories and possessions of the United States.

**(b) Base dates for territories and possessions—(1) Alaska.** The base date for Alaska shall be March 1942.

**(2) Hawaii.** The base date for Hawaii shall be April 1942 instead of March 1942, and all references to March 1942 shall be changed to April 1942. In section 6, the period March 1, 1941 to February 28, 1942 shall be changed to the period from April 1, 1941 to March 31, 1942.

**(3) Puerto Rico and the Virgin Islands.** The base date for Puerto Rico and the Virgin Islands shall be April 10, 1942 to May 10, 1942, instead of March 1942, and all reference to March 1942 shall be changed to the period from April 10, 1942 to May 10, 1942. In section 6, the period March 1, 1941 to February 28, 1942 shall be changed to the period from April 10, 1941 to April 9, 1942.

**SEC. 23. Definitions and explanations.** (a) When used in this regulation:

(1) "Appropriate OPA district office" means the district office of the Office of Price Administration for the district where your place of business is located and from which your sales are made.

(2) "Appropriate War Price and Rationing Board" means the War Price and Rationing Board of the Office of Price Administration for the area where your place of business is located and from which your sales are made.

(3) "Base date" means the period as of which your maximum prices are fixed under this regulation.

(4) "Closest competitor" means that seller selling the same service under substantially the same conditions who is in close competition with you and is located nearest to you.

(5) "Non-retail sale" means a sale to an industrial or commercial user.

(6) "Offered" (as that word is used in connection with price) means the

price quoted in your price list, or, if you had no price list in March 1942, the price which you regularly quoted in any other manner, or the price determined by your rate or pricing method. But "offered" (price) does not include a price intended to withhold a service from the market, or a price you offered as a bargaining price if you usually sold at a price lower than your asking price.

(7) "OPA" means the Office of Price Administration.

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

(9) "Pricing method" is a formula by which you determined a price for a service in March 1942 which included a rate, and an item for labor, materials, and mark-up for overhead and profit, or any of such items, whether or not the formula was disclosed to the purchaser. Unless the formula included a rate, the figure resulting from the application of the formula was a flat price (except where the supplying of a service was on a cost-sharing basis). See definition of "rate" below.

(10) "Purchaser of the same class" means a purchaser belonging to the same price class, that is, to a group of purchasers to whom it was your established practice in March 1942 to supply or offer to supply the same service at a particular price. If in March 1942 you customarily supplied or offered to supply the same service to any purchaser at a price different from the price at which you supplied or offered to supply the same service to all other purchasers, that purchaser is in a purchaser price class by himself.

If in March 1942 you had an established practice of charging the same price to certain customers on the basis of standards (such as, the nature of the buyer—wholesaler, retailer, etc., or the nature of the sale—large, small, cash, credit, etc.), you must place a new purchaser of the same service in the proper purchaser price class in accordance with such standards. If you had no such standards, or if the new purchaser does not correspond to any of such standards, you must establish a price for the new purchaser under section 5 of this regulation. For the purposes of this definition, a "new purchaser" means a purchaser to whom you did not supply or offer to supply the same service in March 1942.

(11) "Rate" is a means of determining a price by multiplying the time involved in supplying a service by a fixed charge per unit of time, or by multiplying the price of the commodity involved by a fixed percentage.

(12) "Records" includes books of accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and any other papers and documents relating to your prices.

(13) "Rental" means any leasing of a commodity except where the lease is a substitute for a conditional sales contract, chattel mortgage, or other security device in connection with an install-

ment sale, or except where the lease contains a provision giving the lessee an option to buy the leased commodity at a stipulated price from which all or a portion of the payments made as rent are to be deducted.

(14) "Season" means any division of the year into periods of at least 14 consecutive days for pricing purposes, such division being based upon regular and recurrent differences in demand for or supply of the service.

(15) "Sell" includes sell, rent, supply, dispose, barter, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", shall be construed accordingly.

(16) "Service" means the performance of an act or series of acts rendered, otherwise than as an employee, in connection with the processing, distribution, storage, installation, repair or negotiation of purchases or sales of a commodity, or in connection with the operation of any service establishment for the servicing of a commodity, or any incidents of the foregoing. The term includes the rental of any commodity if the rental charge is not covered by a commodity maximum price regulation and has not been exempted from price control. The term does not cover services incidental to the sale of a commodity.

(17) "You" refers to any seller subject to this regulation. If you supply services through more than one place of business, each such place of business shall, for the purpose of this regulation, be considered a separate seller.

**SEC. 24. Delegation of authority.** The Price Administrator, any Regional Administrator, and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, may establish, approve, disapprove, correct, or adjust maximum prices under section 4, 5, 6, 10, 15, 16, and 17 of this regulation.

APPENDIX A

OPA Form 687:116

UNITED STATES OF AMERICA, OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR APPROVAL OF NON-RETAIL PRICE ADJUSTMENT AGREED TO BY SUPPLIER AND PURCHASER

INSTRUCTIONS

This method of adjustment cannot be used where the purchaser is a purchaser at retail.\*

This form must be used by a supplier of a non-retail service to obtain permission to adjust his maximum prices in accordance with the provisions of Section 16 (b) of Revised Maximum Price Regulation No. 165 (services). This amendment allows a supplier of a non-retail service to increase his ceiling prices by no more than the amount of any actual lawful dollars-and-cents increases in his material and labor costs incurred in supplying the service, provided that buyer and seller certify to the facts required by this form.

Three copies of this form, with the appropriate sections filled in and signed by the supplier and the purchaser, must be filed with the appropriate District Office of OPA at least 15 days before the first proposed sale of the service at the requested price. Except where the cost increase is based in part on a wage or salary increase requiring National War Labor Board approval the requested

price may be charged 15 days after such filing unless and until the OPA notifies the supplier to the contrary.

In the case of an agreed-upon wage or salary increase requiring National War Labor Board approval, 3 copies of this form must be filed within 15 days from the date your application for approval of the agreed-upon wage or salary adjustment was filed with the National War Labor Board. If a disputed wage or salary proceeding is involved, you must notify the appropriate District Office of OPA in writing within 15 days after receiving notice that the case was certified to the National War Labor Board and must file 3 copies of this form within 5 days of the date upon which you are notified of the proposed National War Labor Board decision in your case. In either case, you may not charge the increased price until the date upon which the wage or salary increase becomes finally effective.

Form approved  
Budget Bureau No. 08-R284-43

NOT TO BE FILLED IN BY APPLICANT  
RECORD OF OPA ACTION

Date received	Date of action
Check one:	
<input type="checkbox"/> Approved in full	<input type="checkbox"/> Approved in part <input type="checkbox"/> Denied
By	District OPA Office No.

SECTION I

TO BE FILLED IN BY THE SUPPLIER BEFORE THE PURCHASER FILLS IN SECTION II

1	Name of supplier
	Requests permission to increase maximum price or prices.
	USE A OR B—DO NOT USE BOTH
	A Fill in "A" if you want to adjust a price for ONE SERVICE ONLY. Service (describe fully)
	Pricing unit
	From \$ per
	To per
B	Fill in "B" if you want to adjust a price for MORE THAN ONE SERVICE.
	For each of the services priced according to the attached list by %
	(You must copy from your list of prices filed with the local War Price and Rationing Board the description and maximum prices of the services for which you seek price adjustment in this application.)
2	What is the number and address of the local War Price and Rationing Board where you filed your statement of maximum prices for services?
	Board No. Address—number and street
	City State

7 I certify that:

A I cannot continue to supply this service at maximum prices.

B I am not paying more for materials than the established maximum prices.

C The requested increase in price is no more than enough to offset the actual lawful increase in material and labor costs incurred since March 1942. (OR IN THE CASE OF SERVICES PERFORMED UNDER A CONTRACT ENTERED INTO BEFORE MARCH 1942, since October 1, 1941, or since the effective date of the contract, whichever date is more recent), plus increases in labor cost which will result if an application for wage or salary adjustment already filed with the National War Labor Board is granted.

D Name of store or business \_\_\_\_\_ Address—Number and street \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Type of business \_\_\_\_\_  
 Signature of applicant or person signing for applicant \_\_\_\_\_  
 If applicant is a corporation or partnership, give title of person signing \_\_\_\_\_

**AFFIDAVIT** and knows to his own knowledge that the facts contained therein are true and correct.

State of \_\_\_\_\_ County of \_\_\_\_\_

The undersigned, \_\_\_\_\_ (Signature)  
 being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Approval of Non-Retail Price Adjustment Agreed to by Supplier and Purchaser; and that he has read the same

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 194 .  
 (Officer Administering Oath)

TO BE FILLED IN BY PURCHASER AFTER REVIEWING THE INFORMATION SET FORTH BY THE SUPPLIER IN SECTION 1

1 Name of purchaser \_\_\_\_\_  
 Hereby certifies to the Office of Price Administration that it has reviewed the statements made by its supplier in Section 1 of this Form, and

A That it is willing to pay the supplier's requested price;  
 B That it cannot supply the service itself, and cannot secure satisfactory performance of the service from any other seller, at a price as low as the requested price;  
 C That the requested increase in price if granted will not be passed on in the form of a price increase to any of its own customers;  
 D That it will not include the increased price as a cost increase in an application for the adjustment of its own prices.

2 Name of store or business \_\_\_\_\_ Address—Number and street \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Type of business \_\_\_\_\_  
 Signature of purchaser or person signing for purchaser \_\_\_\_\_  
 If purchaser is a corporation or partnership, give title of person signing \_\_\_\_\_

3 Answer the following questions

A Do you employ in your entire firm more than 8 individuals?  Yes  No

B Are you now paying wages or salaries higher than those paid on October 3, 1942?  Yes  No

C If the answer to "B" is yes, was the increase approved by the National War Labor Board?  Yes  No

D If the National War Labor Board has issued an order approving wage or salary increases for your employees after October 3, 1942, what is the title and date of such order?  
 Title \_\_\_\_\_  
 Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

1-3039-P1 of 3-bu-fo-wp

E If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are DISPUTED rather than VOLUNTARY OR AGREED-UPON, when were you notified that your case was certified to the National War Labor Board, and when were you notified of the proposed National War Labor Board decision?

Month	Day	Year	Place

F If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are DISPUTED rather than VOLUNTARY OR AGREED-UPON, when were you notified that your case was certified to the National War Labor Board, and when were you notified of the proposed National War Labor Board decision?

Date of Certification	Month	Day	Year	Date of Proposed Action	Month	Day	Year

G Check one  Yes  No  
 Is the requested adjustment of your maximum price based in any part upon an increase in labor cost per unit of output which is not due to an increased wage or salary?

H Check one  Yes  No  
 If the answer to "G" is "yes" has the increased level of labor cost per unit of output been in force during the two months preceding the date of this application?

4 FOR THE TWO MONTHS PRECEDING THIS APPLICATION, give the total receipts at MAXIMUM PRICES for the non-retail sale of the service or services for which price adjustment is requested. \$ \_\_\_\_\_

5 FOR THE SAME TWO MONTHS, give your total material and labor costs in supplying this service or services. Calculate these using either

A March 1942 material and labor costs \$ \_\_\_\_\_

B If the service was supplied in MARCH ON CONTRACTS MADE PRIOR TO MARCH, material and labor costs existing on (i) October 1, 1941, or (ii) at start of contract, whichever date is more recent. \$ \_\_\_\_\_

6 FOR THE SAME TWO MONTHS, give the total material and labor costs incurred in supplying this service or services. CALCULATE THESE USING CURRENT COSTS OF MATERIAL AND LABOR and any increases in labor cost which will result if an application for wage or salary adjustment already filed with the National War Labor Board is granted. \$ \_\_\_\_\_

## AFFIDAVIT

State of \_\_\_\_\_  
County of \_\_\_\_\_

The undersigned, \_\_\_\_\_, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Approval of Non-Retail Price Adjustment Agreed to by Supplier and Purchaser; that he has read the same and knows to his own knowledge that the facts contained in Section II are true and correct; and that, according to the best information he can obtain, he believes that the facts contained in Section I are true and correct.

\_\_\_\_\_  
(Signature)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 194\_\_\_\_.

\_\_\_\_\_  
(Officer administering oath)

This regulation shall become effective August 1, 1944 except that for Alaska this regulation shall become effective September 1, 1944.

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

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9681; Filed, July 1, 1944;  
11:58 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 149]

## PETROLEUM PRODUCTS

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

Section 7.20 is added to read as follows:

SEC. 7.20 *Transportation of petroleum products by tank truck within the State of Kansas.* The maximum rates for the transportation of petroleum and petroleum products in tank trucks between points within the State of Kansas by contract motor carriers are the rates and charges set forth in an order issued by the State Corporation Commission of Kansas on April 26, 1944 in Docket 26710-R, or the maximum rates established by the General Maximum Price Regulation or any supplementary regulation or order issued by the Office of Price Administration, whichever rates are higher.

This amendment shall become effective July 6, 1944.

(56 Stat. E.O. 9257, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9682; Filed, July 1, 1944;  
11:58 a. m.]

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

## Chapter XIII—Petroleum Administration for War

[PAO 11, as Amended July 1, 1944]

## PART 1515—PETROLEUM PRODUCTION OPERATIONS

## USE OF MATERIALS IN PETROLEUM PRODUCTION AND NATURAL GASOLINE

General order covering the United States, its territories and possessions.

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the production of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of Petroleum for military and other essential purposes.

§ 1515.6 *Petroleum Administrative Order No. 11, as amended July 1, 1944.*—

(a) *Scope of this order.* Except as otherwise modified by the provisions of any order issued as a supplement to this order, the provisions of this order shall be applicable to the use of material in petroleum production and natural gasoline recovery operations in the United States, its territories or possessions.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

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

(3) "Petroleum" means crude oil, condensate, natural gasoline, or natural gas.

(4) "Production" means any operation directly incident to the discovery, development, or depletion of a petroleum pool.

(5) "Natural gasoline recovery" means any operation directly incident to the extraction or recovery of natural gasoline and associated hydrocarbons.

(6) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down, or is worn out, damaged, or destroyed;

(ii) Any other use of material not exceeding in material cost \$500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

"Maintenance and repair" shall not include the drilling, re-drilling, deepening, plugging back, or multiple completion of any well, the initial installation on any well of pumping or other artificial lifting equipment, or the extension or the initial construction or installation of a field gas gathering line.

(7) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in production or natural gasoline recovery and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense, including, among other items, chemicals, additives, and blending agents.

(8) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, production or natural gasoline recovery operations by means of research, technical, or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(9) "Exploratory well" means any well located at least two miles from every other drilling or producible well. However, no well is an exploratory well if it is located in any Restricted Area or in any field which, when drilling of the well is commenced, has been proved to be productive only of gas or condensate or both.

(10) "Pool" means any underground accumulation of petroleum constituting a single and separate reservoir or source of supply within a field.

(11) "Sectionalized land" means:

(i) Land which has been divided into sections by or on behalf of the Federal Government, and generally known as "public land surveys", whether the land is publicly or privately owned; and in other instances,

(ii) Land which has been divided into approximately square tracts similar to sections and which tracts contain about 640 acres (not more than 720 acres nor less than 560 acres) and can be subdivided by quartering into approximately square subdivisions of about 40 acres (not more than 45 acres nor less than 35 acres), or land which has been classified as "sectionalized land" by an authorized official of the Petroleum Administration for War.

A quarter of a quarter section of a "public land survey" or of an approximately square 640 acre tract, as defined above, is called a "quarter-quarter section" in this order.

(12) "Non-sectionalized land" means land other than sectionalized land.

(13) "Lease equipment" means material for use in production to be located within or adjacent to any field, including, among other items, oil treating equipment, salt water disposal facilities and disposal wells, fresh water production facilities and wells, production office facilities, and camp facilities.

However, lease equipment shall not include: an oil, gas, or condensate well; well equipment or pumping or other artificial lifting facilities for an oil, gas, or condensate well; a flow, lead, or gathering line for a gas or condensate well; a crude oil gathering line connecting a lease or field shipping tank or battery where petroleum is first gauged to any other petroleum gathering or movement facility or any refining facility; a vacuum plant or facilities; a cycling plant or facilities; a pressure maintenance plant or facilities; a plant or facilities for the extraction or recovery of natural gasoline or associated hydrocarbons, or for other treatment or processing of natural gas.

(14) "Property interest" means an interest in land which gives the owner of the interest the right to enter on the land and drill for or produce petroleum and obtain title to part or all of the produc-

tion. Such interest is usually created by a deed or an oil and gas lease, and is commonly called a "working interest".

(15) "Condensate well" means a well which produces or is capable of producing a liquid which is predominantly condensate. However, a well which is completed separately in two or more horizons will be considered a "condensate well" only in the horizon or horizons which produce or are capable of producing a liquid which is predominantly condensate.

(16) "Restricted area" means a field, pool, or area, or any portion thereof, designated as a "restricted area" by an authorized official of the Petroleum Administration for War. Any field or pool, or portion of either, which has been designated by the Petroleum Administration for War as a condensate field and which has not been removed from such classification up to the date of the issuance of this order is declared to be a "restricted area."

(17) "Complete" or "recomplete", wherever used in connection with an oil or gas well, shall include equipping and connecting the well, but shall not include the initial installation on any well of pumping or other artificial lifting equipment; and, wherever used in connection with a condensate well, shall include equipping and connecting in a manner sufficient to test the well, but shall not include connecting the well to a gas gathering line or to a natural gasoline recovery or gas cycling plant.

(c) *General restrictions on use of material.* (1) No material may be used to drill or complete any well in a "restricted area" or to drill any well for condensate in a discovered field, unless:

(i) Drilling was commenced prior to the designation of the area as a "restricted area" and conforms to the applicable provisions of Petroleum Administrative Order No. 11 or to a specific exception heretofore granted authorizing the drilling and completion of the well; or

(ii) Drilling is authorized by a specific exception or other grant of authority as provided for by paragraph (m).

(2) No material may be used in connection with any production or natural gasoline recovery operation other than those specified in paragraph (c) (1), unless the use is authorized by the provisions of this order or by specific exception or other grant of authority as provided for by paragraph (m).

(d) *Authorized uses of material for maintenance, repairs, operating supplies, lease equipment, or laboratory equipment.* Notwithstanding any other provision of this order, material may be used in production and natural gasoline recovery for maintenance and repair purposes, as operating supplies, for lease equipment, or for laboratory equipment and the installation thereof.

(e) *Authorized uses of material in exploratory operations.* Material may be used for operations directly involved in the search for and discovery of a previously unknown pool by means of geological, geophysical, or geochemical prospecting, the drilling and completion of, and providing additions to, any exploratory well, or the drilling of any core hole. However, if a core hole is drilled less than two miles from any drilling or

producing well and the location of the core hole does not conform to the provisions set forth in paragraph (f) for the use of material in development drilling operations, only surface casing or tubing of less than 500 feet in length may be installed in the core hole, and no petroleum may be produced therefrom unless permission has been granted by an authorized official of the Petroleum Administration for War.

(f) *Authorized uses of material in oil and gas development drilling operations.* Material may be used to drill, complete, and provide additions to, any oil or gas well in any discovered field other than a "restricted area", or to drill, complete, and provide additions to, any oil or gas well not in a discovered field but within two miles of a drilling or producing well, if the material is used in accordance with the following provisions:

(1) Where the oil well is located on sectionalized land,

(i) The provisions of paragraphs (f) (3) and (f) (4) must be complied with, and

(ii) The well must be located on a drilling unit consisting of a quarter-quarter section upon which no other drilling or producing well is located, and

(iii) If a well spacing pattern has been specified for the field, pool, or area by an authorized official of the Petroleum Administration for War, the well must be located within 150 feet of a location which conforms with the specified pattern.

If no well spacing pattern has been specified, the well must be located on the quarter-quarter section within 150 feet of a location which corresponds to the location on a quarter-quarter section of the pattern-fixing well for the field. The pattern-fixing well is the first well (including the discovery well but excluding any well completed as a dry hole) spudded in the field after December 23, 1941, in search of oil, and located on a quarter-quarter section not closer than 300 feet from any line thereof and on which quarter-quarter section no other drilling or producing well is located.

The well spacing pattern for a well not located in a discovered field but located within two miles of a drilling or producing well shall be the same as the well spacing pattern applicable to the nearest drilling or producing well, unless otherwise specified by an authorized official of the Petroleum Administration for War.

An authorized official of the Petroleum Administration for War may specify that no uniform well spacing pattern need be followed in designated fields, pools, or areas.

(2) Where the oil well is located on non-sectionalized land,

(i) The provisions of paragraphs (f) (3) and (f) (4) must be complied with, and

(ii) The well must be located on a drilling unit consisting of at least 40 contiguous surface acres upon which no other drilling or producing well is located, and

(iii) The distance between any two points farthest apart on the drilling unit

upon which the well is located must not exceed a distance of 2,100 feet, and

(iv) No portion of the drilling unit attributed to the well shall fall within 330 feet of any other drilling or producing well located on the same lease or property.

(3) Where the oil well is located on either sectionalized land or non-sectionalized land,

(i) The drilling unit upon which the well is located must not be attributed in whole or in part to any other drilling or producing well, and

(ii) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(iii) The well must be located at least 900 feet away from every other drilling or producing well, and

(iv) The well must be located at least 330 feet from every lease line, property line, and subdivision line separating unconsolidated property interests, and

(v) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other provisions applicable to sectionalized or non-sectionalized land which have been set out above.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production of the District in which the well is located within 30 days after the completion of the well.

(4) If any well drilled in conformity with the provisions of paragraphs (f) (1), (f) (2), and (f) (3) is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(5) Where the gas well is located on either sectionalized land or non-sectionalized land,

(i) The well must be located on a drilling unit consisting of at least 640 contiguous surface acres upon which no other drilling or producing well is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other drilling or producing well, and

(iii) The distance between any two points furthest apart on the drilling unit upon which the well is located must not exceed a distance of 8500 feet, and

(iv) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(v) The well must be located at least 3960 feet from every other drilling or producing well, and

(vi) The well must be located at least 1320 feet from every lease line, property line, and subdivision line separating unconsolidated property interests, and



(vii) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other provisions of this paragraph (f) (5).

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Natural Gas and Natural Gasoline of the District in which the well is located within 30 days after completion of the well.

(6) If any well drilled in conformity with the provisions of paragraph (f) (5) is completed as a condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(g) *Computation of acreage attributable to oil and gas wells.* (1) The acreage attributable to any oil or gas well spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than 40 acres for an oil well or 640 acres for a gas well.

(2) The acreage attributable to any oil or gas well spudded after December 23, 1941, shall be the same as the drilling unit assigned to the well pursuant to Conservation Order M-68 (8 F.R. 104), Petroleum Administrative Order No. 11, or any supplement or exception thereto, or any amendment thereof.

(h) *Authorized uses of material for deepening, plugging back or reworking, and recompletion of wells.* To the extent that the use of material for deepening, plugging back, or reworking, and recompletion operations in connection therewith, is not prohibited or otherwise limited by the provisions of any exception heretofore or hereafter issued pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendments thereof, or by the provisions of any order heretofore or hereafter issued as a supplementary order to Petroleum Administrative Order No. 11, or any amendment thereof, such deepening, plugging back, or reworking, and recompletion operations in connection therewith, may be undertaken without obtaining further authorization if the material is used for or in connection with any of the following operations:

(1) Multiple completion of any well in the pool from which the well is producing and in any other pool or pools into or through which casing was set at the time the well was originally drilled;

(2) Multiple completion of any well which has been deepened in accordance with paragraph (h) (5);

(3) Plugging back and recompletion of any well in a shallower pool, or completion of any well in deeper pool into or through which casing was set at the time the well was originally drilled;

(4) Reworking, redrilling, or deepening any well and recompletion of the well within the pool from which the well is producing or from which it last produced;

(5) Deepening and recompletion of any well in another pool, if, with respect to the pool in which the well is to be deepened and recompleted,

(i) The well is located on a drilling unit consisting of a quarter-quarter section, if located on sectionalized land, or of at least 40 contiguous surface acres, if located on non-sectionalized land, and

(ii) No other well located on the drilling unit is producible from the pool in which the well is recompleted, and

(iii) The drilling unit upon which the well is located is not attributed in whole or in part to any other well producible from the pool in which the well is recompleted, and

(iv) All separate property interests in the drilling unit upon which the well is located are first consolidated, and

(v) No portion of the drilling unit attributed to the well falls within 330 feet of any other well, located on the same lease or property, producible from the pool in which the well is recompleted, and

(vi) The well is located at least 900 feet from every other well producible from the pool in which the well is recompleted, and

(vii) The well is located at least 330 feet from every lease line, property line, and subdivision line separating unconsolidated property interests.

(6) If any well completed or recompleted in conformity with the provisions of this paragraph (h) is completed or recompleted as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War. However, this provision shall not apply to the recompletion of any gas or condensate well in conformity with paragraph (h) (4).

(i) *Authorized uses of material for installation of pumping or other artificial lifting facilities.* Material may be used to install or reinstall pumping or other artificial lifting equipment, including a central pumping power unit, or to install additional tubing or sucker rods, to the extent that such operations are not prohibited or otherwise limited by the provisions of any exception or any order issued after the date of this order as a supplementary order to Petroleum Administrative Order No. 11, or any amendment thereof.

(j) *Authorized uses of material for gas gathering lines and gas lift and booster plants not exceeding 500 h. p.* (1) Material may be used for construction, in-

stallation, or extension of a field gas gathering line, if

(i) The cost of material for any one complete operation does not exceed \$10,000 and

(ii) The well or wells to which the line is to be connected were spudded prior to December 23, 1941, or were drilled and completed in conformity with Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendment, supplement or exception to either of such orders, and

(iii) The line does not duplicate in whole or in part the transportation function of any existing line or lines.

(2) Material may be used for construction, installation, expansion, extension, improvement, reconstruction, remodeling, or other similar operation in connection with any gas lift compression plant or field gas booster plant, if

(i) The material to be installed or added does not increase the rated capacity of the plant more than 500 h. p. and

(ii) No one complete operation is subdivided for the purpose of making this provision applicable.

Where priorities assistance is necessary to obtain more than \$500 worth of material for any one complete operation authorized in this paragraph (j), all additional priorities assistance must be obtained through the procedure established in the section of P-98-b covering "Material for Use in Production".

(k) *Authorized uses of material for natural gasoline recovery, gas treating, cycling, pressure maintenance, or gas lift and booster plants exceeding 500 h. p.* Material may be used for construction, installation, expansion, extension, improvement, reconstruction, remodeling, or other similar operation in connection with any natural gasoline recovery operation, gas desulphurization operation, gas dehydration operation, gas cycling operation for condensate recovery, pressure maintenance operation, or in connection with any gas lift compression plant or field gas booster plant where the material to be installed or added increases the rated capacity of the plant more than 500 h. p., if the cost of material for any one complete operation does not exceed \$10,000.

Where a person desires to use material in connection with the operations under this paragraph (k), but cannot do so because of the limitations imposed, he must make application both for authorization to use the material and for necessary priorities assistance by completing and filing PAW Form 30. Instructions for filing are given in PAW Form 30, and any communications should be filed in accordance with the same instructions.

(l) *Applications for exception to this order.* Where a person desires to use material in connection with production, other than for the operations listed in paragraph (k), but cannot do so under the provisions of this order or any supplement hereto, he may make an application for an exception by filing the information requested in PAW Form 3 (revised) attached to this order.<sup>1</sup> Instructions for filing applications and any communications in connection therewith are given in PAW Form 3 (revised).

(m) *Exceptions or supplements to this order or to preceding related orders.* Material may be used in connection with any production or natural gasoline recovery operation authorized by,

(1) Any exception to Conservation Order M-68.

(2) Any supplementary order to Petroleum Administrative Order No. 11 issued March 30, 1943, or any amendment thereof, until such supplementary order is revoked, or

(3) Any exception or authorization issued by the Petroleum Administration for War either on its own initiative or in response to an application for exception filed under Petroleum Administrative Order No. 11 issued March 30, 1943, or any amendment thereof, or under the preceding paragraphs (k) and (l) of this order.

(n) *Continuing effect of liabilities.* The amendment of Petroleum Administrative Order No. 11, effected by this order, shall not excuse or condone any violation of affect in any way liability or penalty incurred because of any violation of Conservation Order M-68, Petroleum Administrative Order No. 11, or any amendment, supplement, or exception to either of these orders.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(p) *Effective date.* This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1944.

RALPH K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 44-9717; Filed, July 3, 1944;  
10:40 a. m.]

[PAO 11, Supp. Order 12]

PART 1515—PETROLEUM PRODUCTION  
OPERATIONS

USE OF MATERIAL IN PETROLEUM PRODUCTION  
OPERATIONS

Applicable in the States of Arkansas, Louisiana, Mississippi, New Mexico, and Texas.

§ 1515.18 *Supplementary Order No. 12 to Petroleum Administrative Order No. 11, as amended July 1, 1944—(a) Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph

<sup>1</sup> Filed as part of the original document.

(m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in petroleum production operations in the States of Arkansas, Louisiana, Mississippi, New Mexico, and Texas, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, complete, and provide additions to, any well for the purpose of producing oil, except in a "Restricted Area", if there is compliance with the following provisions:

(1) The well must be located on a drilling unit consisting of at least 40 contiguous surface acres upon which no other drilling or producible well is located, and

(2) The drilling unit upon which the well is located must not be attributed in whole or in part to any other drilling or producible well, and

(3) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 2100 feet, and

(4) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(5) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other provisions which have been set out above.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production of the District in which the well is located within 30 days after completion of the well.

(6) If any well completed in conformity with the provisions of this paragraph (c) is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Authorized uses of material for deepening and recompletion of wells.*

(1) Material may be used to deepen and recomplete any well in another pool, if, with respect to the pool in which the well is to be deepened and recompleted, there is compliance with the provisions of paragraphs (c) (1), (c) (2), and (c) (4).

(2) Material may be used for the multiple completion of any well deepened in conformity with paragraph (d) (1).

(3) If any well completed or recompleted in conformity with the provisions of this paragraph (d) is completed or recompleted as a gas or condensate well in

any pool not theretofore opened for production to the well, it shall not be produced from such pool except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well from such pool or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(e) *Authorized uses of material for installation of pumping or other artificial lifting facilities.* Material may be used to install or reinstall pumping or other artificial lifting equipment, including a central pumping power unit, or to install additional tubing or sucker rods on any well located in the East Texas Field, Upshur, Gregg, Smith, Rusk, and Cherokee Counties, Texas, only if:

(1) The pumping or other artificial lifting equipment is installed or reinstalled on a well located on a lease where the Railroad Commission of Texas permits, under its duly issued rules or regulations, the transfer of allowable oil production from any well on such lease to another well or other wells on the same lease, or

(2) The pumping or other artificial lifting equipment is reinstalled on the same well to which it was connected at the time any operation authorized under paragraph (h) of Petroleum Administrative Order No. 11, as amended July 1, 1944, was initiated, or

(3) The pumping or other artificial lifting equipment is installed on any well deepened or recompleted in conformity with paragraph (h) (5) of Petroleum Administrative Order No. 11, as amended July 1, 1944, or

(4) The pumping or other artificial lifting equipment is installed on or connected to a well located on any lease or tract where the number of wells to which pumping or other artificial lifting equipment is then attached does not exceed an average of one well to every 10 productive acres, or

(5) The pumping or other artificial lifting equipment is installed on a well located on any lease or tract of 10 acres or less whereon no other well is located to which pumping or other artificial lifting equipment is already attached, but in no event may a lease or tract be subdivided or rearranged for the purpose of making this provision applicable, or

(6) The pumping or other artificial lifting equipment is transferred in its entirety from one well to another well located on the same lease or tract, or

(7) The pumping or other artificial lifting equipment is installed on a well which has been drilled pursuant to an exception to Conservation Order M-68,<sup>1</sup> Petroleum Administrative Order No. 11, or any amendment or supplement to either of such orders, which exception contains no prohibition against the installation of pumping or other artificial lifting equipment, or

(8) The additional tubing or sucker rods are installed on a well to which there is already attached pumping or other artificial lifting equipment which

<sup>1</sup> 8 F.R. 104.

has been regularly operated prior to the installation of the additional tubing or sucker rods.

(f) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control or may be subject to other appropriate action.

(g) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 1st day of July 1944.

RALPH K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 44-9718; Filed, July 3, 1944;  
10:40 a. m.]

## TITLE 44—PUBLIC PROPERTY AND WORKS

### Chapter I—National Archives

#### PART 2—AUTHENTICATION AND ATTESTATION OF COPIES OF ARCHIVES IN THE CUSTODY OF THE ARCHIVIST OF THE UNITED STATES

Section 2.1 is amended to read as follows:

§ 2.1 *Designation of persons authorized.* (a) The Chief of the General Reference Division of the National Archives is authorized to authenticate and attest for and in the name of the Archivist of the United States copies or reproductions of archives or records in the official custody of the Archivist.

(b) In the absence or inability of the Chief of the General Reference Division, the Administrative Secretary of the National Archives is authorized to authenticate and attest the aforesaid copies or reproductions in the place and stead of the Chief of the General Reference Division.

(48 Stat. 1123, 49 Stat. 1821; 44 U.S.C. 300h)

[SEAL] SOLON J. BUCK,  
Archivist of the United States.

JULY 1, 1944.

[F. R. Doc. 44-9695; Filed, July 1, 1944;  
2:00 p. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Order 83-F]

#### PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

##### SUSPENSION OF REQUIREMENTS

At a meeting of the Federal Communications Commission, held at its offices in Washington, D. C., on the 27th day of June 1944;

The Commission having under further consideration the matter of the shortage of radiotelegraph operators possessing six month's previous service as a qualified operator in a station on board a ship or ships of the United States, and having in mind the related provisions of sections 351 and 353 of the Communications Act of 1934, as amended; and

It appearing, that the Commission, by Orders Nos. 83, 83-A, 83-B, 83-C, 83-D, and 83-E, suspended for the periods July 9, 1941 to January 9, 1942, January 9, 1942 to July 9, 1942, July 9, 1942 to January 9, 1943, January 9, 1943 to June 30, 1943, July 1, 1943 to December 31, 1943, and January 1, 1944 to June 30, 1944, respectively, the requirements of six months' previous service contained in section 353 (b) of said act, and paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations; and

It appearing further, that a shortage of radiotelegraph operators available for assignment as qualified operators on board cargo ships of the United States, who possess six months' previous service, will continue to exist subsequent to June 30, 1944, and, accordingly, further suspension of the foregoing requirement is necessary;

*It is ordered,* Pursuant to Public Law No. 85, 78th Congress, approved June 22, 1943, that the aforesaid requirements contained in section 353 (b) of the Communications Act of 1934, as amended, and in paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations be, and the same are hereby, suspended for a further period beginning July 1, 1944 and ending December 31, 1944.

[SEAL] FEDERAL COMMUNICATIONS

COMMISSION.

T. J. SLOWIE,  
Secretary,

[F. R. Doc. 44-9649; Filed, July 1, 1944;  
11:18 a. m.]

#### PART 63—EXTENSION OF LINES AND DISCONTINUANCE OF SERVICE BY CARRIERS<sup>1</sup>

##### COMMENCEMENT AND COMPLETION OF CONSTRUCTION

The Commission on June 27, 1944, effective immediately, amended § 63.05 (9 F. R. 2095) to read as follows:

§ 63.05 *Commencement and completion of construction.* Unless otherwise

determined by the Commission upon proper showing in any particular case, in the event construction shall not have been begun upon a project involving an expenditure of more than \$50,000 within 12 months from the date of the Commission's authorization, or all or part of the proposed facilities shall not have been placed in operation within 36 months after such date, such authorization shall terminate at the end of such 12 or 36 months period, as the case may be; in the case of projects involving an expenditure of \$50,000 or less, the authorization therefor shall terminate at the end of 9 months or 18 months, as the case may be, in the event construction thereof shall not have been commenced, or the facilities placed in operation, within such respective periods.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 214, 48 Stat. 1075; 47 U.S.C. 214)

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-9650; Filed, July 1, 1944;  
11:18 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[No. 3666]

#### PARTS 71-85—EXPLOSIVES AND OTHER DANGEROUS ARTICLES<sup>2</sup>

##### MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of June, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting

<sup>1</sup> Prior to June 19, 1944, the title of Part 63 was "Rules Relating to Section 214."

<sup>2</sup> Parts 2 and 3 in this order appear in CFR as Parts 72, 73 and 75. Part 1A is added as CFR Part 74.

safety of operation and standards of equipment used in the transportation of said dangerous articles:

*It is ordered.* That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Amending order Aug. 16, 1940, as follows (add):

**Part 1A—War Emergency Regulations**

Because of the present emergency and until further order of the Commission, shipments of explosives and other dangerous articles may be made upon request of the Secretary of War or the Secretary of the Navy in accordance with the following war emergency regulations:

(a) *Explosives by rail freight*—(1) *Shippers and carriers regulations; handling detonating agents and explosives and explosive ammunition in same car or vehicle.* Detonating fuzes, primer-detonator assemblies or other detonating elements containing explosives components, if of a safe type, may be shipped either assembled in bombs, depth charges, mines, projectiles, or torpedoes (torpedo warheads) or in properly packed containers in the same car or vehicle with bombs, depth charges, mines, projectiles, boosters, or torpedoes (torpedo warheads) by rail freight when separated from the explosive bombs, depth charges, mines, projectiles, boosters, or torpedoes (torpedo warheads) by not less than 3 feet. The intervening space of 3 feet must be filled with dry sand or dry earth in bags or in a crib so constructed or lined as to prevent sifting of the sand or earth. The crib must be secured against movement.

(2) *Blasting caps or electric blasting caps* may be loaded in the same car with other explosives provided the blasting caps are separated from the other explosives as prescribed in subpar. (1) herein.

(3) When bomb fuzes are packed with bomb fin assemblies, either crated or boxed in wooden or metal containers, the sand or earth filled space between bombs and the fuzes may be omitted provided adequate blocking and bracing is supplied to prevent the bombs from crushing and injuring the detonating fuzes due to ordinary shocks incident to transportation.

(4) *Detonating devices, explosive ammunition or explosives* must not be offered for transportation in bombs, depth charges, mines, separate boosters, or torpedoes (torpedo warheads) when possible to ship them as otherwise provided herein. (See section 57 (f).)

(5) *Shipments of explosive bombs and large containers of incendiary bombs weighing 500 pounds or more, each,* may be loaded in gondola cars (flat bottom) when adequately braced. When necessary wooden boxed bombs must be protected against accidental ignition.

(b) *Poison gas, class A, by rail freight*—(1) *Containers.* Poison gases, class A, may be shipped by, for, or to, the War or Navy Departments, as follows:

In metal drums, spec. ICC 5A or WD 5A, in box cars or gondola cars in carload lots only.

In tanks, spec. ICC 106A, mounted on or secured to multi-unit cars or gondola cars in carload lots only.

In bombs, in box cars or gondola cars in carload lots only.

In projectiles or ammunition for cannon with gas filled projectiles in box cars in carload or less-than-carload lots.

(2) *Gas handlers.* Each shipment of one or more carloads, as described in subparagraph (1), shall be accompanied by a crew of qualified gas handlers, supplied with equipment to handle leaks or other container failure, which will permit the escape of gas. Gas handlers will remain with the shipment during the entire time that it is in the custody of the carrier. Gas handlers will, in the event of leakage or escape of gas, make repairs and perform decontamination, if necessary. If they need assistance they will advise the carrier's representative as to the nearest Chemical Warfare Service Depot and aid required.

(3) *Loading and bracing in cars.* Drums must be loaded in cars having level floors. Cars equipped with metal corrugated ends or cars having bowed ends must be supplied with end wall bulkheads constructed in accordance with requirements for center gates. (See Sketch 1, B. E. Pamphlet No. 6).

Drums must be loaded not more than one tier (layer) high and with filling holes up. They must be loaded as closely together as possible both crosswise and lengthwise and so blocked and braced as to maintain their relative positions during transit.

Drums with filling holes in heads must be loaded on their bottoms. They may be loaded in rows, lengthwise of the car and any space between the sides of car and the nearest row of drums must be "filled in" with wooden boards or lumber nailed to sides of car sufficient in length and width to contact both hoops of drums, or, drums may be loaded across car in staggered stacks of which the number of drums in alternate stacks is reduced by one drum. All drums in stacks following the first stack loaded in end of car must be placed tightly into the angle of space formed by the side-walls of the drums in the preceding stack. Any space between the sides of car and the drums in stacks having the greater number of drums, must be "filled in" with wooden boards or lumber nailed to sides of car sufficient in length and width to contact both hoops of drums.

Drums with filling holes in sides must be loaded on their sides with filling holes up. There must be loaded lengthwise of the car in rows and any space between sides of car and the nearest row of drums must be "filled in" with wooden boards or lumber nailed to sides of car sufficient in length and width to contact both hoops of drums.

Drums must be loaded in box cars from ends of car toward space between car doors, and there braced by center gates and wedges. (See Sketch 1, B. E. Pamphlet No. 6.)

Doorways of box cars must be protected by one of the methods prescribed in sketch 1, B. E. Pamphlet No. 6A.

Tanks must be securely mounted on cars especially provided for them or on gondola cars prepared with substantial wooden frames and blocks.

Bombs, projectiles, and cannon ammunition must be loaded, blocked and braced as shown in B. E. Pamphlet 6A. When shipments are loaded in gondola cars they must be securely blocked and braced and not loaded higher than the sides of the car.

(4) *Handling of cars.* Cars of poison gas, class A, accompanied by gas handlers, must not be "cut off" while in motion and must be coupled carefully and all unnecessary shocks must be avoided. Other cars must not be cut off and allowed to strike a car placarded "Poison Gas."

Cars of poison gas, class A, in drums, tanks or bombs, and car containing gas handlers' equipment if present must be placed in trains and must be kept at all times next to and ahead of car or cars occupied by gas handlers who will accompany such shipments to destination.

Cars of poison gas, class A, must not be placed in trains next to other cars placarded "Explosives" or "Dangerous."

Cars placarded both "Explosives" and "Poison Gas" must be placed in trains ahead of car or cars containing the gas handling crew and their equipment and the position of the car in the train in so far as the "Explosives" placard is concerned is waived.

**Part 2—List of Explosives and Other Dangerous Articles**

Superseding and amending list section 4, orders Aug. 16, 1940, and Nov. 8, 1941, as follows:

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in one outside package rail express
(Add) Fluosulfonic acid.....	Cor. L.....	No exemption 274.....	White.....	10 pints.
(Cancel) Monochloracetone.....	Pois. A.....	No exemption 328, 329.....	Poison gas.....	Not accepted.
(Add) Monochloracetone (unstable).....	Not accepted.....			

**Part 3—Regulations Applying to Shippers**

Amending paragraph (e), section 204, order Aug. 16, 1940, as follows (packing sodium hydrosulfite):

Cancel Note added to section 204 (e) by order Oct. 28, 1942, as amended December 30, 1942.

Amending section 245, order Aug. 16, 1940, as follows (no exemption from regulations) (add):

(q) *Fluosulfonic acid.*

Amending order Aug. 16, 1940, as follows (packing fluosulfonic acid) (add):  
274 (a) *Fluosulfonic acid* must be packed in containers as follows:

(b) Spec. 15A, 15B, 15C, 16A, or 19A. Wooden boxes with inside containers which must be not over 1 gallon each, except that inside containers up to 3 gallons are authorized when only one is packed in each outside container as follows:

(1) Pyrex glass bottles, authorized only for material containing an excess of SO<sub>2</sub>, with Pyrex glass stoppers ground to fit and held in place by plaster of Paris covered by strong cloth securely tied; each bottle must be placed in a metal container, well cushioned therein with incombustible absorbent material such as mineral wool, infusorial earth (kieselguhr), asbestos, etc.;

(2) Or steel containers, 14 gauge steel throughout, welded heads and side seams, equipped with ¾ inch welded flange and plug. Threads for plug must be 8 or less per inch. Each drum must be tested for leakage with 15 pounds hydrostatic pressure.

(c) Spec. 5A. Metal barrels or drums not over 55 gallons capacity each.

(d) Spec. 103A. Tank cars.

Amending par. (k), section 303, Table, order Aug. 16, 1940, as follows (restrictions for compressed gases) (add):

NOTE 6. Cylinders purchased after Oct. 1, 1944, for the transportation of chlorine must contain no aperture other than that provided in the neck of the cylinder for the attachment of a valve equipped with an approved safety device.

Superseding and amending paragraph (a), section 328, order Aug. 16, 1940, to read as follows:

328 (a) *Chlorpicrin, bromacetone, and acrolein* when offered for transportation by carriers by rail freight, highway, or water must be packed in specification containers as follows:

Superseding and amending paragraph (a) section 329, order Aug. 16, 1940, to read as follows:

329 (a) *Chlorpicrin or mixtures of chlorpicrin with nonpoisonous liquid or gases*, in addition to containers prescribed in section 328, when offered for transportation by carriers by rail freight, highway, or water may be shipped as follows:

*Appendix to Part 3—Shipping Container Specifications (CFR 72)*

Amending paragraph 2, spec. 11A, order Aug. 16, 1940, as follows (add):

NOTE. Because of the present emergency and until further order of the Commission, cottonwood and poplar are authorized to be included in Group A woods.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after Oct. 1, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

It is further ordered, That compliance with the aforesaid amendments made effective by this order is hereby authorized on and after the date of approval and publication thereof;

And it is further ordered, That a copy of this order be served upon all the

parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176, 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-9603; Filed, June 30, 1944;  
11:50 a. m.]

Chapter II—Office of Defense  
Transportation

[Gen. Order ODT 21, Amdt. 10]

PART 501—CONSERVATION OF MOTOR  
EQUIPMENT

CERTIFICATES OF WAR NECESSITY FOR AND  
CONTROL OF COMMERCIAL MOTOR VE-  
HICLES

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21,

It is hereby ordered, That Exemption Order ODT 21-3A (8 F.R. 6485) is hereby revoked, and § 501.98 of General Order ODT 21, as amended (7 F.R. 7100, 9437, 10025; 8 F.R. 2510, 7357, 7880, 9033, 13071), is hereby amended to read as follows:

§ 501.98 *Records and reports.* Any person operating a commercial motor vehicle in respect of which a Certificate of War Necessity has been issued shall prepare and maintain, in the form prescribed by the Office of Defense Transportation in Administrative Order ODT 9, as amended (8 F.R. 14166; 9 F.R. 948, 2304), records in respect of operations conducted by such vehicle. All such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

This Amendment 10 to General Order ODT 21 shall become effective July 1, 1944.

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

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 30th day of June 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-9749; Filed, July 3, 1944;  
11:52 a. m.]

[Administrative Order ODT 6A]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS AND DISTRICTS  
OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156, Administrative Order ODT 6 (8 F.R. 13194) is hereby superseded and it is hereby ordered, that:

§ 503.200 *Establishment of regions and office of regional director; Highway Transport Department.* Regions of the Highway Transport Department of the Office of Defense Transportation, with a regional office in each region, are hereby established as described in Appendix 1 hereof. Each regional office shall be in charge of a regional director.

§ 503.201 *Establishment of districts and office of district manager; Highway Transport Department.* Within each region, districts of the Highway Transport Department, with a district office in each district, are hereby established as described in Appendices 2 and 3 hereof. Each district office shall be in charge of a district manager.

Administrative Order ODT 6 (8 F.R. 13194) is revoked as of the effective date of this Administrative Order ODT 6A.

This Administrative Order ODT 6A shall be retroactive to be effective as of June 1, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349).

Issued at Washington, D. C., this 30th day of June 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1—LOCATIONS OF REGIONAL OFFICES  
AND TERRITORY COMPRISING EACH REGION

*Territory comprising Region 1:* The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, and the following counties in New Jersey: Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren. Regional Office at New York, New York.

*Territory comprising Region 2:* The States of Delaware, District of Columbia, Maryland, Pennsylvania (Except Lawrence and Mercer Counties), Virginia (Except Lee, Scott, and Wise Counties and the City of Bristol), the following counties in New Jersey: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem, the following counties in West Virginia: Berkeley, Brooke, Grant, Hampshire, Hancock, Hardy, Jefferson, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pendleton, Preston, Taylor, and Wetzel. Regional Office at Philadelphia, Pennsylvania.

*Territory comprising Region 3:* The States of Alabama, Florida, Georgia, Mississippi, (Except Hancock, Harrison, Pearl River, and Stone Counties), North Carolina, South Carolina, Tennessee, the following counties in Kentucky: Allen, Christian, Logan, Simpson, Todd, Trigg, and Warren, the following counties in Arkansas: Clay, Craighead, Crittenden, Cross, Mississippi, Poinsett, and Greene, the following counties in Missouri: Dunklin, and Pemisot, and the following counties in Virginia: Lee, Scott, and Wise, and the City of Bristol, Virginia. Regional Office at Atlanta, Georgia.

*Territory comprising Region 4:* The States of Kentucky (Except Allen, Ballard, Caldwell,

Calloway, Carlsie, Christian, Crittenden, Davless, Fulton, Graves, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Simpson, Todd, Trigg, Union, Warren, and Webster Counties), Michigan (Except the Upper Peninsula, and Berrien, Branch, Cass, Kalamazoo, St. Joseph, and Van Buren Counties), Ohio (Except Paulding, and Van Wert Counties), West Virginia (Except Berkeley, Brooke, Grant, Hampshire, Hancock, Hardy, Jefferson, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pendleton, Preston, Taylor, and Wetzel Counties), the following counties in Indiana: Clark, Crawford, Floyd, Harrison, Jefferson, Orange, Scott and Washington, and the following counties in Pennsylvania: Lawrence, and Mercer, Regional office at Cleveland, Ohio.

*Territory comprising Region 5:* The States of Illinois (Except Bond, Calhoun, Clinton, Fayette, Franklin, Jefferson, Jersey, Marion, Monroe, Madison, Perry, Randolph, St. Clair, and Washington Counties), Indiana (Except Clark, Crawford, Floyd, Harrison, Jefferson, Orange, Scott, and Washington Counties), Iowa (Except Crawford, Fremont, Harrison, Ida, Mills, Monona, Montgomery, Page, Pottawattamie, Shelby, and Woodbury Counties), Minnesota, North Dakota, South Dakota, Wisconsin, the following counties in Kentucky: Ballard, Caldwell, Calloway, Carlsie, Crittenden, Davless, Fulton, Graves, Henderson, Hickman, Hopkins, Livingston, Lyon, McCracken, McLean, Marshall, Union and Webster, in Michigan: The Upper Peninsula, and the following counties, Berrien, Branch, Cass, Kalamazoo, St. Joseph, and Van Buren, and the following counties in Missouri: Adair, Bollinger, Butler, Cape Girardeau, Clark, Iron, Knox, Lewis, Macon, Madison, Marion, Mississippi, Monroe, New Madrid, Putnam, Rails, Reynolds, Schuyler, Scotland, Scott, Shelby, Stoddard, and Wayne. Regional office at Chicago, Illinois.

*Territory comprising Region 6:* The States of Arkansas (Except Clay, Craighead, Crittenden, Cross, Columbia, Greene, Lafayette, Little River, Miller, Mississippi, and Poinsett Counties), Kansas, Missouri (Except Adair, Bollinger, Butler, Cape Girardeau, Clark, Dunklin, Iron, Knox, Lewis, Macon, Madison, Marion, Mississippi, Monroe, New Madrid, Pemiscot, Putnam, Ralls, Reynolds, Schuyler, Scotland, Scott, Shelby, Stoddard, and Wayne Counties), Nebraska (Except Banner, Box Butte, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, and Sioux Counties), the following counties in Illinois: Bond, Calhoun, Clinton, Fayette, Franklin, Jefferson, Jersey, Madison, Marion, Monroe, Perry, Randolph, St. Clair, and Washington, and the following counties in Iowa: Crawford, Fremont, Harrison, Ida, Mills, Monona, Montgomery, Page, Pottawattamie, Shelby, and Woodbury. Regional office at Kansas City, Missouri.

*Territory comprising Region 7:* The States of Louisiana, New Mexico, Oklahoma, Texas, the following counties in Arkansas: Columbia, Lafayette, Little River, and Miller, and the following counties in Mississippi: Hancock, Harrison, Pearl River, and Stone. Regional office at Dallas, Texas.

*Territory comprising Region 8:* The States of Colorado, Idaho (Except Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties), Montana (Except Lincoln, Mineral, and Sanders), Utah, Wyoming, the following counties in Nebraska: Box Butte, Banner, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, and Sioux, and the following county in Oregon: Malheur. Regional office at Denver, Colorado.

*Territory comprising Region 9:* The States of Arizona, California, Nevada, Oregon (Except Malheur County), Washington, the following counties in Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Idaho, Latah, Lewis, Nez Perce, Shoshone, and the fol-

lowing counties in Montana: Lincoln, Mineral, and Sanders. Regional office at San Francisco, California.

#### APPENDIX 2—DISTRICT OFFICES IN EACH REGION

##### REGION I

*New York.* Albany, Elinghamton, Buffalo, New York, Peekskill, Rochester, Syracuse, and Utica.

*Connecticut.* Hartford and New Haven.

*Rhode Island.* Providence.

*New Jersey.* Newark and Trenton.

*Maine.* Portland and Bangor.

*Vermont.* Montpelier.

*Massachusetts.* Boston and Springfield.

*New Hampshire.* Concord.

##### REGION II

*Pennsylvania.* Allentown, Pittsburgh, Altoona, Erie, Harrisburg, Philadelphia and Scranton.

*Maryland.* Hagerstown and Baltimore.

*New Jersey.* Atlantic City.

*District of Columbia.* Washington.

*Virginia.* Norfolk, Roanoke and Richmond.

*Delaware.* Dover.

##### REGION III

*Georgia.* Atlanta, Augusta, Macon, Savannah and Waycross.

*South Carolina.* Columbia.

*Mississippi.* Jackson.

*Alabama.* Birmingham, Mobile and Montgomery.

*Tennessee.* Chattanooga, Memphis, Knoxville and Nashville.

*North Carolina.* Asheville, Charlotte, Raleigh, Wilmington and Winston-Salem.

*Florida.* Jacksonville, Miami, Orlando, Tallahassee and Tampa.

##### REGION IV

*Ohio.* Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, Youngstown, and Zanesville.

*West Virginia.* Charleston.

*Michigan.* Cadillac, Detroit, Grand Rapids, Lansing, and Saginaw.

*Kentucky.* Lexington and Louisville.

##### REGION V

*Illinois.* Cairo, Chicago, Danville, Peoria, Quincy, Rockford, and Springfield.

*Indiana.* Evansville, Fort Wayne, Indianapolis, South Bend, and Terre Haute.

*Minnesota.* Duluth and Minneapolis.

*Iowa.* Davenport, Des Moines, and Mason City.

*Wisconsin.* La Crosse, Madison, Green Bay, Milwaukee, and Wausau.

*South Dakota.* Pierre and Sioux Falls.

*North Dakota.* Fargo and Bismarck.

##### REGION VI

*Missouri.* Jefferson City, Kansas City, Springfield, and St. Louis.

*Kansas.* Topeka and Wichita.

*Arkansas.* Little Rock.

*Nebraska.* North Platte and Omaha.

##### REGION VII

*Texas.* Amarillo, Austin, Dallas, El Paso, Houston, Lubbock, San Angelo, San Antonio, and Waco.

*Oklahoma.* Oklahoma City and Tulsa.

*New Mexico.* Albuquerque.

*Louisiana.* New Orleans, Baton Rouge, and Shreveport.

##### REGION VIII

*Colorado.* Denver and Pueblo.

*Utah.* Salt Lake City.

*Wyoming.* Casper and Cheyenne.

*Idaho.* Boise.

*Montana.* Billings and Butte.

##### REGION IX

*California.* Fresno, Los Angeles, Sacramento, and San Francisco.

*Washington.* Seattle and Spokane.

*Oregon.* Medford and Portland.

*Nevada.* Reno.

*Arizona.* Phoenix.

#### APPENDIX 3—DISTRICT OFFICES BY STATES, WITH COUNTIES UNDER THE JURISDICTION OF EACH OFFICE

##### ALABAMA

*Birmingham.* Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, Etowah, Fayette, Franklin, Greene, Hale, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Perry, Pickens, Randolph, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walter, and Winston.

*Mobile.* Baldwin, Choctaw, Clarke, Conecuh, Escambia, Marengo, Mobile, Monroe, Washington, Escambia, Fla., Santa Rosa, Fla., Okaloosa, Fla., George, Miss., Greene, Miss., and Jackson, Miss.

*Montgomery.* Autauga, Barbour, Bullock, Butler, Coffee, Covington, Crenshaw, Dale, Dallas, Elmore, Geneva, Henry, Houston, Lee, Lowndes, Macon, Montgomery, Pike, Russell, and Wilcox.

##### ARIZONA

*Phoenix.* All of the State of Arizona.

##### ARKANSAS

*Little Rock.* Arkansas, Ashley, Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Chicot, Clark, Cleburne, Cleveland, Conway, Crawford, Dallas, Desha, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Hempstead, Howard, Hot Spring, Independence, Izard, Jackson, Jefferson, Johnson, Lawrence, Lee, Lincoln, Logan, Lonoke, Madison, Marion, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Polk, Pope, Prairie, Pulaski, Randolph, St. Francis, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, Woodruff, and Yell.

##### CALIFORNIA

*Fresno.* Fresno, Inyo, Kings, Madera, Mariposa, Merced, Mono, Stanislaus, Tuare, Tuolumne and Kern.

*Los Angeles.* Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.

*Sacramento.* Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba.

*San Francisco.* Alameda, Contra Costa, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma and Trinity.

##### COLORADO

*Denver.* Adams, Arapahoe, Boulder, Chaffee, Clear Creek, Delta, Denver, Douglas, Eagle, Elbert, El Paso, Garfield, Gilpin, Grand, Gunnison, Jackson, Jefferson, Kit Carson, Lake, Larimer, Lincoln, Logan, Mesa, Moffat, Montrose, Morgan, Park, Phillips, Pitkin, Rio Blanco, Routt, Sedgwick, Summit, Teller, Washington, Weld and Yuma.

*Pueblo.* Alamosa, Archuleta, Baca, Bent, Cheyenne, Conejos, Costilla, Crowley, Custer, Dolores, Fremont, Hinsdale, Huerfano, Kiowa, La Plata, Los Animas, Mineral, Montezuma, Otero, Ouray, Prowers, Pueblo, Rio Grande, Saguache, San Juan, and San Miguel.

##### CONNECTICUT

*Hartford.* Hartford, Litchfield and Tolland.

*New Haven.* Fairfield, Middicsex, New Haven, and New London.

DELAWARE

*Dover.* All of the State of Delaware and Caroline, Md., Dorchester, Md., Kent, Md., Queen Annes, Md., Somerset, Md., Talbot, Md., Wicomico, Md., Worcester, Md., Accomac, Va., and Northampton, Va.

DISTRICT OF COLUMBIA

*Washington, D. C.* City of Washington, Calvert, Md., Charles, Md., Montgomery, Md., Prince Georges, Md., St. Marys, Md., Alexandria, City of, Va., Arlington, Va., Culpeper, Va., Fairfax, Va., Fauquier, Va., Loudoun, Va., Prince William, Va., and Rappahannock, Va.

FLORIDA

*Jacksonville.* Alachua, Baker, Bradford, Clay, Columbia, Duval, Flagler, Gilchrist, Hamilton, Nassau, Putnam, St. Johns, Suwannee, and Union.

*Miami.* Broward, Collier, Dade, Hendry, Martin, Monroe, and Palm Beach.

*Orlando.* Brevard, Indian River, Lake, Marion, Okeechobee, Orange, Osceola, St. Lucie, Seminole, and Volusia.

*Tallahassee.* Bay, Calhoun, Dixie, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Liberty, Madison, Taylor, Wakulla, Walton, Washington, Baker, Ga., Brooks, Ga., Colquitt, Ga., Decatur, Ga., Early, Ga., Grady, Ga., Miller, Ga., Mitchell, Ga., Seminole, Ga., and Thomas, Ga.

*Tampa.* Charlotte, Citrus, De Soto, Glades, Hardee, Hernando, Highlands, Hillsborough, Lee, Levy, Manatee, Pasco, Pinellas, Polk, Sarasota and Sumter.

GEORGIA

*Atlanta.* Banks, Barrow, Bartow, Carroll, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, De Kalb, Douglas, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Hart, Heard, Henry, Jackson, Lumpkin, Madison, Morgan, Newton, Oconee, Paulding, Pickens, Polk, Rabun, Rockdale, Spalding, Stephens, Towns, Union, Walton, and White.

*Augusta.* Burke, Columbia, Elbert, Emanuel, Glascock, Greene, Hancock, Jefferson, Jenkins, Johnson, Lincoln, McDuffie, Oglethorpe, Richmond, Screven, Taliaferro, Warren, Washington, Wilkes, Aiken, S. C., Allendale, S. C., Barnwell, S. C., Edgefield, S. C., and McCormick, S. C.

*Macon.* Baldwin, Bibb, Bleckley, Butts, Calhoun, Chattahoochee, Clay, Crawford, Crisp, Dodge, Dooly, Dougherty, Harris, Houston, Jasper, Jones, Lamar, Laurens, Lee, Macon, Marion, Meriwether, Monroe, Montgomery, Muscogee, Peach, Pike, Pulaski, Putnam, Quitman, Randolph, Schley, Stewart, Sumter, Talbot, Taylor, Telfair, Terrell, Treutlen, Troup, Turner, Twiggs, Upson, Webster, Wheeler, Wilcox, Wilkinson, and Worth.

*Savannah.* Bryan, Bulloch, Candier, Chatham, Effingham, Evans, Liberty, Long, McIntosh, Tattnall, Toombs, Beaufort, S. C.; Colleton, S. C.; Hampton, S. C.; and Jasper, S. C.

*Waycross.* Appling, Atkinson, Bacon, Ben Hill, Berrien, Brantley, Camden, Charlton, Clinch, Coffee, Cook, Echols, Glynn, Irwin, Jeff Davis, Lanier, Lowndes, Pierce, Tift, Ware, and Wayne.

IDAHO

*Boise.* Ada, Adams, Bannock, Bear Lake, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teto, Twin Falls, Valley, Washington, and Malheur, Ore.

ILLINOIS

*Caico.* Alexander, Gallatin, Hardin, Jackson, Johnson, Massac, Pope, Pulaski, Saline,

Union, Williamson, Ballard, Ky.; Caldwell, Ky.; Calloway, Ky.; Carlisle, Ky.; Crittenden, Ky.; Fulton, Ky.; Graves, Ky.; Hickman, Ky.; Livingston, Ky.; Lyon, Ky.; McCracken, Ky.; Marshall, Ky.; Bollinger, Mo.; Butler, Mo.; Cape Girardeau, Mo.; Iron, Mo.; Madison, Mo.; Mississippi, Mo.; New Madrid, Mo.; Reynolds, Mo.; Scott, Mo.; Stoddard, Mo., and Wayne, Mo.

*Chicago.* Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, McHenry, Will, and Lake, Ind.

*Danville.* Champaign, Coles, Douglas, Edgar, Ford, Iroquois, Kankakee, Vermillion, Benton, Ind., Fountain, Ind., and Warren, Ind.

*Peoria.* Bureau, Fulton, Knox, La Salle, Livingston, McLean, Marshall, Peoria, Putnam, Stark, Tazewell, and Woodford.

*Quincy.* Adams, Brown, Hancock, McDonough, Pike, Schuyler, Adair, Mo., Clark, Mo., Knox, Mo., Lewis, Mo., Macon, Mo., Marion, Mo., Monroe, Mo., Putnam, Mo., Ralls, Mo., Schuyler, Mo., Scotland, Mo., and Shelby, Mo.

*Rockford.* Boone, Carroll, Jo Daviess, Lee, Ogle, Stephenson and Winnebago.

*Springfield.* Cass, Christian, De Witt, Greene, Logan, Macon, Macoupin, Mason, Menard, Montgomery, Morgan, Moultrie, Piatt, Sangamon, Scott, and Shelby.

INDIANA

*Evansville.* Dubois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh, Warrick, Daviess, Ky., Henderson, Ky., Hopkins, Ky., McLean, Ky., Union, Ky., Webster, Ky., Edwards, Ill., Hamilton, Ill., Wabash, Ill., Wayne, Ill., and White, Ill.

*Fort Wayne.* Adams, Allen, Blackford, De Kalb, Grant, Huntington, Jay, Lagrange, Miami, Noble, Steuben, Wabash, Wells, Whitley, Paulding, Ohio, Van Wert, Ohio, Branch, Mich., Kalamazoo, Mich., and St. Joseph, Mich.

*Indianapolis.* Bartholomew, Boone, Brown, Carroll, Cass, Clinton, Dearborn, Decatur, Delaware, Fayette, Franklin, Hamilton, Hancock, Hendricks, Henry, Howard, Jackson, Jennings, Johnson, Lawrence, Madison, Marion, Monroe, Montgomery, Morgan, Ohio, Putnam, Randolph, Ripley, Rush, Shelby, Switzerland, Tippecanoe, Tipton, Union, Wayne, and White.

*South Bend.* Elkhart, Fulton, Jasper, Kosciusko, La Porte, Marshall, Newton, Porter, Pulaski, St. Joseph, Starke, Berrien, Mich., Cass, Mich., and Van Buren, Mich.

*Terre Haute.* Clay, Daviess, Greene, Knox, Martin, Owen, Parke, Sullivan, Vermillion, Vigo, Clark, Ill., Clay, Ill., Crawford, Ill., Cumberland, Ill., Effingham, Ill., Jasper, Ill., Lawrence, Ill., and Richland, Ill.

IOWA

*Davenport.* Benton, Buchanan, Cedar, Clinton, Davis, Delaware, Des Moines, Dubuque, Henry, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello, Washington, Henderson, Ill., Henry, Ill., Mercer, Ill., Rock Island, Ill., Warren, Ill., and Whiteside, Ill.

*Des Moines.* Adair, Adams, Appanoose, Audubon, Boone, Calhoun, Carroll, Cass, Clarke, Dallas, Decatur, Greene, Guthrie, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Polk, Poweshiek, Ringgold, Sac, Story, Tama, Taylor, Union, Warren, Wayne, and Webster.

*Mason City.* Allamakee, Black Hawk, Bremer, Butler, Cerro Gordo, Chickasaw, Clayton, Emmet, Fayette, Floyd, Franklin, Grundy, Hancock, Howard, Humboldt, Kosuth, Mitchell, Palo Alto, Pocahontas, Winnebago, Winneshiek, Worth, Wright, Blue Earth, Minn., Dodge, Minn., Faribault, Minn., Freeborn, Minn., Mower, Minn., Steele, Minn., and Waseca, Minn.

KANSAS

*Topeka.* Anderson, Atchison, Brown, Clay, Cloud, Coffey, Dickinson, Doniphan, Douglas,

Franklin, Geary, Jackson, Jefferson, Jewell, Lincoln, Lyon, Marshall, Mitchell, Morris, Nemaha, Osage, Osborne, Ottawa, Pottawatomie, Republic, Riley, Saline, Shawnee, Smith, Wabaunsee, and Washington.

*Wichita.* Allen, Barber, Barton, Bourbon, Butler, Chase, Chautauqua, Cherokee, Clark, Comanche, Cowley, Crawford, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Grove, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Labette, Lane, Logan, McPherson, Marion, Meade, Montgomery, Morton, Neosho, Ness, Pawnee, Pratt, Reno, Rice, Rush, Russell, Scott, Sedgwick, Séward, Stafford, Stanton, Stevens, Sumner, Trego, Wallace, Wichita, Wilson, and Woodson.

KENTUCKY

*Lexington.* Anderson, Bath, Bell, Bourbon, Boyd, Boyle, Bracken, Breathitt, Carter, Casey, Clark, Clay, Clinton, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Garrard, Grant, Greenup, Harlan, Harrison, Jackson, Jessamine, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Mason, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Russell, Scott, Wayne, Whitley, Wolfe, and Woodford.

*Louisville.* Adair, Barren, Breckinridge, Bullitt, Butler, Carroll, Cumberland, Edmonson, Gallatin, Grayson, Green, Hancock, Hardin, Hart, Henry, Jefferson, Larue, Marion, Meade, Metcalfe, Monroe, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Spencer, Taylor, Trimble, Washington, Clark, Ind., Crawford, Ind., Floyd, Ind., Harrison, Ind., Jefferson, Ind., Orange, Ind., Scott, Ind., and Washington, Ind.

LOUISIANA

*Baton Rouge.* Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron, Catahoula, Concordia, E. Baton Rouge, E. Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, La Salle, Pointe Coupee, Rapides, St. Helena, St. Landry, St. Martin, Vermilion, W. Baton Rouge, and W. Feliciana.

*New Orleans.* Ascension, Assumption, Jefferson, La Fourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, Hancock, Miss., Harrison, Miss., Pearl River, Miss., and Stone, Miss.

*Shreveport.* Bienville, Bossier, Caddo, Caldwell, Claiborne, De Soto, E. Carroll, Franklin, Grant, Jackson, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Vernon, Webster, W. Carroll, Winn, Bowie, Texas, Cass, Texas, Harrison, Texas, Marion, Texas, Panola, Texas, Sheiby, Texas, Columbia, Ark., Lafayette, Ark., Little River, Ark., and Miller, Ark.

MAINE

*Bangor.* Aroostook, Hancock, Penobscot, Piscataquis, Somerset, Waldo, and Washington.

*Portland.* Androscoggin, Cumberland, Franklin, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, and York.

MARYLAND

*Baltimore.* Anne Arundel, Baltimore; Baltimore, city of; Carroll, Cecil, Harford, and Howard.

*Hagerstown.* Allegany, Frederick, Garrett, Washington, Adams, Pa., Franklin, Pa., Fulton, Pa., Berkeley, W. Va., Grant, W. Va., Hampshire, W. Va., Hardy, W. Va., Jefferson, W. Va., Mineral, W. Va., Morgan, W. Va., Pendleton, W. Va., Clarke, Va., Frederick, Va., Page, Va., Shenandoah, Va., and Warren, Va.

MASSACHUSETTS

*Boston.* Barnstable, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester.

*Springfield.* Berkshire, Franklin, Hampden, and Hampshire.

## MICHIGAN

*Cadillac.* Antrim, Benzle, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Grand Traverse, Kalkaska, Lake, Leelanau, Manistee, Mason, Missaukee, Montmorency, Osceola, Otsego, Presque Isle, Roscommon, and Wexford.

*Detroit.* Lapeer, Macomb, Oakland, St. Clair, Washtenaw, and Wayne:

*Grand Rapids.* Allegan, Barry, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, and Ottawa.

*Lansing.* Calhoun, Clinton, Eaton, Ingham, Ionia, Jackson, Livingston, and Shiawassee.

*Saginaw.* Alcona, Alpena, Arenac, Bay, Genesee, Gladwin, Gratiot, Huron, Iosco, Isabella, Midland, Ogemaw, Oscoda, Saginaw, Sanilac, and Tuscola.

## MINNESOTA

*Duluth.* Aitkin, Carlton, Cass, Cook, Crow Wing, Itasca, Koochiching, Lake, Pine, St. Louis, Ashland, Wis., Bayfield, Wis., Burnett, Wis., Douglas, Wis., Sawyer, Wis., and Washburn, Wis.

*Minneapolis.* Anoka, Benton, Carver, Chippewa, Chisago, Dakota, Douglas, Goodhue, Grant, Hennepin, Isanti, Kanabec, Kandiyohi, Le Sueur, McLeod, Meeker, Mille Lacs, Morrison, Nicollet, Pope, Ramsey, Renville, Rice, Scott, Sherburne, Sibley, Stearns, Stevens, Swift, Todd, Washington, Wright, Barron, Wis., Dunn, Wis., Pepin, Wis., Pierce, Wis., Polk, Wis., and St. Croix, Wis.

## MISSISSIPPI

*Jackson.* Adams, Amite, Attala, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Claiborne, Clarke, Clay, Copiah, Covington, Forrest, Franklin, Grenada, Hinds, Holmes, Humphreys, Issaquena, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lamar, Lauderdale, Lawrence, Leake, Leflore, Lincoln, Lowndes, Madison, Marion, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibeha, Perry, Pike, Rankin, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Walthall, Warren, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, and Yazoo.

## MISSOURI

*Jefferson City.* Audrain, Benton, Boone, Callaway, Camden, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Maries, Miller, Moniteau, Montgomery, Morgan, Osage, Pettis, Phelps, Pulaski, and Randolph.

*Kansas City.* Andrew, Atchison, Bates, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Daviess, De Kalb, Gentry, Grundy, Harrison, Henry, Holt, Jackson, Johnson, Lafayette, Linn, Livingston, Mercer, Nodaway, Platte, Ray, Saline, Sullivan, Worth, Johnson, Kans., Leavenworth, Kans., Linn, Kans., Miami, Kans., and Wyandotte, Kans.

*Springfield.* Barry, Barton, Carter, Cedar, Christian, Dade, Dallis, Douglas, Greene, Hickory, Howell, Jasper, Laclede, Lawrence, McDonald, Newton, Oregon, Ozark, Polk, Ripley, St. Clair, Shannon, Stone, Taney, Texas, Vernon, Webster, and Wright.

*St. Louis.* Franklin, Jefferson, Lincoln, Perry, Pike, St. Charles, St. Genevieve, St. Francois, St. Louis, St. Louis City, Warren, Washington, Bond, Ill., Calhoun, Ill., Clinton, Ill., Fayette, Ill., Franklin, Ill., Jefferson, Ill., Jersey, Ill., Madison, Ill., Marion, Ill., Monroe, Ill., Perry, Ill., Randolph, Ill., St. Clair, Ill., and Washington, Ill.

## MONTANA

*Billings.* Big Horn, Blaine, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Golden Valley, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, and Yellowstone.

*Butte.* Beaverhead, Broadwater, Cascade, Chouteau, Deer Lodge, Flathead, Gallatin, Glacier, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis & Clark, Liberty, Madison, Meagher, Missoula, Park, Pondera, Powell, Ravalli, Silver Bow, Teton, and Toole.

## NEBRASKA

*North Platte.* Adams, Arthur, Blaine, Boyd, Brown, Buffalo, Chase, Cherry, Custer, Dawson, Deuel, Dundy, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Grant, Greeley, Hall, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Kearney, Keith, Keya Paha, Lincoln, Logan, Loup, McPherson, Perkins, Phelps, Redwillow, Rock, Sheridan, Sherman, Thomas, Valley, Webster, Wheeler, Cheyenne, Kans., Decatur, Kans., Graham, Kans., Norton, Kans., Phillips, Kans., Rawlins, Kans., Rooks, Kans., Sheridan, Kans., Sherman, Kans., and Thomas, Kans.

*Omaha.* Antelope, Boone, Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hamilton, Jefferson, Johnson, Knox, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York, Crawford, Iowa, Fremont, Iowa, Harrison, Iowa, Ida, Iowa, Mills, Iowa, Monona, Iowa, Montgomery, Iowa, Page, Iowa, Pottawattamie, Iowa, Shelby, Iowa, and Woodbury, Iowa.

## NEVADA

*Reno.* All of the State of Nevada.

## NEW HAMPSHIRE

*Concord.* All of the State of New Hampshire.

## NEW JERSEY

*Atlantic City.* Atlantic, Cape May, Cumberland, Gloucester, and Salem.

*Newark.* Bergen, Essex, Hudson, Middlesex, Passaic, and Union.

*Trenton.* Hunterdon, Mercer, Monmouth, Morris, Ocean, Somerset, Sussex, and Warren.

## NEW MEXICO

*Albuquerque.* Bernalillo, Catron, Chaves, Colfax, De Baca, Guadalupe, Lincoln, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, and Valencia.

## NEW YORK

*Albany.* Albany, Clinton, Columbia, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington.

*Binghamton.* Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, and Tioga.

*Buffalo.* Allegany, Cattaraugus, Chautauque, Erie, Genesee, Niagara, and Wyoming.

*New York.* Bronx, Kings, Nassau, New York, Queens, Richmond, and Suffolk.

*Peekskill.* Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester.

*Rochester.* Livingston, Monroe, Ontario, Orleans, Wayne, and Yates.

*Syracuse.* Cayuga, Cortland, Jefferson, Madison, Onondaga, Oswego, Seneca, and Tompkins.

*Utica.* Herkimer, Lewis, Oneida, Otsego, and St. Lawrence.

## NORTH CAROLINA

*Asheville.* Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, and Yancey.

*Charlotte.* Alexander, Anson, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Montgomery, Moore, Richmond, Rowan, Stanly, and Union.

*Raleigh.* Alamance, Beaufort, Bertie, Camden, Caswell, Chatham, Chowan, Currituck, Dare, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Lee, Lenoir, Martin, Nash,

Northampton, Orange, Pasquotank, Perquimans, Person, Pitt, Tyrell, Vance, Wake, Warren, Washington, Wayne, and Wilson.

*Wilmington.* Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Hoke, Jones, New Hanover, Onslow, Pamlico, Pender, Robeson, Sampson, Scotland, Dillon, S. C.; Horry, S. C., and Marion, S. C.

*Winston-Salem.* Alleghany, Ashe, Davidson, Davie, Forsyth, Gullford, Randolph, Rockingham, Stokes, Surry, Watauga, Wilkes, and Yadkin.

## NORTH DAKOTA

*Bismarck.* Adams, Benson, Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Eddy, Emmons, Foster, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Rolette, Sheridan, Sioux, Slope, Stark, Stutsman, Ward, Wells, Williams.

*Fargo.* Barnes, Cass, Cavalier, Dickey, Grand Forks, Griggs, La Moure, Nelson, Pembina, Ramsey, Ransom, Richland, Sargent, Steele, Towner, Traill, Walsh, Becker, Minn., Beltrami, Minn., Big Stone, Minn., Clay, Minn., Clearwater, Minn., Hubbard, Minn., Kittson, Minn., Lake of the Woods, Minn., Mahanomen, Minn., Marshall, Minn., Norman, Minn., Otter Tail, Minn., Pennington, Minn., Polk, Minn., Red Lake, Minn., Roseau, Minn., Traverse, Minn., Wadena, Minn., and Wilkin, Minn.

## OHIO

*Canton.* Ashland, Carroll, Harrison, Holmes, Jefferson, Medina, Portage, Richland, Stark, Summit, Tuscarawas and Wayne.

*Cincinnati.* Adams, Brown, Clermont, Gallia, Hamilton, Highland, Jackson, Lawrence, Pike, Scioto, Boone, Ky., Campbell, Ky., and Kenton, Ky.

*Cleveland.* Ashtabula, Cuyahoga, Erie, Geauga, Huron, Lake and Lorain.

*Columbus.* Crawford, Delaware, Fairfield, Fayette, Franklin, Hardin, Hooking, Knox, Licking, Madison, Marion, Morrow, Pickaway, Ross, Union, Vinton and Wyandot.

*Dayton.* Auglaize, Butler, Champaign, Clark, Clinton, Darke, Greene, Logan, Mercer, Miami, Montgomery, Preble, Shelby, and Warren.

*Toledo.* Allen, Defiance, Fulton, Hancock, Henry, Lucas, Ottawa, Putnam, Sandusky, Seneca, Williams, Wood, Hillsdale, Mich., Lenawee, Mich., and Monroe, Mich.

*Youngstown.* Columbiana, Mahoning, Trumbull, Lawrence, Pa., and Mercer, Pa.

*Zanesville.* Athens, Belmont, Coshocton, Guernsey, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, and Washington.

## OKLAHOMA

*Oklahoma City.* Alfalfa, Beckham, Blaine, Caddo, Canadian, Carter, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Johnston, Kingfisher, Kiowa, Logan, Love, McClain, Major, Marshall, Murray, Oklahoma, Pontotoc, Pottawatomie, Roger Mills, Seminole, Stephens, Tillman, Washita, Woods, and Woodward.

*Tulsa.* Adair, Atoka, Bryan, Cherokee, Choctaw, Coal, Craig, Creek, Delaware, Haskell, Hughes, Kay, Latimer, Le Flore, Lincoln, McCurtin, McIntosh, Mayes, Muskogee, Noble, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pushmataha, Rogers, Sequoyah, Tulsa, Wagoner, and Washington.

## OREGON

*Medford.* Coos, Curry, Douglas, Harney, Jackson, Josephine, Klamath, Lake, Del Norte Calif., Modoc, Calif., and Siskiyou, Calif.

*Portland.* Baker, Benton, Clackamas, Clatsop, Columbia, Crook, Deschutes, Gilliam, Grant, Hood River, Jefferson, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yam-



hill, Clark, Wash., Cowlitz, Wash., Klickitat, Wash., Skamania, Wash., and Wahkiakum, Wash.

PENNSYLVANIA

*Allentown.* Berks, Carbon, Lehigh, Northampton, and Schuylkill.

*Altoona.* Bedford, Blair, Cambria, Centre, Clearfield, Clinton, Huntingdon, Mifflin, and Somerset.

*Erie.* Cameron, Crawford, Elk, Erie, Forest, McKean, Potter, Venango, and Warren.

*Harrisburg.* Cumberland, Dauphin, Juniata, Lancaster, Lebanon, Montour, Northumberland, Perry, Snyder, Union, and York.

*Philadelphia.* Bucks, Chester, Delaware, Montgomery, Philadelphia, Burlington, N. J., and Camden, N. J.

*Pittsburgh.* Allegheny, Armstrong, Beaver, Butler, Clarion, Fayette, Greene, Indiana, Jefferson, Washington, Westmoreland, Brooke, W. Va., Hancock, W. Va., Marion, W. Va., Marshall, W. Va., Monongalia, W. Va., Ohio, W. Va., Preston, W. Va., Taylor, W. Va., and Wetzel, W. Va.

*Scranton.* Bradford, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Pike, Sullivan, Susquehanna, Tioga, Wayne, and Wyoming.

RHODE ISLAND

*Providence.* All of the State of Rhode Island, Bristol, Mass., and Windham, Conn.

SOUTH CAROLINA

*Columbia.* Abbeville, Anderson, Bamberg, Berkeley, Calhoun, Charleston, Cherokee, Chester, Chesterfield, Clarendon, Darlington, Dorchester, Fairfield, Florence, Georgetown, Greenville, Greenwood, Kershaw, Lancaster, Laurens, Lee, Lexington, Marlboro, Newberry, Oconee, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, Williamsburg, and York.

SOUTH DAKOTA

*Pierre.* Armstrong, Bennett, Brule, Buffalo, Butte, Campbell, Corson, Custer, Dewey, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Washington, and Ziebach.

*Sioux Falls.* Aurora, Beadle, Bon Homme, Brookings, Brown, Charles Mix, Clark, Clay, Codrington, Davison, Day, Deuel, Douglas, Grant, Hamlin, Hanson, Hutchinson, Jerauld, Kingsbury, Lake, Lincoln, McCook, Marshall, Miner, Minnehaha, Moody, Roberts, Sanborn, Spink, Turner, Union, Yankton, Buena Vista, Iowa, Cherokee, Iowa, Clay, Iowa, Dickinson, Iowa, Lyon, Iowa, O'Brien, Iowa, Osceola, Iowa, Plymouth, Iowa, Sioux, Iowa, Brown, Minn., Cottonwood Minn., Jackson, Minn., Lac Qui Parle, Minn., Lincoln, Minn., Lyon, Minn., Martin, Minn., Murray, Minn., Nobles, Minn., Pipestone, Minn., Redwood, Minn., Rock, Minn., Watonwan, Minn., and Yellow Medicine, Minn.

TENNESSEE

*Chattanooga.* Bledsoe, Bradley, Coffee, Franklin, Grundy, Hamilton, McMinn, Marion, Meigs, Monroe, Polk, Chatanooga, Ga., Rhea, Sequatchie, Van Buren, Warren, DeKalb, Ala., Jackson, Ala., Catoosa, Ga., Dade, Ga., Murray, Ga., Walker, Ga., and Whitfield, Ga.

*Knoxville.* Anderson, Blount, Campbell, Carter, Claiborne, Cooke, Cumberland, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Morgan, Pickett, Roane, Scott, Sevier, Sullivan, Unicol, Union, Washington, Lee, Va., Scott, Va., Wise, Va., and City of Bristol, Va.

*Memphis.* Carroll, Chester, Crockett, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Lake, Lauderdale, McNairy, Madison, Obion, Shelby, Tipton, Weakley, Clay, Ark., Craighead, Ark., Crittenden, Ark., Cross, Ark., Greene, Ark., Mississippi, Ark., Polk,

Ark., Alcorn, Miss., Benton, Miss., Coahoma, Miss., Desoto, Miss., Itawamba, Miss., Lafayette, Miss., Lee, Miss., Marshall, Miss., Panola, Miss., Pontotoc, Miss., Prentiss, Miss., Quitman, Miss., Tate, Miss., Tippah, Miss., Tishomingo, Miss., Tunica, Miss., Union, Miss., Dunklin, Mo., and Pemiscot, Mo.

*Nashville.* Bedford, Benton, Cannon, Cheatham, Clay, Davidson, Decatur, DeKalb, Dickson, Giles, Henry, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Lincoln, Macon, Marshall, Maury, Montgomery, Moore, Overton, Perry, Putnam, Robertson, Rutherford, Smith, Stewart, Sumner, Trousdale, Wayne, White, Williamson, Wilson, Allen, Ky., Christian, Ky., Logan, Ky., Simpson, Ky., Todd, Ky., Trigg, Ky., and Warren, Ky.

TEXAS

*Amarillo.* Armstrong, Carson, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Wheeler, Harding, N. M., Quay, N. M., Union, N. M., Beaver, Okla., Cimarron, Okla., and Texas, Okla.

*Austin.* Austin, Bastrop, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Fayette, Gillespie, Hays, Lavaca, Lee, Llano, Mason, Travis, Washington, and Williamson.

*Dallas.* Archer, Camp, Clay, Collin, Cooke, Dallas, Delta, Denton, Ellis, Fannin, Franklin, Grayson, Gregg, Henderson, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Montague, Morris, Palo Pinto, Parker, Rains, Red River, Rockwall, Smith, Somervell, Stephens, Tarrant, Titus, Upshur, Van Zandt, Wichita, Wise, Wood, and Young.

*El Paso.* Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Ward, Winkler, Dona Ana, N. M., Eddy, N. M., Grant, N. M., Hidalgo, N. M., Luna, N. M., Otero, N. M., and Sierra, N. M.

*Houston.* Angelina, Brazoria, Chambers, Fort Bend, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton.

*Lubbock.* Bailey, Baylor, Briscoe, Castro, Crockett, Dawson, Ector, Fisher, Glasscock, Floyd, Foard, Gaines, Garza, Hale, Hall, Hardeman, Haskell, Hockley, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Parmer, Stonewall, Swisher, Terry, Throckmorton, Wilbarger, Yoakum, Curry, N. M., Lea, N. M., and Roosevelt, N. M.

*San Angelo.* Andrews, Borden, Brown, Callahan, Coke, Coleman, Concho, Crane, Crockett, Dawson, Ector, Fisher, Glasscock, Howard, Irion, Jones, Kimble, McCulloch, Martin, Menard, Midland, Mills, Mitchell, Nolan, Reagan, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sterling, Sutton, Taylor, Terrell, Tom Green, Upton, and Val Verde.

*San Antonio.* Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Calhoun, Cameron, Comal, De Witt, Dimmit, Duval, Edwards, Frio, Goliad, Gonzales, Guadalupe, Hidalgo, Jackson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Victoria, Webb, Willacy, Wilson, Zapata, and Zavala.

*Waco.* Anderson, Bell, Bosque, Cherokee, Comanche, Coryell, Eastland, Erath, Falls, Freestone, Hamilton, Hill, Houston, Lampasas, Leon, Limestone, McLennan, Madison, Milam, Nacogdoches, Navarro, Robertson, and Rusk.

UTAH

*Salt Lake City.* All of the State of Utah.

VERMONT

*Montpelier.* All of the State of Vermont.

VIRGINIA

*Norfolk.* Brunswick, Elizabeth City, Greenville, Isle of Wight, Lunenburg, Meck-

lenburg, Nansemond, Norfolk, Princess Anne, Southampton, Surry, Sussex, Warwick and York.

*Richmond.* Albermarle, Amelia, Buckingham, Caroline, Charles City, Chesterfield, Cumberland, Dinwiddie, Essex, Fluvanna, Gloucester, Goochland, Greene, Hanover, Henrico, James City, King & Queen, King George, King William, Lancaster, Louisa, Madison, Mathews, Middlesex, New Kent, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Richmond, Spotsylvania, Stafford, and Westmoreland.

*Roanoke.* Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Rockingham, Russell, Smyth, Hazewell, Washington, and Wythe.

WASHINGTON

*Seattle.* Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima.

*Spokane.* Adams, Asotin, Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Benewah, Idaho, Bonner, Idaho, Boundary, Idaho, Clearwater, Idaho, Idaho, Kootenai, Idaho, Latah, Idaho, Lewis, Idaho, Nez Perce, Idaho, Shoshone, Idaho, Lincoln, Mont., Mineral, Mont., and Sanders, Mont.

WEST VIRGINIA

*Charleston.* Barbour, Bonne, Braxton, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Harrison, Jackson, Kanawha, Lewis, Lincoln, Logan, McDowell, Mason, Mercer, Mingo, Monroe, Nicholas, Pleasants, Pocahontas, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Tucker, Tyler, Upshur, Wayne, Webster, Wirt, Wood, and Wyoming.

WISCONSIN

*Green Bay.* Brown, Calumet, Door, Florence, Forest, Kewaunee, Manitowoc, Marinette, Oconto, Outagamie, Shawano, Waupaca, Winnebago, Alger, Mich., Baraga, Mich., Chippewa, Mich., Delta, Mich., Dickinson, Mich., Houghton, Mich., Iron, Mich., Keweenaw, Mich., Luce, Mich., Mackinac, Mich., Marquette, Mich., Menominee, Mich., and Schoolcraft, Mich.

*La Crosse.* Buffalo, Crawford, Jackson, La Crosse, Monroe, Richland, Trempealeau, Vernon, Fillmore, Minn., Houston, Minn., Olmstead, Minn., Wabasa, Minn., and Winona, Minn.

*Madison.* Adams, Columbia, Dane, Grant, Green, Green Lake, Iowa, Juneau, Lafayette, Marquette, Rock, Sauk, and Waushara.

*Milwaukee.* Dodge, Fond du Lac, Jefferson, Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha.

*Wausau.* Chippewa, Clarke, Eau Claire, Iron, Langlade, Lincoln, Marathon, Oneida, Portage, Price, Rusk, Taylor, Villas, Wood, Gogebic, Mich., and Ontonagon, Mich.

WYOMING

*Casper.* Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Hot Springs, Johnson, Lincoln, Natrona, Niobrara, Park, Sheridan, Sublette, Sweet Water, Teton, Uinta, Washakie, Weston, and Yellowstone National Park.

*Cheyenne.* Albany, Goshen, Laramie, Platte, Banner, Nebr., Box Butte, Nebr., Cheyenne, Nebr., Dawes, Nebr., Kimball, Nebr., Morrill, Nebr., Scotts Bluff, Nebr., and Sloux, Nebr.

[F. R. Doc. 44-9673; Filed, July 1, 1944; 11:41 a. m.]

[Administrative Order ODT 9, Amdt. 3]

PART 503—ADMINISTRATION

MOTOR CARRIERS; RECORDS AND REPORTS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21,

It is hereby ordered, That Appendix 1 and Appendix 2 of Administrative Order ODT 9, as amended (8 F.R. 14166; 9 F.R. 948, 2304), are hereby cancelled, paragraph (c) of § 503.251a of Administrative Order ODT 9, as amended, is hereby revoked, paragraph (d) of § 503.250 and §§ 503.251 and 503.253 are hereby revised, and a new paragraph, designated as (c), is hereby added to § 503.252. The revised and added text reads as follows:

§ 503.250 *Property carrying vehicles; records.* Every certificate holder who operates a property carrying vehicle or vehicles shall keep the following records in respect of the vehicles covered by each certificate: \* \* \*

(d) A record of periodic tire inspection for each vehicle, including for each inspection:

(1) Date of inspection;  
(2) Inspection station number, county and state;

(3) Serial number or brand of tires requiring service, and description of required tire or vehicle service; and

(4) Certification of inspector that no service is necessary, or certification that such service as was required has been performed.

\* \* \* \* \*

§ 503.251 *Property carrying vehicles; forms.* (a) The records required to be kept pursuant to § 503.250 of this order may be kept in any convenient form but shall contain, except in the case of tire inspection, entries in respect of operations for each month or period shorter than a month.

(b) Any certificate holder who has heretofore been provided with Form CWN-17, Weekly Operation Report and Tire Inspection Record (Single Unit), or Form CWN-17A, Tire Inspection Record (Fleet, and Supplementary for Single Units), by the Office of Defense Transportation, may, at his option, continue to use such form in keeping the periodic tire inspection records required to be kept pursuant to § 503.250 (d) of this order.

§ 503.252 *Passenger carrying vehicles; records.* Every certificate holder who operates a passenger carrying vehicle or vehicles shall keep the following records in addition to those required to be kept by general or other orders of the Office of Defense Transportation: \* \* \*

(c) A record of periodic tire inspection for each vehicle, including for each inspection:

(1) Date of inspection;  
(2) Inspection station number, county and state;

(3) Serial number or brand of tires requiring service, and description of required tire or vehicle service; and

(4) Certification of inspector that no service is necessary, or certification that

such service as was required has been performed.

§ 503.253 *Passenger carrying vehicles; forms.* (a) The records required to be kept pursuant to § 503.252 of this order may be kept in any convenient form but shall contain, except in the case of tire inspection, entries in respect of operations for each month or period shorter than a month.

(b) Any certificate holder who has heretofore been provided with Form CWN-17, Weekly Operation Report and Tire Inspection Record (Single Unit), or Form CWN-17A, Tire Inspection Record (Fleet, and Supplementary for Single Units), by the Office of Defense Transportation, may, at his option, continue to use such form in keeping the periodic tire inspection records required to be kept pursuant to § 503.252 (c) of this order.

This Amendment 3 to Administrative Order ODT 9 shall become effective July 1, 1944.

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

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 30th day of June 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-9748; Filed, July 3, 1944; 11:52 a. m.]

[Administrative Order ODT 26]

PART 503—ADMINISTRATION

TRANSPORTATION OF FARM PRODUCTS BY COMMERCIAL MOTOR VEHICLES FROM PRODUCING AREAS

*General outline.* This order requests and authorizes producers, motor carriers, dealers or receivers, as the case may be, of farm products, except dairy products, within any given area to form Industry Transportation Advisory Committees. Committees representative of any one, or combination, of such persons which have heretofore been recognized and approved by the Office of Defense Transportation are authorized to function as Industry Transportation Advisory Committees in accordance with this order. The order sets forth specific methods by which such committees are requested to assist the Office of Defense Transportation in attaining the purposes of General Order ODT 21, as amended, in relation to transportation of farm products, except dairy products, by commercial motor vehicle from producing areas to destination points. Where for any reason needed information has not been furnished to a

district manager by a committee, he may proceed to acquire it on his own initiative.

The order authorizes each district manager to direct the operation of commercial motor vehicles in the transportation of farm products, except dairy products, from producing areas to destination points, within any area which the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, may designate; such authority to be exercised subject to certain limitations expressed in the order and to any instructions or directions issued from time to time by the Director of the Office of Defense Transportation, and subject to the general control, supervision, modification or reservation in any specific case by such Director or by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department. Provision is made for appeals by any producer, motor carrier, dealer or receiver from any direction issued pursuant to this order.

This general outline shall not be construed to alter the meaning of any provision contained in the order. The text of Administrative Order ODT 26 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Order 8989, as amended, Executive Order 9156, and War Production Board Directive 21, and in order to regulate the operation of commercial motor vehicles utilized in the transportation of farm products, except dairy products, from producing areas to destination points, pursuant to § 501.101 of General Order ODT 21, as amended (7 F.R. 7100; 8 F.R. 2510), it is hereby ordered, that:

Sec.	
503.450	Industry Transportation Advisory Committees; formed by producers, motor carriers, dealers or receivers.
503.451	Committees heretofore formed and approved.
503.452	Committees shall not act until approved.
503.453	Functions of Industry Transportation Advisory Committees.
503.454	Administration of § 501.101 of General Order ODT 21, as amended.
503.455	Directions issued by district manager; service.
503.456	Limitations upon district manager.
503.457	Complaints; decision by district manager.
503.458	Appeals to regional director.
503.459	Appeals to Director of the Office of Defense Transportation.
503.460	Stay of directions; modification to conform with final decision.
503.461	Supervision and reservations.
503.462	Applicability.
503.463	Definitions.
503.464	Communications.

AUTHORITY: §§ 503.450 to 503.464, inclusive, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834.

§ 503.450 *Industry Transportation Advisory Committees; formed by producers, motor carriers, dealers or receivers.* Producers, motor carriers, dealers or receivers, or combination thereof, as determined by the Office of

Defense Transportation, of any farm product, except dairy products, or combination thereof, within any given area are hereby requested and authorized to elect (unless they have already formed a committee described in § 503.451 of this order) an Industry Transportation Advisory Committee which shall be representative of such producers, motor carriers, dealers or receivers, as the case may be, of a specific farm product or combination of farm products, except dairy products. When the committee is elected the members thereof shall elect a chairman, vice-chairman, secretary and such other officers as may be deemed advisable, and the chairman or other officer authorized by the committee shall sign and file with the Highway Transport Department, Office of Defense Transportation, Washington, D. C., a statement containing the following information:

(a) The kind or kinds of farm products, except dairy products, the transportation of which the committee will consider;

(b) The segment or segments of the industry having representation on the committee;

(c) The name and address of each person participating in the election of the committee;

(1) Whether such person is a producer, motor carrier, dealer or receiver, or combination thereof;

(2) The kind of farm products, except dairy products, which such person produces, transports, deals in or receives, as the case may be;

(d) The name and address of each member of the committee;

(e) The class or group of the industry which each member of the committee represents;

(f) The method utilized in electing the committee; and

(g) A description of the area within which the committee proposed to act.

§ 503.451 *Committees heretofore formed and approved.* Without further approval any Industry Transportation Advisory Committee representative of producers, motor carriers, dealers or receivers of farm products, except dairy products, which heretofore has been approved by the Office of Defense Transportation, is hereby authorized to function as an Industry Transportation Advisory Committee in accordance with and subject to the provision of this order.

§ 503.452 *Committees shall not act until approved.* Except as provided in §§ 503.450 and 503.451 of this order no Industry Transportation Advisory Committee shall perform any act until the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, in a writing directed to the chairman of the committee, has approved the election of such committee, and the members and the officers thereof, and has approved the designation of the area in which the committee proposes to act, and has approved of the segments of the industry represented on the committee. Such approval may be withdrawn in whole or in part at any time.

§ 503.453 *Functions of Industry Transportation Advisory Committees.* Each approved Industry Transportation Advisory Committee, including any approved committee formed prior to the effective date of this order, is requested and authorized:

(a) To acquire and record information from time to time of the approximate quantity, kind and type of farm product or farm products, except dairy products, as the case may be, produced within the designated area of the committee to be transported by commercial motor vehicle and the points between which and the times at which such farm product or farm products, except dairy products, as the case may be, are to be so transported.

(b) To acquire and keep record, as deemed necessary, of the name and address of each motor carrier engaged in the transportation of such farm product or farm products, except dairy products, as the case may be (including a description of each commercial motor vehicle so operated by such carrier), to or from points within such area, and the name and address of each producer, dealer, or receiver served by such carrier.

(c) To study, develop, formulate and make recommendations and reports to the district manager concerning policies, procedures, rules, programs, formulas, or plans pertaining to the transportation of the particular farm product or farm products, except dairy products, as the case may be, by commercial motor vehicle from producing areas to destination points.

(d) To make recommendations to the district manager concerning the issuance, recall, review, reconsideration, suspension, cancellation or revocation of certificates of war necessity pertaining to commercial motor vehicles utilized or to be utilized in the transportation of the farm product or farm products, except dairy products, as the case may be, from producing areas to destination points.

§ 503.454 *Administration of § 501.101 of General Order ODT 21, as amended.*

(a) Each district manager is hereby authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended, (7 F.R. 7100; 8 F.R. 2510), in respect of the transportation of farm products, except dairy products, by commercial motor vehicle from producing areas within any area designated by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, to destination points, to assure that such operations shall be confined to those which are necessary to the war effort or to the maintenance of essential civilian economy, shall be so conducted as to assure maximum utilization in such service of the commercial motor vehicles so operated, and shall conserve and providently utilize rubber or rubber substitutes and other critical materials used in the manufacture, maintenance and operation of such vehicles.

(b) For the purpose of exercising the foregoing authority, each district man-

ager is hereby authorized to acquire the information described in paragraphs (a) and (b) of § 503.453 of this order, unless information deemed necessary may be obtained from an approved Industry Transportation Advisory Committee.

§ 503.455 *Directions issued by district manager; service.* (a) The district manager shall consider any recommendation made by an approved Industry Transportation Advisory Committee for the area within which he is authorized to act pursuant to this order. Directions issued by the district manager pursuant to this order shall be in writing and signed by the district manager. A true copy shall be served upon each person having possession or control of a commercial motor vehicle whose operation will be governed by such directions. The service shall be made in person or by mail not less than 10 days prior to the effective date of any such directions.

(b) At the time of the issuance of any such directions a true copy thereof shall be furnished to the chairman of the appropriate Industry Transportation Advisory Committee within whose area the directions will be effective.

§ 503.456 *Limitations upon district manager.* No directions shall be issued by a district manager pursuant to this order that will:

(a) Deprive any person, without his consent, of transportation by the motor carrier usually performing such transportation unless:

(1) The performance of such transportation by another motor carrier is available or,

(2) The issuance of such directions is approved by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.

(b) Require any motor carrier to perform any transportation service that is not sanctioned by law or is beyond the carrier's transportation capacity.

§ 503.457 *Complaints; decision by district manager.* (a) Any producer, motor carrier, dealer, or receiver may file a complaint with the district manager concerning any direction issued by him pursuant to this order. Such a complaint may be filed at any time before or after the effective date of the directions, but the stay of directions provided for in § 503.460 of this order shall be applicable only in respect of complaints filed on or before the effective date of the directions. The complaint shall be in writing setting forth the facts pertaining thereto, and shall be signed by and show the address of the person filing the complaint. Signed statements, which support or contradict the facts set forth in the complaint or in any statement filed in the matter, may be filed by any person having an interest in the subject matter of the complaint at any time prior to a decision thereof by the district manager. The complaint shall be decided by the district manager within 10 days after receipt of the complaint. The decision shall be in writing stating the reasons therefor, and shall either overrule the complaint or sustain it in whole or in part. A copy of the decision shall be

served on the complainant in person, or by mail directed to the address shown in the complaint: *Provided*, That the provisions of this section and §§ 503.458, 503.459 and 503.460 of this order shall not apply to any complaint made by a motor carrier concerning the issuance, review, reconsideration, suspension, recall, cancellation, or revocation of a certificate of war necessity, and any such complaint, and any proceedings in respect thereof, shall be exclusively governed by the provisions of any applicable order issued by the Office of Defense Transportation.

(b) At the time of the issuance of any such decision, a true copy thereof shall be furnished to the chairman of any appropriate Industry Transportation Advisory Committee within whose area the directions, which are the subject of the complaint, are or will be effective.

§ 503.458 *Appeals to regional director.*

(a) Any complainant, within 5 days after service of the district manager's decision on the complaint, may file an appeal therefrom to the regional director. Such appeal shall be in writing filed with the district manager and shall state the reasons why the decision should be reversed or modified. Upon the filing of an appeal, the district manager forthwith shall forward the entire file in respect thereof to his regional director who within 10 days after receipt of the file shall decide the complaint upon the record so transmitted. The decision on the appeal shall be in writing stating the reasons therefor, and shall overrule the complaint, or sustain it, in whole or in part. A copy of the decision shall be served on the complainant in person, or by mail directed to the address shown in the complaint.

(b) At the time of the issuance of any such decision, a true copy thereof shall be furnished to the district manager and the chairman of any appropriate Industry Transportation Advisory Committee within whose area the directions, which are the subject of the complaint, are or will be effective.

§ 503.459 *Appeals to Director of the Office of Defense Transportation.* (a) Any complainant, within 5 days after service of the regional director's decision, may file an appeal therefrom to the Director of the Office of Defense Transportation. Such appeal shall be in writing, filed with the regional director, and shall state the reasons why the decision should be reversed or modified. Upon the filing of the appeal, the regional director shall forward the entire file to the Director of the Office of Defense Transportation, Washington, D. C., who will decide the appeal on the record so transmitted, and will overrule the appeal, or sustain it, in whole or in part. The decision of such appeal shall be final. A copy of the decision will be served on the complainant in person, or by mail directed to the address shown in the complaint.

(b) At the time of the issuance of any such decision, a true copy thereof will be furnished to the district manager, the regional director and the chairman of any appropriate Industry Transportation Advisory Committee within whose area the directions, which are the sub-

ject of the complaint, are or will be effective.

§ 503.460 *Stay of directions; modification to conform with final decision.* Pending a decision in respect of any complaint filed on or before the effective date of the directions, or pending decision of any appeal filed, in accordance with the order, in respect of such complaint, the directions, to the extent complained of, shall be suspended to the degree required to provide the complainant with the transportation service he was performing or receiving at the time of issuance of such directions. Any directions in respect of which any complaint is filed shall be modified by the district manager to the extent required to conform with any final decision on the complaint or on any appeal taken in respect thereof. Any decisions on a complaint or on an appeal to a regional director shall become final upon expiration of the time prescribed for appealing therefrom, if no appeal is filed within that time; any decision on an appeal to the Director of the Office of Defense Transportation shall be final when issued unless otherwise ordered.

§ 503.461 *Supervision and reservations.* The authority hereby delegated shall be exercised subject to any instructions or directions issued from time to time by the Director of the Office of Defense Transportation, and to general control and supervision, and modification or revocation in any specific case, by such Director, or by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department. Notwithstanding any of the provisions of this order, the Director of the Office of Defense Transportation may, in his discretion, exercise from time to time the authority or perform any of the functions or duties delegated by this order. This order shall not be construed as revoking or otherwise affecting any prior delegation of authority contained in any order or other document heretofore issued by the Director of the Office of Defense Transportation or the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.

§ 503.462 *Applicability.* The provisions of this order shall be applicable only within the continental United States.

§ 503.463 *Definitions.* (a) As used in this order the term:

(1) "District" and "region" mean, respectively, a district and region of the Highway Transport Department of the Office of Defense Transportation.

(2) "District manager" means the manager of a district.

(3) "Regional director" means the director of a region.

(4) "Dairy products" means whole milk, or any liquid or semi-liquid product or by-product thereof.

(5) "Farm products" means any article or thing which is yielded, raised, or produced on a farm (either incidental to or as a result of the cultivation of the soil or in connection with the breeding or raising of livestock) by nature, labor,

or otherwise. Such term includes any domestic animal, bird, or insect, raised on a farm, and also any product of such animal, bird, or insect, produced on or in connection with the operation of a farm.

(6) "Producer" means any person by whom or under whose supervision or control farm products are produced.

(7) "Dealer or receiver" means any person who: (i) acquires farm products from producers for processing or resale; or (ii) markets farm products for producers.

(8) "Motor carrier" means any person who controls or operates a commercial motor vehicle while engaged in the transportation of farm products from producing areas to destination points.

(9) "Destination point" means a farm, processing or packing plant, dehydrating, freezing or storage point, warehouse, rail or water head, wholesale or retail market place.

(10) "Continental United States" means the forty-eight States and the District of Columbia.

(b) As used in this order, any term that is defined in General Order ODT 21, as amended, shall have the meaning specified therefor in § 501.90 (Definitions) of General Order ODT 21 (7 F.R. 7100).

§ 503.464 *Communications.* Communications concerning this order should refer to "Administrative Order ODT 26" and unless otherwise directed should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This Administrative Order ODT 26 shall become effective July 10, 1944.

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

Issued at Washington, D. C., this 3d day of July 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-9750; Filed, July 3, 1944; 11:52 a. m.]

## Notices

### POST OFFICE DEPARTMENT.

[Order No. 25157]

#### USE OF PENALTY MAIL PRIVILEGE

JUNE 30, 1944.

This order is issued in pursuance of Public Law 364 relating to the use of the penalty mail privilege.

When penalty envelopes are ordered under contracts made by the Postmaster General as provided by section 93, Postal Laws and Regulations, 1940, by any executive department or agency, or independent establishment of the Government, or other organizations and persons authorized by law to use the penalty privilege, the number of envelopes so ordered shall be reported to the Comptroller of the Post Office Department at

such intervals and in such manner and detail as directed by him.

When any executive department or agency or independent establishment of the Government, or other organizations and persons authorized by law to use the penalty privilege, orders labels, wrappers, cards, or other articles bearing the indicia prescribed for matter mailed free of postage under the penalty privilege from or through the Government Printing Office, a report of the number or quantity of each such item or article so ordered or furnished shall be submitted to the Comptroller of the Post Office Department by the Government Printing Office at such intervals and in such detail as may be necessary to enable the Postmaster General to transmit this information quarterly to the Congress and the Bureau of the Budget as required by section 2 of Public Law 364.

In all cases where envelopes, labels, drappers, cards, or other articles bearing the penalty indicia, including those mailed without cover on which the penalty indicia are placed directly on the articles, are prepared or procured otherwise than as set forth in paragraphs 1 and 2 of this Order, each executive department or agency, and independent establishment of the Government, or other organizations and persons, shall obtain from the Third Assistant Postmaster General, or from a postmaster authorized by the Third Assistant Postmaster General to grant such permit, a permit authorizing mailings and setting forth the regulations governing such preparation or procurement. A report of all permits so issued shall be furnished the Comptroller. Each holder of such a permit shall submit with every mailing a statement showing the department or agency for which the mailing is made and the number of pieces mailed, as in the case of regular permit matter, and such statements shall be forwarded by the postmaster to the Comptroller of the Post Office Department at the close of each month.

Penalty mail shall not be accepted which bears penalty indicia hand-stamped thereon or in handwriting.

The Third Assistant Postmaster General and the Comptroller of the Post Office Department shall collaborate with executive departments and agencies, independent establishments of the Government and other organizations and persons in working out necessary and suitable methods, procedures, and forms, as may be necessary to carry out the provisions of Public Law 364.

Departments, agencies or others having mailings weighing over four pounds which are subject to postage under section 3 of the Act may, upon request submitted to the Third Assistant Postmaster General, arrange for the payment of such postage periodically on rendition of bills.

Section 5 of Public Law 364 exempts the Department of War and the Department of the Navy from the provisions of the Act for the duration of the present war and six months thereafter.

FRANK C. WALKER,  
Postmaster General.

[F. E. Doc. 44-9692; Filed, July 1, 1944; 12:12 p. m.]

FORM FOR INVENTORY OF PENALTY MAIL

JUNE 27, 1944.

To the heads of all Departments and Agencies: There are enclosed self-explanatory forms<sup>1</sup> for the inventory of penalty envelopes and other penalty articles required by section 1, H. R. 4033.

Inventories must be of June 30, 1944.

It is realized there is but a limited time for you to advise your field offices. Therefore, such adjustments as you find necessary may be made to have the inventory as of June 30, 1944, as accurate as possible.

J. J. HAGGERTY,  
Comptroller.

Form No. B/A 46

Form approved.  
Budget Bureau  
No. 48-R001

POST OFFICE DEPARTMENT

OFFICE OF THE COMPTROLLER

Washington 25, D. C.

PENALTY MAIL

Section 1, H. R. 4033, relating to the use of the penalty mail privilege, requires that the heads of all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, with the exception of the Department of War and the Department of the Navy as provided in Section 5 of the Act, shall submit to the Postmaster General within 60 days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing penalty indicia on hand at the close of the fiscal year. It is desired that this information be supplied in the spaces below, showing the amounts on hand and on order June 30, 1944. The statement should be submitted for the department or agency as a whole and not by bureaus or appropriations.

Department or agency-----	Number on hand June 30, 1944	Number on order June 30, 1944
Envelopes (all sizes)-----	-----	-----
Labels-----	-----	-----
Wrappers-----	-----	-----
Cards-----	-----	-----
Tags-----	-----	-----
Other articles-----	-----	-----
Total number of articles bearing penalty indicia--	-----	-----

-----  
Certifying Officer.

The completed inventory form should be submitted to the Comptroller of the Post Office Department, Washington 25, D. C., within 60 days after the close of the fiscal year.

[F. R. Doc. 44-9693; Filed, July 1, 1944; 12:14 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 338]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

<sup>1</sup>The form set forth below was filed with the Division of the Federal Register.

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, June 26, 1944, by Trautmann and Squeri of car PFE 61335, potatoes, now on the Missouri Pacific Railroad, to Trautmann and Squeri, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9651; Filed, July 1, 1944; 10:58 a. m.]

[S. O. 70-A, Special Permit 339]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, by L. S. Taube Company, of cars of potatoes, ART 22518, on the M. K. T. Railroad, to Moberly, Missouri (Wabash) June 28, 1944, and SFRD 35282, on the A. T. & S. F. Railway, to Paducah, Kentucky (Burlington), June 29, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9652; Filed, July 1, 1944; 10:58 a. m.]

[S. O. 70-A, Special Permit 340]

RECONSIGNMENT OF ORANGES AT NASHVILLE,  
TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 9535, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Nashville, Tennessee, June 27 or 28, 1944, by Florida Citrus Exchange of car FGE 51719, oranges, now on the N. C. & St. L. Railroad, to Cincinnati, Ohio (L. & N.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9653; Filed, July 1, 1944;  
10:58 a. m.]

[S. O. 200, Special Permit 98]

RECONSIGNMENT OF POTATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, to full bunker capacity, at Chicago, Illinois, June 28, 1944, car MDT 4411, potatoes, now on the Chicago Produce Terminal, account reconditioned, sold and reconsigned and out of ice; and to reice, one time only, at the first regular icing station, with not to exceed 8,000 pounds of ice per car, cars SFRD 21627, MDT 3135, and SFRD 25420, potatoes, now on the New York Central Railroad at Goshen, Indiana, reconsigned June 28, 1944, to Detroit, Michigan; all as ordered by Edw. H. Anderson and Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9654; Filed, July 1, 1944;  
10:58 a. m.]

[S. O. 200, Special Permit 99]

## REICING OF POTATOES AT SAVANNA, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Savanna, Illinois, not later than June 30, 1944, not to exceed eleven (11) refrigerator cars loaded with potatoes, now on the C. M. St. P. & P. Railroad, account delayed because of a washout in the State of Iowa and high temperatures prevailing.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9655; Filed, July 1, 1944;  
10:58 a. m.]

[S. O. 200, Special Permit 100]

## REICING OF POTATOES AT TOLEDO, OHIO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Toledo, Ohio, for account of Edw. H. Anderson Company, cars of potatoes now on the New York Central Railroad at Goshen, Indiana, car MCLX 70018, reice with not over 8,000 pounds of ice account reconsigned to Dayton, Ohio; car PFE 14756 and SFRD 16215, reice with not over 6,000 pounds of ice account reconsigned to Philadelphia, Pennsylvania.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the gen-

eral public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of June 1944

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9656; Filed, July 1, 1944;  
10:58 a. m.]

[S. O. 200, Special Permit 101]

## REICING OF POTATOES AT CLINTON, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Clinton, Iowa, as requested by W. L. Ennis of the C. M. St. P. & P. Railroad, car PFE 13253, potatoes, account refused and in danger of serious deterioration.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-9657; Filed, July 1, 1944;  
10:58 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3772]

AUGUST STEINER

In re: Real property, property insurance policies, and a bank account owned by August Steiner.

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

1. That the last known address of August Steiner is Bonfeld, Wurttemberg, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);
2. That August Steiner is the owner of the property described in subparagraph 3 hereof;
3. That the property described as follows:
  - a. Real property situated in the City of San Antonio, County of Bexar, State of Texas, particularly described as Lot Four (4) in New City Block Seventeen Hundred Sixty (1760) fronting Fifty (50) feet on the north-west side of Avenue B, between Fifth and Sixth Streets, and running back between

parallel lines at right angles with Avenue B to the San Antonio River for depth, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in the City of San Antonio, County of Bexar, State of Texas, particularly described as Lot Number Two (2) and the West Nine (9) feet of Lot Number Three (3) in Block Numbered One (1) New City Block Numbered Twelve Hundred Sixty-nine (1269) situated within the corporate limits of the City of San Antonio, Bexar County, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

c. Real property situated in the City of San Antonio, County of Bexar, State of Texas, particularly described as Lot One (1), Block One (1) new city Block Twelve Hundred Sixty-nine (1269), situate within the corporate limits of the City of San Antonio, Bexar County, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

d. All right, title and interest of August Steiner in and to the following insurance policies, insuring the premises described in subparagraphs 3-a, 3-b and 3-c hereof,

(1) Plate Glass Insurance Policy No. PG 70151 issued by The Western Casualty & Surety Company, Fort Scott, Kansas,

(2) Fire Insurance Policy No. 295050 issued by the Federal Union Insurance Company, New York, New York,

(3) Fire Insurance Policy No. 295049 and Windstorm Insurance Policy No. 288940 issued by the Federal Union Insurance Company, New York, New York,

(4) Fire and extended coverage Insurance Policy No. 309931 issued by the Federal Union Insurance Company, New York, New York,

(5) Fire and Windstorm Insurance Policy No. TCD 3535 issued by the Houston Fire and Casualty Company, Houston, Texas,

(6) Owners Landlords and Tenants Insurance Policy No. O. L. T. 67139 issued by The Western Casualty & Surety Company, Fort Scott, Kansas, and

e. That certain bank account in the Alamo National Bank, San Antonio, Texas, held in the name of Lena Hirschfeld, Trustee, which is due and owing to, and held for, August Steiner, including but not limited to all security rights in and to any and all collateral for all or part of such account,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-d and 3-e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a, 3-b, and 3-c hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a, 3-b and 3-c hereof,

subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-d and 3-e hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-9721; Filed, July 3, 1944; 11:11 a. m.]

[Vesting Order 3855]

RICHARD OSCAR LESSING

In re: Estate of Richard Oscar Lessing, deceased; File: D-28-8792; E. T. sec. 10751.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Carl Ernest Lessing, Executor, acting under the judicial supervision of the County Court of the City and County of Denver, State of Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address  
Ernest Lange, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernest Lange in and to the Estate of Richard Oscar Lessing, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Dated: June 28, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-9722; Filed, July 3, 1944; 11:11 a. m.]

[Vesting Order 165, Amdt.]

HILDEGARDE MUELLER MELSHEIMER AND  
CARMELITA MUELLER MEYERHOFF

Whereas, pursuant to Vesting Order Number 165 of September 24, 1942, the undersigned vested, among other things, the interest of Hildegard Mueller Melsheimer and Carmelita Mueller Meyerhoff in and to two parcels of real property and improvements thereon known as Graff Building, San Francisco, California, and pursuant to an amendment to Vesting Order Number 165 of August 18, 1943, the undersigned vested, among other things, the said real property, together with all hereditaments, fixtures, improvements, and appurtenances thereto; and

Whereas, it was not intended by such order and the amendment thereto to vest the leasehold interest of any tenant in such real property and the improvements thereto or to disturb in any way the right of any tenant to use and occupy such real property and improvements or to affect adversely in any manner any right, title, interest or privilege any tenant might have in such real property and improvements thereto pursuant to any lease, existing at the time such real

property was vested by the undersigned; and

Whereas, it is considered appropriate to further particularize the actual scope of such order;

Now, therefore, Vesting Order Number 165 of September 24, 1942, as amended by the amendment to Vesting Order Number 165 of August 18, 1943, is hereby further amended by changing to a semicolon the period which follows the words "in the interest, and for the benefit, of the United States" appearing therein, and by inserting immediately after such semicolon the words:

*Provided, however,* That the property herein vested shall not include any right, title or interest by way of leasehold acquired by any person, firm or corporation, who is not a national of a designated enemy country, by any contract of lease either written or oral, or partly written or partly oral, in and to the aforesaid property nor shall such vesting disturb in any way the right of any such person, firm or corporation to use and occupy the aforesaid property or affect adversely in any way any right, title, interest or privilege any such person, firm or corporation might have as a result of having entered into any such contract of lease.

All other provisions of Vesting Order Number 165 and the amendment thereto and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 29, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-9719; Filed, July 3, 1944; 11:11 a. m.]

[Vesting Order 816, Amdt.]

EMILIE ALTENBACH AND MARGOT BUCHMULLER

Whereas, pursuant to Vesting Order Number 816 of February 2, 1943, the undersigned vested, among other things, the interests of Emilie Altenbach and Margot Buchmuller in and to a certain parcel of real property and the improvements thereon situated at 8613-8615 South Broadway, Los Angeles, California, and pursuant to an amendment to Vesting Order Number 816 of September 3, 1943, the undersigned vested, among other things, the said real property, together with all hereditaments, fixtures, improvements, and appurtenances thereto; and

Whereas, it was not intended by such order and the amendment thereto to vest the leasehold interest of any tenant in such real property and the improvements thereto or to disturb in any way the right of any tenant to use and occupy such real property and improvements or to affect adversely in any manner any right, title, interest or privilege any tenant might have in such real property and improvements thereto pursuant to any lease, existing at the time such real property was vested by the undersigned; and

Whereas, it is considered appropriate to further particularize the actual scope of such order;

Now, therefore, Vesting Order Number 816 of February 2, 1943, as amended by the amendment to Vesting Order Number 816 of September 3, 1943, is hereby further amended by changing to a semicolon the period which follows the words "in the interest, and for the benefit, of the United States" appearing therein, and by inserting immediately after such semicolon the words:

*Provided, however,* That the property herein vested shall not include any right, title or interest by way of leasehold acquired by any person, firm or corporation who is not a national of a designated enemy country by any contract of lease either written or oral, or partly written or partly oral, in and to the aforesaid property nor shall such vesting disturb in any way the right of any such person, firm or corporation to use and occupy the aforesaid property or affect adversely in any way any right, title, interest or privilege any such person, firm or corporation might have as a result of having entered into any such contract of lease.

All other provisions of Vesting Order Number 816 and the amendment thereto and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 29, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-9720; Filed, July 3, 1944; 11:11 a. m.]

[Vesting Order 1498, Amdt.]

ANNA BECKER

In re: A mortgage account and interest in insurance policies belonging to Anna Becker.

Vesting Order Number 1498, dated May 15, 1943, is hereby amended to read as follows:

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

1. That Anna Becker is a resident of Germany, whose last known address is Klebitzberg 1, Rostock, Mecklenburg, Germany, and is a national of a designated enemy country (Germany);

2. That said Anna Becker is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. That certain mortgage executed on January 25, 1938 by Esoran Holding Corporation, as mortgagor, in favor of Mildred Schiller, as mortgagee, and recorded on January 27, 1938 in the Office of the Register of Queens County, New York, in Liber 4406 of Mortgage at page 1, and thereafter assigned to Anna Becker, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any or all such obligations and the right to enforce and to collect such obligations, and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations,

b. All right, title, interest and claim of any nature whatsoever of Anna Becker in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Anna Becker by Richter & Kaiser, Inc., and

represented on the books of Richter & Kaiser, Inc., as a credit balance due Anna Becker, including, but not limited to, all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

c. All right, title and interest of Anna Becker in and to fire insurance policy No. 2474 issued by the Pacific Fire Insurance Company of New York to the Esoran Holding Corporation, and War Damage Corporation Certificate No. 596-54-2902 issued to the Esoran Holding Corporation, Pacific Fire Insurance Company, fiduciary agent,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest.

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

The Alien Property Custodian has heretofore vested, or is about to vest, by Vesting Order Number 1506, the real property owned by Heinrich Brader and Beata Brader covered by the mortgage referred to in subparagraph 3-a hereof. It is not intended by vesting hereby the obligation secured by the said mortgage and vesting by Vesting Order Number 1506, the real property covered by the said mortgage, that the said mortgage be merged into the fee hereof, but it is intended to preserve the said mortgage separate and distinct from the fee.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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



The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 44-9723; Filed, July 3, 1944;  
11:11 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 148, Amdt. 6 to Order 33]

ARIZONA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment 6 to Order No. 33 under Revised Maximum Price Regulation No. 148. Dressed hogs and wholesale pork cuts.

The second paragraph of Order No. 33 under Revised Maximum Price Regulation No. 148 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9620; Filed, June 30, 1944;  
4:22 p. m.]

[RMPR 148, Amdt. 5 to Order 34]

SAN DIEGO AND IMPERIAL COUNTIES, CALIF.

DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 5 to Order No. 34 under Revised Maximum Price Regulation No. 148. Dressed hogs and wholesale pork cuts.

The second paragraph of Order No. 34 under Revised Maximum Price Regulation No. 148 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9621; Filed, June 30, 1944;  
4:22 p. m.]

No. 132—15

[RMPR 148, Amdt. 5 to Order 35]

NEVADA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment 5 to Order No. 35 under Revised Maximum Price Regulation No. 148. Dressed hogs and wholesale pork cuts.

The second paragraph of Order No. 35 under Revised Maximum Price Regulation No. 148 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9623; Filed, June 30, 1944;  
4:22 p. m.]

[RMPR 148, Amdt. 6 to Order 36]

NEW MEXICO AND CERTAIN COUNTIES IN TEXAS

DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 6 to Order No. 36 under revised Maximum Price Regulation No. 148. Dressed hogs and wholesale pork cuts.

The second paragraph of Order No. 36 under revised Maximum Price Regulation No. 148 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9622; Filed, June 30, 1944;  
4:22 p. m.]

[RMPR 169, Amdt. 6 to Order 28]

ARIZONA

DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment 6 to Order No. 28 under Revised Maximum Price Regulation No. 169. Beef and veal carcasses and wholesale cuts.

The second paragraph of Order No. 28 under Revised Maximum Price Regulation No. 169 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June, 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9624; Filed, June 30, 1944;  
4:22 p. m.]

[RMPR 169, Amdt. 5 to Order 30]

SAN DIEGO AND IMPERIAL COUNTIES, CALIF.

DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 5 to Order No. 30 under Revised Maximum Price Regulation No. 169. Beef and veal carcasses and wholesale cuts.

The second paragraph of Order No. 30 under Revised Maximum Price Regulation No. 169 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9625; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 169, Amdt. 5 to Order 32]

NEVADA

DESIGNATED AS CRITICAL MEAT SHORTAGE AREA

Amendment 5 to Order No. 32 under Revised Maximum Price Regulation No. 169. Beef and veal carcasses and wholesale cuts.

The second paragraph of Order No. 32 under Revised Maximum Price Regulation No. 169 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-9626; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 169, Amdt. 6 to Order 33]

## NEW MEXICO AND CERTAIN COUNTIES IN TEXAS

## DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 6 to Order No. 33 under revised Maximum Price Regulation No. 169. Beef and veal carcasses and wholesale cuts.

The second paragraph of Order No. 33 under Revised Maximum Price Regulation No. 169 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9627; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 239, Amdt. 6 to Order 1]

## ARIZONA

## DESIGNATION OF CRITICAL MEAT SHORTAGE AREA

Amendment 6 to Order No. 1 under revised Maximum Price Regulation No. 239. Lamb and mutton carcasses and wholesale cuts.

The second paragraph of Order No. 1 under revised Maximum Price Regulation No. 239 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9628; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 239, Amdt. 5 to Order 2]

## SAN DIEGO AND IMPERIAL COUNTIES, CALIF.

## DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 5 to Order No. 2 under revised Maximum Price Regulation No. 239. Lamb and mutton carcasses and wholesale cuts.

The second paragraph of Order No. 2 under Revised Maximum Price Regulation No. 239 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9629; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 239, Amdt. 6 to Order 3]

## NEW MEXICO AND CERTAIN COUNTIES IN TEXAS

## DESIGNATION AS CRITICAL MEAT SHORTAGE AREAS

Amendment 6 to Order No. 3 under revised Maximum Price Regulation No. 239. Lamb and mutton carcasses and wholesale cuts.

The second paragraph of Order No. 3 under Revised Maximum Price Regulation No. 239 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9630; Filed, June 30, 1944;  
4:23 p. m.]

[RMPR 239, Amdt. 5 to Order 4]

## NEVADA

## DESIGNATION AS CRITICAL MEAT SHORTAGE AREA

Amendment 5 to Order No. 4 under Revised Maximum Price Regulation No. 239. Lamb and mutton carcasses and wholesale cuts.

The second paragraph of Order No. 4 under Revised Maximum Price Regulation No. 239 is amended to read as follows:

This designation shall remain in effect until terminated by an amendment to this order.

This amendment shall become effective June 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9631; Filed, June 30, 1944;  
4:24 p. m.]

[MPR 445, Order 398]

## DOMESTIC DISTILLED SPIRITS

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with section 7.3a of Maximum Price Regulation 445, it is Ordered that:

## SECTION 1. Explanation of this order—

(a) *Purpose.* This order is issued to establish (where necessary) and to gather into a single document the most important provisions relative to ceiling prices of sellers of "Park & Tilford Reserve Distribution" whiskey to be sold in the first instance by Park & Tilford Import Corporation (a New York corporation) to the stockholders of Park & Tilford, Inc. (a Delaware corporation); to establish ceiling prices for the transfer of "whiskey purchase agreements" by stockholders of Park & Tilford, Inc.; to establish ceiling prices for "clearing" that whiskey; to require certain sellers of that whiskey to make reports to the Office of Price Administration and to afford a convenient means of directing attention to and giving notice of those ceiling prices and requirements.

(b) *Certain definitions.* "Cane spirits" whiskey as used in this order means a blend of 30% whiskey (5%, aged 7 years and 25%, aged 4 years) and 70% Cuban cane products neutral spirits, 86.8 proof, in a package containing 4/5 quart thereof, bearing the brand name of "Park & Tilford Reserve Distribution" on its front label. A case of that whiskey means 12 of such packages in an individual shipping container.

"Grain spirits" whiskey as used in this order means a blend of 30% whiskey (5%, aged 7 years and 25%, aged 4 years) and 70% domestic grain neutral spirits, 86.8 proof, in a package containing 4/5 quart thereof, bearing the brand name "Park & Tilford Reserve Distribution" on its front label. A case of that whiskey means 12 of such packages in an individual shipping container.

"Park & Tilford Reserve Distribution" whiskey as used in this order includes both cane spirits whiskey and grain spirits whiskey, as defined herein.

"Price" as used in this order means the consideration requested or received in connection with the sale of merchandise or supplying of a service.

"Ceiling price" as used in this order means the highest price that may be charged, demanded, paid or received.

"Assignee" as used in this order means any person who has acquired one or more whiskey purchase agreements by assignment from a special seller.

"Person" as used in this order means an individual, corporation, partnership, association, any other organized group of persons, and 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 the foregoing.

"Clearing" as used in this order means the service performed by a wholesaler,

retailer or monopoly state in receiving "Park & Tilford Reserve Distribution" whiskey, sold by Park & Tilford Import Corporation to a stockholder, and delivering the whiskey to or for the account of that stockholder, his designated licensee or their legal representatives. The term also includes handling incident to receipt or delivery. Receiving and delivering such whiskey as a nominal purchaser, for accommodation of another, shall be deemed "clearing".

"Stockholder" as used in this order means any person who, at the close of business on June 23, 1944 was a registered owner of common stock of Park & Tilford, Inc.

"Running weighted average net cost" as used in this order means the amount obtained by:

(1) *With reference to cane spirits whiskey.* (i) Determining his net cost in accordance with Section 5.3 of Maximum Price Regulation 445 for each case of cane spirits whiskey in the seller's stock on the date of computation. For the purpose of determining the net cost for his most recent shipment of cane spirits whiskey, the seller shall use as his supplier's price, amounts determined in accordance with the applicable provisions of subdivisions (a), (b) or (c) of section 7 of this order. If two or more shipments of cane spirits whiskey have been received (exclusive of the most recent shipment), the net cost to be used for any of the cane spirits whiskey remaining in the seller's stock on the date of computation shall be his most recent running weighted average net cost for that whiskey.

(ii) Adding together the resulting figures obtained at (i); and

(iii) Dividing the sum obtained at (ii) by the total number of cases of cane spirits whiskey in the seller's stock.

(2) *With reference to grain spirits whiskey.* (i) Determining his net cost in accordance with Section 5.3 of Maximum Price Regulation 445 for each case of grain spirits whiskey in the seller's stock on the date of computation. For the purpose of determining the net cost for his most recent shipment of grain spirits whiskey, the seller shall use as his supplier's price, amounts determined in accordance with the applicable provisions of subdivisions (a), (b) or (c) of section 7 of this order. If two or more shipments of grain spirits whiskey have been received (exclusive of the most recent shipment), the net cost to be used for any of the grain spirits whiskey remaining in the seller's stock on the date of computation shall be his most recent running weighted average net cost for that whiskey.

(ii) Adding together the resulting figures obtained at (i); and

(iii) Dividing the sum obtained at (ii) by the total number of cases of grain spirits whiskey in the seller's stock.

"Plan" as used in this order means the offer dated May 26, 1944, made by Park & Tilford Import Corporation to the stockholders.

"Special seller" as used in this order means a person not customarily engaged in the business of buying and selling packaged distilled spirits as a whole-

salor, retailer, primary distributing agent or monopoly state, who, by assignment of a whiskey purchase agreement or otherwise, sells or offers for sale "Park & Tilford Reserve Distribution" whiskey in accordance with a special license or permit authorizing him to receive and dispose of that whiskey, issued under applicable state laws or regulations. It also includes a person who sells or offers to sell such whiskey without license or permit.

"Whiskey Purchase Agreement" as used in this order means a contract to purchase "Park & Tilford Reserve Distribution" whiskey entered into by and between a stockholder and Park & Tilford Import Corporation, pursuant to the plan.

(c) *April 1, 1944, increase in Federal excise taxes.* The ceiling prices of "Park & Tilford Reserve Distribution" whiskey provided in this order include Federal excise taxes at rates in effect prior to April 1, 1944. The increase in the Federal excise tax effective April 1, 1944, applicable to "Park & Tilford Reserve Distribution" whiskey is \$6.26 per case. If the seller's maximum price includes the increase in Federal excise tax, the seller must state on his invoice to the customer that the prices in the invoice include the increase effective April 1, 1944, in United States excise taxes and that no markup may be applied to the amount thereof. A statement in substantially the following language upon the face of the invoice shall be deemed compliance with this provision:

Our invoice price includes the increase effective April 1, 1944, in Federal excise taxes. OPA regulations prohibit a markup on the amount thereof.

**SEC. 2. Ceiling prices for sales of "Park & Tilford Reserve Distribution" whiskey by special sellers, other than by assignment of whiskey purchase agreements—**

(a) *Prices.* The ceiling prices of a special seller for a sale of "Park & Tilford Reserve Distribution" whiskey other than by assignment of a whiskey purchase agreement are as follows:

(1) *Sales to wholesalers, primary distributing agents and monopoly states.* Ceiling prices per case, f. o. b. special seller's shipping point, are the total of the following:

(i) \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey; plus

(ii) Freight per case from the platform of the warehouse from which Park & Tilford Import Corporation shipped the whiskey to the special seller's receiving point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes imposed on and paid by the special seller with respect to the whiskey being priced; plus

(iv) \$6.26 per case, if the April 1, 1944 Federal excise tax increase is paid by the special seller with respect to the whiskey being priced.

(2) *Sales to retailers and to all other persons except wholesalers, primary distributing agents and monopoly states.* Ceiling prices per case, f. o. b. special seller's shipping point, are the total of the following:

(i) \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey; plus

(ii) Freight per case from the platform of the warehouse from which Park & Tilford Import Corporation shipped the whiskey to the special seller's receiving point paid by him with respect to the whiskey being priced; plus

(iii) Applicable state and local excise taxes at rates in effect on November 2, 1942, imposed on and paid by the special seller with respect to the whiskey being priced; plus

(iv) 15% of the total of (i), (ii), and (iii) immediately above; plus

(v) \$6.26 per case, if the April 1, 1944 Federal excise tax increase is paid by the special seller with respect to the whiskey being priced; plus

(vi) The applicable amount of any new state or local excise tax first imposed by statute effective after November 2, 1942, and the applicable amount of any increase effective after November 2, 1942 in state or local excise taxes on that date, imposed on and paid by the special seller with respect to the whiskey being priced.

(3) *Sales of individual packages.* A special seller's ceiling price for sales of one or more individual packages of cane spirits or grain spirits whiskey to a purchaser of any class shall be 1/12th of his ceiling price per case for cane spirits or grain spirits whiskey, respectively, to a purchaser of that class, multiplied by the number of individual packages being priced.

**SEC. 3. Ceiling prices for sales of "Park & Tilford Reserve Distribution" whiskey by special sellers by assignments of whiskey purchase agreements—**(a) *Prices.* The ceiling prices of a special seller for sales of "Park & Tilford Reserve Distribution" whiskey by assignment of a whiskey purchase agreement are as follows:

(1) \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey, if paid by the special seller; plus

(2) Freight per case from the platform of the warehouse from which Park & Tilford Import Corporation shipped the whiskey to the designated assignee's receiving point if paid by the special seller with respect to the whiskey being priced; plus

(3) Applicable state and local excise taxes imposed on and paid by the special seller with respect to the whiskey being priced; plus

(4) \$6.26 per case, if the April 1, 1944 Federal excise tax increase is paid by the special seller with respect to the whiskey being priced; plus

(5) \$3.46 per case less clearing charges not exceeding \$1.00 per case for each clearing that may be required to permit actual delivery to the assignee of the whiskey being priced. However, this amount may only be added with respect to sales to assignees who are not wholesalers, monopoly states or primary distributing agents.

**SEC. 4. Reports by special sellers.** A special seller selling, assigning, or transferring, by gift or otherwise, any "Park & Tilford Reserve Distribution" whiskey

shall file a report of the sale, assignment or transfer, with the District Office of the Office of Price Administration having jurisdiction over the territory in which the special seller resides. The report shall be in writing, signed by the special seller, shall be filed within 5 days after the sale, assignment or transfer has been made and shall contain statements showing:

- (1) The name and address of the special seller filing the report.
- (2) The name and address of the buyer, transferee or assignee.
- (3) The date of the sale, assignment or transfer.
- (4) The quantity (in terms of cases) of the whiskey sold, transferred or assigned, in the transaction reported.
- (5) The special seller's ceiling price for the sale, assignment or transfer of the whiskey described in the report and his computation thereof.
- (6) The total price which the buyer, assignee or transferee paid or contracted to pay for the whiskey sold, assigned or transferred, or if the transfer was made as a gift, a statement to that effect.
- (7) The amount of all clearing charges which the special seller has paid with respect to the quantity of whiskey described in the report and the name and address of the persons to whom they were paid.
- (8) Whether to the knowledge of the special seller, the buyer, assignee or transferee has paid or contracted to pay any commission, brokerage or fee in connection with the sale, assignment or transfer reported, and if known to the special seller, the amount thereof and the name and address of each person to whom payment thereof is to be or has been made.

The report required by this paragraph need not be filed if the quantity of such whiskey sold, assigned or transferred by the special seller to the buyer, assignee or transferee (in all transactions with that buyer, assignee or transferee) totals less than one case.

**Sec. 5. Ceiling prices for sales of "Park & Tilford Reserve Distribution" whiskey by wholesalers—(a) Initial ceiling prices.** The initial ceiling prices of a wholesaler for sales of "Park & Tilford Reserve Distribution" whiskey to customers of a particular class shall be the appropriate amounts determined in accordance with the provisions of Maximum Price Regulation 445 applicable to wholesalers, using, however, \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey, respectively, as his supplier's selling price (exclusive of state or local excise taxes) for purposes of determining his net cost for such whiskey he purchases from any seller.

**(b) Changes in ceiling prices.** Wholesalers who receive a purchase of either grain spirits or cane spirits whiskey after receipt of their first purchase thereof from any seller shall refigure their ceiling prices for that particular whiskey and such refigured ceiling prices shall become their ceiling prices therefor, all as provided in accordance with provisions of Maximum Price Regulation 445 applicable to wholesalers. For pur-

poses of refiguring ceiling prices, any purchase of grain spirits or cane spirits whiskey, respectively, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of section 5.4 (c) of that regulation.

**Sec. 6. Ceiling prices for sales of "Park & Tilford Reserve Distribution" whiskey by monopoly states—(a) Initial ceiling prices.** The initial ceiling prices of a monopoly state for sales of "Park & Tilford Reserve Distribution" whiskey to customers of a particular class shall be the appropriate amounts determined in accordance with the provisions of Maximum Price Regulation 445 applicable to monopoly states, using, however, \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey, respectively, as its supplier's selling price (exclusive of state excise taxes) for purposes of determining its net cost for such whiskey it purchases from any seller.

**(b) Changes in ceiling prices.** Monopoly states which receive a purchase of either grain spirits or cane spirits whiskey after receipt of their first purchases thereof from any seller shall refigure their ceiling prices for that particular whiskey and such refigured ceiling prices shall become their ceiling prices therefor, all as provided in accordance with provisions of Maximum Price Regulation 445 applicable to monopoly states. For purposes of refiguring ceiling prices, any purchase of grain spirits or cane spirits whiskey, respectively, but no purchase of any whiskey of a different brand name, shall be deemed a "base purchase" thereof within the meaning of section 5.6 (c) of that regulation.

**Sec. 7. Ceiling prices for sales of "Park & Tilford Reserve Distribution" whiskey by retailers—(a) Prices.** The ceiling prices of a retailer for sales of "Park & Tilford Reserve Distribution" whiskey shall be as follows:

**(1) Sales to consumers—(i) Initial ceiling prices.** The initial ceiling prices of a retailer for sales of "Park & Tilford Reserve Distribution" whiskey to consumers shall be the appropriate amounts determined in accordance with provisions of Maximum Price Regulation 445 applicable to retailers using, however, as his supplier's selling price for purposes of determining his net cost for such whiskey, the following:

**(a)** If purchased from a wholesaler or special seller (otherwise than by assignment of a whiskey purchase agreement) the appropriate amount for cane or grain spirits whiskey respectively, determined in accordance with section 5.3 (b) (1) of Maximum Price Regulation 445.

**(b)** If purchased from Park & Tilford Import Corporation as a stockholder, \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey respectively (exclusive of state or local excise taxes).

**(c)** If purchased by assignment of a whiskey purchase agreement, the appropriate amount specified under (b) above, plus the amount properly included in the special seller's price pursuant to section 3 (a) (5) of this order.

**(ii) Changes in ceiling prices—(a) With reference to cane spirits whiskey,**

Retailers who receive a purchase of cane spirits whiskey after receipt of their first purchase thereof, from any seller, shall refigure their ceiling prices for cane spirits whiskey and such refigured ceiling prices shall become their ceiling prices, therefor, in accordance with the provisions of Maximum Price Regulation 445 applicable to retailers except that a retailer shall use his "running weighted average net cost" instead of his "net cost for his most recent purchase" in determining his refigured ceiling prices for that whiskey. For purposes of refiguring ceiling prices, any purchase of cane spirits whiskey, but no purchase of any whiskey of a different brand name, or of grain spirits whiskey, shall be deemed a "base purchase" thereof within the meaning of section 5.5 (c) of that regulation.

**(b) With reference to grain spirits whiskey.** Retailers who receive a purchase of grain spirits whiskey after receipt of their first purchase thereof, from any seller, shall refigure their ceiling prices for grain spirits whiskey and such refigured ceiling prices shall become their ceiling prices therefor, in accordance with the provisions of Maximum Price Regulation 445 applicable to retailers except that a retailer shall use his "running weighted average net cost" instead of his "net cost for his most recent purchase" in determining his refigured ceiling prices for that whiskey. For purposes of refiguring ceiling prices, any purchase of grain spirits whiskey, but no purchase of any whiskey of a different brand name, or of cane spirits whiskey, shall be deemed a "base purchase" thereof within the meaning of section 5.5(c) of that regulation.

**(2) Sales to wholesalers, primary distributing agents, monopoly states and other retailers.** The ceiling prices of a retailer for sales of "Park & Tilford Reserve Distribution" whiskey to wholesalers, primary distributing agents, monopoly states and other retailers shall be his "running weighted average net cost" for grain spirits or cane spirits whiskey, respectively, at the date of sale.

**(b) Records.** Any retailer selling "Park & Tilford Reserve Distribution" whiskey shall, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep available for inspection by the Office of Price Administration, records of the same kind as he customarily keeps, and in addition thereto (unless his customary records so show), records showing separately for grain spirits and cane spirits whiskey, the date of each of his purchases of such whiskey, the name and address of the seller, the number of cases purchased, his net cost for the purchase and his computation of his running weighted average net cost for that whiskey.

**Sec. 8. Persons unable to determine ceiling prices.** A person who cannot determine his ceiling price for a particular sale of grain spirits or cane spirits whiskey under the provisions of this order, shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a ceiling price be established for that sale. The letter shall contain statements setting forth:

(a) The name and address of the person making application.

(b) Whether the whiskey to be sold is grain spirits or cane spirits whiskey, or both, and the quantity of each.

(c) The reason why a ceiling price for the sale cannot be determined under the provisions of this order.

After receipt of the application, the Office of Price Administration will, by order, authorize a ceiling price for the applicant or for sellers of the whiskey generally, including purchasers for resale, or for a class of such sellers. Until a ceiling price is authorized, the applicant is prohibited from making any sales or deliveries of "Park & Tilford Reserve Distribution" whiskey.

**Sec. 9. Notice of this order to be given by Park & Tilford Import Corporation.**

(a) Concurrently with the mailing of whiskey purchase agreements to all stockholders, as provided in the plan, Park & Tilford Import Corporation shall deliver or mail a copy of this order to all stockholders (as defined herein).

(b) Concurrently with its acceptance and approval of an assignment of a whiskey purchase agreement, Park & Tilford Import Corporation shall deliver or mail a copy of this order to the assignee.

(c) Concurrently with its receipt of a notification that the consignee of any shipment of "Park & Tilford Reserve Distribution" whiskey is a person other than a stockholder or assignee, Park & Tilford Import Corporation shall deliver or mail a copy of this order to said consignee.

(d) Concurrently with its receipt of either an amendment to this order or a separate order modifying or changing any of the provisions herein contained, Park & Tilford Import Corporation shall deliver or mail a copy of the said amendment or separate order to all stockholders, assignees and consignees.

(e) Park & Tilford Import Corporation shall not be required to deliver or mail more than one copy of this or any other order or any amendment thereto to a particular stockholder, assignee or consignee.

**Sec. 10. Reports by Park & Tilford Import Corporation.** On August 15, 1944 and thereafter on the 15th day of each succeeding month until the 15th day of the month following the last shipment of cane spirits and grain spirits whiskey pursuant to the plan, Park & Tilford Import Corporation shall report all sales, assignments and shipments of whiskey made pursuant to the plan, for the preceding period, to the Office of Price Administration, Washington, D. C. Such reports shall be in writing signed on behalf of Park & Tilford Import Corporation by a person having authority so to do, and shall contain statements showing, with respect thereto:

(a) The name and address of the purchaser.

(b) The name and address of an assignee, if any, and a statement that the assignee has submitted evidence that he is a licensee.

(c) The name and address of the consignee.

(d) The date on which each shipment is made, to whom made, whether of grain spirits or cane spirits whiskey, or both,

and the quantities of each (in cases) in each shipment.

**Sec. 11. Ceiling prices for clearing "Park & Tilford Reserve Distribution" whiskey—(a) Prices.** Ceiling prices for clearing "Park & Tilford Reserve Distribution" whiskey shall be as follows:

(1) *Clearing by all persons, except monopoly states.* The ceiling price for clearing "Park & Tilford Reserve Distribution" whiskey shall be \$1.00 per case, except for monopoly states.

(2) *Clearing by monopoly states.* A monopoly state's ceiling price for clearing "Park & Tilford Reserve Distribution" whiskey shall be the amount obtained by subtracting from \$20.17 per case of grain spirits whiskey or \$23.61 per case of cane spirits whiskey, the sum of \$4.18, and multiplying the resulting figure by the highest percentage of markup in use during March, 1942, for the monopoly state's sales of domestic whiskey to a customer of the same class as the purchaser, according to the statute, ordinance or regulation then prescribing its markup.

(3) *Prohibition.* No consideration or markup in excess of the appropriate amounts stated in subparagraphs (1) and (2) of this paragraph may be charged, received or paid for clearing.

(b) *No charge for clearing in certain instances.* No person acquiring "Park & Tilford Reserve Distribution" whiskey, which he has cleared, shall charge or retain a payment previously received for clearing the whiskey so purchased or received. If a clearing charge has been made or received by any such person with respect to the whiskey so purchased or received, such charge shall be cancelled, or if paid, shall be refunded to the seller or assignor or their nominees.

**Sec. 12. License, brokerage and other fees.** No person may add to, or increase his ceiling prices for "Park & Tilford Reserve Distribution" whiskey, as provided in this order, because of any sum paid for licenses, permits, clearing, brokerage, finder's fees, shares of stock, stock transfer taxes, assignments of purchase privileges or orders or for other expenses not specifically provided for under sections 2 through 7 of this order.

**Sec. 13. Changes in "Park & Tilford Reserve Distribution" whiskey by authorization only.** If Park & Tilford Import Corporation desires to make deliveries of whiskey under the plan, other than cane spirits or grain spirits whiskey (as defined in section 1 (b) of this order), it shall give notice of its desire by letter to the Office of Price Administration, Washington, D. C., stating the nature of the change it proposes to make and requesting that the ceiling prices established in this order be adjusted to reflect that change. At any time after receipt of that notice, the Price Administrator may by separate order or by amendment to this order establish ceiling prices for the sales of the whiskey Park & Tilford Import Corporation desires to deliver. Until such ceiling prices are established Park & Tilford Import Corporation shall not deliver whiskey under the plan other than cane spirits or grain spirits whiskey (as defined in section 1 (b) of this order).

**Sec. 14. Terms of sale.** If any seller, directly or indirectly, requires a pur-

chaser to make or furnish any payment to the seller or to another person in advance of delivery of cane spirits or grain spirits whiskey, or in advance of the rendition of a service for which a ceiling price is established by this order, the seller or such other person must compensate such purchaser by the payment of an amount equal to interest at the rate of 5% per annum on the amount of the advance payment from the date the advance payment is made to the date on which the item is delivered or the service furnished or the advance payment refunded to the purchaser. Such interest shall be payable on the date the item is delivered or the service furnished or the date on which the advance payment is refunded. The seller may not include such interest payment in his maximum price and the purchaser shall not be required to reduce his supplier's price (as an element of his net cost) by the amount of such interest received on the advance payment.

"Seller" as used in this section includes Park & Tilford Import Corporation, any other person selling "Park & Tilford Reserve Distribution" whiskey or clearing that whiskey. However, the term includes a person selling that whiskey by assignment of a whiskey purchase agreement only if the assignee is a wholesaler, monopoly state or primary distributing agent.

**Sec. 15. Miscellaneous.** (a) To the extent consistent with this order, the applicable provisions of Maximum Price Regulation 445 are incorporated herein and shall apply to sales of grain spirits and cane spirits whiskey.

(b) The provisions of this order shall not operate to make lawful or to permit any sale or transfer, or handling or dealing in grain spirits or cane spirits whiskey otherwise prohibited or controlled by Federal, state or local laws, ordinances or regulations, and shall not be deemed a recognition of the validity of the plan.

The foregoing provisions shall not be construed to deprive any person of the benefits of section 205 (d) of the Emergency Price Control Act of 1942, as amended.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1944.

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

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9684; Filed, July 1, 1944; 11:55 a. m.]

[MPR 120, Order 832]

McGINNIS AND GRAFE

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 832 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation

plant. Establishing price classifications and maximum prices for coals of McGinnis & Grafe.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Coalgate No. 1 mine of McGinnis & Grafe, located in Coal County, Oklahoma in Production Group No. 9, District No. 15 operating in the Upper and Lower McAlester Seams, is hereby assigned Mine Index No. 2015.

(b) Coals produced at the Coalgate No. 1 Mine, Mine Index No. 2015 of McGinnis & Grafe, located in Coal County, Oklahoma in Production Group No. 9, District No. 15 for uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents per net ton, not exceeding the following:

	Size groups						
	1, 2 & 3	4	6	8	9	10	14
Rail shipment .....	500	440	400	260	325	200	140
Truck shipment .....	510	460	410	285	370	240	215

Railroad locomotive fuel: For all sizes..... 270

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective July 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9685; Filed, July 1, 1944; 11:52 a. m.]

[MPR 188, Order 1802]

UNITED AERO SERVICE

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1802 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished combination desk and bookcase manufactured by United Aero Service.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in

the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of an unfinished combination desk and book case manufactured by United Aero Service, 9301 Van Ness Avenue, Inglewood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to jobbers and by the manufacturer to retailers, the maximum prices are those set forth below:

Article	Maximum price to jobbers	Maximum price to retailers
Unfinished combination desk and bookcase.	\$6.98, f. o. b. factory. \$7.04, delivered.	\$7.58, f. o. b. factory. \$7.64, delivered.

The delivered prices set forth above include delivery only within a radius of 15 miles from the factory. These prices are subject to a cash discount of 2% for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order, to retailers by persons other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Maximum price to retailers (per unit)
Unfinished combination desk and bookcase .....	\$7.58

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of July 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9689; Filed, July 1, 1944; 11:55 a. m.]

[MPR 188, Order 1803]

HIGHT MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1803 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of unfinished breakfast tables manufactured by Hight Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the two hundred unfinished breakfast tables manufactured by Hight Manufacturing Company, 1229 West Main, Oklahoma City 4, Oklahoma, prior to the issuance of this order.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailer
Unfinished breakfast table.....	60	Per unit \$4.16	Per unit \$4.90

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum

Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order, to retailers, by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished breakfast table.....	60	Per unit \$4.90

This price is subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of July 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9686; Filed, July 1, 1944; 11:53 a. m.]

[MPR 188, Order 1804]

UNITED METAL GOODS MANUFACTURING CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1804 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new model electric alarm clock manufactured by United Metal Goods Manufacturing Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for all sales and deliveries of a new model electric alarm clock manufactured by United Metal Goods Manufacturing Co., Inc., 379 DeKalb Avenue,

Brooklyn, New York, and described in its application dated March 31, 1944.

(1) The maximum price for all sales and deliveries by the manufacturer to jobbers since the effective date of Maximum Price Regulation No. 188 of the new model electric alarm clock described in (a) above is \$3.16 per unit, f. o. b. Brooklyn, New York, subject to discounts, allowances, and terms no less favorable than those customarily granted by it.

(2) On and after July 3, 1944, the maximum price for all sales and deliveries of the electric alarm clock described in (a) above by jobbers to retailers shall be \$3.96 per unit, f. o. b. seller's city, subject to discounts, allowances, and terms no less favorable than those customarily granted by the seller.

(3) On and after July 3, 1944, the maximum price for all sales and deliveries of the electric alarm clock described in (a) above at retail shall be \$6.60 per unit, exclusive of federal excise tax.

(b) At the time of the first invoice after the effective date of this order the manufacturer is required to notify in writing each jobber who purchases the new electric alarm clock from it of the resale price established by this order for sales by jobbers. This written notice may be given in any convenient form.

(c) To every electric alarm clock shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This order shall become effective July 3, 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9687; Filed, July 1, 1944; 11:55 a. m.]

[MPR 188, Order 1805]

ELMSFORD WOOD PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1805 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a finished and an unfinished folding tray stand manufactured by Elmsford Wood Products, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regula-

tion No. 188, of a finished and an unfinished folding tray stand manufactured by Elmsford Wood Products, Inc., 57 South Saw Mill River Road, Elmsford, New York.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Finished folding tray stand.....		Each \$1.74	Each \$2.17
Unfinished folding tray stand.....		1.41	1.76

These prices are f.o.b. factory, and are subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, of sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Finished folding tray stand.....		Each \$2.17
Unfinished folding tray stand.....		1.76

These prices are subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this or-

der for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of July 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9688; Filed, July 1, 1944;  
11:55 a. m.]

[Rev. Order 33 Under 3 (c)]

U. S. COMMERCIAL CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 33 under § 1499.3 (c) of the General Maximum Price Regulation. Approval of maximum prices for sales of portable hand wound phonographs originally purchased by U. S. Commercial Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with § 1499.3 (c) of the General Maximum Price Regulation, Order No. 33 is revised to read as follows:

(a) Any person may sell and deliver at wholesale the portable hand wound phonographs described in the application of the United States Commercial Company, Washington, D. C., at a maximum price f. o. b. shipping point no higher than \$8.50 per unit for "Model No. 64 Special" and \$7.00 per unit for "Model No. R-64 Special." These maximum prices are subject to the seller's customary discounts, allowances, and other price differentials.

(b) Any person may sell to consumers, other than industrial or commercial users, and deliver the portable hand wound phonographs described in the application of the United States Commercial Company, Washington, D. C., at maximum prices f. o. b. New York, New York no higher than \$14.25 per unit for "Model No. 64 Special" and \$11.75 per unit for "Model No. R-64 Special." These maximum prices are subject to the seller's customary discounts, allowances, and other price differentials.

(c) Before selling or offering for sale any hand wound phonograph pursuant to paragraph (b) of this revised order, the seller must attach securely to such phonograph (or to the original carton if delivered to the ultimate consumer in original cartons) so that it is clearly visible, a durable tag or label containing in easily readable lettering the following statement containing the correct price and model number:

The OPA has established a retail ceiling price of \$—— (inserting correct figure) for this phonograph Model—— (inserting correct Model No.). Lower prices may be

charged. This tag may not be removed until after delivery to the consumer.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this revised Order No. 33 for resales by the purchaser. This notice may be given in any convenient form.

(e) This revised Order No. 33 may be revoked or amended by the Price Administrator at any time.

This revised Order No. 33 shall become effective on the 3d day of July 1944.

Issued this 1st day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9683; Filed, July 1, 1944;  
11:52 a. m.]

[MPR 188, Amdt. 43 to Order A-1]

GYPSTUM WALL BOARD, LATH AND  
SHEATHING

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 43 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Amendment No. 38 to Order No. A-1, issued May 25, effective May 26, 1944, shall not terminate on July 1, 1944, as therein provided, but is hereby extended to January 1, 1945, and shall terminate on that date, unless otherwise extended by amendment.

This amendment No. 43 shall become effective July 1, 1944.

Issued this 1st day of July 1944.

IVAN D. CARSON,  
Acting Administrator.

[F. R. Doc. 44-9715; Filed, July 1, 1944;  
4:35 p. m.]

[MPR 306, Order 57]

CERTAIN PACKED FOOD PRODUCTS

ORDER GRANTING ADJUSTMENT

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

(a) That for sales and deliveries of the 1943 pack of packed carrots processed and packed by processors for the purpose of filling orders of the Lend-Lease Administration, the War Food Administration or the Commodity Credit Corporation may pay to such processors and such processors may receive, in addition to the maximum prices otherwise prescribed for sales of the commodity to government procurement agencies, amounts sufficient to compensate such processors for additional transportation and inspection charges respectively incurred in the shipment of raw carrots

to processors' factories from growing areas other than those normally served by such factories and incurred at the specific request of the War Food Administration.

(b) That for sales and deliveries of the 1943 pack of packed pears processed and packed by processors for the purpose of relieving an acute fresh pear surplus and for the purpose of conserving this essential food supply, the War Food Administration or the Commodity Credit Corporation may pay to such processors and such processors may receive, in addition to the maximum prices otherwise prescribed for sales of the commodity to government procurement agencies, an amount sufficient to compensate such processors for the additional transportation and buying expenses respectively incurred in the shipment of the fresh pears to processors' factories from growing areas other than those normally served by such factories and incurred at the specific request of the War Food Administration.

(c) This order shall apply to sales and deliveries made on and after March 1, 1944.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9751; Filed, July 3, 1944;  
12:01 p. m.]

[MPR 136, Amdt. 1 to Order 229]

CHRYSLER CORP.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 229 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corp. Docket No. 3136-431.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

Order No. 229 under Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Paragraph (a) (1) is amended by amending the descriptions and "net wholesale prices" stated in that paragraph for the truck models WH-45 (T-120) and WH-47 (T-120), to read as follows:



Model	Description	Net wholesale price
WH-45 (T-120).....	Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment (including 5-speed forward transmission), plus 2" front springs, and equipped with synthetic rubber tires of base tire equipment sizes.	\$878.32
WH-47 (T-120).....	Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment (including 5-speed forward transmission), plus 2" front springs, and equipped with synthetic rubber tires of base tire equipment sizes.	892.32

2. Paragraph (a) (2) (i) is amended to read as follows:

(i) A charge for extra, special and optional equipment, which shall not exceed the "net wholesale prices", less the discounts to the applicable class of purchaser, in effect on March 31, 1942, for such equipment when sold as original equipment for the applicable truck model described in subparagraph (1), except that for the following equipment, when sold as original equipment, as described above, the charge shall not exceed the following applicable "net wholesale prices" subject to the discounts in effect on March 31, 1942, to the applicable class of purchaser:

Description	Net wholesale price
(a) Synthetic tires—Continued. Dual rear (with appropriate wheel assembly): 7.50 x 20, 8 ply, 7" rims.....	\$94.46
8.25 x 20, 10 ply, 7" rims.....	156.18
(b) Synthetic tires (when used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes): Front: 8.25 x 20, 10 ply, 7" rims, 6 stud hubs.....	66.13
Dual rear: 9.00 x 20, 10 ply, 8" rims, 6 stud hubs.....	180.18
(c) Eaton 2-speed Rear Axle (16050 lbs.) for 2 ton models.....	118.00

3. Paragraph (c) (1) is amended by amending the descriptions and "retail list prices" stated in that paragraph for truck models WH-45 (T-120) and WH-47 (T-120), to read as follows:

Model	Description	Retail list price
WH-45 (T-120).....	Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment (including 5-speed forward transmission), plus 2" front springs, and equipped with synthetic rubber tires of base tire equipment sizes.	\$1,223.80
WH-47 (T-120).....	Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment (including 5-speed forward transmission), plus 2" front springs, and equipped with synthetic rubber tires of base tire equipment sizes.	1,243.80

4. Paragraph (c) (2) (i) is amended to read as follows:

(i) A charge for extra, special and optional equipment, which shall not exceed the charge the reseller had in effect on March 31, 1942 to the applicable class of purchaser, for such equipment when sold as original equipment in connection with the applicable chassis described in subparagraph (1), except that for the following equipment when sold as original equipment, as described above, the charge shall not exceed the following applicable "retail list prices", less the discounts in effect on March 31, 1942, to the applicable class of purchaser:

Description	Retail list price
(a) Synthetic tires (when used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes): Front: 7.00 x 20, 8 ply, 6" rims....	\$24.00
Dual rear (with appropriate wheel assembly): 7.50 x 20, 8 ply, 7" rims.....	124.25
8.25 x 20, 10 ply, 7" rims.....	205.50
(b) Synthetic tires (when used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes): Front: 8.25 x 20, 10 ply, 7" rims, 6 stud hubs.....	88.15
Dual rear 9.00 x 20, 10 ply, 8" rims, 6 stud hubs.....	240.25
(c) Eaton 2-speed Rear Axle (16,050 lbs.) for 2 ton models.....	157.30

No. 132—16

5. An undesignated paragraph to follow paragraph (h) is added to read as follows:

NOTE: Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation No. 136, as amended, which is higher than a price permitted under paragraph (a) or (b), because of a substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (c) or (d) the increase in cost to him over the price he would otherwise pay under paragraph (a) or (b) plus his customary mark-up on such cost.

This amendment shall be effective as of June 19, 1944.

Issued this 3d day of July 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-9765; Filed, July 3, 1944; 11:58 a. m.]

Regional and District Office Orders.

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN NEW ENGLAND REGION

Amendment No. 1 to Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid

fuels sold and delivered by dealers. Named Pennsylvania anthracites.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The last item in the table in paragraph (a) is amended by deleting the words "East Bear Ridge".

2. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
East Bear Ridge: Broken, egg, stove, chestnut, pea, buck- wheat and rice.....	\$0.25	\$0.15	\$0.05	None.
Barley.....	.15	.10	None	None.

This Amendment No. 1 to Revised Supplementary Order No. 2 shall become effective June 27, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of June 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-9539; Filed, June 29, 1944; 2:57 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 6]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 6 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (6) containing Appendix 6, is hereby added to paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(o) Appendices establishing specific maximum prices. \* \* \*

(6) Appendix 6: Specified bituminous coal; Hartford, Connecticut, Area—(a) Maximum prices established by this Appendix 6. This Appendix 6 establishes specific maximum prices for sales of specified bituminous coal, defined in

paragraph (f) hereof, in the Hartford, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said coal. Maximum prices are established for sales on a delivered basis. The Hartford, Connecticut Area shall include the following cities and townships in the State of Connecticut: Bloomfield, East Hartford, Glastonbury, Hartford, Newington, Rocky Hill, South Windsor, West Hartford, Wethersfield, and Windsor.

(b) *Schedule of maximum prices: Sales on a delivered basis.* All prices are per net ton. Customer classifications also refer to net tons, and are defined and explained in paragraph (e), below.

Kind of coal	Customer classifications			
	Less than 10	10 to 99	100 to 299	300 or over
Screened lump.....	\$11.70	\$10.70	\$10.20	\$9.95
Run of mine.....	11.03	10.03	9.53	9.28
Hughes modified run of mine.....	11.48	10.48	9.98	9.73
Big vein dealer run of mine.....	11.43	10.43	9.93	9.68
Broad top run of mine.....	11.28	10.28	9.78	9.53
Big Sewell 2 1/4" nut & slack.....	11.20	10.20	9.70	9.45
Nut & slack.....	10.85	9.85	9.35	9.10
Stoker pea.....	10.85	9.85	9.35	9.10
Eureka lumpy run of mine.....	11.23	10.23	9.73	9.48
Sonman lumpy run of mine.....	11.23	10.23	9.73	9.48
Glenmar lumpy run of mine.....	11.18	10.18	9.68	9.43

(c) *Maximum authorized service charges.* (1) The prices set forth in the Table of Prices in paragraph (b) are for delivery of the coal into customer's bin. No additional charge shall be added thereto for carrying or wheeling from truck to bin, or for trimming within the bin, except that for deliveries one story or more above street level a charge of twenty-five (25) cents per ton per flight of stairs may be added.

(2) In addition to the maximum prices set forth in paragraph (b), the dealer may charge not more than seventy-five (75) cents per net ton for coal stored during the usual heating season by the dealer for the account of the customer; *Provided*, That no charge for storage may be made unless the dealer receives a written statement from the customer (which the dealer shall preserve for not less than two years) requesting such storage, the coal which is the subject of the charge is ear-marked as that customer's coal and is stored separate and apart from all other coal owned by the dealer or by other customers of the dealer (except that when the same kind of coal is properly stored for the account of two or more customers, these customers' coal may be mingled in one pile with a proper record of the respective amounts belonging to each customer) prior to the beginning of the usual heating season, and the customer pays for all of the coal so stored upon its being placed in storage.

(d) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit if payment is received by the tenth day of the month following the month in

which the coal is delivered. For the extension of credit beyond the tenth day of the month following the month in which the coal is delivered, interest may be charged at a rate not to exceed one-half of one per cent per month.

(e) *Customer classifications.* The classification of a customer in one of the tonnage classifications set forth in the Table of Prices in paragraph (a) shall be made upon the basis of that customer's total annual consumption of all solid fuels (except wood and wood products) even though he may purchase portions thereof from two or more dealers, and regardless of the number of points to which delivery is made: *Provided, however*, That if the total annual consumption at a particular point of delivery is less than ten tons, the "less than 10" ton price may be charged for the coal which is delivered to that point regardless of the customer's total annual consumption, although such deliveries shall be included in the determination of the customer's classification in arriving at the price applicable to deliveries to points at which the annual consumption is ten tons or more. (For example, Mr. X uses 50 tons of Run of Mine annually at Point A; 45 tons annually at Point B; and 8 tons annually at Point C. The maximum price for the coal delivered to Point C is \$11.03 (the "less than 10" price), but the maximum price for the remaining 95 tons is \$9.53 (the "100 to 299" price), and not \$10.03 (the "10 to 99" price), since his total annual consumption at all three points is 103 tons).

In the event that it is impossible for any reason to determine the customers proper classification at the time of the sale or delivery (as, for example, in the case of a customer who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the customer agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(f) *Definitions of coals.* (1) The maximum prices set forth in the Table of Prices in paragraph (b) shall apply to all bituminous coals which come within the following definitions and (a) are produced in Producing Districts 1 and 3, or (b) are produced in any other Producing District and mixed with coal produced in District 1 or 3, or both:

(a) "Screened lump" means bituminous coal which has been passed over screens with two (2) inch or larger openings, or which has been forked from a bin or storage pile with forks the tines of which are not less than two (2) inches apart, in the dealer's yard or storage facilities.

(b) "Run-of-mine" means the whole product of the mine from which no part

of the coal which has passed over a screen, or which has been forked, has been removed; except those run of mine coals which are separately priced and defined when they are stored, handled, billed and delivered separately.

(c) "Hughes modified run of mine" means the coal produced by C. A. Hughes and Company at its Hughes No. 2 Mine, Mine Index No. 217, in District No. 1.

(d) "Big Vein dealer run of mine" means coal in Size Group 1 which is produced at any mine in the Big Vein or Tyson Seams in Subdistrict Nos. 43 and 44 in District No. 1.

(e) "Broad Top run of mine" means coal in Size Group 3 which is produced at any mine in Subdistrict No. 39 (Broad Top Region) in District No. 1.

(f) "Nut & slack" means all of the coal which, at the mine, has passed through a screen with a mesh not larger than two and one-half (2 1/2) inches or smaller than three-quarters (3/4) of an inch except "Big Sewell 2 1/4 nut and slack" when it is stored, handled, billed and delivered separately.

(g) "Big Sewell 2 1/4 nut and slack" means coal in Size Group 3 produced by Walker Coal Mining Co. at its Big Sewell No. 2 Mine, Mine Index No. 1272, in District No. 3.

(h) "Stoker pea" means coal which has been double-screened at the mine and which passes through a screen with one and one-quarter (1 1/4) inch mesh, and over a screen with a mesh at least three-eighths (3/8) of an inch.

(i) "Eureka lumpy run of mine" means coal in Size Group 1, Price Classification A, produced by the Berwind-White Coal Mining Company in District No. 1.

(j) "Sonman lumpy run of mine" means either of the following coals, both of which are produced in District No. 1 and are in Size Group 1, Price Classification A:

(i) Produced by Koppers Coal Division of Eastern Gas & Fuel Associates at the Sonman B mine, Mine Index #476.

(ii) Produced by W. H. Piper & Company, Inc. at the Sonman #2 mine, Mine Index #474.

(k) "Glenmar lumpy run of mine" means coal in Mine Group 1, Price Classification B, produced by Moshannon Smithing Coal Company at its Glenmar #1 mine, Mine Index #179, in District No. 1.

(2) All other bituminous coal delivered in the Hartford, Connecticut, Area by dealers (that is, all bituminous coal produced in Producing Districts 1 and 3 which does not fall within any of the foregoing definitions; all bituminous coal produced in other districts which is not mixed with coal produced in Districts 1 or 3, or both; and any mixture of coal produced in other districts with coal produced in Districts 1 and 3, which mixture does not fall within any of the foregoing definitions) shall remain subject to Revised Maximum Price Regulation No. 122, shall be priced under the appropriate pricing rule in § 1340.254 (b)

thereof, and shall be reported in accordance with § 1340.262 (c) thereof.

This amendment No. 6 shall become effective June 26, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-9540; Filed, June 29, 1944; 2:57 p. m.]

[Detroit Order G-5 Under MPR 426]

**SWEET CHERRIES IN WAYNE COUNTY, MICH.**

Order No. G-5 under Maximum Price Regulation No. 426. Order adjusting maximum wholesale prices of sweet cherries sold in Wayne County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Office and Administrator of Region III by Article III, section 15, Appendix J, paragraph (i) (4) of Maximum Price Regulation No. 426 and by the Regional Administrator delegated to the Detroit District Office or District Director thereof, it is hereby ordered:

(a) *Primary receivers selling ex-car, ex-truck, ex-dock, ex-terminal sales platform.* For sales ex-car, ex-truck, ex-dock or ex-terminal sales platform at a terminal market or any wholesale

EXHIBIT A—TABLE OF MAXIMUM MARK-UPS FOR DISTRIBUTIVE SERVICES OF SWEET CHERRIES TO BE ADDED TO MAXIMUM DELIVERED PRICES  
(See column 5 of table B)

Col. 1	2	3	5
Item No.	Commodity	Unit	Sales by primary receivers in less-than-carlots or less-than-trucklots, through an auction or ex-car, dock, truck, or terminal sales platform
1	Sweet cherries.....	California (Items 1-6, table 1): Campbell lug 15-17 lbs..... Calex lug 18-20 lbs..... Lug box 23-25 lbs..... All other States (Items 11-14, table 1): Campbell lug 14½-15½ lbs..... Fruit box 19½-20½ lbs..... All states (Items 7-10, 15-18, table 1): Above containers with net weight of less than or more than that specified for each container and sweet cherries packed in all other containers, and those sold loose and ungraded in any container or in bulk, per pound.	\$0.48 .53 .61 (1) .46 .54

<sup>1</sup> \$0.18 per container for all containers over 14 lbs. plus 1½ cents per pound. For all others 2½ cents per pound.

[F. R. Doc. 44-9538; Filed, June 29, 1944; 2:57 p. m.]

[Region IV Order G-6 Under MPR 188]

**CHATTAHOOCHEE BRICK CO.**

Order G-6 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188, Chattahoochee Brick Company, Chattahoochee, Georgia; Docket No. IV-188-47.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2),

receiving point by primary receivers in less-than-carlots or less-than-trucklots, the maximum price shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (d) of Appendix J), plus the mark-up named in Column 5 of the table in Exhibit A of this order.

(b) *Definitions.* The terms used in this order shall have the same meaning that they have when used in the Appendix J except as herein modified or changed. The term "terminal sales platform" means a platform at a railroad terminal used for the purpose of making displays and sales of cars of produce and other perishables which are held on track regardless of whether such terminal platform is used free of charge or whether there is a compensation required to be paid for such use, and which platform is not equipped for permanent storing or warehousing.

(c) To the extent applicable, the provisions of this order supersede Maximum Price Regulation No. 426.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 23, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June, 1944.

ETHAN C. PREWITT,  
Acting District Director.

of Maximum Price Regulation No. 188, *It is hereby ordered:*

(a) That on and after the effective date of this order the Chattahoochee Brick Company of Chattahoochee, Georgia, hereinafter referred to as applicant, may sell and deliver common brick manufactured by it at a price not in excess of the prices hereinafter set forth to the different classes of purchasers:

Common brick	Maximum f. o. b. plant prices (per M)	Maximum prices delivered within metropolitan delivery zone (per M)
Dealer.....	\$13.00	\$14.25
Retail 8-10-M.....	14.25	15.50
Retail 1-4-M.....	15.25	16.50

(b) When deliveries of common brick are made by applicant outside of the metropolitan delivery zone applicant is permitted under this order to add to the above maximum delivered prices for such deliveries the following amounts: For distances up to and including five miles beyond metropolitan delivery zone, 42¢ per thousand, and over five miles and up to and including ten miles beyond metropolitan delivery zone, 83¢ per thousand.

(c) For the purposes of this order "Metropolitan delivery zone" is defined as any point within a radius of fifteen air miles from applicant's plant.

(d) Any person purchasing common brick from applicant for resale, on and after the effective date of this order, and paying therefor a price reflecting permitted increase over the established maximum price of applicant under Maximum Price Regulation No. 188 may add, in selling common brick so purchased, the exact amount of such increase, not to exceed \$1.50 per thousand, to its own properly established maximum price.

(e) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other differentials customarily made by applicant and all others affected by this order, shall be maintained.

(f) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations, including the provisions of Maximum Price Regulation No. 188 and the General Maximum Price Regulation, where applicable, together with all amendments which heretofore have been or which hereafter may be issued.

(g) All requests made by applicant and not specifically herein granted are hereby denied subject to applicant's right to file a protest as provided in Revised Procedural Regulation 1, within sixty days from the date of issuance of this order.

(h) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78 Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued June 10, 1944.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 44-9537; Filed, June 29, 1944; 2:57 p. m.]

[Region IV Order G-36 Under GMPR]

**FIREWOOD IN CHATHAM COUNTY, GA.**

Order No. G-36 under § 1499.18 (c) of the General Maximum Price Regula-

tion. Firewood sold in Chatham County, Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by General Order No. 32, it is hereby ordered:

(a) *Maximum prices.* On and after the effective date of this order the maximum prices for firewood sold and delivered in Chatham County, Georgia, shall be as set forth below:

(1) Sales at wholesale of pine, oak, and/or mixed firewood: \$9.00 per cord.

(2) Retail sales of pine, oak, and/or mixed firewood: \$14.00 per cord and \$2.00 per load.

(3) The retail price for any part of a load shall be in proportion to the \$2.00 per load price; that is, \$1.00 per ½ load, 50¢ per ¼ load, etc.

(4) The above prices include delivery to the purchaser's premises and other services incident to the sale of firewood customarily performed by the seller in March, 1942.

(b) *Terms.* All credit terms, discounts, allowances, and price differentials offered by the seller in March, 1942, shall be maintained.

(c) *Definitions.* When used in this order, the terms:

(1) "Firewood" means oak, pine, and/or mixed oak and pine wood other than kindling prepared and intended for consumption as fuel and which is sawed and split into pieces varying from twelve to eighteen inches in length when sold at retail; and oak, pine, and/or mixed oak and pine wood intended for consumption as fuel and cut into pieces four feet in length when sold at wholesale.

(2) A "cord" shall contain 128 cubic feet of firewood. A "cord" according to local custom contains eight loads.

(3) A "load" shall contain 16 cubic feet of wood or be ⅓ of a cord.

(4) "Sale at wholesale" or "selling at wholesale" means a sale or selling to a person in the ordinary course of trade or business who, in turn, sells and delivers to a consumer other than a dealer or commercial user.

(5) "Sale at retail" or "selling at retail" means a sale or selling to a consumer other than a dealer or commercial user.

(6) All other terms used, unless the context otherwise requires, shall be construed in accordance with Section 1499.20 of the General Maximum Price Regulation.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

(e) *Applicability of Georgia State Office Price Order No. 1, firewood.* This order supersedes and hereby revokes Georgia State Office Price Order No. 1 as of the effective date of this order.

(f) *Applicability of the General Maximum Price Regulation.* Except as otherwise provided herein, or as the context otherwise requires, all sales for which maximum prices are established by this order shall be subject to all of the provisions of the General Maximum Price Regulation together with all amendments, supplementary regulations, and supplementary orders thereto.

(g) This order may be revoked or amended by the Regional Administrator at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-36 shall become effective May 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued May 27, 1944.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 44-9541; Filed, June 29, 1944; 2:58 p. m.]

[Spokane Order 3-B Under MPR 426]

#### CUCUMBERS IN SPOKANE DISTRICT

Order No. 3-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Cucumbers (except hot-house).

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt.

by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cucumbers (except hot-house).  
(b) Basing Point: Chula Vista, Calif.  
(c) Wholesale receiving point: Spokane, Wash.  
(d) Method of transportation: Carlot to Portland plus LCL to Spokane.  
(e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.98 per hundredweight.

	Per unit of sale	
	Per lug of 28 lbs. net	Per lb.
(f) Freight charge by method (d).....	\$0.63	-----
(g) Basing point cost.....	1.22	-----
(h) Protective services.....	.08	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	1.93	\$0.069

This order shall become effective June 16, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of June 1944.

DAVE S. COHN,  
District Director.

[F. R. Doc. 44-9542; Filed, June 29, 1944; 2:58 p. m.]

[Spokane Order 4-B Under MPR 426]

#### SWEET PEPPERS IN SPOKANE DISTRICT

Order No. 4-B under section 8 (a) (7) of Maximum Price Regulation No. 426 as amended. Sweet peppers.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said

commodity set forth in the respective vertical columns of said Table X there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Sweet peppers.
- (b) Basing point: Nogales, Ariz.
- (c) Wholesale receiving point: Spokane, Wash.
- (d) Method of transportation: Carlot to Portland—LCL Portland to Spokane.
- (e) Freight rate by Method (d) from basing point to wholesale receiving point: \$2.14 per hundredweight.

	Per unit of sale	
	Per crate of 37 lbs. net	Per lb.
(f) Freight charge by method (d)...	\$0.92	-----
(g) Basing-point cost.....	3.65	-----
(h) Protective services.....	.15	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	4.72	\$0.1123

This order shall become effective June 26, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

DAVE S. COHN,  
District Director.

[F. R. Doc. 44-9543; Filed, June 29, 1944; 2:59 p. m.]

[Spokane Order 5-B Under MPR 426]

SNAP BEANS IN SPOKANE DISTRICT

Order No. 5-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Snap Beans.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there

is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Snap beans (green or wax)
- (b) Basing point: San Jose, California
- (c) Wholesale receiving point: Spokane, Washington
- (d) Method of transportation: Carlot to Portland—LCL Portland to Spokane
- (e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.53 per cwt.

	Per unit of sale	
	Per bushel of 28 lbs. net	Per lb.
(f) Freight charge by Method (d)...	\$0.52	-----
(g) Basing point cost.....	2.70	-----
(h) Protective services.....	.10	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	3.32	\$0.119

This order shall become effective June 21, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

DAVE S. COHN,  
District Director.

[F. R. Doc. 44-9544; Filed, June 29, 1944; 2:59 p. m.]

[Spokane Order 6-B Under MPR 426]

PLUMS IN SPOKANE DISTRICT

Order No. 6-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Plums.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said

Method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Plums—4 (size 4 x 5) baskets in crate.
- (b) Basing point: Sacramento, California.
- (c) Wholesale receiving point: Spokane, Washington.
- (d) Method of transportation: Carlot to Portland—LCL Portland to Spokane.
- (e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.53 per cwt.

	Per unit of sale	
	Per crate of 32 lbs. gross	Per lb. graded and packed
(f) Freight charge by Method (d)...	\$0.49	\$0.0153
(g) Basing-point cost.....	2.63	.0940
(h) Protective services.....	.04	.0020
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	\$3.16	.111

<sup>1</sup> NOTE: Adjust price for other sizes as given in Amendment 32 to MPR 426.

This order shall become effective June 21, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of June 1944.

DAVE S. COHN,  
District Director.

[F. R. Doc. 44-9545; Filed, June 29, 1944; 2:59 p. m.]

[Spokane Order 7-B Under MPR 426]

GREEN PEAS IN SPOKANE DISTRICT

Order No. 7-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Green peas.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said Method (d)

from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

- (a) Commodity: Green peas  
 (b) Basing point: Santa Barbara, Calif.  
 (c) Wholesale receiving point: Spokane, Washington  
 (d) Method of transportation: Carlot to Portland—L. C. L. Portland to Spokane  
 (e) Freight rate by Method (d) from basing point to wholesale receiving point: \$1.79 per cwt.

	Per unit of sale	
	Per bu. of 28 lbs. net	Per lb.
(f) Freight charge by method (d).....	\$0.57	-----
(g) Basing point cost.....	2.80	-----
(h) Protective services.....	.20	-----
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	3.57	\$0.128

This order shall become effective June 21, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4661)

Issued this 20th day of June 1944.

DAVE S. COHN,  
 District Director.

[F. R. Doc. 44-9546; Filed, June 29, 1944; 2:59 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders were filed with the Division of the Federal Register on June 26, 1944.

##### REGION I

Connecticut Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Connecticut, filed 2:08 p. m.

Connecticut Order 7, covering dry groceries and certain perishables in Connecticut, filed 2:09 p. m.

Connecticut Order 7, Amendment 1, covering dry groceries and certain perishables in Connecticut, filed 2:08 p. m.

Providence Order 1-F, Amendment 6, covering fresh fruits and vegetables in the Providence, Rhode Island Metropolitan Area, filed 2:11 p. m.

Providence Order 2-F, Amendment 6, covering fresh fruits and vegetables in the Rhode Island Area with exception of certain territory, filed 2:11 p. m.

##### REGION II AND III

Detroit Order 11, Amendment 3, covering community food prices in designated counties in Michigan, filed 2:13 p. m.

Grand Rapids Order F-14-A, Amendment 23, covering fresh fruits and vegetables in City of Grand Rapids, Mich., filed 2:13 p. m.

Grand Rapids Order F-14-B, Amendment 23, covering fresh fruits and vegetables in Urban Area B in Michigan, filed 2:14 p. m.

Grand Rapids Order F-14-C, Amendment 8, covering fresh fruits and vegetables in Rural Area C, filed 2:15 p. m.

Grand Rapids Order F-14-D, Amendment 8, covering fresh fruits and vegetables in Rural Area D, filed 2:15 p. m.

Maryland Order 1-F, Amendment 12, covering fresh fruits and vegetables in the Baltimore, Maryland Area, filed 2:12 p. m.

Maryland Order 2-F, covering fresh fruits and vegetables in certain counties in Maryland, filed 2:12 p. m.

Lexington Order 12, Amendment 7, covering community food prices in designated counties of Kentucky, filed 2:10 p. m.

Lexington Order 12, Amendment 8, covering community food prices in designated county of Kentucky, filed 2:09 p. m.

##### REGION V

Fort Worth Order 1-F, Amendment 22, covering fresh fruits and vegetables in Tarrant Co., Tex., filed 2:08 p. m.

Fort Worth Order 2-F, Amendment 22, covering fresh fruits and vegetables in Taylor Co., Tex., filed 2:07 p. m.

Fort Worth Order 3-F, Amendment 22, covering fresh fruits and vegetables in Green County, Tex., filed 2:07 p. m.

Fort Worth Order 4-F, Amendment 22, covering fresh fruits and vegetables in McLenan Co., Tex., filed 2:06 p. m.

Fort Worth Order 5-F, Amendment 22, covering fresh fruits and vegetables in Wichita Co., Tex., filed 2:06 p. m.

##### REGION VI

Sioux City Order 14, Amendment 1, covering community food prices in certain counties in Iowa, filed 2:05 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
 Secretary.

[F. R. Doc. 44-9617; Filed, June 30, 1944; 4:26 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 27, 1944.

##### REGION I

Connecticut Order 1-W, covering dry groceries in Connecticut, filed 1:11 p. m.

Connecticut Order 2-F, Amendment 10, covering fresh fruits and vegetables in Connecticut, filed 1:11 p. m.

Connecticut Order 2-F Amendment 11, covering fresh fruits and vegetables in Connecticut, filed 1:11 p. m.

Connecticut Order 2-F Amendment 12, covering fresh fruits and vegetables in Connecticut, filed 1:11 p. m.

Montpellier Order 13, covering community ceiling prices for designated counties, villages and towns in Vermont, filed 1:05 p. m.

Montpellier Order 14, covering community food prices for designated counties, villages and towns in Vermont, filed 1:11 p. m.

##### REGION II

Albany Order 1-F, Amendment 13, covering fresh fruits and vegetables at retail in certain counties in the Albany District, filed 3:48 p. m.

Buffalo Order 2-F Amendment 10, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford Counties, N. Y., filed 3:49 p. m.

Erie Order 5-F, covering fresh fruits and vegetables in Erie, Pa., filed 3:48 p. m.

Philadelphia Order P-2, Amendment 2, covering fresh fish and seafood in certain areas in Pennsylvania, filed 1:05 p. m.

Trenton Order 1-F, Amendment 10, covering fresh fruit and vegetables in Mercer, Middlesex and Monmouth, N. J., filed 3:48 p. m.

Trenton Order 2-F, Amendment 7, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, N. J., filed 3:49 p. m.

Trenton Order 3-F, Amendment 6, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, N. J., filed 3:49 p. m.

##### REGION III

Charleston Order 1-F, Amendment 32, covering fresh fruits and vegetables in Kanawha, Montgomery, Fayette Counties, W. Va., filed 1:01 p. m.

Charleston Order 3-F, Amendment 27, covering fresh fruits and vegetables in certain counties in West Virginia, filed 1:01 p. m.

Charleston Order 7-F, Amendment 13, covering fresh fruits and vegetables in certain named counties in West Virginia, filed 1:01 p. m.

Charleston Order 8-F, Amendment 13, covering fresh fruits and vegetables in named counties in West Virginia, filed 10:27 a. m.

Charleston Order 9-F, Amendment 12, covering fresh fruits and vegetables in Cabell and Huntington, Wayne Counties, W. Va., filed 10:26 a. m.

Charleston Order 10-F, Amendment 12, covering fresh fruits and vegetables in named counties in West Virginia, filed 10:26 a. m.

Charleston Order 11-F, Amendment 4, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan Counties, W. Va., filed 10:25 a. m.

Charleston Order 12-F, Amendment 4, covering fresh fruits and vegetables in named counties in West Virginia, filed 10:25 a. m.

Charleston Order 29, Amendment 5, covering poultry in certain counties in West Virginia, filed 1:03 p. m.

Charleston Order 30, Amendment 4, covering poultry in Pleasants, Ritchie, Wirt and Wood Counties, W. Va., filed 1:03 p. m.

Charleston Order 31, Amendment 4, covering poultry in certain counties in West Virginia, filed 1:02 p. m.

Charleston Order 32, Amendment 4, covering poultry in Berkeley, Morgan and Jefferson Counties, W. Va., filed 1:02 p. m.

Charleston Order 33, Amendment 4, covering poultry in certain counties in West Virginia, filed 1:02 p. m.

Charleston Order 34, Amendment 4, covering poultry in certain counties in West Virginia, filed 1:02 p. m.

Charleston Order 35, Amendment 4, covering poultry in certain counties in West Virginia, filed 1:02 p. m.

Charleston Order 36, Amendment 4, covering poultry in Marion, Monongalia and Preston, W. Va., filed 1:02 p. m.

Charleston Order 37, Amendment 4, covering poultry in certain counties in West Virginia, filed 1:01 p. m.

Columbus Order 3-F, Amendment 28, covering fresh fruits and vegetables in certain counties in Ohio, filed 1:13 p. m.

Columbus Order 3-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Ohio, filed 1:03 p. m.

Columbus Order 4-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Ohio, filed 1:13 p. m.

Columbus Order 5-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Ohio, filed 1:03 p. m.

Escanaba Order 9-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:15 p. m.

Escanaba Order 10-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:14 p. m.

Escanaba Order 11-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:14 p. m.

Escanaba Order 12-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Mich., filed 1:14 p. m.

Escanaba Order 13-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Mich., filed 1:14 p. m.

Escanaba Order 14-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Mich. and Wis., filed 1:14 p. m.

Escanaba Order 15-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Wis. and Mich., filed 1:14 p. m.

Escanaba Order 16-F, Amendment 16, covering fresh fruits and vegetables in Saulte Ste. Marie, Mich., Chippewa Co., filed 1:14 p. m.

Escanaba Order 17-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Mich., filed 1:14 p. m.

Lexington Order 12, Amendment 9, covering community food prices in certain counties in Ky., filed 1:04 p. m.

Louisville Order 1-F, Amendment 36, covering fresh fruits and vegetables in certain counties in Ky. and Ind., filed 1:15 p. m.

Louisville Order 2-F, Amendment 30, covering fresh fruits and vegetables in Paducah & McCracken, Ky., filed 3:48 p. m.

Louisville Order 3-F, Amendment 23, covering fresh fruits and vegetables in Daviess & Henderson Counties, Ky., filed 3:47 p. m.

#### REGION IV

Atlanta Order 1-F, Amendment 15, covering fresh fruits and vegetables in Bibb Co., Ga., filed 1:03 p. m.

Atlanta Order 5-F, Amendment 12, covering fresh fruits and vegetables in Muscogee Co., Ga., and Phenix City, Ala., filed 1:03 p. m.

Atlanta Order 6-F, Amendment 7, covering fresh fruits and vegetables in Metropolitan Atlanta-Decatur Trade Area in Ga., filed 3:47 p. m.

Atlanta Order 13, Amendment 1, covering dry food items in North Ga. District Area and Phenix City, Ala., filed 10:23 a. m.

Jacksonville Order 6-F, Amendment 7, covering fresh fruits and vegetables in Jacksonville, Fla., filed 10:24 a. m.

Memphis Order 4-F, Amendment 39, covering fresh fruits and vegetables in Memphis, Tenn., filed 10:24 a. m.

Nashville Order 5-F, Amendment 21, covering fresh fruit and vegetable prices in certain area in Nashville District, filed 3:47 p. m.

Nashville Order 5-F, Amendment 22, covering fresh fruit and vegetable prices in certain area in the Nashville District, filed 3:47 p. m.

Nashville Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain area in the Nashville District, filed 3:47 p. m.

Savannah Order 1-F, Amendment 41, covering fresh fruits and vegetables in Chatham, Bryan, Liberty & Effingham Counties, filed 10:23 a. m.

Savannah Order 2-F, Amendment 36, covering fresh fruits and vegetables in certain counties in Georgia, filed 10:22 a. m.

Savannah Order 3-F, Amendment 34, covering fresh fruits and vegetables in named counties in Georgia, filed 10:22 a. m.

Savannah Order 4-F, Amendment 33, covering fresh fruits and vegetables in named counties in Georgia, filed 10:21 a. m.

Savannah Order 5-F, Amendment 14, covering fresh fruits and vegetables in named counties in Georgia, filed 10:21 a. m.

#### REGION V

Arkansas Order 1-F, Amendment 6, covering fresh fruits and vegetables in the rural areas of Arkansas, filed 10:20 a. m.

Arkansas Order 3-F, Revocation, covering fresh fruits and vegetables in Craighead Co., Ark., filed 10:20 a. m.

Lubbock Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain named areas in Texas, filed 10:19 a. m.

Lubbock Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Texas, filed 10:19 a. m.

New Orleans Order 1-F, Amendment 6, Correction to, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 10:19 a. m.

New Orleans Order 1-F, Amendment 7, covering fresh fruits and vegetables in certain counties and parishes of Louisiana, filed 10:17 a. m.

New Orleans Order 2-F, Amendment 25, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 10:17 a. m.

Houston Order 3-F, Amendment 3, covering fresh fruits and vegetables in Jefferson and Orange Counties, Tex., filed 3:52 p. m.

Houston Order 1-F, Amendment 15, covering fresh fruits and vegetables in City of Houston, Harris County, Tex., filed 3:53 p. m.

St. Louis Order 3-F, Amendment 8, covering fresh fruits and vegetables in City of St. Louis and St. Louis County, Mo., filed 3:52 p. m.

#### REGION VII

Montana Order 2-B, covering wholesale food prices in State of Montana, filed 1:13 p. m.

Utah Order F-1, Amendment 10, covering fresh fruits and vegetables in Salt Lake, Davis and Weber County area, filed 3:50 p. m.

Utah Order F-2, Amendment 9, covering fresh fruits and vegetables in certain areas in Utah, filed 3:51 p. m.

Utah Order F-3, Amendment 8, covering fresh fruits and vegetables in certain areas in Utah, filed 3:51 p. m.

Utah Order F-4, Amendment 8, covering fresh fruits and vegetables in certain areas in Utah, filed 3:51 p. m.

Utah Order F-5, Amendment 8, covering fresh fruits and vegetables in the Utah County area, filed 3:50 p. m.

Utah Order F-6, Amendment 8, covering fresh fruits and vegetables in certain areas in Utah, filed 3:52 p. m.

#### REGION VIII

Los Angeles Order 1-F, Amendment 19, covering fresh fruits and vegetables in the San Luis Obispo Area, filed 1:13 p. m.

Phoenix Order 3-F, Amendment 23, covering fresh fruits and vegetables in the Phoenix Area, filed 3:50 p. m.

San Diego Order 1-F, Amendment 44, covering fresh fruits and vegetables in the San Diego Area, filed 1:13 p. m.

San Diego Order 1-F, Amendment 45, covering fresh fruits and vegetables in the San Diego Area, filed 3:50 p. m.

San Diego Order 1-F, Amendment 2, covering fresh fish and seafood in the San Diego Area, filed 1:12 p. m.

San Diego Order 8, Amendment 8, covering community food prices in the San Diego Area, filed 3:50 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-9618; Filed, June 30, 1944; 4:25 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 29, 1944.

#### REGION V

Tulsa Order 6-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Oklahoma, filed 2:46 p. m.

#### REGION VI

Sioux City Order 2-F, Amendment 21, covering fresh fruits and vegetables in Sioux City, Iowa & Sioux City, Nebr., filed 2:45 p. m.

Sioux City Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Iowa and South Dakota and Nebraska, filed 2:45 p. m.

Sioux City Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Nebraska, filed 2:46 p. m.

Sioux Falls Order No. 1 (Adopting), Amendment 1, covering retail food prices in designated areas in Sioux Falls District, filed 2:45 p. m.

#### REGION VIII

San Diego Order 1-F, Amendment 46, covering fresh fruits and vegetables in the San Diego Area, filed 2:38 p. m.

San Diego Order 8, Amendment 4, covering community food prices in the San Diego Area, filed 2:38 p. m.

Phoenix Order 3-F, Amendment 25, covering fresh fruits and vegetables in 25 mile radius of the post office of Phoenix, filed 2:39 p. m.

Phoenix Order 3-W, covering dry groceries in the "Yuma Area", filed 2:40 p. m.

Seattle Order 30, covering community food prices in the Seattle Area, filed 2:44 p. m.

Seattle Order 31, covering community food prices in the Tacoma Area, filed 2:44 p. m.

Seattle Order 32, covering community food prices in the Everett Area, filed 2:43 p. m.

Seattle Order 33, covering community food prices in the Bremerton Area, filed 2:43 p. m.

Seattle Order 34, covering community food prices in the Bellingham Area, filed 2:43 p. m.

Seattle Order 35, covering community food prices in the Olympia Area, filed 2:42 p. m.

Seattle Order 36, covering community food prices in the Aberdeen-Hoquiam Area, filed 2:42 p. m.

Seattle Order 37, covering community food prices in the Centralia-Chehalis Area, filed 2:42 p. m.

Seattle Order 38, covering community food prices in the Wenatchee Area, filed 2:41 p. m.

Seattle Order 39, covering community food prices in the Yakima Area, filed 2:40 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-9619; Filed, June 30, 1944; 4:26 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 30, 1944:

#### REGION I

Connecticut Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Connecticut, filed 10:01 a. m.

#### REGION II

District of Columbia Order 2-W, covering wholesale food prices in Washington, D. C., filed 9:43 a. m.

Erie Order 2-F, covering fresh fruits and vegetables in Erie, Pa., filed 9:44 a. m.

Harrisburg Order 19, Amendment 1, covering community food prices in certain areas in Pennsylvania, filed 9:44 a. m.

New York Order 1-F, Amendment 13, covering fresh fruits and vegetables in the five boroughs of the City of New York, filed 9:43 a. m.

New York Order 3-F, covering fresh fruits and vegetables in Beacon, Middletown, Newburgh, Poughkeepsie and Cochen, N. Y., filed 9:44 a. m.

New York Order 4-F, covering fresh fruits and vegetables in certain named areas in New York, filed 9:43 a. m.

#### REGION III

Charleston Order 1-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 9:41 a. m.

Charleston Order 7-W, covering dry groceries in certain counties in West Virginia, filed 9:41 a. m.

Charleston Order 32, Amendment 3, covering certain food items in Berkeley, Morgan and Jefferson, W. Va., filed 9:42 a. m.

Charleston Order 35, Amendment 3, covering certain food items for Brooke, Hancock, Marshall, Ohio, Tylor and Wetzel Counties, W. Va., filed 9:41 a. m.

Charleston Order 36, Amendment 3, covering certain food items for Marion, Monongalia and Preston Counties, W. Va., filed 9:44 a. m.

Grand Rapids Order F-14-A, Amendment 24, covering fresh fruits and vegetables in Grand Rapids, Mich., filed 9:40 a. m.

Grand Rapids Order F-14-B, Amendment 24, covering fresh fruits and vegetables in Urban Area B (Cities of Muskegon, Kalamazoo and Battle Creek, Mich.), filed 9:40 a. m.

Lexington Order 11, Amendment 9, covering community food prices in designated counties in Kentucky, filed 9:40 a. m.

Saginaw Order 3-W, covering community food prices at wholesale in the Saginaw District, filed 9:59 a. m.

REGION IV

South Carolina Order 2-W, covering wholesale prices for certain food items in State of South Carolina, filed 10:05 a. m.

South Carolina Order 2-W, Amendment 1, covering wholesale food prices in South Carolina, filed 9:59 a. m.

South Carolina Order 12, covering certain dry groceries and perishables in South Carolina, filed 10:00 a. m.

South Carolina Order 12, Amendment 1, covering dry groceries and perishables in South Carolina, filed 10:00 a. m.

South Carolina Order 12, Amendment 2, covering dry groceries and perishables in South Carolina, filed 9:59 a. m.

REGION V

Fort Worth Order 1-F, Amendment 23, covering fresh fruits and vegetables in Tarrant County, Tex., filed 10:05 a. m.

Fort Worth Order 2-F, Amendment 23, covering fresh fruits and vegetables in Taylor County, Tex., filed 10:05 a. m.

Fort Worth Order 3-F, Amendment 23, covering fresh fruits and vegetables in Green County, Tex., filed 10:02 a. m.

Fort Worth Order 4-F, Amendment 23, covering fresh fruits and vegetables in McLennan County, Tex., filed 10:02 a. m.

Fort Worth Order 5-F, Amendment 23, covering fresh fruits and vegetables in Wichita County, Tex., filed 10:02 a. m.

Oklahoma City Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 9:40 a. m.

Oklahoma City Order 3-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 10:05 a. m.

Oklahoma City Order 3-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 10:05 a. m.

Shreveport Order G-13, Amendment 2, covering certain food items in certain parishes in Louisiana, filed 10:01 a. m.

Shreveport Order G-14, Amendment 2, covering certain food items in certain parishes in La., filed 10:02 a. m.

Wichita Order 2-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Kansas, filed 10:05 a. m.

Wichita Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Kansas, filed 2:23 p. m.

Tulsa Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 9:59 a. m.

REGION VI

Chicago Order 2-F, Amendment 18, covering fresh fruits and vegetables in Chicago Metropolitan Area, filed 10:01 a. m.

Sioux City Order 1-W, Amendment 1, covering dry groceries in Sioux City, Iowa, filed 10:01 a. m.

REGION VIII

Fresno Order 1, Amendment 1, covering basic community retail prices in Fresno, Calif., filed 2:23 p. m.

Fresno Order 1-F, Amendment 23, covering fresh fruits and vegetables in Fresno, Calif., filed 2:26 p. m.

Fresno Order 2-F, Amendment 10, covering fresh fruits and vegetables in Modesto & Stanislaus, Calif., filed 2:52 p. m.

Fresno Order 3-F, Amendment 8, covering fresh fruits and vegetables in certain areas in California, filed 2:25 p. m.

San Francisco Order 1-F, Amendment 20, covering fresh fruits and vegetables in certain areas in California, filed 2:25 p. m.

San Francisco Order 2-F, Amendment 13, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa & Burbank, filed 2:25 p. m.

San Francisco Order 3-F, Amendment 12, covering fresh fruits and vegetables in certain areas in California, filed 2:24 p. m.

San Francisco Order 4-F, Amendment 11, covering fresh fruits and vegetables in Watsonville, Salinas, Monterey, Carmel, Pacific Grove & Santa Cruz, filed 2:24 p. m.

San Francisco Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas in California, filed 2:24 p. m.

San Francisco Order 6-F, Amendment 6, covering fresh fruits and vegetables in certain areas in California, filed 2:23 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-9714; Filed, July 1, 1944; 4:36 p. m.]

[Region II, Rev. Order G-3 Under MPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED BOROUGHES IN NEW YORK STATE

Amendment No. 2 to Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in the Boroughs of Manhattan, Bronx, Brooklyn, and Queens, City of New York, State of New York.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-3 is amended in the following respects:

1. Paragraph (d) (2) is amended to read as follows:

(2) "YARD" SALES

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$11.65	\$0.85	\$0.09
Pea.....	9.85	.75	.08
Buckwheat.....	7.80	-----	-----
Rice.....	6.85	-----	-----
Barley.....	5.80	-----	-----

2. Paragraph (e) (2) is amended to read as follows:

(2) "YARD" SALES

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$11.65	\$0.85	\$0.09
Pea.....	9.85	.75	.08
Buckwheat.....	8.05	-----	-----
Rice.....	7.10	-----	-----
Barley.....	5.80	-----	-----

3. Paragraph (f) (2) is amended to read as follows:

(2) "YARD" SALES

Size	At yards, etc. receiving other than via water, per net ton, for sales of ½ ton or more	At Yards, etc. receiving via water, per net ton, for sales of ½ ton or more	Per 100 lbs. for sales of 100 lbs. or more but less than ½ ton	Per 10 lbs. for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$11.90	\$11.65	\$0.85	\$0.09
Pea.....	10.35	10.10	.75	.08
Buckwheat.....	8.05	7.80	-----	-----
Rice.....	7.10	6.85	-----	-----
Barley.....	6.05	5.80	-----	-----

4. Paragraph (g) (2) is amended to read as follows:

(2) "YARD" SALES

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs., for sales of 100 lbs. or more, but less than ½ ton	Per 10 lbs., for sales of less than 100 lbs.
Broken, egg, stove, nut.....	\$12.15	\$0.85	\$0.09
Pea.....	10.60	.75	.08
Buckwheat.....	8.30	-----	-----
Rice.....	7.35	-----	-----
Barley.....	6.35	-----	-----

5. Paragraph (j) is amended to read as follows:

(j) *Taxes.* A dealer subject to this order may collect, in addition to the specific maximum prices established herein, provided he states it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased. A retail dealer subject to this order may also collect, in addition to the specific maximum prices established herein, provided he states it separately, the amount of the N. Y. C. sales tax payable by such dealer. On sales to the United States or any agency thereof or to the State of New York or any political subdivision thereof, you need not state these taxes separately.



6. Paragraph (s) is amended to read as follows:

(s) *Automatic roll-back.* On and after midnight April 30, 1945, all dealers subject to this Order shall reduce their maximum prices for "Delivered sales" as set forth herein by 30¢ per net ton and 15¢ per net ½ ton. No such reduction is required for sales under ½ ton. This roll-back shall be in addition to any further roll-back that may be occasioned by a reduction in suppliers' maximum prices.

This Amendment No. 2 to Revised Order No. G-3 shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-9708; Filed, July 1, 1944; 4:38 p. m.]

[Region II Order G-37 Under RMPR 122]  
SOLID FUEL IN DESIGNATED COUNTIES IN NEW YORK

Order No. G-37 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122—Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schoenectady, Schoharie, Ulster, Warren, and Washington Counties, State of New York, Coal Area VI.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' Maximum Prices; area covered—*If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and qualities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New York—Coal Area VI. That area comprises twelve counties in the State of New York, falling into eleven zones, as follows:

**Zone 1.** Zone 1 includes Albany County, except that portion lying east of Route 9W and north of the highway intersecting Route 9W known as Menanda Road; and includes the City of Rensselaer and the Towns of East Greenbush, Nassau, Sandlake, Schodack and Stephentown in Rensselaer County.

**Zone 2.** Zone 2 includes all of Schoenectady County.

**Zone 3.** Zone 3 includes all of Montgomery County.

**Zone 4.** Zone 4 includes Fulton County except the Town of Northampton.

**Zone 5.** Zone 5 includes Saratoga County except the Towns of Corinth, Day, Edinburgh,

Hadley, Moreau, Waterford, and Half Moon, and the City of Mechanicville.

**Zone 6.** Zone 6 includes all of Warren and Washington Counties, the Town of Northampton in Fulton County, the Towns of Berlin, Hoosick and Petersburg in Rensselaer County and the Towns of Corinth, Day, Edinburgh, Hadley and Moreau in Saratoga County.

**Zone 7.** Zone 7 includes the City of Troy and the Towns of Brunswick, Grafton, North Greenbush, Pittstown, Poestenkill and Schaghticoke in Rensselaer County, the Towns of Waterford and Half Moon, and the City of Mechanicville in Saratoga County, and that portion of Albany County lying east of Route 9W and north of the highway intersecting 9W known as Menanda Road.

**Zone 8.** Zone 8 includes all of Columbia County.

**Zone 9.** Zone 9 includes all of Ulster County.

**Zone 10.** Zone 10 includes all of Greene County.

**Zone 11.** Zone 11 includes all of Schoharie County.

(2) *Schedules of prices; charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 are set forth in Schedules I, II, III, IV, V, VI, VII, VIII, IX, X and XI, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges, and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the eleven zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not—

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by—

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by the applicable schedule of this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with

requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "Direct-delivery" sales and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner Schedules II, III, IV, V, VI, VII, VIII, IX, X and XI contain separate tables of prices for similar sales in Zones 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), Schedule V in paragraph (h), Schedule VI in paragraph (i), Schedule VII in paragraph (j), Schedule VIII in paragraph (k), Schedule IX in paragraph (l), Schedule X in paragraph (m), and Schedule XI in paragraph (n).)

(2) Take the dollars-and-cents figure given in the applicable table of the applicable Schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis for sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut...	\$15.05	\$8.05	\$4.25	\$0.90
Pea.....	13.30	7.15	3.85	.80
Buckwheat.....	11.25	6.15	3.30	.....
Rice.....	10.75	5.90	3.20	.....
Barley.....	9.75	5.40	2.95	.....
Screenings.....	4.00	.....	.....	.....

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of

(2) *Yard sales*—For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.

Size	To dealers (per net ton)	To consumers		
		Per net ton	Per net 1/2 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$11.00	\$7.00	\$3.60	\$0.80
Pea	10.20	11.35	3.20	.70
Buckwheat	8.25	4.05	2.60	
Rice	7.20	8.00	4.50	
Barley	6.20	7.00	4.00	
Screenings—“A”	4.00	4.00		
Screenings—“B”	3.00	3.00		

**Required discounts.** You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries to dealers, for all sizes except screenings, the following discounts where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

Size	Per net ton
Broken, egg, stove, nut	\$0.15
Pea and buckwheat	.10
Rice and barley	.05

\$1.00 per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

**Special service rendered at the request of the purchaser:**  
Carrying upstairs or downstairs for each full flight above or below the ground floor. 50¢ per net ton.  
25¢ per net 1/2 ton.  
15¢ per net 1/4 ton.

For deliveries involving hauling west of the West Shore Railroad and beyond five miles from the dealer's yard, 15¢ per fraction thereof beyond five miles from the dealer's yard.

(2) *Yard sales.* For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.

Size	To dealers (per net ton)	To consumers		
		Per net ton	Per net 1/2 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$11.45	\$13.05	\$7.05	\$3.75
Pea	9.55	11.20	6.15	3.55
Buckwheat	7.95	8.25	5.15	2.80
Rice	6.00	7.75	4.90	2.70
Barley	5.00	6.00	4.40	2.45
Screenings	3.00	3.00		

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of \$1.00 per net ton, 50¢ per net 1/2 ton and 25¢ per net 1/4 ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

**Special service rendered at the request of the purchaser:**  
Carrying upstairs or downstairs, for each full flight above or below the ground floor. 25¢ per net ton.  
15¢ per net 1/2 ton.  
10¢ per net 1/4 ton.

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for “direct-delivery” sales and “yard sales.”

(1) *Sales on a “direct-delivery” basis for sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net 1/2 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)	Per 100 lbs. (for sales of 50 lb. or more, paper bags)
Pea	13.05	6.55	3.50	.80
Buckwheat	10.90	5.45	2.95	
Rice	10.00	5.00	2.70	
Barley	9.00	4.50	2.45	
Screenings	4.00			

**Required discounts.** You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of \$1.00 per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

**Special service rendered at the request of the purchaser:**  
“Carry” or “wheel”----- 50¢ per net ton.  
25¢ per net 1/2 ton.  
15¢ per net 1/4 ton.

Carrying upstairs or downstairs, for each full flight above or below the ground floor. 50¢ per net ton.  
25¢ per net 1/2 ton.  
15¢ per net 1/4 ton.

This charge shall be in addition to any charge for “carry” or “wheel”.  
For deliveries involving hauling beyond five miles from dealer's yard, 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

(2) Yard sales. For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers.

Size	To dealers (per net ton)				To consumers			
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of less than 1/4 ton)	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of less than 1/4 ton)	Per 50 lb. paper bags
Broken, egg, stove, nut.	\$12.05	\$14.00	\$7.25	\$3.85	\$0.80	\$0.45		
Pea	10.20	12.00	6.25	3.35				
Buckwheat	8.55	10.55	5.55	3.00				
Rice	7.90	9.20	4.85	2.65				
Barley	6.60	8.20	4.35	2.40				
Screenings	3.00	3.00						

(1) Sales on a "direct-delivery" basis—of the sizes and in the quantities specified to dealers and to consumers.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)	
				Per 50 lb. paper bags	Per 50 lb. paper bags
Broken, egg, stove, nut.	\$14.50	\$7.55	\$4.05	\$0.90	\$0.50
Pea	12.50	6.55	3.55	.80	.45
Buckwheat	11.05	5.85	3.20		
Rice	9.70	5.15	2.85		
Barley	8.70	4.65	2.60		
Screenings	4.00				

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**Schedule IV. Schedule IV establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 4. There is a separate**

**Special service rendered at the request of the purchaser:**

- "Carry" or "wheel"----- 50¢ per net ton.
- 30¢ per net 1/2 ton.
- 25¢ per net 1/4 ton.

Carrying upstairs or downstairs, for each full flight above or below the ground floor. This charge shall be in addition to any charge for "carry" or "wheel."

For deliveries involving hauling beyond five miles from dealer's yard, 15¢ per net ton for each mile or fraction thereof beyond five miles from dealer's yard.

tain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 5. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) Sales on a "direct-delivery" basis—For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)	
				Per 50 lb. paper bags	Per 50 lb. paper bags
Broken, egg, stove, nut.	\$14.60	\$7.70	\$4.00	\$0.85	.75
Pea	12.80	6.80	3.55		
Buckwheat	10.65	5.75	3.00		
Rice	9.35	5.10	2.70		
Barley	8.35	4.60	2.45		
Screenings	4.00				

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:

- Carrying upstairs or downstairs, for each full flight above or below the ground floor. 50¢ per net ton.
- 25¢ per net 1/2 ton.
- 15¢ per net 1/4 ton.

For deliveries involving hauling beyond five miles from dealer's yard, 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:  
 Carrying upstairs or downstairs, for each full flight above or below the ground floor. 50¢ per net ton.  
 25¢ per net 1/2 ton.  
 15¢ per net 1/4 ton.  
 For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for deliveries beyond five miles and up to ten miles from the dealer's yard; \$1.00 per net ton for deliveries beyond ten miles from the dealer's yard.

certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 8. There is a separate table of prices for "direct-delivery" sales and "yard sales".

**(2) Yard sales.** For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers:

Size	To dealers (Per net ton)		To consumers		Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per net 1/2 ton	
Broken, egg, stove, nut...	\$11.55	\$12.50	\$8.55	\$3.50	\$0.75
Pea.....	9.60	10.60	5.60	3.00	.65
Buckwheat.....	7.95	8.90	4.75	2.00	.....
Rice.....	7.00	8.00	4.30	2.35	.....
Barley.....	6.00	7.00	3.80	2.10	.....
Screenings.....	3.00	3.00	3.00	.....	.....

**Required discounts.** You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries to dealers, for all sizes except screenings, the following discounts where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

Size:  
 Broken, egg, stove, nut..... \$ .15  
 Pea and buckwheat..... .10  
 Rice and barley..... .05  
 (k) Schedule VIII. Schedule VIII establishes specific maximum prices for

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:  
 "Carry" or "Wheel" (except for sales amounting to less than one ton). 50¢ per net ton.  
 For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for deliveries beyond five miles from dealer's yard.

**(1) Sales on a "direct-delivery" basis.** For sales of Anthracite of the sizes and in the quantities specified:

Size	Per net ton		Per net 1/2 ton		Per net 1/4 ton		Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per net 1/2 ton	Per net 1/4 ton		
Broken, egg, stove, nut...	\$15.10	\$7.85	\$4.10	\$0.85	.....	.....	\$0.85
Pea.....	13.55	7.10	3.70	.75	.....	.....	.75
Buckwheat.....	11.15	5.90	3.10	.....	.....	.....	.....
Rice.....	10.10	5.35	2.85	.....	.....	.....	.....
Barley.....	9.10	4.85	2.60	.....	.....	.....	.....
Screenings.....	4.00	.....	.....	.....	.....	.....	.....

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 75¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:  
 Carrying upstairs or downstairs, for each full flight above or below the ground floor. 50¢ per net ton.  
 25¢ per net 1/2 ton.  
 15¢ per net 1/4 ton.  
 For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

**(2) Yard sales.** For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton		Per net 1/2 ton		Per net 1/4 ton		Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per net 1/2 ton	Per net 1/4 ton		
Broken, egg, stove, nut...	\$14.00	\$7.30	\$3.85	\$0.85	.....	.....	\$0.85
Pea.....	12.10	6.35	3.40	.75	.....	.....	.75
Buckwheat.....	10.40	5.50	2.95	.....	.....	.....	.....
Rice.....	9.50	5.05	2.75	.....	.....	.....	.....
Barley.....	8.50	4.55	2.50	.....	.....	.....	.....
Screenings.....	4.00	.....	.....	.....	.....	.....	.....

**(2) Yard sales—**for sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton		Per net 1/2 ton		Per net 1/4 ton		Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per net 1/2 ton	Per net 1/4 ton		
Broken, egg, stove, nut...	\$13.10	\$6.95	\$3.65	\$0.75	.....	.....	\$0.75
Pea.....	11.30	6.05	3.20	.65	.....	.....	.65
Buckwheat.....	9.15	5.00	2.65	.....	.....	.....	.....
Rice.....	7.85	4.35	2.30	.....	.....	.....	.....
Barley.....	6.85	3.85	2.05	.....	.....	.....	.....
Screenings.....	3.00	.....	.....	.....	.....	.....	.....

**(1) Schedule VI.** Schedule VI establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 6. There is a separate table of prices for "direct-delivery" sales and "yard sales."

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:  
 Carrying upstairs or downstairs, for each full flight above or below the ground floor. 50¢ per net ton.  
 25¢ per net 1/2 ton.  
 15¢ per net 1/4 ton.  
 For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

**(2) Yard sales.** For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton		Per net 1/2 ton		Per net 1/4 ton		Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per net 1/2 ton	Per net 1/4 ton		
Broken, egg, stove, nut...	\$13.85	\$7.25	\$3.75	\$0.75	.....	.....	\$0.75
Pea.....	12.30	6.45	3.40	.65	.....	.....	.65
Buckwheat.....	9.90	5.25	2.80	.....	.....	.....	.....
Rice.....	8.85	4.75	2.50	.....	.....	.....	.....
Barley.....	7.85	4.25	2.25	.....	.....	.....	.....
Screenings.....	3.00	.....	.....	.....	.....	.....	.....

**(1) Schedule VII.** Schedule VII establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser:  
 "Carry" or "Wheel" (except for sales amounting to less than one ton). 50¢ per net ton.  
 For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for deliveries beyond five miles from dealer's yard.

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$13.90	\$7.35	\$3.75	\$0.90
Pea	12.05	6.40	3.25	.80
Buckwheat	10.20	5.50	2.80	-----
Rice	9.15	4.95	2.55	-----
Barley	8.15	4.45	2.30	-----
Screenings	4.00	-----	-----	-----

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser: "Carry" or "Wheel" (except for sales amounting to less than one ton) 50¢ per net ton.  
Carrying upstairs or downstairs, for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel". 25¢ per net ton.  
For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

(2) Yard sales, for sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$12.90	\$6.85	\$3.50	\$0.80
Pea	11.05	5.90	3.00	.70
Buckwheat	9.20	5.00	2.55	-----
Rice	8.15	4.45	2.30	-----
Barley	7.15	3.95	2.05	-----
Screenings	3.00	-----	-----	-----

(1) Sales on a "direct-delivery" basis—For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$14.10	\$7.25	\$3.75	\$0.90
Pea	12.55	6.50	3.35	.80
Buckwheat	10.40	5.40	2.80	-----
Rice	9.60	5.00	2.60	-----
Barley	8.60	4.50	2.35	-----
Screenings	4.00	-----	-----	-----

**Required discounts.** You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of \$1.00 per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

**MAXIMUM AUTHORIZED SERVICE CHARGES**

Special service rendered at the request of the purchaser: "Carry" or "Wheel" (except for sales amounting to less than one ton) 50¢ per net ton.  
Carrying upstairs or downstairs, for each full flight above or below the ground floor. This charge shall be made in addition to any charge for "carry" or "wheel". 25¢ per net ton.  
For deliveries involving hauling beyond five miles from dealer's yard. 50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard.

(m) Schedule X. Schedule X establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 10. There is a separate table of prices for "direct-delivery" sales and "yard sales".  
(1) Sales on a "direct-delivery" basis—For sales of anthracite of the sizes and in the quantities specified.

(2) Yard sales—For sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$13.60	\$7.20	\$3.65	\$0.80
Pea	12.05	6.40	3.25	.70
Buckwheat	9.35	5.05	2.60	-----
Rice	8.60	4.70	2.40	-----
Barley	7.60	4.20	2.15	-----
Screenings	3.00	-----	-----	-----

(1) Schedule IX. Schedule IX establishes specific maximum prices for certain sizes of anthracite in certain specific quantities delivered to or at any point within Zone 9. There is a separate table of prices for "Direct-Delivery" sales and "yard sales".

(2) Yard sales for sales of anthracite of the sizes and in the quantities specified:

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/4 ton)
Broken, egg, stove, nut	\$12.60	\$6.50	\$3.35	\$0.80
Pea	11.05	5.75	2.95	.70
Buckwheat	8.90	4.65	2.45	-----
Rice	8.10	4.25	2.25	-----
Barley	7.10	3.75	2.00	-----
Screenings	3.00	-----	-----	-----

(n) *Schedule XI.* Schedule XI establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 11. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct" or a "direct-delivery" basis for sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.....	\$14.45	\$7.75	\$3.85	\$0.85
Pea.....	12.30	6.65	3.35	.75
Buckwheat.....	10.65	5.85	2.90	-----
Rice.....	9.35	5.45	2.70	-----
Barley.....	8.85	4.95	2.45	-----
Screenings.....	4.00	-----	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 75¢ per net ton where payment is made C. O. D. Nothing in this subparagraph requires you to sell on other than a cash basis.

#### MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

For deliveries involving hauling beyond 2½ miles from dealer's yard. 10¢ per net ton for each mile or fraction thereof beyond 2½ miles from dealer's yard.

(2) *Yard sales for sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut.....	\$13.20	\$7.10	\$3.55	\$0.75
Pea.....	11.05	6.05	3.00	.65
Buckwheat.....	9.40	5.20	2.60	-----
Rice.....	8.60	4.80	2.40	-----
Barley.....	7.60	4.30	2.15	-----
Screenings.....	3.00	-----	-----	-----

(o) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(p) *Ex parte 148--Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(q) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(r) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(s) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(t) *Petitions for amendment.* Any person seeking an amendment of any provision of this order any file a petition for amendment in accordance with the

provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(u) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(v) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(w) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(x) *Posting of maximum prices sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(y) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Albany District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(z) *Definitions and explanations.* When used in this Order No. G-37, 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 sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area VI with such designations during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

"Screenings A" are screenings derived from the primary or initial screening of egg, stove, nut, pea, and buckwheat sizes of anthracite, before any of these sizes have been reclaimed from screenings.

"Screenings B" are the resultant screenings after buckwheat and larger sizes of anthracite have been reclaimed from "Screenings A".

(6) "Direct delivery" means delivery to the buyers bin or storage space.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(a) (1) *Effect of order on revised maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

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

*Effective date.* This order shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of June 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-9706; Filed, July 1, 1944; 4:37 p. m.]

[Region V Order G-3 Under MPR 333]  
EGGS AND EGG PRODUCTS IN STATE OF LOUISIANA

Order No. G-3 under Maximum Price Regulation No. 333, § 1429.63. Eggs and egg products. Modification of prices in certain named parishes in the State of Louisiana.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority granted the Regional Administrator, Region V, by § 1429.63 of Maximum Price Regulation No. 333, as amended, *It is hereby ordered,* That:

(a) Any person selling and delivering AA, A or B Consumer Grades of shell eggs to any person located in any of the parishes of East Baton Rouge, Jefferson, Orleans or Plaquemines in the State of Louisiana, the maximum price for which eggs are required to be computed by the use of the prices set forth for grades A and B in Table A of Maximum Price Regulation No. 333, may, in lieu of the prices set forth for grades A and B in Table A of Maximum Price Regulation No. 333, use the following prices:

TABLE A

Maximum base prices are in cents per dozen for large retail grades and are weekly prices beginning on Monday and extending through the following Sunday.

	1944—Week beginning—													
	June 26	July—					August—				September—			
		3	10	17	24	31	7	14	21	28	4	11	18	25
Grade A—Large.....	45	46	47	48	49	50	51	52	52	53	54	55	56	57
Grade B—Large.....	42	42	43	44	44	45	46	46	46	47	47	47	47	48

  

	1944—Week beginning—												
	October—					November—				December—			
	8	9	16	23	30	6	13	20	27	4	11	18	25
Grade A—Large.....	58	58	59	59	59	58	57	56	55	53	53	52	51
Grade B—Large.....	49	49	49	49	50	50	50	50	49	48	48	48	48

(b) Any person selling and delivering any AA, A or B Consumer Grades of shell eggs to any person located in any of the above named parishes in the State of Louisiana must subtract from the prices set forth in paragraph (a) above all deductions required by Maximum Price Regulation No. 333 in computing a maximum price for the particular sale, and any person selling and delivering any AA, A or B Consumer Grades of shell eggs to any person located in any of the above named parishes in the State of Louisiana in computing a maximum price for the particular sale may add to the prices set forth in paragraph (a) above any additions permitted by Maximum Price Regulation No. 333 (included among these additions, without limiting the additions, is the addition for Consumer Grade AA shell eggs provided in § 1429.67 (g) (2) of Maximum Price Regulation No. 333), except:

1. The 1½¢ per dozen Miami price differential provided for in Maximum Price Regulation No. 333 may not be added to the prices set forth in paragraph (a) above.

2. The "transportation factor" provided in Maximum Price Regulation No. 333 need not be deducted from the prices set forth in paragraph (a) above.

(c) Any person selling Procurement Grades of shell eggs for delivery to the United States or any agency thereof in any of the parishes of East Baton Rouge, Jefferson, Orleans or Plaquemines, in the State of Louisiana, the maximum price for which eggs are required to be computed by the use of prices set forth for United States Procurement Grades I and II in Table C of Maximum Price Regulation No. 333, may, in lieu of the prices set forth for Procurement Grades I and II in Table C of Maximum Price Regulation No. 333, use the following prices:

TABLE C

Maximum base prices are in cents per dozen and are weekly prices beginning on Monday and extending through the following Sunday.

	1944—Week beginning—									
	June 26	July—					August—			
		3	10	17	24	31	7	14	21	28
Procurement:										
Grade I.....	44.5	43.5	46.5	47.5	48.5	49.5	50.5	51.5	51.5	52.5
Grade II.....	43.8	44.5	45.5	46.5	47.3	48.3	49.3	50.0	50.0	51.0
	1944—Week beginning—									
	September—				October—					
	4	11	18	25	2	9	16	23	30	
Procurement:										
Grade I.....	53.5	54.5	55.5	56.5	57.5	57.5	58.5	58.5	58.5	58.5
Grade II.....	51.8	52.5	53.3	54.3	55.3	55.3	56.0	56.0	56.0	56.3
	1944—Week beginning—									
	November—				December—					
	6	13	20	27	4	11	18	25		
Procurement:										
Grade I.....	57.5	56.5	55.5	54.5	52.5	52.5	51.5	50.5	50.5	49.8
Grade II.....	55.5	54.8	54.0	53.0	51.3	51.3	50.5	50.5	50.5	49.8

(d) Any person selling United States Procurement Grades I and II shell eggs for delivery to the United States or any agency thereof in any of the above named parishes in the State of Louisiana must subtract from the prices set forth in paragraph (c) above all deductions required by Maximum Price Regulation No. 333 in computing a maximum price for the particular sale, and any person selling United States Procurement Grades I and II shell eggs for delivery to the United States or any agency thereof in any of the above named parishes in the State of Louisiana in computing the maximum prices for the particular sale may add to the prices set forth in paragraph (c) above any additions permitted by Maximum Price Regulation No. 333, except:

1. The 1½¢ per dozen Miami price differential provided for in Maximum Price Regulation No. 333 may not be added to the prices set forth in paragraph (c) above.

2. The 'transportation factor' provided in Maximum Price Regulation No. 333 need not be deducted from the prices set forth in paragraph (c) above.

(e) Unless the context otherwise requires the definitions set forth in Maximum Price Regulation No. 333, as amended, shall apply to all the terms used herein.

(f) This order is subject to revocation or amendment, by the Office of Price Administration, at any time hereafter, either by Special Order or by any Price Regulation issued hereafter, or by any Amendment or Supplement hereafter issued to any Price Regulation, the provisions of which may be contrary hereto.

(g) This order shall become effective Monday, June 26, 1944, and shall expire, unless sooner terminated or amended, midnight December 31, 1944.

Issued at Dallas, Texas, this the 21st day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681, and 9 F.R. 408)

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 44-9709; Filed, July 1, 1944; 4:38 p. m.]

[Spokane Order 8 B Under MPR 426]  
APRICOTS IN SPOKANE, WASH., AREA

Order No. 8-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Apricots.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of Table X, there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said Table X, there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point

to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Apricots (graded and packed).  
(b) Basing point: Yakima, Washington.  
(c) Wholesale receiving point: Spokane, Washington.  
(d) Method of transportation: L. C. L.  
(e) Freight rate by Method (d) from basing point to wholesale receiving point, \$0.59 per cwt.

	Per unit of sale—	
	Per lug of 18 lbs. gross	Per lb.
(f) Freight charge by Method (d).....	\$0.106	.....
(g) Basing-point cost.....	1.15	.....
(h) Protective services.....		.....
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h").....	1.256	.597

This order shall become effective June 27, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

DAVE S. COHN,  
District Director.

[F. R. Doc. 44-9707; Filed, July 1, 1944; 4:37 p. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 28]

COLORADO FUEL & IRON CORPORATION

NOTICE OF HEARING

Status under Railroad Unemployment Insurance Act of individuals employed as members of engine crews and switch crews in switching operations for the blast furnace department and the open hearth department of the Colorado Fuel & Iron Corporation (and its predecessor, the Colorado Fuel & Iron Company).

Pursuant to order of the General Counsel of the Railroad Retirement Board, dated June 3, 1944, reopening for further consideration and proceedings pursuant to Regulations, Part 319, of the Railroad Retirement Board (20 Code Fed. Reg., Cum. Supp., Part 319), all issues determined by his opinion of January 19, 1944, L-44-28, relating to the status under the Railroad Unemployment Insurance Act of individuals employed as members of engine crews and switch crews in switching operations for the Blast Furnace Department and the Open Hearth Department of The Colorado Fuel & Iron Corporation (and its predecessor, The Colorado Fuel & Iron Company), and appointing me to serve as examiner for the conduct of such proceedings, notice is hereby given that a hearing will be held Wednesday, July 19, 1944, at 10:00 a. m. in Room 312, United States Post Office Building,



Pueblo, Colorado, on the question whether such individuals, with respect to their service as members of engine crews and switch crews in switching operations for the Blast Furnace Department and the Open Hearth Department of The Colorado Fuel & Iron Corporation (and its predecessor, The Colorado Fuel & Iron Company), have been "employees" within the meaning of the Railroad Unemployment Insurance Act.

The Colorado & Wyoming Railway Company, The Colorado Fuel & Iron Corporation, the individuals who have been denied benefits on the basis of pay earned in the above-described switching operations, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the examiner.

In preparation for, and in the conduct of, said hearing, the examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. A record will be kept of all evidence presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

PAUL M. JOHNSON,  
Examiner.

[F. R. Doc. 44-9635; Filed, June 30, 1944;  
4:27 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

COMMUNITY GAS AND POWER CO., ET. AL.

[File Nos. 54-68, 59-55]

### NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of June A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, respondents, File No. 59-55.

The Commission, having entered its order herein (File No. 59-55) on July 2, 1943, pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935, directing, among other things, that American Gas and Power Company dispose of its interests in Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, Bangor Gas Company, Lowell Gas Light Company, and American Utilities Associates; that the corporate existence of Community Gas and Power Company be terminated and that said company be liquidated and dissolved; that the existence of American

Utilities Associates be terminated and that American Utilities Associates be liquidated and dissolved; and that American Gas and Power Company change its capital structure into a capital structure consisting of one class of stock, namely, common stock;

Notice is hereby given that on June 13, 1944, Community Gas and Power Company and American Gas and Power Company filed an application herein requesting the entry of an order by this Commission under section 11 (c) of the Act, extending for one year the time within which to comply with said Order dated July 2, 1943. All interested persons are referred to said application, which is on file in the office of the Commission, for a statement of the grounds upon which such extension of time is requested.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held for the purpose of considering said application,

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of this commission thereunder be held on July 14, 1944, at 10:00 a. m., e. w. t., at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's Order of July 2, 1943, and (2) whether an extension of time of one year, or of any shorter period, for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That notice of said hearing is hereby given to Community Gas and Power Company, American Gas and Power Company and their subsidiary companies and to all interested persons; said notice to be given to Community Gas and Power Company and American Gas and Power Company by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before July 10, 1944, an appropriate request or application to be heard, as

provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-9643; Filed, July 1, 1944;  
10:56 a. m.]

[File No. 54-89]

### THE UNITED CORPORATION

#### NOTICE OF FILING OF AMENDMENT AND ORDER REOPENING RECORD AND RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of June 1944.

Notice is hereby given that The United Corporation ("United"), a registered holding company, has filed an amendment to the plan heretofore submitted under section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effectuating compliance with section 11 (b) of said act:

All interested persons are referred to said amendment, designated as Amendment No. 2, on file in the offices of the Commission for a statement of the transactions now proposed, which may be summarized as follows:

Under the plan as heretofore filed and as more fully set forth in Holding Company Act Release No. 4870, United had proposed to offer to exchange for an outstanding share of its \$3 Cumulative Preference Stock, and any and all claims to accrued and unpaid dividends thereon, up to and including 1,244,356 shares of such stock, the following:

- (a) 1½ shares of the common stock of Philadelphia Electric Company;
- (b) ¼ share of the common stock of Delaware Power & Light Company; and
- (c) \$3.75 in cash.

Under the provisions of Amendment No. 2 to said plan, in lieu of the foregoing securities and cash, United now proposes to offer to exchange for an outstanding share of its \$3 Cumulative Preference Stock, and any and all claims to accrued and unpaid dividends thereon, up to and including 1,123,374 shares of such stock, the following:

- (a) 1⅓ shares of the common stock of Philadelphia Electric Company; and
- (b) \$5 in cash.

Hearings having been held with respect to the plan as heretofore proposed and the record closed on May 5, 1944, and said Amendment No. 2 having been filed prior to consideration by the Commission of the record heretofore made, and the Commission deeming it appropriate that a further hearing be held with respect to the amended provisions of said plan;

It is ordered, That the record in this matter be reopened for the purpose of considering the provisions of said amendment;

It is further ordered, That a hearing be held on July 17, 1944, at 11 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in

such room as may be designated on that day by the hearing room clerk in Room 318.

*It is further ordered,* That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That notice of said hearing be given to The United Corporation by mailing a copy of this notice and order forthwith by registered mail, and that notice be given to all other persons by a general release of this Commission distributed to the press and mailed to the mailing list for releases under the act, and by publication of this notice and order in the FEDERAL REGISTER.

*It is further ordered,* That any person desiring leave to be heard or otherwise wishing to participate in this proceeding shall notify the Commission on or before July 13, 1944 in the manner provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-9644; Filed, July 1, 1944;  
10:57 a. m.]

[File Nos. 70-911, 70-912, 70-913]

**ARKANSAS-MISSOURI POWER CORP., ET AL.**

**NOTICE OF FILING AND ORDER FOR AND  
CONSOLIDATION OF HEARING**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1944.

In the matters of Arkansas-Missouri Power Corporation, File No. 70-911; John E. Dwyer, trustee of the estate of Inland Power & Light Corporation, File No. 70-912; and Central States Edison, Inc., File No. 70-913.

Notice is hereby given that Arkansas-Missouri Power Corporation (Arkansas) and John E. Dwyer, Trustee of the Estate of Inland Power & Light Corporation (Inland), both registered holding companies, and Central States Edison, Inc. (Central), also a registered holding company, have filed with this Commission applications and declarations pursuant to sections 6, 7, 9, 10, 11, and 12 and Rules U-44 and U-45 and any other applicable sections of the act or rules thereunder. The applications and declarations concern the acquisition by Central of Inland's investment in its subsidiary, Missouri Edison Company (Missouri Edison), the acquisition by Missouri Edison of Arkansas' investment in its subsidiary, East Missouri Power Company (East Missouri), the contribution by Central of its investment on its subsidiary, Gasconade Power Company (Gasconade), to Missouri Edison, and the acquisition by Missouri Edison of

the physical properties and other assets of East Missouri and Gasconade.

All interested persons are referred to said documents, which are on file in the offices of this Commission, for a full statement of the transactions therein proposed, which are summarized below:

1. Central proposes to purchase and Inland proposes to sell 2,400 shares of common stock (all such outstanding shares) of Missouri Edison for \$290,481.61, subject to certain closing adjustments, and subject also to the transfer to Inland of any balance remaining in a certain tax escrow fund (\$42,000 at March 31, 1944) after payment of tax liabilities, if any.

2. For the purpose of financing the acquisition of Missouri Edison, Central will cause Gasconade to issue to it a three year, 3% note, dated August 1, 1944, and maturing August 1, 1947, in the principal amount of \$300,000 in partial payment of existing note indebtedness of Gasconade to Central, aggregating \$476,490.32. Central will sell such note to Continental Bank and Trust Company of New York for the sum of \$300,000.

3. Central proposes to contribute to Gasconade \$176,490.32, representing the remaining balance of the principal amount of the existing note indebtedness of Gasconade to Central and to contribute to Missouri Edison its entire investment in Gasconade which will then consist of the common stock of Gasconade (954 shares of no par value). Thereafter, Gasconade will liquidate and Missouri Edison will acquire all its physical properties and other assets subject to its liabilities.

4. Missouri Edison proposes to purchase (under an assigned contract of purchase between Central and Arkansas) and Arkansas to sell (a) 14,547 shares of common stock (all such outstanding shares) of East Missouri for \$600,000 and (b) a \$30,000 open account indebtedness of East Missouri to Arkansas for \$30,000, subject to certain closing adjustments. Thereafter, East Missouri will be liquidated and Missouri Edison will acquire its physical properties and other assets, subject to its liabilities.

5. For the purpose of financing the acquisition of East Missouri, Missouri Edison will issue, under an Indenture supplemental to its present Indenture, and sell, at private sale, to Connecticut Mutual Life Insurance Company, at a price of 105, \$582,000 principal amount of 3¾% First Mortgage Bonds, Series B, dated July 1, 1944, and to mature July 1, 1969.

Central has indicated that the above proposed transactions are preliminary steps in a general program whereby Central will become an operating company and cease to be a holding company. The subsequent portion of the contemplated program, approval of which is not sought at this time, includes the acquisition by Central of the physical properties and assets of Missouri Edison, the sale of Natural Gas Service Company, The Sedan Gas Company and Blue Valley Electric Company wholly owned subsidiaries of Central, and the possible issuance of

an undetermined amount of preferred stock, not in excess of \$550,000, to the extent necessary (a) to redeem the publicly held preferred stock of Missouri Edison and (b) to pay the balance of the \$300,000 note indebtedness to be owing to Continental Bank and Trust Company.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective or said applications be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the declarations and applications of Arkansas (File No. 70-911), of Inland (File No. 70-912), and of Central (File No. 70-913) involve common questions of law and fact and should be consolidated and heard together:

*It is ordered,* That the proceedings in these matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on July 14, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission on or before July 10, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

*It is further ordered,* That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice; and

*It is further ordered,* That, without limiting the scope of the issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisition of Gasconade and East Missouri by Missouri Edison will serve the public interest by tending toward the economical and efficient development of an integrated public utility system or will be detrimental to the carrying out of the provisions of section 11 of the act.

2. Whether the proposed considerations to be received and paid in connection with each of the proposed sales and acquisitions are reasonable and bear a fair relation to the sums invested in or the earning capacity of the assets underlying the securities to be transferred.

3. Whether competitive conditions have been maintained in the negotiations of the proposed acquisitions.

4. Whether the proposed accounting entries on the books of Central and of its subsidiaries conform to the requirements of the act, whether the property accounts of Gasconade, East Missouri, and Missouri Edison, as stated on their respective books, include intangibles, property not used or useful, write-ups, or other inflationary items which should be eliminated or appropriately provided for, and whether the depreciation reserve and the proposed annual provision for maintenance and depreciation are adequate.

5. Whether the proposed issue and sale of securities by Gasconade and Missouri Edison are entitled to an exemption under section 6 (b) of the Act, and, if not, whether such issue and sale of securities meet the requirements of section 7 of the act.

6. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions in respect of the proposed transactions and, if so, what the terms and conditions should be.

7. Generally, whether the proposed transactions are detrimental to the public interest or to the interests of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

*It is further ordered,* That notice of the hearing aforesaid be given to the declarants and applicants and to the Missouri Public Service Commission and to all other persons; said notice to be given to the declarants and applicants and Missouri Public Service Commission by registered mail and to all persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the act, and by publication in the FEDERAL REGISTER.

*It is further ordered,* That jurisdiction be, and is hereby reserved to separate, whether for hearing in whole or in part, or for disposition in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to the subject matter of this proceeding and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-9645; Filed, July 1, 1944;  
10:57 a. m.]

[File No. 43-198]

OKLAHOMA POWER AND WATER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of June, A. D. 1944.

Oklahoma Power and Water Company, a subsidiary of The Middle West Corporation, a registered holding com-

pany, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance of \$850,000 principal amount of 2% promissory notes due \$100,000 on November 27, 1944, \$100,000 on March 27, 1945 and \$650,000 on July 27, 1945, secured by \$1,200,000 principal amount of Oklahoma Power and Water Company's 5% Bonds to certain banks in exchange for 3¾% notes due July 27, 1944 in the same principal amount held by such banks; and

Said declaration having been filed on June 8, 1944 and notice of filing having been given in the form and manner prescribed in Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and Oklahoma Power and Water Company having requested that such declaration be permitted to become effective on or before July 15, 1944; and

The Commission finding under section 7 of said act that the requirements of section 7 (c) are satisfied and that no adverse findings are necessary under section 7 (d) and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective forthwith:

*It is hereby ordered,* Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-9646; Filed, July 1, 1944;  
10:57 a. m.]

[File No. 70-856]

UNITED UTILITIES, INC., AND CENTRAL GAS UTILITIES CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of June 1944.

Notice is hereby given that a declaration has been filed by United Utilities, Incorporated (United Utilities) a registered holding company, and The Central Gas Utilities Company (Central Gas), its wholly-owned subsidiary, seeking approval of the sale of a portion of the utility assets of Central Gas, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and that an application has been filed by United Utilities, pursuant to section 3 (a) (1) of the act, requesting, upon consummation of said sale, an order exempting it and every subsidiary company thereof as such from all of the provisions of the Act.

All interested persons are referred to said declaration and application which are on file at the offices of this Commis-

sion for a statement of the proposals which are summarized as follows:

Pursuant to an agreement, dated May 1, 1944, Central Gas proposes to sell to Reece E. McGee, of Blackwell, Oklahoma, an individual and non-affiliate, for a cash consideration of \$1,000,000 subject to closing adjustments, a portion of its utility assets, consisting of gas wells, pipe lines and gas distribution systems, comprising its Western Division, located in the States of Colorado and Kansas. The proceeds from such sale will be used by Central Gas to discharge a note indebtedness in the principal amount of \$349,000, due United Utilities, and to cancel or redeem part of its capital stock.

The applicant states that after consummation of such sale United Utilities and its public utility subsidiaries will be predominantly intrastate in character and will carry on their business substantially in Kansas, the state in which both the holding company and its public utility subsidiaries are organized, and that, therefore, such companies will be entitled to an exemption pursuant to section 3 (a) (1) of the act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and application and that said declaration shall not become effective and said application shall not be granted except pursuant to further order of the Commission;

*It is ordered,* That a hearing on said declaration and application under the applicable provisions of the act and the rules of the Commission thereunder be held on July 17, 1944 at 10:00 A. M., E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before July 12, 1944.

*It is further ordered,* That Willis E. Monty or any other officer or officers of the Commission designated by it shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That, without limiting the scope of the issues presented by said declaration and application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether competitive conditions have been maintained in the negotiation of the proposed sale, whether the consideration to be received is fair and whether the sale otherwise complies with the requirements of the act and the rules thereunder.

(2) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in respect to the proposed sale and, if so, what these terms and conditions should be.

(3) Whether the Commission should find with respect to United Utilities that such applicant and every subsidiary company thereof which is a public-utility company from which such applicant derives, directly or indirectly, any material part of its income, are predominantly intrastate in character and carry on their business substantially in a single state in which such applicant and every such subsidiary company thereof are organized.

(4) Whether, if otherwise consistent with the applicable exemption requirements of section 3 (a) of the act, the exemption of United Utilities, and every subsidiary thereof as such, from the integration requirements of section 11 (b) (1) or from any other provision or provisions of the act will be detrimental to the public interest or the interest of investors or consumers.

(5) Whether, in the event an exemption or partial exemption should be granted the applicant, it is necessary or appropriate to impose terms or conditions in the public interest or in the interest of investors or consumers and if so, what those terms and conditions should be.

*It is further ordered,* That notice of this hearing be given to the declarants and applicant and to all other persons; said notice to be given to the declarants and applicant and to the State Corporation Commission of Kansas and the Public Service Commission of Colorado by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

*It is further ordered,* That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-9716; Filed, July 3, 1944;  
9:56 a. m.]

#### WAR PRODUCTION BOARD.

ALLIED INDUSTRIAL DIAMOND CO.

##### CONSENT ORDER

Armand Goldmuntz, Simon Rapaport, and Sylvain Goldmuntz, co-partners doing business under the trade name and style of Allied Industrial Diamond Company at 527 Fifth Avenue, City, County and State of New York, in the purchase and sale of industrial diamonds, are charged by the War Production Board with having, during the month of January, 1944, sold and transferred industrial diamonds weighing 712.20 karats in violation of War Production Board General Preference Order M-109. They are further charged with having at the time

full knowledge that the purchaser intended to have the diamonds cut and polished as gem stones; and also with having had at the time of the sale personal knowledge of the contents, prohibitions and restrictions contained in General Preference Order M-109 and, therefore, their sale of the diamonds in violation of the order must be deemed wilful.

Armand Goldmuntz, Simon Rapaport, and Sylvain Goldmuntz admit the violation as charged and do not desire to contest the same and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Armand Goldmuntz, Simon Rapaport, and Sylvain Goldmuntz, and the approval of the Regional Compliance Manager, the Regional Attorney and of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Armand Goldmuntz, Simon Rapaport, and Sylvain Goldmuntz, co-partners doing business under the trade name and style of Allied Industrial Diamond Company, or under any other name, their successors or assigns, shall neither sell or transfer, nor offer to sell or transfer, nor purchase or accept a transfer, nor offer to purchase or to accept a transfer of rough diamonds, i. e. diamond material that has not been cut and polished as a gem stone or that has been incorporated in an unused tool or other device, unless authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Armand Goldmuntz, Simon Rapaport, and Sylvain Goldmuntz, co-partners doing business under the trade name and style of Allied Industrial Diamond Company, or under any other name, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 1, 1944, and shall expire on October 31, 1944.

Issued this 27th day of June 1944.

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

[F. R. Doc. 44-9699; Filed, July 1, 1944;  
4:12 p. m.]

SILBERBERGS, INC.

##### CONSENT ORDER

Silberbergs, Inc., a corporation of the State of New York, having its principal place of business at 2118 Main Street, Niagara Falls, New York is engaged in the business of selling men's clothing at retail, and was found in an investigation by the War Production Board to have violated Consumers' Goods Inventory Limitation Order L-219 in that during the period from May 1, 1943, through April 30, 1944, its actual receipts of consumer goods was \$175,025.04 in excess of its allowable receipts of \$123,268.95 for such period. Silberbergs, Inc., admits the violation of the order as charged by

the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Silberbergs, Inc. and the approval of the Regional Compliance Manager, Regional Attorney, and the Compliance Commissioner, *It is hereby ordered,* That:

(a) Silberbergs, Inc., a corporation of New York, its successors and assigns, shall not receive any consumers' goods as defined by Consumers' Goods Inventory Limitation Order L-219 during July, 1944, and its normal receipts during the months of August, September and October, 1944, as computed by the provisions of Consumers' Goods Inventory Limitation Order L-219 shall be reduced by 50%, unless hereinafter specifically authorized in writing by the War Production Board.

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

(c) This order shall take effect on July 1, 1944, and shall expire on October 31, 1944.

Issued this 28th day of June 1944.

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

[F. R. Doc. 44-9701; Filed, July 1, 1944;  
4:12 p. m.]

MARTIN JARVIS

##### CONSENT ORDER

Martin Jarvis, who resides at 909 S. 20th Street, Philadelphia, Pennsylvania, on or about March 4, 1944, began construction on the remodeling of a single family residence into a five family apartment building at 2321 Catherine Street, Philadelphia, Pennsylvania, the estimated cost of which was in excess of \$200.00 limit permitted by Conservation Order L-41. Mr. Jarvis admits this violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Martin Jarvis, the Regional Compliance Manager and the Deputy Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Martin Jarvis, his agents or contractors shall not engage in further construction on the premises at 2321 Catherine Street, Philadelphia, Pennsylvania, unless and until specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Martin Jarvis, his agents or contractors, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 1st day of July 1944.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9702; Filed, July 1, 1944;  
4:12 p. m.]

STA-RITE LACQUER CORP.

CONSENT ORDER

Sta-Rite Lacquer Corp., located at 597 Sackett Street, Brooklyn, New York, engaged in the manufacture and sale of lacquers and similar products, was charged by the War Production Board on May 1, 1944, with having wilfully violated § 944.11 of Priorities Regulation No. 1 as amended May 15, 1943, by having wilfully failed to dispose of materials allocated to it by the War Production Board for the purposes or uses authorized in such allocations, and with having wilfully violated § 944.15 of Priorities Regulation No. 1 as amended May 15, 1943, by having failed to maintain accurate and complete records of its inventories of materials received on allocation or adequate and complete records of the disposition of such materials. The violations in question began on September 1, 1943 and continued through February 29, 1944. Sta-Rite Lacquer Corp. admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Sta-Rite Lacquer Corp., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) No authorizations to use, or to accept deliveries of Butyl Alcohol and Butyl Acetate, Aromatic Solvents, Xylol, Ethyl

Acetate, Phthalic Alkyd Resins or Melamine Aldehyde Resin shall be made to Sta-Rite Lacquer Corp., its successors or assigns.

(b) Sta-Rite Lacquer Corp., its successors or assigns, shall not use, or accept deliveries of Butyl Alcohol and Butyl Acetate, Aromatic Solvents, Xylol, Ethyl Acetate, Phthalic Alkyd Resins or Melamine Aldehyde Resin.

(c) Nothing contained in this order shall be deemed to relieve Sta-Rite Lacquer Corp., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 1, 1944, and shall expire on September 30, 1944.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9703; Filed, July 1, 1944;  
4:13 p. m.]

LEON TOM

CONSENT ORDER

Leon Tom of 63 Central Park South, City, County and State of New York, engaged in the business of a broker in the purchase and sale of diamonds, is charged by the War Production Board with having during the month of January, 1944, acted as broker in the purchase and sale of rough diamonds (not incorporated in a tool or other device) weighing 712.20 karats, the sale being made by Allied Industrial Diamond Company of 527 Fifth Avenue, New York City, and in aiding and abetting such purchase and sale in violation of War

Production Board General Preference Order M-109. Leon Tom is charged with having had at the time of the purchase and sale personal knowledge of the contents, prohibitions and restrictions contained in General Preference Order M-109, and therefore, his participation in the violation must be deemed wilful. It appears, however, that Leon Tom gained no more from the transaction than the customary brokerage commission of \$1.00 per karat, or \$712.20.

Leon Tom admits the violation as charged and does not desire to contest the same and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Leon Tom, and the approval of the Regional Compliance Manager, the Regional Attorney and of the Compliance Commissioner, *It is hereby ordered, That:*

(a) On and after the effective date of this order, Leon Tom, his successors or assigns, shall neither sell or transfer, nor purchase or accept a transfer of rough diamonds, i. e. diamond material that has not been cut and polished as a gem stone, unless authorized in writing by the War Production Board.

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

(c) This order shall take effect on July 1, 1944, and shall expire on August 31, 1944.

Issued this 1st day of July 1944.

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

[F. R. Doc. 44-9700, Filed, July 1, 1944  
4:12 p. m.]