





Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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

**NOTICE**

The 1944 Supplement to the Code of the Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 per book.

Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

Book 3: Titles 33-50, including a general index and ancillary tables.

**CONTENTS—Continued**

<b>FOREST SERVICE:</b>	Page
Trespass; Sitgreaves National Forest, removal of trespassing horses.....	846
<b>IMMIGRATION AND NATURALIZATION SERVICE:</b>	
Alien seamen; submission of crew lists for vessels arriving at ports on Great Lakes .....	828
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Adjustments and pricing orders:	
Amsco-Wire Products Corp.....	858
Apco Mossberg Co.....	857
Apex Electrical Mfg. Co.....	865
Bell Sound Systems, Inc.....	857
Durham Mfg. Co.....	857
Fedders Mfg. Co.....	862
Girton Mfg. Co.....	864
Hamilton Mfg. Co.....	863
Hammond Brass Works.....	856
Hood Rubber Co. (2 documents).....	862
Igloo Foods, Inc.....	864
Ironrite Ironer Co.....	858
J. O. Mfg. Co.....	861
Meyers, Fred L., Co., Inc.....	830

**CONTENTS—Continued**

<b>OFFICE OF PRICE ADMINISTRATION—Continued.</b>	Page
Adjustments and pricing orders—Continued.	
Michigan Maple Block Co. (2 documents).....	859, 861
New Castle Welding and Mfg. Co.....	863
Olsen, O. C. S., Co. (2 documents).....	859
Paragon Utilities Corp.....	864
Professional Mfg. Co.....	860
Round Oak Co.....	865
Secure Lock Co.....	865
Sunshine Coal Co.....	858
Todhunter Mfg. Co.....	862
Tilley, John S., Ladders Co., Inc.....	859
Wilson Foundry and Machine Co.....	861
Wilson Industries, Inc.....	862
Bread (Order 101 under 18 (c), Am. 1) (Corr.).....	858
Cotton linters and hull fibers (2d Rev. MPR 191).....	842
Dairy products (RMPR 289, Am. 44).....	840
Foods sold at retail:	
Group 1 and 2 stores (MPR 423, Am. 63; Am. 64) (2 documents).....	842
Group 3 and 4 stores (MPR 422, Am. 65; Am. 66) (2 documents).....	841, 842
Foods sold at wholesale (MPR 421, Am. 29).....	842
Fruits, berries and vegetables, frozen, and related products (1945 and later packs) (FPR 1, Supp. 17).....	830
Paper, waxed (MPR 307, Am. 5).....	845
Plumbing fixture supply fittings and trimmings, brass (MPR 591, Am. 7 to Order 48).....	866
Regional and district office order; community ceiling prices, list of orders filed.....	867
Screen goods, stock (MPR 381, Order 2).....	866
Spirits, distilled, and wines (MPR 445, Am. 39).....	845
<b>SECURITIES AND EXCHANGE COMMISSION:</b>	
Hearings, etc.:	
Iowa Power and Light Co.....	867
Mead Corp.....	867
Norfolk Southern Railroad Co.....	868
<b>SURPLUS PROPERTY ADMINISTRATION:</b>	
Aluminum scrap; reports of sales and inventory.....	846

**CODIFICATION GUIDE**

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

<b>TITLE 6—AGRICULTURAL CREDIT:</b>	Page
Chapter II—Production and Marketing Administration:	
Part 243—Dairy production payments.....	827
<b>TITLE 8—ALIENS AND NATIONALITY:</b>	
Chapter I—Immigration and Naturalization Service:	
Part 120—Alien seamen.....	823

**CODIFICATION GUIDE—Continued**

<b>TITLE 32—NATIONAL DEFENSE:</b>	Page
Chapter IX—Civilian Production Administration:	
Part 944—Regulations applicable to operation of priorities system (3 documents).....	829
Chapter XXIII—Surplus Property Administration:	
Part 8312—Aluminum scrap.....	846
<b>TITLE 36—PARKS AND FORESTS:</b>	
Chapter II—Forest Service:	
Part 261—Trespass.....	846
<b>TITLE 46—SHIPPING:</b>	
Chapter I—Coast Guard: Inspection and Navigation:	
Part 24—General provisions (Motorboats, etc.).....	846
Part 25—Requirements for all motorboats except those of over 15 gross tons carrying passengers for hire.....	846
Part 28—Specifications and procedure for approval of equipment.....	847
Part 29—Numbering of undocumented vessels.....	847
Part 37—Specifications for lifesaving appliances.....	847
Part 59—Boats, rafts, bulkheads, and lifesaving appliances (ocean).....	847
Part 60—Boats, rafts, bulkheads, and lifesaving appliances (coastwise).....	847
Part 76—Boats, rafts, bulkheads and lifesaving appliances (Great Lakes).....	847
Part 94—Boats, rafts, bulkheads, and lifesaving appliances (other than Great Lakes).....	847
Part 113—Boats, rafts, bulkheads, and lifesaving appliances (rivers).....	847
Part 160—Lifesaving equipment (2 documents).....	847, 848

**TITLE 8—ALIENS AND NATIONALITY**

**Chapter I—Immigration and Naturalization Service**

**PART 120—ALIEN SEAMEN**

**SUBMISSION OF CREW LISTS FOR CERTAIN VESSELS ARRIVING AT PORTS ON THE GREAT LAKES**

DECEMBER 11, 1945.

Section 120.8, Title 8, Chapter I, Code of Federal Regulations is amended by adding a second proviso to the first sentence of that section so that said first sentence will read as follows: "The lists provided for by section 36 of the act of February 5, 1917 (39 Stat. 896; 8 U.S.C. 171), to be delivered upon arrival, containing the names of all aliens employed on the vessel and other information concerning them, shall be typewritten or printed in the English language on white commercial ledger paper 18½ by 36 inches, basis 50 pounds, in sheets 18 by 18 inches, and according in every respect to Form I-480 now in use and approved

by the Commissioner of Immigration and Naturalization, or in such form or forms as may hereafter be prescribed: *Provided*, That such lists may be written in longhand whenever it is impracticable to typewrite or print them: *Provided further*, That such lists may be furnished on Form I-481 in the cases of vessels of United States, Canadian, or British registry, enrollment, or license engaged solely in traffic between the United States and Canada and traveling solely over one or more of the following waterways: Great Lakes, waterways connecting the Great Lakes, St. Lawrence River, St. Croix River, Passamaquoddy Bay, Lake Memphremagog, Lake Champlain, Rainy Lake, Rainy River, and Lake of the Woods."

This amendment shall become effective at the time of filing with the Division of the Federal Register.

(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 (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,  
Commissioner of  
Immigration and Naturalization.

Approved: January 17, 1946.

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 46-1150; Filed, Jan. 22, 1946;  
10:27 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 5]

##### USE OF HH RATINGS FOR GYPSUM BOARD AND GYPSUM LATH IN THE RECONVERSION HOUSING PROGRAM

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

(a) *Purpose of this direction.* Priorities Regulation 33 provides for the assignment to builders of HH preference ratings to secure materials, listed on Schedule A of that regulation, which are required for use in the Reconversion Housing Program. Among these are gypsum board and gypsum lath. This direction explains the use of the HH rating and also what the restrictions are in connection with the sale of gypsum board and gypsum lath by producers and dealers.

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

(1) "Gypsum board" means only those products made from gypsum and commonly referred to in the building trade as wall board, long board, wide board, laminated board or sheathing. The term does not include precast reinforced gypsum roof plank.

(2) "Gypsum lath" means the gypsum product made especially for use as a plaster base.

(3) "Producer" means a person owning or operating facilities in which gypsum board or gypsum lath are manufactured.

(4) "Dealer" means a person who buys gypsum board or gypsum lath from a producer or other person for resale as such.

(c) *HH ratings are not extendible.* A dealer who receives an HH rated order for gypsum board or gypsum lath shall not extend the rating.

(d) *Handling of HH rated orders by producers.* A producer need not accept any HH rated orders for gypsum board or gypsum lath. This is the general rule. But a producer who sells any portion of his production directly to persons other than dealers or manufacturers of pre-fabricated housing must sell that portion according to the following rule: Beginning February 1, 1946, at least two-thirds of all gypsum board and gypsum lath (calculated on a combined square footage basis) sold by the producer to persons other than dealers or manufacturers of pre-fabricated housing, must be sold on HH or AAA rated orders. Thus a producer shall not sell or deliver more gypsum board or gypsum lath to such persons on other than HH rated orders than one-half of the quantity he has sold or delivered on HH or AAA rated orders since February 1, 1946.

(e) *Maximum amounts dealers need to sell on HH rated orders.* Dealers must accept and fill rated orders (AAA, MM, CC, and HH) for gypsum board or gypsum lath in accordance with the provisions of Priorities Regulation 1, except that no dealer is required to accept HH rated orders for more than two-thirds of all gypsum board and gypsum lath (calculated on a combined square footage basis) sold or delivered by him since February 1, 1946. Direct shipments from a producer to a user for a dealer's account shall be considered as deliveries by the dealer. Sales or deliveries by dealers to other dealers shall not be considered as sales or deliveries for the purposes of this paragraph. A dealer may not reject an HH rated order which he is not required to fill under the above rule, but must promptly notify his customer approximately when he expects to fill the order out of later shipments.

Issued this 21st day of January 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-1146; Filed, Jan. 21, 1946;  
4:34 p. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 6]

##### USE OF HH RATINGS FOR COMMON AND FACE BRICK AND COMMON AND FACE STRUCTURAL TILE IN THE RECONVERSION HOUSING PROGRAM

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

(a) *Purpose of this direction.* Priorities Regulation 33 provides for the assignment to

builders of HH preference ratings to secure materials listed on Schedule A of that regulation, which are required for use in the Reconversion Housing Program. Among these are common and face brick and common and face structural tile. This direction explains the use of the HH rating and also what the restrictions are in connection with the shipment of brick and tile by producers.

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

(1) "Producer" means a person owning or operating facilities in which common and face brick or common and face structural tile are manufactured.

(2) "Brick" means common and face brick.

(3) "Tile" means common and face structural tile.

(c) *Extendibility of HH ratings.* A person, other than a producer, who receives an HH rated order for brick or tile may extend the rating to get the brick or tile which he will deliver on that order. A producer who receives an HH rated order for brick or tile may not extend the rating.

(d) *Producers to ship 60% of production against HH orders.* A producer must accept and fill rated orders (AAA, MM, CC and HH) for brick and tile in accordance with the provisions of Priorities Regulation 1, subject to the following rule: Beginning February 1, 1946, a producer must accept during any calendar month, in preference to all other rated orders, except AAA, all HH rated orders which he receives before the 20th day of the month calling for shipment during that month up to 60% of his scheduled production of brick (measured in thousands) and 60% of his scheduled production of tile (measured in short tons) for that month. No producer, however, is required to accept HH rated orders for more than this percentage of his production of brick or tile in any month. This Direction does not require any set-aside of brick or tile by a producer.

If an HH rated order is received after the 20th day of the month in which shipment is required, or if at least 60% of that month's scheduled production has been shipped or is scheduled for shipment on HH orders, then the producer need not accept the HH order. But he must promptly notify his customer telling him approximately when he could make the shipment, based on the requirement of this paragraph, namely, that at least 60% of each month's production must be shipped on the HH orders which he receives.

(e) *Producers may refuse HH orders from purchasers outside their areas.* A producer may refuse to accept an order for brick or tile bearing an HH rating offered to him for use on Reconversion Housing projects in any area to which he has not delivered brick or tile in the past five years.

Issued this 21st day of January 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-1073; Filed, Jan. 21, 1946;  
4:34 p. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 7]

##### USE OF HH RATINGS FOR CONCRETE BLOCKS IN THE RECONVERSION HOUSING PROGRAM

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

(a) *Purpose of this direction.* Priorities Regulation 33 provides for the assignment to builders of HH preference ratings to secure materials listed on Schedule A of that regulation, which are required for use in the Reconversion Housing Program. Among these are concrete blocks. This direction explains the use of the HH rating and also what the restrictions are in connection with the shipment of concrete blocks by producers.

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

(1) "Producer" means a person owning or operating facilities in which concrete blocks are manufactured.

(2) "Concrete blocks" means light weight and heavy weight aggregate concrete blocks. Light weight aggregate includes such materials as cinders, burned clay or shale, and blast furnace slag. Heavy weight aggregate includes such materials as sand, gravel, and crushed stone.

(c) *Extendibility of HH ratings.* A person, other than a producer, who receives an HH rated order for concrete blocks may extend the rating to get the concrete blocks which he will deliver on that order. A producer who receives an HH rated order for concrete blocks may not extend the rating.

(d) *Producers to ship 60% of production against HH orders.* A producer must accept and fill rated orders (AAA, MM, CC and HH) for concrete blocks in accordance with the provisions of Priorities Regulation 1, subject to the following rule: Beginning February 1, 1946, a producer must accept during any calendar month, in preference to all other rated orders, except AAA, all HH rated orders which he receives before the 20th day of the month calling for shipment during that month up to 60% of his scheduled production of concrete blocks (measured in thousands, 8 x 8 x 16 equivalent) for that month. No producer, however, is required to accept HH rated orders for more than this percentage of his production of concrete blocks in any month. This direction does not require any set-aside of concrete blocks by a producer.

If an HH rated order is received after the 20th day of the month in which shipment is required, or if at least 60% of that month's scheduled production has been shipped or is scheduled for shipment on HH orders, then the producer need not accept the HH order. But he must promptly notify his customer telling him approximately when he could make the shipment, based on the requirement of this paragraph, namely, that at least 60% of each month's production must be shipped on the HH orders which he receives.

(e) *Producers may refuse HH orders from purchasers outside their areas.* A producer may refuse to accept an order for concrete blocks bearing an HH rating offered to him for use on Reconversion Housing projects in any area to which he has not delivered concrete blocks in the past five years.

Issued this 21st day of January 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-1145; Filed, Jan. 21, 1946;  
4:33 p. m.]

#### Chapter XI—Office of Price Administration

##### PART 1351—FOOD AND FOOD PRODUCTS [FPR 1, Supp. 17]

##### CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS (1945 AND LATER PACKS)

A statement of the considerations involved in the issuance of this supplement

<sup>1</sup> 9 F.R. 6711; 10 F.R. 11298, 12446.

has been issued and filed with the Division of the Federal Register.

#### ARTICLE I—EXPLANATION OF THE SUPPLEMENT Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

#### ARTICLE II—PRICING PROVISIONS

4. Processors' maximum prices for frozen red sour pitted cherries and certain frozen berries, in barrels, in "John Strange pails", and in other containers having a capacity of 11 pounds or more, and for certain related products.
5. Processors' maximum prices for frozen fruits, berries and vegetables (other than the container types and sizes of frozen red sour pitted cherries and certain frozen berries priced under section 4).
6. Maximum prices for custom packing in certain cases.
7. Maximum prices for imported frozen wild blueberries.
8. Maximum prices for sales by certain wholesalers.
9. Storage.
10. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

#### ARTICLE III—MISCELLANEOUS PROVISIONS

11. Reports that processors must file.
12. Individual adjustment of processors' maximum prices.
13. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: § 1351.482, issued under 56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

#### ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) In general this supplement establishes maximum prices for the 1945 and later packs of frozen fruits, berries and vegetables. It also covers red sour cherries, pitted and packed with or without sugar (but not frozen) in containers that are not hermetically sealed (see section 4 (b), below).

Processors' maximum prices for sales of frozen red sour pitted cherries and certain frozen berries, in barrels, in "John Strange pails", and in other containers having a capacity of 11 pounds or more, to purchasers other than government procurement agencies, are covered by section 4. These products, when packed in containers other than those specified above, together with all of the other frozen fruits, berries and vegetables covered by this supplement, are covered by section 5, for sales by processors to purchasers other than government procurement agencies.

This supplement also establishes maximum prices for the services of custom packing fruits and berries wherever the finished product is an item of frozen fruits or berries covered by the supplement (see section 6, below). However, the service of freezing (without preliminary or other processing) when performed by a public cold storage warehouse, is not covered by this supplement.

(b) This supplement applies to sales by all persons except wholesalers and

retailers. Sales by wagon wholesalers, however, are included, as well as sales of frozen wild blueberries, processed in Canada or Newfoundland, to commercial, industrial and institutional users, by wholesalers who are importers, and sales of frozen fruits and berries in containers having a capacity of more than 50 pounds by wholesalers.

(c) This supplement applies in the 48 States of the United States and the District of Columbia.

(d) This supplement supersedes the provisions of all other maximum price regulations and orders only as to the products listed and sellers covered.

(e) This supplement becomes effective January 28, 1946.

SEC. 2. *Applicability of Food Products Regulation No. 1.* IMPORTANT: Not all of the provisions affecting the maximum prices of the listed frozen and related products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the Regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

(1) "No-storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period no longer than 30 days after the goods were put in cold storage.

(2) "Storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period longer than 30 days after the goods were put in cold storage.

(3) "Style of pack" means the form and sugar basis of the pack.

*Examples:* Frozen sliced strawberries are a different style of pack from frozen whole strawberries. Frozen whole strawberries on a sugar basis of 4 plus 1 are likewise a different style of pack from frozen whole strawberries on a sugar basis of 5 plus 1.

(4) "Frozen fruits," "frozen berries" and "frozen vegetables" include the purees of these products (except where specifically excluded) and mixtures of different fruits, different berries and different vegetables, respectively, when frozen and enclosed in containers, whether or not hermetically sealed.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

- "Person" (sec. 1.1 of FPR 1).
- "Processor" (sec. 1.2 of FPR 1).
- "Distributor" (sec. 1.3 of FPR 1).
- "Repacker" (sec. 1.4 of FPR 1).
- "Primary distributor" (sec. 1.5 of FPR 1).
- "Wholesaler" and "retailer" (sec. 1.6 of FPR 1).

"Ultimate consumer" (sec. 1.7 of FPR 1).  
 "Item" (sec. 1.8 of FPR 1).  
 "Container type" (sec. 1.9 of FPR 1).  
 "Sale" (sec. 1.10 of FPR 1).  
 "Price" (sec. 1.11 of FPR 1).  
 "Net delivered cost" (sec. 1.12 of FPR 1).  
 "Records" (sec. 1.14 of FPR 1).

ARTICLE III—PRICING PROVISIONS

SEC. 4. Processors' maximum prices for frozen red sour pitted cherries and certain frozen berries, in barrels, in "John Strange pails", and in other containers having a capacity of 11 pounds or more, and for certain related products—(a)

(b) Red sour cherries (excluding pures), pitted and packed with or without sugar (but not frozen) in containers that are not hermetically sealed—(1) In barrels and in other containers (except "John Strange pails") having a capacity of 11 pounds or more. For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. shipping point, for each item of red sour cherries (excluding pures) of the 1945 and later packs, pitted and packed with or without sugar (but not frozen) in barrels, or in other containers (except "John Strange pails") having a capacity of 11 pounds or more, in the following manner:

(i) For the product packed in barrels, he shall subtract 1/4 cent per pound from the maximum price named for the appropriate area in Table 1 in paragraph (a) (1), above, for the corresponding style of pack of frozen red sour pitted cherries packed in barrels.

(ii) For the product packed in containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more, he shall subtract 1/4 cent per pound from the maximum price named for the appropriate area in Table

2 in paragraph (a) (1), above, for the corresponding style of pack of frozen red sour pitted cherries packed in containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more.

(2) In containers and styles of pack not priced under subparagraph (1), above. For sales to purchasers other than government procurement agencies of an item of red sour cherries of the 1945 and later packs, pitted and packed with or without sugar (but not hermetically sealed, or in any style of pack, that is not priced under subparagraph (1), above, the processor shall apply for a maximum price under section 10 (d), below.

(c) Certain frozen berries (excluding pures)—(1) In barrels, and in other containers (except "John Strange pails") having a capacity of 11 pounds or more. For sales to purchasers other than government procurement agencies, the maximum prices per pound, f. o. b. shipping point, on a no-storage basis, which a processor may charge for the following frozen berries (excluding pures) of the 1945 and later packs, in barrels, and in other containers (except "John Strange pails") having a capacity of 11 pounds or more, shall be as follows:

TABLE 1—IN BARRELS

Style of pack	Maximum price per pound					
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
5-1	\$.1375	\$.1350	\$.1625	\$.1300	\$.1600	\$.1850
6-1	.1375	.1350	.1650	.1300	.1625	.1875
7-1	.1400	.1375	.1650	.1300	.1625	.1900
8-1	.1375	.1350	.1675	.1325	.1650	.1900
9-1	.1400	.1375	.1675	.1325	.1650	.1925
10-1	.1400	.1400	.1700	.1350	.1675	.1925
11-1	.1425	.1400	.1700	.1350	.1675	.1950
12-1	.1425	.1400	.1700	.1350	.1675	.1950
13-1	.1425	.1400	.1700	.1350	.1675	.1950
14-1	.1425	.1400	.1700	.1350	.1675	.1950
15-1	.1450	.1425	.1750	.1375	.1725	.2025
Straight-pack, and all styles of pack containing 16 or more parts fruit to one part sugar						

TABLE 2—IN CONTAINERS (OTHER THAN BARRELS AND "JOHN STRANGE PAILS") HAVING A CAPACITY OF 11 POUNDS OR MORE

Style of pack	Maximum price per pound					
	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
5-1	\$.1400	\$.1375	\$.1650	\$.1325	\$.1625	\$.1875
6-1	.1400	.1375	.1675	.1325	.1650	.1900
7-1	.1400	.1375	.1675	.1325	.1650	.1925
8-1	.1425	.1400	.1700	.1350	.1675	.1925
9-1	.1425	.1400	.1700	.1350	.1675	.1950
10-1	.1425	.1425	.1725	.1375	.1675	.1975
11-1	.1450	.1425	.1725	.1375	.1700	.1975
12-1	.1450	.1425	.1725	.1375	.1700	.1975
13-1	.1450	.1425	.1725	.1375	.1700	.1975
14-1	.1450	.1425	.1725	.1375	.1700	.1975
15-1	.1475	.1450	.1775	.1400	.1750	.2050
Straight-pack, and all styles of pack containing 16 or more parts fruit to one part sugar						

(2) In "John Strange pails." For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. shipping point, on a no-storage basis, under section 10 (b), below, for each item of frozen red sour pitted cherries of the 1945 and later packs in "John Strange pails." For this purpose, however, the "base container" shall be a capacity of 11 pounds or more.

States included in areas:  
 Area 1: Washington.  
 Area 2: Idaho, Montana, Oregon and Utah.  
 Area 3: Colorado.  
 Area 4: Arizona, Nevada and California.  
 Area 5: Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming.  
 Area 6: All other states.

NOTE: The area named refers, in each case, to the area in which the processor's factory is located. The area in which the fruit was grown is not controlling.

Variety and style of pack	Maximum price per pound		
	In barrels		In other containers (except "John Strange pails") having a capacity of 11 pounds or more
	California	All other States	
Blackberries: Straight	\$.1700	\$.1725	\$.1800
Boysenberries: Straight	.1700	.1725	.1800
Gooseberries: Straight	.1700	.1725	.1800
Loganberries: Straight	.1700	.1725	.1800
Raspberries, black: Straight	.1800	.1825	.1900
Raspberries, red: 5-1	.1950	.1975	.2050
Straight	.2000	.2025	.2100
Strawberries (Ettersburg, Corvallis and Redheart varieties): 4-1	.2000	.2025	.2100
4-1 sortouts	.1800	.1825	.1900
5-1	.2050	.2075	.2150
Straight	.2200	.2225	.2300
Strawberries (other varieties): 4-1	.1850	.1875	.1950
4-1 sortouts	.1650	.1675	.1750
5-1	.1800	.1825	.1900
Straight	.2000	.2025	.2100
Youngberries: Straight	.1700	.1725	.1800

NOTE: The area named refers, in each case, to the area in which the processor's factory is located. The area in which the fruit was grown is not controlling.

(2) In "John Strange pails." For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. shipping point, on a no-storage basis, under section 10 (b), below, for each item of any of the frozen berries (excluding purees) of the 1945 and later packs listed in subparagraph (1), above, packed in "John Strange pails." For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more.

(d) *Certain frozen berry purees*—(1) In barrels, and in other containers (except "John Strange pails") having a capacity of 11 pounds or more. For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. shipping point, on a no-storage basis, for each item of straight-pack frozen berry puree made from any of the berries listed in paragraph (c) (1), above, packed in barrels or in other containers (except "John Strange pails") having a capacity of 11 pounds or more, by adding 3½ cents per pound for red raspberries and 3 cents per pound for all other berries to the maximum price named in paragraph (c) (1) for the appropriate area, for the same variety, straight-pack, packed in the same kind of container.

(2) In "John Strange pails." For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. shipping point, on a no-storage basis, for each item of straight-pack frozen berry puree made from any of the berries listed in paragraph (c) (1), above, packed in "John Strange pails," under section 10 (b), below, after he has first added 3½ cents per pound for red raspberries and 3 cents per pound for all other berries to the maximum price named in paragraph (c) (1), above, for the appropriate area, for the same variety, straight-pack, packed in containers (other than barrels) having a capacity of 11 pounds or more.

SEC. 5. Processors' maximum prices for frozen fruits, berries and vegetables (other than the container types and sizes of frozen red sour pitted cherries and certain frozen berries priced under section 4)—(a) *Frozen products covered by this section.* The frozen products covered by this section are listed below. However, this section does not cover frozen red sour pitted cherries, the frozen berries listed in section 4 (c) (1), nor the frozen berry purees covered by section 4 (d), when packed in barrels, in "John Strange pails", or in other containers having a capacity of 11 pounds or more.

(1) *Frozen fruits.*

Apples.	Grapes, Concord.
Applesauce.	Peaches.
Apricots.	Plums.
Cherries, red sour.	Prunes.
Cherries, sweet.	Mixed fruits.
Currants.	

(2) *Frozen berries.*

Blackberries.	Dewberries.
Blueberries.	Elderberries.
Boysenberries.	Gooseberries.
Cranberries.	Huckleberries.

Johnsonberries.  
Loganberries.  
Olympic berries.

Raspberries.  
Strawberries.  
Youngberries.

(3) *Frozen vegetables.*

Asparagus.	Corn, sweet.
Beans, lima.	Peas, green.
Beans, snap.	Pumpkin.
Broccoli.	Rhubarb.
Brussels sprouts.	Spinach.
Carrots.	Squash.
Cauliflower.	Mixed vegetables.

(b) *General pricing method.* The processor shall figure a maximum price for each factory at which he processes the item being priced. (However, he may then elect to combine prices as provided in section 10 (f).) For sales of an item on a no-storage basis to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, as follows. He shall:

(1) *Determine the base price.* First, the processor shall figure his weighted average price per dozen containers or other unit, f. o. b. shipping point, for the item being priced during the first 60 days after the beginning of the 1941 pack, revised to reflect no more than 30 days' storage. (This average price will be called the "base price".)

"Weighted average price" means the total gross sales dollars charged for the item divided by the number of dozens of containers or other units of that item sold. All sales contracts made in the regular course of business during the first 60 days after the beginning of the 1941 pack shall be included, except sales made to government procurement agencies, regardless of the year of pack or of the date of delivery. Sales contracts made at times other than during the first 60 days after the beginning of the 1941 pack shall not be included even though delivery was made during that period.

"Beginning of the 1941 pack" means the date on which the processor first began his 1941 pack of the particular product, as distinct from his pack of the particular item of the product, on the one hand, or his pack of the principal raw material used in the product, on the other.

"1941 pack" means that pack of the product the major portion of which was processed during the calendar year 1941.

(2) *Multiply by adjustment factor.* Next, the processor shall multiply his base price by the appropriate adjustment factor named below for the product and area in which his factory is located.

Product	Area 1	Area 2 <sup>1</sup>	Area 3	Area 4 <sup>2</sup>	Area 5 <sup>1</sup>
<i>Vegetables</i>					
Asparagus.....	115.0	(117.0 119.0 115.5)	115.0	(112.5 113.5 113.0)	117.0
Beans, lima.....	114.0	(117.5 117.5)	116.5	(114.0 113.5 113.0)	117.5
Beans, snap.....	115.0	(116.0 117.5)	115.0	(113.5 115.0 115.0)	117.5
Corn, sweet.....	116.5	(117.5 117.5)	115.0	(115.0 112.0 113.0)	117.0
Peas, green.....	113.5	(117.5 118.5)	114.0	(113.0 115.5 117.0)	117.5
Spinach.....	117.0	(120.5 118.5)	117.0	(117.0 117.0 117.0)	120.5
Other vegetables.....	119.0	(121.0 119.5)	119.0	(119.5 119.5 119.5)	121.0

See footnotes at end of table

Product	Area 1	Area 2 <sup>1</sup>	Area 3	Area 4 <sup>2</sup>	Area 5 <sup>1</sup>
<i>Fruits</i>					
Apples and applesauce.....	114.0	(114.0 114.5)	114.5	(113.0 114.0 113.5)	112.5
Apricots.....		(112.5 113.0)	114.0	(114.5 113.5 114.0)	113.0
Cherries.....	114.5	(115.5 113.0)	115.0	(114.0 115.0 114.0)	112.5
Grapes, Concord.....	115.0	(117.0 116.5)	117.0	(115.0 116.5 115.0)	113.5
Peaches.....	117.0	(119.0 111.5)	117.0	(112.5 113.5 111.0)	119.0
Other fruits.....	112.0	(113.0 113.0)	112.0	(111.0 112.0 113.0)	111.5
<i>Berries</i>					
Blackberries.....	114.0	(114.0 114.5)	114.0	(111.0 112.0 111.0)	111.0
Raspberries, black.....	112.5	(115.0 115.0)	112.5	(112.5 110.5 110.5)	110.5
Raspberries, red.....	111.5	(113.0 117.5)	111.5	(110.5 111.5 112.0)	110.5
Strawberries.....	118.0	(118.5 112.5)	116.5	(112.5 112.0 112.0)	111.0
Other berries.....	113.0	(113.5 113.5)	113.0	(113.0 113.0 111.0)	111.0

<sup>1</sup> For Areas 2 and 5, the first-named figure in each case applies to a processor who incurred an increase of 5 cents or less per hour (or no increase) in basic wage rate that became effective on or after January 1, 1944 and before August 18, 1945; the second-named figure in each case applies to a processor who incurred an increase of more than 5 cents per hour in basic wage rate that became effective on or after January 1, 1944 and before August 18, 1945.

"Basic wage rate" means the single rate or established range of rates applicable to a given job classification for straight time, day operation as included in the basic wage rate schedule covering all job classifications in a factory. However, for the purposes of this supplement, an increase in basic wage rate will be considered to have occurred only if the single rate or the mid-point of the range of rates for unskilled female labor has been increased.

<sup>2</sup> For Area 4, the first-named figure in each case applies to processors in California; the second-named figure applies to processors in all other states in the area.

States included in areas:  
Area 1: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont.

Area 2: Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia and West Virginia.

Area 3: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

Area 4: Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming.

Area 5: Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, South Carolina and Texas.

(3) *Subtract the 1941 raw material cost.* Next, the processor shall subtract from the resulting figure his 1941 weighted average raw material cost per dozen containers or other unit, delivered to his factory, figured by dividing the total amount paid for the 1941 crop of raw material used in processing the item by the number of dozens of containers or other units processed.

(4) *Add the 1945 raw material cost.* Finally, the processor shall add to the resulting figure his 1945 weighted average raw material cost, converted to units of the finished product by applying the simple average of his 1941 and 1943 case (unit) yields and by adjusting for grade yield according to his customary practice. (If he did not pack the product in 1943, he shall use the average of his 1941 and 1942 yields.) The 1945 raw material cost shall be figured on the basis of not less than the first 75% of his purchases of the raw material used by him in processing the product. However, the processor's weighted average raw material cost shall be figured on the basis of a weighted average raw material price no higher than the appropriate average price designated for payment to growers by the Department of Agriculture, as set forth below, except that for the quantities of any fruit actually purchased by grade or district classification announced



FRUITS AND BERRIES—1945—Continued

(Grades referred to are those specified in the joint announcements of United States Department of Agriculture and Office of Price Administration)

Raw material	Area	Price <sup>1</sup>	Raw material	Area	Price <sup>1</sup>
Currants.....	New York..... All other States.....	\$0.15 per pound. 1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>	Mixed fruits.....	All States.....	The appropriate price provided above for each fruit in mixture, figured separately for the amount of each variety used in the item.
Grapes, Concord.....	Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New York, Pennsylvania, Ohio, Michigan, New Jersey, North Dakota, South Dakota, Nebraska, Illinois, Iowa, Indiana, Wisconsin and Minnesota. Washington, Oregon, Idaho, Montana and Wyoming. All other States.....	\$127.00 per ton. \$54.00 per ton. Price actually paid.	Blackberries.....	All States.....	\$0.12 per pound. \$0.155 per pound.
Peaches, Clingstone: Average..... Grade 1..... Grade 2.....	California..... Other States.....	\$60.00 per ton. \$63.50 per ton. \$30.00 per ton. \$50.00 per ton.	Blueberries: Wild.....	Maine, New Hampshire, Vermont, and Massachusetts. All other areas.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
Peaches, Freestone: Elbertas and Hales. Lovells and others. All varieties.....	California..... California..... Montana, Wyoming, Colorado, New Mexico, and all States west thereof except California. Oregon and Washington.....	\$54.00 per ton. \$47.00 per ton. \$60.00 per ton. \$62.00 per ton. \$59.00 per ton. \$50.00 per ton.	Cultivated.....	New Jersey..... All other areas.....	\$0.21 per pound. 1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
Grade 1..... Grade 2..... All varieties.....	North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma and Texas. North Dakota, South Dakota, Nebraska, Kansas, Missouri, Illinois, Indiana, Ohio, West Virginia, Virginia and all States east and north thereof.	\$60.00 per ton. \$60.00 per ton. \$60.00 per ton.	Boysenberries.....	All States.....	\$0.12 per pound.
All varieties.....	California, Oregon and Washington, Idaho and Utah. All other States.....	\$60.00 per ton. 1942 cost as required to be computed under MPR 207 plus \$4.00 per ton. <sup>2</sup>	Cranberries.....	All States.....	\$16.02 per 100-pound barrel.
Plums.....	California, Oregon and Washington, Idaho and Utah. All other States.....	\$60.00 per ton. 1942 cost as required to be computed under MPR 207 plus \$4.00 per ton. <sup>2</sup>	Dewberries.....	All States.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
Prunes.....	All States.....	\$55.00 per ton.	Elderberries.....	All States.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
			Gooseberries.....	All States.....	\$0.08 per pound.
			Huckleberries.....	All States.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
			Johnsonberries.....	All States.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
			Loganberries.....	All States.....	\$0.12 per pound.
			Olympic berries.....	All States.....	1942 cost as required to be computed under MPR 207 plus \$0.03 per pound. <sup>2</sup>
			Raspberries, black.....	All States.....	\$0.13 per pound.
			Raspberries, red.....	All States.....	\$0.15 per pound.
			Strawberries: Ettersburg, Corvallis and Redheart, stemmed basis. <sup>3</sup> Others, stemmed basis. <sup>4</sup>	All States..... All States..... All States.....	\$0.17 per pound. \$0.15 per pound. \$0.15 per pound.
			Youngberries.....	All States.....	\$0.12 per pound.

<sup>1</sup> The raw material prices named in the table above refer to designated prices delivered to the processor's customary receiving point, except in the case of spinach (in all States except California), for which the price includes delivery to the factory. The actual transportation charges incurred from the processor's customary receiving point to his factory shall be added to the amount named at the customary receiving point. The location of the processor's customary receiving point is controlling in determining the applicable price in the table, and not the place where the raw material is grown or his factory located. However, if the processor purchases the raw material in an area other than that in which his customary receiving point is located, the applicable price in the table is the price named for the area in which the raw material is grown, and he shall add to this amount the transportation charges that would have been incurred in moving the goods from his customary receiving point to his factory.

In the case of spinach, the raw material price named for California in the table above is a price for spinach "in the field". The 1945 weighted average raw material cost to be added under this paragraph shall be based on a weighted average raw material price no higher than the price so named and the processor's weighted average cost for cutting, both converted to units of the finished product in the manner explained above. In figuring his 1945 weighted average cost for cutting, the processor shall exclude from the computation any amounts paid for machine cutting in excess of \$8.50 per ton and any amounts paid for hand cutting in excess of \$18.00 per ton. Actual transportation charges incurred from the field to his factory shall be added.

"Delivered to the customary receiving point" means delivered to place where the processor received delivery of the raw material during 1941. If the processor had no customary receiving point during that year, the term means delivered to the nearest place where processors of the same raw material, whose factories are located in the same producing area, received delivery during that year.

<sup>2</sup> For a processor (other than a grower-processor) who did not actually compute a raw material cost under MPR 207, "1942 cost" means the 1942 raw material cost that his most closely competitive processor who is not a grower-processor was required to compute under that regulation, but based on his own yields. (See paragraph (c), below, for what is meant by "competitive processor".)

<sup>3</sup> "Class A Varieties" means the following varieties:  
New York—Baldwin, R. I. Greening, Northern Spy, Twenty-ounce, Northwestern Greening, Grimes Golden, Stayman, King and Stark,  
Pennsylvania, Maryland, West Virginia and Virginia—York Imperial, Stayman, Golden Delicious and Grimes Golden.

Oregon and Washington—Winesap, Spitzenberg, Arkansas Black, Newtown, Rome Beauty, Stayman and Jonathan.  
California—Gravenstein, Bellflower, Newtown, Baldwin, Northwestern Greening, Rhode Island Greening, Arkansas Black, Black Twig, Jonathan, Golden Delicious, Rome Beauty and Spitzenberg.

New Mexico, Arizona, Colorado, Utah, Nevada, Wyoming, Idaho and Montana—Winesap, Jonathan, Golden Delicious, Northern Spy, R. I. Greening, Grimes Golden, Stayman, Rome Beauty, Baldwin, Wegener, Northwestern Greening, Twenty-ounce and Stark.  
All other states—Golden Delicious, Northern Spy, R. I. Greening, Grimes Golden, Stayman, Rome Beauty, Baldwin, Wegener, Northwestern Greening, Twenty-ounce and Stark.

<sup>4</sup> "Class B Varieties" means all other varieties of apples used for processing.

<sup>5</sup> These weighted average raw material prices apply whether the processor buys the strawberries stemmed or unstemmed. If he buys the strawberries unstemmed, he may not add any cost for stemming.

The resulting figure is the processor's maximum price per dozen containers or other unit, f. o. b. shipping point, for sales on a no-storage basis to purchasers other than government procurement agencies.

(c) *Raw material costs for grower-processors (including grower-owned cooperatives).* A grower-processor (including a grower-owned cooperative) figuring a maximum price under paragraph (b) shall subtract and add the raw material costs that his most closely competitive processor who is not a grower-processor is required to subtract and add, but based on his own yields.

"Grower-processor" means a processor who grows all of the raw material he uses in making the product being priced

and grew all of the raw material he used in making his 1941 pack of the product.

"Competitive processor" means a processor who (1) sells to the same class of buyers; (2) processes the same or similar quality range of the product in question; (3) during the base period sold the same kind of frozen fruits, berries or vegetables at approximately the same prices as the grower-processor figuring a maximum price; (4) has used the same general merchandising methods; (5) is located in the same general growing and processing area or, if there is no such processor in the same general growing and processing area, is located in the nearest growing and processing area; and (6) figuring his maximum price under this supplement under paragraph

(b), above. Furthermore, where the 1945 weighted average raw material prices specified for the product in paragraph (b) (4) differ by area, the competitive processor shall be one whose customary receiving point (factory, in the case of spinach in states other than California) is located in the same area as that of the grower-processor.

(d) *Maximum prices for certain new styles of pack of frozen fruits which cannot be priced under paragraph (b), above, or section 10 (b).* The pricing method of this paragraph applies to a processor who can figure his maximum price, f. o. b. shipping point, under paragraph (b), above, or section 10 (b), for a style of pack (of a frozen fruit named in Column 1, below) listed in Column 2,



below, but who cannot so figure his maximum price for a style of pack of that frozen fruit listed in Column 3, below. The processor's maximum price, f. o. b. shipping point, for sales on a no-storage basis to purchasers other than government procurement agencies of the new style of pack shall be his maximum price per pound figured under paragraph (b),

above, or under section 10 (b), for the style of pack listed in Column 2, below, plus or minus (as the case may be) the appropriate differential named in Column 4, below. (Where the differential specified is "o", the maximum price for the new style of pack is the same as for the old style of pack.)

Column 1 Product	Column 2 Old style of pack	Column 3 New style of pack	Column 4 Differential (per pound)
Frozen apples (California, Idaho, Montana, Oregon and Washington).	4+1.....	7+1.....	Add 1/4 cent.
	5+1.....	7+1.....	Add 1/4 cent.
	4+1.....	Straight-pack.....	Add 1/2 cent.
	5+1.....	do.....	Add 1/2 cent.
	7+1.....	do.....	Add 1/2 cent.
Frozen apples (all other states).....	Straight-pack.....	7+1.....	Subtract 1/4 cent.
	4+1.....	7+1.....	Add 1/2 cent.
	5+1.....	7+1.....	Add 1/2 cent.
	4+1.....	Straight-pack.....	Add 1 1/2 cents.
	5+1.....	do.....	Add 1 cent.
Frozen peaches.....	7+1.....	do.....	Add 3/4 cent.
	Straight-pack.....	7+1.....	Subtract 1/4 cent.
	3+1.....	5+1.....	0.1
	4+1.....	5+1.....	0.1
	3+1.....	Straight-pack.....	Add 1/4 cent.
Frozen apricots.....	4+1.....	do.....	Add 1/4 cent.
	3+1.....	5+1.....	0.1
	4+1.....	5+1.....	0.1
	3+1.....	Straight-pack.....	Add 1/4 cent.
	4+1.....	do.....	Add 1/4 cent.
Frozen prunes.....	4+1.....	5+1.....	0.1
	4+1.....	Straight-pack.....	Subtract 1/2 cent.
	5+1.....	do.....	Subtract 1/2 cent.

<sup>1</sup> The maximum price for the new style of pack is the same as the maximum price for the old style of pack.

(e) *Maximum prices for certain items which cannot be priced under paragraph (b) or (d), above, or section 10 (b).* If the processor whose factory is located in a state mentioned below cannot determine his maximum price, f. o. b. shipping point, under the foregoing rules of this section or under section 10 (b), for sales to purchasers other than government procurement agencies of any of the items referred to below, his maximum price per dozen containers or other unit, f. o. b. shipping point, for sales on a no-storage basis to purchasers other than government procurement agencies shall be the price named or figured in the manner specified below.

(1) *Frozen asparagus (California, Oregon and Washington).*

Style	California		Oregon and Washington	
	2-pound through 10-pound packages	12-ounce packages	2-pound through 10-pound packages	12-ounce packages
	Per pound	Per dozen	Per pound	Per dozen
Cuts and tips.....	\$0.2325	\$2.29	\$0.2350	\$2.31
Medium (fancy).....	.3025	3.09	.3050	3.09
Jumbo.....	.3225	3.21	.3250	3.21
Colossal.....	.3450	3.30	.3475	3.30

The processor shall figure his maximum price for any container size smaller than a 2-pound package and other than a 12-ounce package by dividing the appropriate price named above for 12-ounce packages by 12 and multiplying the resulting figure by the number of ounces in the container size being priced.

*Example:* Processor A in California figures his maximum price per dozen 10-ounce packages Cuts and tips as follows: \$2.31 (named price per dozen 12-ounce packages) ÷ 12 = \$0.193 per ounce per dozen packages.

10 × \$0.193 = \$1.93 per dozen 10-ounce packages.

(2) *Frozen broccoli spears (California, Oregon and Washington), brussels sprouts (California) and cauliflower (California, Oregon and Washington).*

	California		Oregon and Washington	
	2-pound through 10-pound packages	10-ounce packages	2-pound through 10-pound packages	10-ounce packages
	Per pound	Per dozen	Per pound	Per dozen
Broccoli spears.....	\$0.2300	\$1.92	\$0.2050	\$1.83
Brussels sprouts.....	.3000	2.40		
Cauliflower.....	.2500	2.05	.2800	2.25

The processor shall figure his maximum price for any container size smaller than a 2-pound package and other than a 10-ounce package by dividing the appropriate price named above for 10-ounce packages by 10 and multiplying the resulting figure by the number of ounces in the container size being priced (see example in subparagraph (1), above).

(3) *Frozen green peas (excluding pu-rees); (Washington, Oregon, New York, New Jersey and Pennsylvania).*

	Washington and Oregon		New York, New Jersey, and Pennsylvania	
	2-pound through 10-pound packages (per pound)	12-ounce packages	2-pound through 10-pound packages	12-ounce packages
	Per dozen	Per pound	Per pound	Per dozen
\$0.1425.....		\$1.58	\$0.1400	\$1.76

The processor shall figure his maximum price for any container size smaller than a 2-pound package and other than

a 12-ounce package by dividing the appropriate price named above for 12-ounce packages by 12 and multiplying the resulting figure by the number of ounces in the container size being priced (see example in subparagraph (1), above).

(4) *Frozen sweet corn (cut); (Oregon and Washington).*

	2-pound through 10-pound packages	12-ounce packages
		Per pound
Oregon and Washington.....	\$0.1475	\$1.56

The processor shall figure his maximum price for any container size smaller than a 2-pound package and other than a 12-ounce package by dividing the price named above for 12-ounce packages by 12 and multiplying the resulting figure by the number of ounces in the container size being priced (see example in subparagraph (1), above).

(5) *Frozen snap beans (California, Oregon and Washington).*

Style	California		Oregon and Washington	
	2-pound through 10-pound packages	10-ounce packages	2-pound through 10-pound packages	10-ounce packages
	Per pound	Per dozen	Per pound	Per dozen
Cut.....	\$0.1625	\$1.60	\$0.1650	\$1.62
Whole.....	.1850	1.82	.1875	1.85

The processor shall figure his maximum price for any container size smaller than a 2-pound package and other than a 10-ounce package by dividing the appropriate price named above for 10-ounce packages by 10 and multiplying by the number of ounces in the container size being priced (see example in subparagraph (1), above).

(6) *Frozen apricot halves (California, Oregon and Washington).*

Style	In barrels		In containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more	
	California	Oregon and Washington	California	Oregon and Washington
	Per pound	Per pound	Per pound	Per pound
4+1 halves.....	\$0.1250	\$0.1200	\$0.1350	\$0.1300
5+1 halves.....	.1250	.1200	.1350	.1300
Straight-pack halves.....	.1275	.1225	.1375	.1325

The processor shall figure his maximum price for "John Strange pails" under section 10 (b). For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more for which a maximum price is named above.

The processor shall figure his maximum price for any container having a capacity of less than 2 pounds by adding 4¢ per pound to the price named above

for the appropriate area for the same style in containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more.

(7) *Frozen peach halves and slices (California, Oregon and Washington).*

Variety and style	In barrels		In containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more	
	California	Oregon and Washington	California	Oregon and Washington
Yellow clings: 5/1 halves and slices	Per pound \$0.1175		Per pound \$0.1275	
Straight-pack halves and slices	.1200		.1300	
Freestones: 5/1 halves and slices	.1225	Per pound \$0.1225	.1325	Per pound \$0.1325
Straight-pack halves and slices	.1250	.1250	.1350	.1350

The processor shall figure his maximum price for "John Strange pails" under section 10 (b). For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more for which a maximum price is named above.

The processor shall figure his maximum price for any container having a capacity of less than 2 pounds by adding 4¢ per pound to the price named above for the appropriate area for the same style in containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more.

(8) *Frozen sweet cherries (California, Oregon and Washington).*

Variety and style	In barrels		In containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more	
	California	Oregon and Washington	California	Oregon and Washington
Pitted black 5+1	Per pound \$0.1975	Per pound \$0.1925	Per pound \$0.2075	Per pound \$0.2025
Pitted Royal Anne, 5+1		.1875		.1975

The processor shall figure his maximum price for "John Strange pails" under section 10 (b). For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more for which a maximum price is named above.

(9) *Frozen pitted straight-pack prunes (Oregon and Washington).*

Oregon and Washington	In barrels		In containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more
	Per pound \$0.0850	Per pound \$0.0950	

The processor shall figure his maximum price for "John Strange pails"

under section 10 (b). For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more for which a maximum price is named above.

(10) *Frozen apples, sliced (all states).*

Style	In barrels		In containers (other than barrels and "John Strange pails") having a capacity of 11 pounds or more	
	California, Idaho, Montana, Oregon and Washington	All other states	California, Idaho, Montana, Oregon and Washington	All other states
7+1 sliced	Per pound \$0.1325	Per pound \$0.1550	Per pound \$0.1425	Per pound \$0.1650
Straight-pack sliced	.1350	.1600	.1450	.1700

The processor shall figure his maximum price for "John Strange pails" under section 10 (b). For this purpose, however, the "base container" shall be a container (other than barrels) having a capacity of 11 pounds or more for which a maximum price is named above.

(11) *Frozen applesauce (all states).*

Style	Maximum price per pound in containers of less than 2 pounds	
	California, Idaho, Montana, Oregon and Washington	All other States
7+1 to 11+1, inclusive	\$0.1575	\$0.1800

(12) *Certain frozen berries (excluding purees).*

Variety and style of pack	Maximum price per pound in containers of less than 2 pounds	
	California	All other states
Blackberries: 5+1	\$0.2150	\$0.2175
Straight	.2200	.2225
Boysenberries: 5+1	.2150	.2175
Straight	.2200	.2225
Loganberries: 5+1	.2150	.2175
Straight	.2200	.2225
Gooseberries: Straight	.1800	.1825
Raspberries, black: 5+1	.2250	.2275
Straight	.2300	.2325
Raspberries, red: 5+1	.2450	.2475
Straight	.2500	.2525
Strawberries (Ettersburg, Corvallis and Redheart): 4+1	.2500	.2525
4+1 sortouts	.2300	.2325
5+1	.2550	.2575
Straight	.2700	.2725
Strawberries (other varieties): 4+1	.2350	.2375
4+1 sortouts	.2150	.2175
5+1	.2400	.2425
Straight	.2500	.2525
Youngberries: Straight	.2200	.2225

(f) *Items for which maximum prices cannot be determined under the foregoing rules of this section or under section 10 (b).* If the processor cannot de-

termine his maximum price, f. o. b. shipping point, on a no-storage basis, under the foregoing rules of this section or under section 10 (b) for sales of any item to purchasers other than government procurement agencies, he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price under section 10 (d).

SEC. 6. *Maximum prices for custom packing in certain cases—(a) Maximum prices.* The custom packer's maximum price for the services of custom packing an item of fruit or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the frozen product on a no-storage basis exceeds the price paid for the particular fresh fruit or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, if the particular fresh fruit or berries being custom packed are subject either to a maximum price established by Maximum Price Regulation 425<sup>2</sup> or a price recommended by the Department of Agriculture for payment to growers, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product on a no-storage basis and the price so established or recommended for the fresh fruit or berries, after conversion to cents per unit of the finished product. If the goods are frozen by a public cold storage warehouse, the custom packer's maximum price for his services is reduced by the amount lawfully charged by the warehouse for freezing the item.

However, where more than one custom packer is engaged, the maximum price each, subsequent to the first, may charge is the maximum amount the preceding custom packer may charge for his services less what that custom packer actually receives.

(b) *Information required to be furnished and kept.* The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruit or berries custom packed, the date on which and the name of the seller from whom they were purchased. Where more than one custom packer is engaged, the statement furnished each, subsequent to the first, shall instead name the maximum amount the preceding custom packer may charge for his services and the amount actually received by that custom packer. Each statement shall be furnished before the custom packer performs his services and each custom packer shall preserve the statement for examination by the Office of Price Administration or its authorized representatives at any reasonable time. However, if the custom packer who first performs any (or all) of the services acquires the fresh fruit or berries as agent of the purchaser, no statement need be furnished him, but he shall instead make and preserve a record for like examination of the information otherwise required to be furnished him.

<sup>2</sup> 10 F.R. 11754.

(c) *Meaning of "custom packing"*. In this supplement "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), which alone or in conjunction with other operations constitutes the process of producing an item of frozen fruits or berries covered by this supplement. However, the term does not apply to the service of freezing (without preliminary or other processing) performed by a public cold storage warehouse. "Custom packer" and "custom packed" shall be construed accordingly.

(d) *Individual authorization of maximum prices*. Any custom packer who cannot determine his maximum price for the service of custom packing fruits or berries under the foregoing provisions of this section shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price. The application in each case shall contain sufficient information to identify the service and shall state why the applicant cannot determine his maximum price under the provisions of paragraph (a), above. Upon receipt of the application, the Office of Price Administration will authorize a maximum price for the service, or a method of determining it, bearing a proper relationship to those for custom packers of comparable commodities under paragraph (a) above.

If the custom packer fails to apply for a maximum price under this paragraph, when required to do so, the Office of Price Administration may authorize a maximum price for his service, or method of determining it, bearing a proper relationship to those for custom packers of comparable commodities under paragraph (a), above. This will not relieve the custom packer of his obligation to comply with this paragraph or with any other provisions of this supplement, nor will it relieve him of any penalty for failure to do so.

**SEC. 7. Maximum prices for imported frozen wild blueberries—(a) Straight-pack—(1) Purchases by importers.** The maximum price that an importer may pay for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be \$0.24 per pound, duty paid, f. o. b. any U. S. port or point of entry. This maximum price includes all commissions and charges to the point specified.

(2) *Sales by importers who are not wholesalers.* The maximum price that an importer who is not a wholesaler may charge for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be \$0.24 per pound, duty paid, f. o. b. any U. S. port or point of entry.

(3) *Sales to commercial, industrial and institutional users by importers who are wholesalers.* The maximum price that an importer who is a wholesaler may charge a commercial, industrial or institutional user for straight-pack frozen wild blueberries processed in Canada or Newfoundland, imported by him into the Continental United States, shall be his net

cost plus a mark-up of 29 percent. He shall figure his maximum price on the basis of his first delivery of a purchase made of the item on or after January 28, 1946, and shall, on the 5th day of each month after he has figured his maximum price, increase that maximum price in accordance with section 9. Until he makes such a purchase, his maximum price shall be his maximum price in effect immediately prior to January 28, 1946. He shall make no other changes in his maximum price for an item, except that if the maximum purchase price under subparagraph (1) is changed, he shall refigure his maximum price on the basis of his first delivery of a purchase made of the item on or after the effective date of the change in the maximum purchase price.

"Net cost" means the amount the wholesaler pays for the item delivered to his customary receiving point (but not in excess of the maximum purchase price for it under subparagraph (1) plus actual charges for transportation to the wholesaler's customary receiving point) less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included.

(c) *Styles of pack other than straight-pack.* An importer of a style of pack, other than straight-pack, of frozen wild blueberries processed in Canada or Newfoundland, shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum purchase price and a maximum selling price. The application in each case shall contain sufficient information to identify the item and shall also state why the applicant cannot determine his maximum price under the other provisions of this section.

(c) *Meaning of "importer"*. "Importer" means the first consignee in the Continental United States of the item being imported.

**SEC. 8. Maximum prices for sales by certain wholesalers—(a) Wagon wholesalers.** The maximum price per dozen or other unit which a wagon wholesaler may charge for an item of frozen fruits, berries or vegetables covered by this supplement shall be his net delivered cost plus a mark-up of 29 percent. After he has figured his maximum price, he shall, on the 5th day of each month, increase that maximum price in accordance with section 9.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales of items customarily sold in this manner.

In this section, "net delivered cost" means the amount the wagon wholesaler pays for the item delivered to his customary receiving point (but not in excess of the processor's maximum price for it, f. o. b. shipping point, plus actual charges for the transportation to the wagon wholesaler's customary receiving point),

less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included. Net delivered cost shall be figured on the basis of the wagon wholesaler's first delivery of a purchase made of the item on or after the effective date of this supplement or of an amendment changing the processor's maximum price.

(b) *Wholesalers of frozen fruits and berries in containers having a capacity of more than 50 pounds.* The maximum price per pound or other unit that a wholesaler may charge for an item of frozen fruits or berries covered by this supplement when sold in containers having a capacity of more than 50 pounds shall be determined in accordance with the provisions applicable to primary distributors set forth in section 10 (h) of this supplement, and the seller, when making such sales, shall be subject to all of the provisions applicable to primary distributors.

**SEC. 9. Storage—(a) Increase in maximum prices of processors.** For sales of a frozen item on a storage basis, the processor shall increase his maximum price on a no-storage basis by  $\frac{1}{10}$  cent per pound per month if the item is packed in barrels, and  $\frac{1}{8}$  cent per pound per month if the item is packed in any other container type, after the first 30 days in which the item is in cold storage.

(b) *Increase in maximum prices of other sellers.* On the 5th day of each month, a seller other than a processor shall increase his maximum price for a frozen item by  $\frac{1}{10}$  cent per pound if the item is packed in barrels and  $\frac{1}{8}$  cent per pound if the item is packed in any other container type. (This increase covers all storage on goods owned by a seller other than a processor, whether included in his supplier's maximum price or incurred on his own account.)

(c) *Storage on goods owned by the buyer.* The foregoing rules apply only to storage of goods owned by the seller. In the case of storage by the seller of goods owned by the buyer, the seller may charge for the storage services in accordance with the maximum price regulation applicable to such services.

**SEC. 10. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.** The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Processors who have two seasonal packs (sec. 2.1 of FPR 1).

(b) Maximum prices for products in new container types and sizes (sec. 2.2 of FPR 1).

(c) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1). For the purpose of this supplement a maximum price determined under section 4 or 5 (e) shall be considered a dollars-and-cents maximum price.

(d) Individual authorization of maximum prices (sec. 2.5 of FPR 1). For the purpose of this supplement the processor shall submit the information specified under both paragraphs (a) and (b) of that section.

(e) When the seller must figure a delivered price (sec. 2.6 of FPR 1). The

"base period" is the first 60 days after the beginning of the 1941 pack.

(f) Uniform prices where the processor or repacker has more than one factory (sec. 2.7 of FPR 1).

(g) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

(h) Maximum prices for primary distributors (sec. 2.9 of FPR 1).

(i) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).

(j) Payment of brokers (sec. 2.11 of FPR 1).

(k) Maximum prices for sales to government procurement agencies (sec. 2.12 of FPR 1).

(l) Special packing expenses that may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).

(m) Treatment of federal and state taxes (sec. 2.14 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

(n) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).

(o) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

#### ARTICLE III—MISCELLANEOUS PROVISIONS

**SEC. 11. Reports that processors must file.** Every processor shall file with the Office of Price Administration, Washington, D. C., a report in duplicate and signed by him, on Office of Price Administration Form No. 6039-2673 for each item for which he determines his maximum price under section 5 or section 10 (b) of this supplement. As to each item which the processor packed prior to January 28, 1946, the report shall be filed on or before February 15, 1946. (The report for all items of a particular product shall be made on one form.) As to each item for which his first pack is started on or after January 28, 1946, the report shall be filed within 10 days after the date of the first sale of the item after figuring the maximum price.

In addition to the report for each factory, a processor who figures a uniform maximum price for an item for a group of factories shall file on Office of Price Administration Form No. 6039-2673, in duplicate and signed by him, a separate report for the price so figured, together with a statement showing the name and location of each factory and his calculations under section 10 (f). The report and statement shall be filed on or before the applicable date specified above for the factory in the group at which the pack of the item is last started. Within 10 days after each time he refigures the uniform maximum price in accordance with section 10 (f), he shall file a new report for the price together with a statement showing his calculations including volume of sales made of the production of each factory during the one-year period immediately preceding the date of calculation.

Copies of the reporting form may be secured from any district office of the Office of Price Administration.

**SEC. 12. Individual adjustment of processors' maximum prices—**(a) *For sales to purchasers other than government procurement agencies—*(1) *When adjustments may be made.* Either on his own motion or upon application in accordance with Revised Procedural Regulation No. 1,<sup>9</sup> the Price Administrator may adjust a processor's maximum price for any item figured under section 5 (b) of this supplement (or figured under section 5 (d) or 10 (b) on the basis of a price figured under section 5 (b)) for sales to purchasers other than government procurement agencies, where it appears that:

(i) The maximum price is below the median price at which sales of the item (regardless of brand) may be made to purchasers other than government procurement agencies by processors located in the general processing area;

(ii) The processor would be entitled to a price increase under the standards set forth in subparagraph (2), below; and

(iii) In the judgment of the Price Administrator, an increase in the processor's maximum price would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9651.

(2) *Amount of adjustment.* The maximum price, as adjusted under this section, shall in no event be higher than the median price at which sales of the item (regardless of brand) may be made to purchasers other than government procurement agencies by processors located in the general processing area. Subject to this limitation and the limitation of subparagraph (1) (iii), above, the adjusted maximum price shall not exceed the following amount:

(i) Processing costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was 5 percent or higher; or

(ii) Total costs for the item, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was less than 5 percent but no lower than 3 percent; or

(iii) Total costs for the item plus a profit equal to 3% of the adjusted maximum price, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was lower than 3 percent.

(b) *For sales to government procurement agencies—*(1) *When adjustments may be made.* Either on his motion or upon application in accordance with Revised Procedural Regulation No. 1, the Price Administrator may adjust a

processor's maximum price for sales to government procurement agencies of any item figured under section 5 (b) of this supplement (or figured under section 5 (d) or 10 (b) on the basis of a price figured under section 5 (b)), after application of the provisions of section 10 (k), when the processor has entered into or proposes to enter into a government contract or subcontract thereunder, where it appears that:

(i) The maximum price is below the median price at which sales of the item (regardless of brand) may be made to government procurement agencies by processors located in the general processing area;

(ii) The processor would be entitled to a price increase under the standards set forth in subparagraph (2), below; and

(iii) In the judgment of the Price Administrator, an increase in the processor's maximum price would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9651.

(2) *Amount of adjustment.* The maximum price, as adjusted under this section, shall in no event be higher than the median price at which sales of the item (regardless of brand) may be made to government procurement agencies by processors located in the general processing area. Subject to this limitation and the limitation of subparagraph (1) (iii), above, the adjusted maximum price shall not exceed the following amount:

(i) Processing costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was 5 percent or higher; or

(ii) Total costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was less than 5 percent but no lower than 3 percent; or

(iii) Total costs for the item plus a profit equal to 3 percent of the adjusted maximum price, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables, during the most recent fiscal year, was lower than 3 percent.

(3) *Contracts pending disposition of application for adjustment.* Upon the filing of an application for adjustment under this paragraph (b) or within 30 days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and bids submitted at the price or prices requested in the application, and deliveries may be made under such contracts, except that the processor may not receive and the buyer may not pay the amount by which the price exceeds the maximum price unless and until an order granting a higher price has been issued. The processor shall include in any sale, con-

<sup>9</sup> 9 F.R. 10476, 13715, 11295.

tract to sell, or offer to sell at the price requested in an application the following:

(i) His maximum price for sales of the item to government procurement agencies.

(ii) A statement that the quoted price is subject to approval of the Office of Price Administration.

(iii) A statement that an appropriate application has been filed, or will be filed within 30 days with the Office of Price Administration.

Any government agency may appear as an interested party in the case of any such application.

(c) *Time, form and place of filing application.* No application for adjustment shall be filed before the processor has completed at least 75% of his current pack of the product. Applications shall be filed with the Office of Price Administration, Washington, D. C., in duplicate on Office of Price Administration Form No. 6039-2526, and shall contain the information specified in that form. Copies may be obtained from any field office of the Office of Price Administration or from the Wholesale-Retail and Fruit and Vegetable Branch, Food Price Division, Office of Price Administration, Washington, D. C. The Office of Price Administration may request the processor to file any additional cost data based upon operating experience.

(d) *Determination of limitations on adjustment in certain cases.* If the particular item (regardless of brand), is not the "basic item" of the product, for the purpose of making adjustments the Price Administrator may determine the applicable median price at which sales of the item (regardless of brand) may be made to the appropriate class of purchasers by processors located in the general processing area, by customary differential from the reported maximum prices for the basic item of the same product sold by the processors in the same or nearest general processing area.

"Basic item" of any product means the item (regardless of brand) for which the greatest number of maximum prices have been reported.

(e) *Determination of adjustments for grower-processors and cooperative processors.* For the purposes of this section, "net operating profits (before income and excess profits taxes) to net sales of frozen fruits, berries and vegetables" for a grower-processor or cooperative processor means the amount by which net sales of these products exceeded total costs computed on the basis of the raw material costs, for the crop year represented by its most recent fiscal year, which he was required to use in figuring his maximum prices under Supplement 6 to Food Products Regulation No. 1.<sup>4</sup>

However, if the cooperative processor by agreement with its patrons accounts to such patrons for the amount received for a particular product (or products) through a "product pool", the term means the amount by which net sales of that product (or products) exceeded total costs computed on the basis of raw

material costs figured in the manner described above.

In determining adjustments under this section, "processing costs for the item" or "total costs for the item" shall be computed in each case on the basis of the raw material cost which the grower-processor or cooperative processor is required under this supplement to include in the maximum price for the item.

(f) *Definitions.* When used in this section:

(1) "Net sales" means total sales less return sales of finished product.

(2) "Processing costs for the item" means current:

(i) Actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs, or, if no maximum prices have been established, figured at no more than their current market prices;

(ii) Actual cost per unit of all raw agricultural ingredients, included in the Commodity Credit Corporation's purchase and resale program, figured at no more than the Commodity Credit Corporation's resale prices for the area in which the processor's customary receiving point is located, in the case of adjustments under paragraph (a), above, and figured at no more than the Commodity Credit Corporation's purchase prices for the area in which the processor's customary receiving point is located, in the case of adjustments under paragraph (b), above;

(iii) Actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs;

(iv) Actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has announced prices recommended for payment to growers or support prices, figured at no more than these prices, or, if no recommended or support prices have been announced, figured at no more than their current market prices;

(v) Direct labor costs per unit, figured at no more than lawful current rates;

(vi) Transportation costs per unit by the usual mode of transportation, from the processor's customary supplier to his factory with respect to any cost used in (i), above, and from his customary receiving point to his factory with respect to any cost used in (ii), (iii), or (iv), above, if that cost is not a delivered cost and if these charges are customarily incurred; and

(vii) Other costs of processing per unit, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general administrative and selling expenses.

(3) "Total costs for the item" means processing costs plus current general administrative and selling expenses per unit.

(4) "Median price" means the middle price of a series of prices arranged in order of size or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

(5) "Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act To Promote the Defense of the United States."

(6) "Subcontract" means any purchase order or agreement to make or furnish any commodity needed for the performance of another Government contract or subcontract thereunder.

(g) *Effect of prior adjustments.* In determining adjustments under this section, changes in prices resulting from the granting of prior adjustments to other processors under this section shall, so far as practicable, be disregarded.

(h) *Relationship with Revised Supplementary Order No. 9.* No application for adjustment filed after January 28, 1946, under Revised Supplementary Order No. 9<sup>5</sup> with respect to maximum prices of processors for sales to government procurement agencies of commodities covered by this supplement will be granted.

SEC. 13. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (sec. 3.1 of FPR 1).

(b) Weights (sec. 3.2 of FPR 1).

(c) Export sales (sec. 3.4 of FPR 1).

(d) Notification of new maximum price (sec. 3.5 of FPR 1). The establishment for the first time of maximum prices or a pricing method for an item in this supplement does not require notification.

(e) Records which must be kept (sec. 3.6 of FPR 1).

(f) Sales slips and receipts (sec. 3.8 of FPR 1).

(g) Transfers of business or stock in trade (sec. 3.9 of FPR 1).

(h) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).

(i) Adjustable pricing (sec. 3.11 of FPR 1).

(j) Compliance with the applicable supplement (sec. 3.12 of FPR 1).

(k) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1). The section applies only to sellers who are not covered by section 12.

(l) Applications for adjustment by sellers who have been found to have vio-

<sup>4</sup> 9 F.R. 8057, 10045, 11901, 14982.

<sup>5</sup> 8 F.R. 6175.

lated the Robinson-Patman Act (sec. 3.14 of FPR 1).

(m) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective January 28, 1946.

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

Issued this 22d day of January 1946.

JAMES G. ROGERS, JR.,  
Acting Administrator.

Approved: January 10, 1946.

J. B. HUTSON,  
Acting Secretary of Agriculture.

For the reasons set forth in the statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9620, I find the issuance of this supplement, insofar as it establishes maximum prices based on the raw material prices for fruits and berries (other than apples and fresh prunes) referred to in the statement of considerations, is necessary to aid in the effective prosecution of the war and to correct gross inequities.

J. C. COLLET,  
Stabilization Administrator.

[F. R. Doc. 46-1166; Filed, Jan. 22, 1946;  
11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[RMFR 289, Amdt. 44]

DAIRY PRODUCTS

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

Revised Maximum Price Regulation 289 is amended in the following respects:

1. Subparagraph (4) of paragraph (d), section 19, is revoked.
2. A new undesignated paragraph is added to the end of section 15a, to read as follows:

In adjusting any maximum price under this section, the Administrator shall not consider the higher maximum prices for cheddar cheese or processed cheddar cheese permitted by section 19 (p) unless he finds that all the conditions precedent to the use and grant of the higher maximum prices have been fully fulfilled.

3. A new section 19 (p) is added to read as follows:

(p) *Specific additions to applicable maximum prices for certain sales of cheddar cheese.* Cheddar cheese, as used in this paragraph, includes both natural and processed cheddar cheese.

<sup>1</sup> 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950, 5772, 5792, 6232, 7340, 7852, 9084, 11809, 12661, 12957, 12989, 13216, 13592, 14735; 11 F.R. 175, 244.

(1) *Sales by persons who own 1,000 pounds or less of cheddar cheese on January 31, 1946.* Any person who, at the close of business on January 31, 1946, owns 1,000 pounds or less of cheddar cheese may add 3¾ cents per pound to the applicable maximum prices established by the preceding paragraphs (a) to (o) of this section 19 for sales by him of cheddar cheese, except that sales of low-moisture cheddar cheese described in paragraph (a) (2) may be made by him at the maximum prices set out in the following Table L:

TABLE L

Moisture content	Maximum price (cents per pound)	
	For cheddars, twins and larger styles	For flats
33.2% or less	29.66	29.91
Over 33.2% but not over 33.7%	29.43	29.68
Over 33.7% but not over 34.2%	29.21	29.46
Over 34.2% but not over 34.7%	28.99	29.24
Over 34.7% but not over 35.2%	28.77	29.02
Over 35.2% but not over 35.7%	28.55	28.80
Over 35.7% but not over 36.2%	28.33	28.58
Over 36.2% but not over 36.7%	28.11	28.36
Over 36.7% but not over 37.2%	27.89	28.14
Over 37.2% but not over 37.7%	27.66	27.91

(2) *Sales by persons who own more than 1,000 pounds of cheddar cheese on January 31, 1946.* Any person who, at the close of business on January 31, 1946, owns more than 1,000 pounds of cheddar cheese may add 3¾ cents per pound to the applicable maximum prices established by the preceding paragraphs (a) to (o) of this section 19 for sales by him of cheddar cheese (except that sales of low-moisture cheese described in paragraph (a) (2) may be made by him at the maximum prices set out in the above Table L) upon the condition that he has first complied with all the pertinent requirements of the following subparagraphs (3) and (4).

(3) *Filing of affidavit; persons owning more than 1,000 pounds.* Each person owning more than 1,000 pounds of cheddar cheese on January 31, 1946 shall, not later than February 15, 1946, mail by registered mail addressed to the Secretary, Office of Price Administration, Washington 25, D. C., an affidavit setting out the following:

(i) State total number of pounds of cheddar cheese, processed or natural, wherever located, owned at the close of business January 31, 1946. This is the gross inventory figure.

(ii) State total number of pounds of cheddar cheese manufactured during January on which subsidy has not been and will not be claimed, paid, or accepted. This is the waived-subsidy deduction. (Applicable only to manufacturers.)

(iii) Subtract the waived-subsidy deduction from the gross inventory. (Applicable only to manufacturers.)

(iv) Subtract 1,000 pounds, basic exemption.

(v) The result is the net inventory figure as of January 31, 1946.

(4) *Payment to Commodity Credit Corporation; persons owning more than 1,000 pounds.* Any person owning more

than 1,000 pounds of cheddar cheese on January 31, 1946 who elects to increase his maximum price on his current inventory shall make payment by check or money order, payable to Commodity Credit Corporation, in the amount of 3¾ cents for each pound in the net inventory figure as computed in his affidavit and mail it, with the affidavit, not later than February 15, 1946, to the Secretary, Office of Price Administration, Washington 25, D. C. Such person may, on the date such payment is mailed by registered mail, increase his maximum prices as set out in paragraph (2) above.

(5) *Election to sell net inventory at lower price—Persons owning more than 1,000 pounds.* Any person owning more than 1,000 pounds of cheddar cheese on January 31, 1946, may, in lieu of making the payment to Commodity Credit Corporation described in subparagraph (4) above, elect to sell or otherwise dispose of the entire amount of his net inventory (as computed in (3) above) at or below maximum prices in effect on January 31, 1946. Such person must, in addition, sell at such lower prices any additional stocks which he bought on or after February 1, 1946 from sellers who were not entitled to charge the higher prices authorized by this amendment. Such person shall send, with the affidavit described in subparagraph (3) a statement that he elects to sell his inventory at the lower price. At such time as he has sold an amount equal to his January 31 net inventory plus any additional stocks of low-priced cheese, he shall file by registered mail with the Secretary, Office of Price Administration, Washington 25, D. C., a final affidavit stating that he has fully complied with the requirements of this subparagraph (5). In addition, such affidavit shall state:

(i) Number of pounds in net inventory January 31, 1946 and price at which sold.

(ii) Number of pounds purchased after January 31 at January 1946 prices and price at which sold.

(iii) Number of pounds in present inventory and prices at which acquired.

After mailing the final affidavit, in proper form, such person may increase his maximum prices in the amounts set out in subparagraph (2).

(6) *Prohibition against buying at the "lower" prices and selling at the "higher" prices.* Notwithstanding any other provision of this section 19 (p) no person shall sell at the higher prices established under this paragraph (p) any cheddar cheese which he bought on or after February 1, 1946 from a seller who sold to him at the "lower prices" prevailing on January 31. Such "lower-priced" cheese must be sold at or below the ceiling prices in effect on January 31, 1946.

(7) *Sales of cheddar cheese and processed cheddar cheese by the United States Government.* Notwithstanding other provisions of this Section 19 the maximum prices for the sale of cheddar cheese by the United States Government or any of its agencies to manufacturers, assemblers, primary wholesalers or cash and carry wholesalers shall be the maximum prices determined under preceding paragraphs (a) to (o) inclusive for the sale of such cheddar cheese by a pri-

mary wholesaler, plus 3 $\frac{3}{4}$ ¢ per pound; and the maximum prices for the sale of cheddar cheese by the United States Government or any of its agencies to any other person shall be the maximum prices determined under preceding paragraphs (a) to (o) inclusive for cheddar cheese by cash and carry wholesalers plus 3 $\frac{3}{4}$ ¢ cents per pound.

(8) *Prohibitions against evasion.* The additions to the applicable maximum prices for the sale of cheddar cheese permitted by this section 19 (p) shall apply only when all the conditions set forth have been fully satisfied; in no other case may any person sell cheddar cheese at a maximum price in excess of the applicable maximum price established by paragraphs (a) to (o) inclusive of this section 19.

Transfers or sales of cheddar cheese which have the effect of permitting the resale of such products at any of the increased maximum prices established by this section 19 (p) without an initial corresponding payment (or forfeiture of subsidy) of 3 $\frac{3}{4}$  cents per pound less the allowable 1,000-pound deduction, to the Commodity Credit Corporation shall be deemed prima facie evidence of a violation of the provisions of this regulation. The increased maximum prices established by this section 19 (p) shall not be obtained, charged or paid by means of transfers, sales, agreements or understandings designed to evade or circumvent, or having the effect of evading or circumventing the provisions and price limitations set forth herein.

4. A new section 35 (p) is added to read as follows:

(p) *Processed cheese, cheese foods and cheese spreads containing any proportion of cheddar cheese.* (1) Notwithstanding any other provisions of this Section, no person in reporting, or in applying for, a maximum base price or a maximum price under the provisions of paragraphs (d) (2) or (1) (2) above shall use as his cost or as the maximum price for cheddar cheese the increased maximum prices established by section 19 (p) unless and until he has fully complied with all the requirements of subparagraphs (2) and (3) below. Furthermore, notwithstanding any other provisions of this section, no sale shall be made at a maximum base price or maximum price arrived at by using the higher maximum price of cheddar cheese permitted by section 19 (p) unless and until a letter order establishing or adjusting a maximum base price or maximum price has been issued under section 35 (p) (4) below by the Office of Price Administration.

(2) Each manufacturer of processed cheese, cheese foods or cheese spreads containing cheddar cheese shall mail, by registered mail addressed to the Secretary, Office of Price Administration, Washington 25, D. C., on or before February 15, 1946, an affidavit showing the following:

Number of pounds of natural cheddar cheese and of cheese foods and cheese spreads containing cheddar cheese, owned by him, wherever located, on January 31, 1946. He shall state separately

by name and brand name each item of cheese foods and cheese spreads and shall show:

(i) Number of pounds of each.  
(ii) Percentage of cheddar cheese contained in each.

(iii) Total number of pounds of cheddar in each kind.

(iv) Total number of pounds of cheddar in all cheese foods and spreads owned on January 31, 1946.

(v) Total number of pounds of natural cheddar cheese which has not been manufactured into cheese foods or cheese spreads.

(3) Each manufacturer of processed cheese, cheese foods or cheese spreads containing cheddar cheese:

(i) Must file the affidavit described in paragraph (p) (1) above.

(ii) Must, after January 31, 1946, and before making application, have sold and shipped cheese foods and cheese spreads having a cheddar content equal to the total number of pounds in the following computation:

(a) Total number of pounds of cheddar in all cheese foods and spreads owned on January 31, 1946—plus

(b) Total number of pounds of natural cheddar cheese owned on January 31, 1946—plus

(c) Total number of pounds of natural cheddar cheese, if any, bought by him on or after February 1, 1946, from a seller who was not at the time of sale authorized to sell at the price increase granted by section 19 (p).

(d) Minus—total number of pounds of natural cheddar cheese manufactured during January 1946 on which subsidy has not been and will not be claimed, paid, or accepted. (Applicable only to cheddar manufacturers.)

(e) Minus—total number of pounds of natural cheddar cheese on which payment was made to Commodity Credit Corporation under the terms of section 19 (p) (4).

(f) Minus—1,000 pounds.

(iii) Must, together with his application for, or report of, a new, revised or adjusted maximum price, send by registered mail to the Secretary, Office of Price Administration, Washington 25, D. C., an affidavit stating that he has complied with (3) (i) and (ii) above. Such statement shall in addition show the information set out in (ii) above and, if the manufacturer has a maximum base price which has already been established under the provisions of this section 35, shall also indicate the exact maximum base price previously established or granted for the specifically named and described product (including package size), the date such maximum base price was established or granted, and the letter order number, if any.

(4) Upon finding that all the requirements of this section 35 (p) (2) and (3) have been fully satisfied, the Administrator may, by order, in conformity with the method described in subparagraph (d) (2) increase a maximum base price previously established or establish a new maximum base price which will reflect the increased maximum prices of cheddar cheese permitted under the provisions of section 19 (p). The Adminis-

trator may, in establishing such price by order, waive the limitation in section 35 (d) (2) that the price established shall not be in excess of the maximum price as determined under the provisions of § 1351.803 of Maximum Price Regulation 280. Finally, the Administrator may waive any part or all of the affidavit filing requirements in paragraphs (p) (2) and (3) above where the applicant has shown that it was, for good and legitimate reasons not designed to evade or circumvent or having the effect of circumventing or evading the provisions of this regulation, impossible for him to comply with such requirements.

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

This amendment shall become effective 12:01 a. m. February 1, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

Approved:

J. B. HUTSON,  
Under Secretary of Agriculture.

[F. R. Doc. 46-1108; Filed, Jan. 21, 1946; 4:22 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [MPR 422, Amdt. 66]

##### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

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 25e is added to Maximum Price Regulation 422 to read as follows:

SEC. 25e. *Ceiling prices for sales of cheddar cheese if you own more than 1,000 pounds on January 31, 1946.* (a) At the close of business on January 31, 1946, you must take inventory to determine the total number of pounds of cheddar cheese that you own then. The term "cheddar cheese" as used in this section means both "cheddar cheese" and "processed cheddar cheese" as defined in Second Revised Maximum Price Regulation 289.<sup>1</sup>

(b) If you have an inventory of 1,000 pounds or less, this section does not affect you.

(c) If you have an inventory of more than 1,000 pounds, you must decide whether you will pay the Government 3 $\frac{3}{4}$  cents for each pound of cheddar cheese over 1,000 pounds in your inventory or whether you will sell at or below your ceiling price of January 31 until you have sold all but 1,000 pounds of that inventory.

<sup>1</sup> 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9283, 9430, 11303, 12264, 12265, 12810, 12992, 13073, 13593, 14146, 14447, 15466; 11 F.R. 348.

<sup>2</sup> 10 F.R. 2352, 2058, 2928, 3554, 3948, 3950, 5772, 5792, 6232, 7340, 7852, 9084, 11809, 12651, 12957, 12989, 13216, 13592, 14735; 11 F.R. 175, 244.

(1) If you choose to make the payment to the Government, you must prepare an affidavit showing the number of pounds of cheddar cheese you owned at the close of business on January 31, 1946. You must file the affidavit with the Secretary of the Office of Price Administration, Washington, D. C., by registered mail, on or before February 15, 1946. With the affidavit you must send a check or money order payable to the Commodity Credit Corporation in the amount of 3¾ cents per pound of cheddar cheese you owned in excess of 1,000 pounds on January 31, 1946. Notwithstanding other provisions of this regulation, you must not refigure your ceiling price between January 31, 1946, and the time you file your affidavit with your payment. On the date you file your affidavit with your payment you will figure your new ceiling price on cheddar cheese by using as your "net cost" the "net cost" on which your ceiling price of that date is based plus three and three-fourth cents per pound. On each Thursday after that, you must treat cheddar cheese items as you would any other item of perishables covered under this regulation.

(2) If you do not choose to make payment to the Government, notwithstanding other provisions of this regulation, you must not refigure your ceiling price after January 31, 1946, until you have sold all but 1,000 pounds of your cheddar cheese inventory of that date. After you have sold all but 1,000 pounds of that inventory, you must treat cheddar cheese items as you would any other item of perishables covered under this regulation.

This amendment shall become effective 12:01 a. m., February 1, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1109; Filed, Jan. 21, 1946;  
4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,<sup>1</sup> Amdt. 64]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
RETAIL IN INDEPENDENT STORES DOING AN  
ANNUAL BUSINESS OF LESS THAN \$250,000  
(GROUP 1 AND GROUP 2 STORES)

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.

In section 18 of Maximum Price Regulation 423, paragraph (n) is added to read as follows:

(n) Section 25e. *Ceiling prices for sales of cheddar cheese if you own more than 1,000 pounds on January 31, 1946.* (Applies to you if at the close of business on January 31, 1946, you own more than 1,000 pounds of natural or processed cheddar cheese.)

<sup>1</sup> 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015, 8656, 9272, 9263, 9431, 11303, 12264, 12265, 12810, 12992, 13074, 13594, 14147, 14447, 15466; 11 F.R. 349.

This amendment shall become effective 12:01 a. m. February 1, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1110; Filed, Jan. 21, 1946;  
4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,<sup>1</sup> Amdt. 29]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
WHOLESALE

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

The first paragraph of section 13 (e) is amended to read as follows:

(e) 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits. Each item of the 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits, shall be considered a different item from the 1944 and earlier packs and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

This amendment shall become effective January 28, 1946.

Issued this 22d day of January 1946.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 46-1170; Filed, Jan. 22, 1946;  
11:51 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,<sup>2</sup> Amdt. 65]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
RETAIL IN GROUP 3 AND GROUP 4 STORES

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

The first paragraph of section 16 (h) is amended to read as follows:

(h) 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits. Each item of the 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits, shall be considered a different item from the 1944 and earlier packs and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

<sup>1</sup> 10 F.R. 1496, 5037, 5369, 7251, 11302, 12848, 12992, 13073.

<sup>2</sup> 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9263, 9430, 11303, 12264, 12265, 12810, 12992, 13073, 13593, 14146, 14447.

This amendment shall become effective January 28, 1946.

Issued this 22d day of January 1946.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 46-1171; Filed, Jan. 22, 1946;  
11:51 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,<sup>1</sup> Amdt. 63]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
RETAIL IN INDEPENDENT STORES DOING AN  
ANNUAL BUSINESS OF LESS THAN \$250,000  
(GROUP 1 AND GROUP 2 STORES)

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

The first paragraph in section 17 (g) is amended to read as follows:

(g) 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits. Each item of the 1945 pack of "canned" fruits and vegetables, frozen fruits and vegetables and dried fruits, shall be considered a different item from the 1944 and earlier packs and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

This amendment shall become effective January 28, 1946.

Issued this 22d day of January 1946.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 46-1172; Filed, Jan. 22, 1946;  
11:51 a. m.]

PART 1419—EXPLOSIVES

[2d Rev. MPR 191]

COTTON LINTERS AND HULL FIBERS

Revised Maximum Price Regulation 191, as amended, is redesignated as Second Revised Maximum Price Regulation 191 and is further revised and amended to read as set forth herein.

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.

Sec.

1. Prohibition against sales of cotton linters and hull fibers at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Relationship of this to other maximum price regulations.
5. Geographical applicability.
6. Records and reports.
7. Prohibited practices.
8. Enforcement.
9. Licensing.
10. Definitions.

<sup>1</sup> 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015, 8656, 9272, 9263, 9431, 11303, 12265, 12810, 12992, 13074, 13594, 14147, 14447.



Sec.

11. Notification.

12. Petitions for amendment.

Appendix A: Maximum prices for sales by processors.

Appendix B: Maximum prices for sales by dealers.

Appendix C: Maximum prices for sales by importers.

Appendix D: Maximum prices for sales by the U. S. or any agency thereof.

AUTHORITY: § 1419.1 issued under 56 Stat. 24, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9260, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

**SECTION 1. Prohibition against sales of cotton linters and hull fibers at higher than maximum prices—(a)** On and after January 28, 1946, regardless of any contract or other obligation:

(1) No person making a sale of cotton linters or hull fibers for which maximum prices are set forth in this regulation shall sell or deliver such cotton linters or hull fibers at prices higher than the maximum prices set forth in this regulation.

(2) No person purchasing cotton linters or hull fibers from a seller for whom maximum prices are set forth in this regulation shall buy or receive such cotton linters or hull fibers in the course of trade or business at prices higher than the maximum prices set forth in this regulation.

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

(4) If a buyer purchases cotton linters or hull fibers through a broker, finder, or other agent acting for the buyer, the sum of the price paid by the buyer to the seller, plus the commission, fee, or other charge or consideration paid by or moving from the buyer to such broker, finder or agent, may not exceed the maximum prices established by this regulation.

**SEC. 2. Less than maximum prices.** Lower prices than those established by this regulation may be charged, demanded, paid or offered.

**SEC. 3. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

**SEC. 4. Relationship of this to other maximum price regulations—(a) General Maximum Price Regulation and Revised Maximum Price Regulation 191.** The provisions of this regulation super-

cede the provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation 191 with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) *Exports (Second Revised Maximum Export Price Regulation applicable).* The maximum price at which a person may export cotton linters and hull fibers shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) *Imports.* This regulation applies to sales of imported cotton linters and hull fibers and the Maximum Import Price Regulation does not apply.

**SEC. 5. Geographical applicability.** The provisions of this regulation shall be applicable to the forty-eight States of the United States and the District of Columbia.

**SEC. 6. Records and reports—(a) Records.** Every person making sales or purchases of cotton linters or hull fibers after January 28, 1946 for which maximum prices are established by this regulation, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase, showing the date thereof, the name and address of the seller and buyer, the price paid or received, and the quantity and quality of cotton linters or hull fibers sold or purchased, including the serial numbers of the bales and with respect to each such bale a record of whether it contained first cut, second cut, or mill run linters and (in the case of a sale on the basis of Government grades) the Government grade, as determined in accordance with subparagraph (2) of Appendix A (a).

Every producer of cotton linters or hull fibers shall keep for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records showing for each month the tonnage of cotton seed crushed and the production and sales in pounds of first cut, second cut and mill run linters, and hull fibers.

(b) *Reports.* (1) On or before February 11, 1946, each processor shall file with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, 25, D. C., a report showing for each mill operated for the period August 1 through November 30, 1945, or such part thereof as the mill was in operation:

(i) The total tonnage of cotton seed crushed;

(ii) The total production in pounds, stated separately, of first and second cut linters or mill run linters; and,

(iii) The percentage of first cut linters to the total of first cut and second cut linters produced.

In the event a mill produced no first cut linters in such period (August 1–November 30, 1945) but wishes to change its de-linting process from a mill run process to a two-cut process, it shall in-

clude with such report a statement of the percentage of first cut linters to the total of first and second cut linters it proposes to make. Unless the Office of Price Administration modifies such proposal, it shall be established as that mill's base period percentage of first cut linters as defined in section 10 (a) (7).

(2) Each processor shall file with the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C. not later than ten days after the end of each month a report showing for each mill operated during the preceding month:

(i) The tonnage of cotton seed crushed;

(ii) The production in pounds, stated separately, of first cut and second cut linters, or mill run linters; and,

(iii) The percentage of first cut linters to the total of first cut and second cut linters produced.

(3) Any processor changing his de-linting process from a two-cut process to a mill run process or vice versa must report this change to the Office of Price Administration within one week after changing his de-linting process.

(4) Each dealer and importer shall on or before February 11, 1946, submit to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C. a report of the unsold quantities of domestic and imported cotton linters owned by him and on hand on January 22, 1946, the grades and the prices paid therefor, the serial numbers of the bales of domestic linters, the name of the seller, the date of purchase, and the present location of the linters.

(c) The persons mentioned in paragraphs (a) and (b) of this Section 6 shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records and reports required in said paragraphs as the Office of Price Administration may from time to time require subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

**SEC. 7. Prohibited practices.** (a) Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to cotton linters and hull fibers, alone or in conjunction with any other commodity, or by way of commission, service, transportation, loading, or any other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

(b) If, commencing with the first calendar month after January 22, 1946, a mill produces during any one month a percentage of first cut linters (in relation to its total production of first and second cut linters combined) greater than its base period percentage of first cut linters plus 3 percent and sells or offers to sell any or all of such first cut linters, such sale or offer to sell shall be considered a violation of this regulation. For example, let us suppose a mill's base period percentage of first cut linters as

defined in section 10 (a) (7) is 25 percent of its total production of first and second cut linters combined. If, during the month of March 1946 it produces a quantity of first cut linters equal to 29 percent of its total production of first and second cut linters combined and sells or offers to sell all or any part thereof, such sales of first cut linters are in violation of this regulation.

**SEC. 8. Enforcement.** Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

**SEC. 9. 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 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. 10. Definitions.** (a) When used in this regulation the term:

(1) "Cotton linters" means the residual fibers removed by mechanical processes from cotton seed, including the following classes:

(i) "First cut linters" which means cotton linters obtained from the first de-linting in mills which run the seed through the linter machine more than once. In general, first cut linters include those which fall in U. S. standard grades 1, 2, and 3, except such linters in those grades as are mill runs.

(ii) "Second cut linters" which means cotton linters obtained from the second or any subsequent de-linting in mills which run the seed through the linter machine more than once. In general, second cut linters include those which fall in U. S. standard grades 5, 6, and 7, except such linters in those grades as are mill runs.

(iii) "Mill run linters" which means cotton linters obtained by mills which run the seed through the linter machine only once. In general, mill run linters include those which fall in U. S. standard grades 3, 4, and 5, except such linters in those grades as are first or second cut linters.

(2) "Hull fibers" means the short residual fibers removed from cotton seed hulls by mechanical processes.

(3) "Processor" means any person who produces cotton linters or hull fibers.

(4) "Dealer" means any person other than a processor or importer and other than the United States or any agency thereof, who buys and sells or offers to buy and sell cotton linters and hull fibers for his own account.

(5) "Seller's shipping point" in the case of sales of foreign linters or hull fibers means the port of arrival in the United States, or in the case of a shipment by rail from Mexico or Canada, the U. S. rail station nearest the border.

(6) "Point of distribution" means that location:

(i) Beyond the processor's shipping point where a dealer receives delivery of cotton linters or hull fibers and either reships them to his customers or places them in a warehouse; or,

(ii) Beyond the port of arrival in the case of a sale of imported cotton linters or hull fibers.

(7) "Base period percentage of first cut linters" means the percentage of first cut linters to the total of first cut and second cut linters produced by a mill between August 1–November 30, 1945 or established for that mill in accordance with section 6 (b) (1).

(8) "Owned by him and on hand" means cotton linters purchased by a dealer or importer and meeting the following conditions on the date specified in this regulation: title thereto must have vested in the buyer; such linters must have been already produced and either (i) delivered to the buyer or to a third person for the buyer's account, or (ii) identified and set aside by the seller as the property of the buyer.

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

**SEC. 11. Notification—(a) Marking.** With the exception of imported linters, every bale of cotton linters shall be plainly marked or tagged at the mill with a notice as to whether such linters are first cut, second cut, or mill run in accordance with the mechanical process used to produce same. Such markings or tags shall not be altered or removed by any person until such bale is finally broken down for processing by the ultimate consumer.

(b) **Invoicing.** Every processor and importer shall indicate on each invoice or weight sheet attached thereto covering a sale of cotton linters the serial numbers of the bales, and with respect to each such bale information as to whether it contains first cut, second cut, or mill run linters, or (in the case of a sale on the basis of government grades) a statement of the government grade, as determined in accordance with subparagraph 2 of Appendix A (a). On a resale of domestic linters the dealer's invoice or weight sheet must contain the same information shown on the processor's invoice or weight sheet with respect to the bales being resold.

In the case of a sale of second cut linters (either domestic or imported), there shall be attached to the final invoice a copy of the chemical analysis applicable to the particular bales invoiced.

**SEC. 12. Petitions for amendment.** Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

**APPENDIX A—MAXIMUM PRICES FOR SALES BY PROCESSORS AND THEIR AGENTS OR BROKERS**

(a) **Cotton linters.** Regardless of existing contracts, the maximum prices set forth in subparagraph (1) below shall apply, except where all the conditions included in subparagraph (2) are met. All prices are f. o. b. processor's shipping point and include all commissions, brokerage fees or other charges.

(1) **Linters classified by mechanical process.** (The price specified below for first cut linters shall apply only if a mill has produced in any one calendar month no more than its base period percentage of first cut linters plus 3 percent.)

	Cents per pound
First cut linters.....	7.00
Second cut linters.....	3.80
Mill run linters.....	4.78

The price for second cut linters is based upon an alpha cellulose content of 73 percent. For every one percent or fraction thereof of alpha cellulose content less than 73 percent, a deduction shall be made from such base price at the rate of at least \$0.0009 per pound. For every one percent or fraction thereof of alpha cellulose content more than 73 percent, the price may be increased at the rate of not more than \$0.0009 per pound.

(2) **Government grades.** If any producer elects to sell cotton linters on the basis of government grades he may do so if within two weeks after January 28, 1946, but prior to any sale he files a notice with the Rubber, Chemicals, and Drugs Price Branch, Office of Price Administration, Washington, D. C., of his election to sell exclusively on that basis. The prices set forth below for cotton linters shall apply only if such linters have been graded by the U. S. Department of Agriculture in Washington, D. C. (or by boards of licensed classifiers of linters to be authorized by the Cotton Branch, Production and Marketing Administration, U. S. Department of Agriculture). Samples must be drawn by licensed linter classifiers or by any person designated by the Department of Agriculture. In connection with fine linters (or those produced by any method other than by individual condensers) the bales must be sampled in two places. In connection with individual condenser linters the bales must be sampled in three places in one head of the bale. The full sample of each bale is to weigh a minimum of 8 ounces. Not less than 20 percent of the numbers of bales to be invoiced must be sampled and the bales sampled shall be representative of the average quality of the total bales invoiced. The samples forwarded to the Department of Agriculture in Washington, D. C. (or to one of the aforesaid boards) for classification shall be accompanied by a signed statement that the samples were drawn in accordance with the above instructions and that they are representative. In case of a disagreement as to the grade, the buyer and seller shall agree upon other samples and shall submit same to the Department of Agriculture in Washington, D. C., for final determination of the grades.

Prices for linters classified as off-grade because of excess trash or other defects shall be appropriately reduced.

Grade	Cents per pound		
	High	Middle	Low
1.....	8.75	8.20	7.75
2.....	7.75	7.20	6.75
3.....	6.75	6.20	5.75
4.....	5.50	5.15	4.75
5.....	4.50		
5 middle—7 low.....	13.80		

<sup>1</sup> Based on an alpha cellulose content of 73 percent determined in accordance with subparagraph (1) above.

(b) **Hull fibers.** The maximum price for hull fibers shall be \$0.0309 per pound f. o. b. seller's shipping point, based upon an alpha cellulose content of 70 percent. For every one percent or fraction thereof of alpha cellulose content less than 70 percent, a deduction shall be made from such base price at the rate of at least \$0.0009 per pound for each one percent. For every one percent or

fraction thereof of alpha cellulose content more than 70 percent, the price may be increased at the rate of not more than \$0.0009 per pound for each one percent.

**APPENDIX B—MAXIMUM PRICES FOR SALES BY DEALERS**

No dealer may sell cotton linters on the basis of a grade or class commanding a higher maximum price than the price for the grade or class purchased by such dealer. Furthermore, notwithstanding any other provision of this regulation, any unsold cotton linters owned by him and on hand on January 22, 1946 may be sold by such dealer at the maximum prices established by the Office of Price Administration prior to the effective date of this 2d Revised Maximum Price Regulation 191, but not on the basis of a grade commanding a higher price than the price for the grade purchased by such dealer.

(a) The maximum delivered prices for sales of cotton linters or hull fibers by dealers shall be as follows (Provided, however, That where the quantity involved in a single sale is delivered in more than one shipment, the applicable maximum price shall be based on the total quantity sold):

(1) *Carload lots.* 108% of the applicable maximum price established in Appendix A above plus actual transportation costs from the producing point directly to the purchaser's receiving point, not exceeding the lowest published rates for the size of shipment and type of carrier used. For deliveries from a warehouse located at point of distribution an extra \$0.25 per cwt. may be added, but such charge may be added only once on a particular lot of linters.

(2) <i>Truckloads and less than carload lots.</i>	Percent
10 bales or more.....	112
Less than 10 bales.....	115

of the applicable maximum price established in Appendix A above, plus actual transportation costs from the producing point to the purchaser's receiving point, not exceeding the lowest published rates for carload lots from the producing point to the point of distribution and for less than carload lots from the point of distribution to the purchaser's receiving point. For deliveries from a warehouse located at point of distribution an extra \$0.25 per cwt. may be added, but such charge may be added only once on any particular lot of linters.

**APPENDIX C—Maximum prices for sales by importers**

(a) The maximum delivered prices for sales of imported cotton linters and hull fibers by importers shall be as follows (Provided, however, That where the quantity involved in a single sale is delivered in more than one shipment, the applicable maximum price shall be based on the total quantity sold). Imported linters shall be graded in accordance with and subject to the provisions of Appendix A (2) except that samples may be drawn by a person at the fumigation plant authorized by the Department of Agriculture.

Notwithstanding any other provision of this regulation, any imported cotton linters owned by him and on hand on January 22, 1946, may be sold by such importer at the maximum prices established by the Office of Price Administration prior to the effective date of this 2d Revised Maximum Price Regulation 191.

(1) *Carload lots.* 108% of the applicable maximum price established by Appendix A (a) (2) or Appendix A (b) above plus actual transportation costs ex dock, port of arrival directly to the purchaser's receiving point, not exceeding the lowest published rates for the size of shipment and type of carrier used. For deliveries from a warehouse located at the port of arrival or point of distribution an extra \$0.25 per cwt. may be added, but such charge may be added only once on any particular lot of linters.

(2) *Truckloads and less than carload lots.*

	Percent
10 bales or more.....	112
Less than 10 bales.....	115

of the applicable maximum price established by Appendix A (a) (2) or Appendix A (b) above, plus actual transportation, costs ex dock, port of arrival directly to the purchaser's receiving point, not exceeding the lowest published rates for less than carload lots ex dock, port of arrival to the purchaser's receiving point. For deliveries from a warehouse located at the port of arrival or point of distribution, an extra \$0.25 per cwt. may be added, but such charge may be added only once to any particular lot of linters.

(b) Fumigation charges, if any, may be added to the importer's maximum prices.

**APPENDIX D—MAXIMUM PRICE FOR SALES BY THE UNITED STATES OR ANY AGENCY THEREOF**

The maximum prices for sales of any cotton linters or hull fibers by the United States or any agency thereof shall be the applicable maximum prices established by Appendix A plus \$0.00055 per pound, plus actual transportation and storage charges (if any) paid on the particular lot of linters or hull fibers involved.

This regulation shall become effective January 28, 1946.

NOTE: The 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 22d day of January 1946.

CHESTER BOWLES,  
Administrator.

Approved: January 14, 1946.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-1167; Filed, Jan. 22, 1946; 11:50 a. m.]

**PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS**

[MPR 455; Amdt. 39]

**DISTILLED SPIRITS AND WINES**

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

Maximum Price Regulation 445 is amended in the following respect:

Section 7.12 (c) (6) is amended to read as follows:

(6) "Age" means the age or period of storage stated on the label of distilled spirits or wine.

This amendment shall become effective January 28, 1946.

Issued this 22d day of January 1946.

CHESTER BOWLES,  
Administrator.

Approved: January 11, 1946.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-1168; Filed, Jan. 22, 1946; 11:50 a. m.]

<sup>1</sup> 10 F.R. 7444, 8241, 9395, 9626, 10224, 11515, 11906, 12262, 12263, 13717, 14027, 14506, 14954.

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[MPR 307; Amdt. 5]

**WAXED PAPER**

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

Maximum Price Regulation 307 is amended in the following respects:

In § 1347.621, Appendix G, paragraph (c) is revoked and a new paragraph (c) is added to read as follows:

(c) If the manufacturer is unable to determine a maximum price for a commodity under paragraphs (a) or (b) above, he shall file an application for approval of a maximum price with the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C., prior to the sale of any commodity for which he is requesting the approval of a maximum price under this paragraph. The application shall set forth:

(1) A description of the commodity for which a maximum price is sought;

(2) The reason why such commodity cannot be priced under paragraphs (a) or (b) above;

(3) The maximum price proposed by the manufacturer, together with a detailed explanation of the method by which the manufacturer calculated such price;

(4) The reasons why the manufacturer believes the proposed price to be in line with the level of maximum prices established by this regulation for his most closely competitive seller.

However, orders may be accepted and invoices issued at the proposed maximum price subject to approval, disapproval, or adjustment by letter order of the Office of Price Administration. A notation to this effect must be made on all quotations, orders and invoices until the proposed maximum price is approved or adjusted.

Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter order mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment by letter order of the Office of Price Administration at any later time.

This amendment shall become effective January 22, 1946.

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

Issued this 22d day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1169; Filed, Jan. 22, 1946; 11:50 a. m.]

<sup>1</sup> 8 F.R. 1389, 2335, 17484; 9 F.R. 945, 7936; 10 F.R. 14184.

Chapter XXIII—Surplus Property  
Administration

[SPA Reg. 12,<sup>1</sup> Order 1]

PART 8312—ALUMINUM SCRAP.

REPORTS OF ALUMINUM SALES AND  
INVENTORY

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611) and Public Law 181, 79th Congress, *It is hereby ordered, That:*

1. "Aluminum" as used in this order includes all forms of aluminum and aluminum-base alloy basic shapes and aluminum scrap covered under code numbers 24-2000 through 24-2999 of Volume I of the Standard Commodity Classification (U. S. Government Printing Office); aluminum scrap as defined in § 8312.1 (b); and wrecked, crashed, obsolete, or uncompleted airframes to be scrapped, and prepared aircraft scrap, the principal constituents of which are aluminum.

2. The Reconstruction Finance Corporation, the War Assets Corporation, and the War and Navy Departments shall report to the Surplus Property Administrator on Form SPA-40 as the transaction takes place, each individual sales transaction involving aluminum weighing 500,000 pounds or more when made either by a contractor out of contractor inventory or out of surplus property whether scrap, salvage, or otherwise.

3. The War Assets Corporation as a disposal agency shall report monthly to the Surplus Property Administrator on Form SPA-41 its acquisitions, disposals, and inventory of aluminum.

4. Forms SPA-40 and SPA-41 may be reproduced by the agencies: *Provided*, That the formats are identical with those on file with the Division of the Federal Register, sample copies of which may be obtained from the Surplus Property Administrator.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective January 18, 1946:

W. STUART SYMINGTON,  
*Administrator.*

JANUARY 18, 1946.

[F. R. Doc. 46-1165; Filed, Jan. 22, 1946;  
11:38 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

SITGREAVES NATIONAL FOREST; REMOVAL OF  
TRESPASSING HORSES

Whereas a number of horses are trespassing and grazing on the Heber and Chevalon Ranger Districts in the Sit-

greaves National Forest in the State of Arizona; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order for the occupancy, use, protection, and administration of land in the Heber and Chevalon Ranger Districts of the Sitgreaves National Forest is issued:

*Temporary closure from livesock grazing.*<sup>1</sup> (a) The following-described areas in the Sitgreaves National Forest are hereby closed for the period March 1, 1946 to August 31, 1946, to grazing by horses excepting those that are lawfully grazing on or crossing land in such allotments, pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land:

Chevalon and Heber Ranger Districts in the Sitgreaves National Forest which are bounded on the east by the Park Community and Grover Springs allotment fences; on the south by the fence between the Apache Indian Reservation and the Sitgreaves National Forest; the fence between the Tonto National Forest and the Sitgreaves National Forest and the Mogollon Rim, an impassable barrier; on the west by the Coconino National Forest generally along Leonard Canyon and Clear Creek Canyon; and on the north by the forest boundary fence.

The Chevalon District is comprised of the following unfenced allotments: Willow Creek, Hart Canyon, Alder Lake, Chevalon Canyon, Cabin Draw, Sand Draw, Soldier Trail, and Clear Creek.

The Heber District is made up of the following allotments: Fenced: Mud Tank, Gentry, Buckskin, Black Canyon, Heber Community, Pearce Wash, and Pearce Seeps. Unfenced: Long Tom, Wildcat, Wagon Draw, and Rock Tank.

The above allotments are all located in Coconino and Navajo Counties, State of Arizona.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Sitgreaves National Forest is located.

Done at Washington, D. C., this 21st day of January 1946. Witness my hand and the seal of the Department of Agriculture.

CLINTON P. ANDERSON,  
*Secretary of Agriculture.*

[F. R. Doc. 46-1152; Filed, Jan. 22, 1946;  
11:09 a. m.]

<sup>1</sup>This affects tabulation contained in 36 CFR, § 261.50.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and  
Navigation

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4482, 4488, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 40 Stat. 602, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 288, 367, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury (11 F.R. 185), the following amendments to the regulations are prescribed and shall be made effective February 8, 1946:

Subchapter C—Motorboats, and Certain Vessels  
Propelled by Machinery Other Than by Steam  
More Than 65 Feet in Length

PART 24—GENERAL PROVISIONS

Section 24.10 (a) is amended by changing the first sentence to read as follows:

§ 24.10 *Definition of terms.* \* \* \*

(a) *Motorboat.* Motorboat means any vessel 65 feet in length or less which is propelled by machinery (including steam), except tugboats and towboats propelled by steam. The word "motorboat" includes a boat temporarily or permanently equipped with a detachable motor and any such boat when so propelled is subject to the applicable provisions of the Motorboat Act of April 25, 1940, and the regulations promulgated thereunder.

Section 24.10 (b) is amended to read as follows:

§ 24.10 *Definition of terms.* \* \* \*

(b) *Motor vessel.* Motor vessel means any vessel more than 65 feet in length, which is propelled by machinery other than by steam.

PART 25—REQUIREMENTS FOR ALL MOTOR-  
BOATS EXCEPT THOSE OF OVER 15 GROSS  
TONS CARRYING PASSENGERS FOR HIRE

NAVIGATION LIGHTS

Section 25.1-1 is amended to read as follows:

§ 25.1-1 *When carried and exhibited.* Every motorboat in all weathers from sunset to sunrise shall carry and exhibit the following lights when under way and during such time no other lights which may be mistaken for those prescribed shall be exhibited. No penalty is incurred by motorboats for a failure to carry lights between the hours of sunrise and sunset.

Part 25 is amended by adding two new §§ 25.1-7 and 25.1-8, reading as follows:

§ 25.1-7 *Running lights.* The lights provided for in section 3 of the Act of April 25, 1940 (54 Stat. 164, 46 U.S.C. 526b), are running lights for motorboats subject to the provisions of that act in lieu of the lights prescribed, respectively, by Article 2 of the Act approved June 7,

<sup>1</sup>10 F.R. 12559.

1897 (30 Stat. 96, 33 U.S.C. 172) (covering certain harbors, rivers, and inland waters of the United States); Rule 3 of the act approved February 8, 1895, as amended (28 Stat. 645, as amended, 33 U.S.C. 252) (covering the Great Lakes and their connecting and tributary waters); and Rules 3, 5, 6, and 7 of R.S. 4233, as amended (28 Stat. 672, 33 U.S.C. 312, 314-316) (covering western rivers and the Red River of the North). These running lights are required to be carried on all motorboats when under way on navigable waters of the United States, in all weathers, from sunset to sunrise, but not on the high seas. Motorboats, when on the high seas, shall exhibit the lights prescribed by the International Rules of 1890, as amended (26 Stat. 321-325, as amended, 33 U.S.C. 71-82).

§ 25.1-8 *Running lights not in conflict with anchor lights and other lights.* The provisions of section 3 of the Act of April 25, 1940 (54 Stat. 164, 46 U.S.C. 526b), requiring running lights on motorboats are not in conflict with the provisions of the acts cited in § 25.1-7, requiring anchor lights and other lights in addition to the running lights on pilot, towing, and fishing vessels. It will be observed that the penalties for violations of existing laws not in conflict with the Act of April 25, 1940 (54 Stat. 163-167, 46 U.S.C. 526-526t), remain unchanged.

Part 25 is amended by adding a new § 25.2-2, reading as follows:

**WHISTLES OR OTHER SOUND-PRODUCING DEVICES**

§ 25.2-2 *Where not required.* The provisions of sections 4 and 5 of the Act of April 25, 1940 (54 Stat. 164, 165, 46 U.S.C. 526c, 526d, 526h), requiring whistles and bells on motorboats do not apply to motorboats propelled by outboard motors while competing in any race previously arranged or announced, nor do they apply to such boats if they are designed and intended solely for racing, while they are engaged in such navigation as is incidental to the tuning up of the boats and engines for the race.

**PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT**

**LIFESAVING EQUIPMENT**

Section 28.4-2 is amended by deleting paragraph (c) and by changing the headline and first sentence to read as follows:

§ 28.4-2 *General characteristics of ring buoys.* Every ring buoy shall conform to the following general requirements:

Section 28.4-6 *Specifications for kapok life preserver* and Figure 2 are deleted.

**PART 29—NUMBERING OF UNDOCUMENTED VESSELS**

The heading for Part 29 is changed from "Enforcement" to "Numbering of Undocumented Vessels."

Section 29.1 *Reporting of violations* is deleted.

Section 29.2 *Definition of motorboat* is deleted.

Section 29.3 *Running lights* is deleted. (The text of this section has been transferred to § 25.1-7 of this subchapter.)

Section 29.4 *Running lights not in conflict with anchor lights* is deleted. (The text of this section has been transferred to § 25.1-8 of this subchapter.)

Section 29.5 *Lights were not required* is deleted. (The text of this section has been transferred to § 25.1-1 of this subchapter.)

Section 29.6 *Whistles and bells; when not required on outboard motorboats* is deleted. (The text of this section has been transferred to § 25.2-2 of this subchapter.)

**Subchapter D—Tank Vessels**

**PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES**

**LIFE PRESERVERS**

Section 37.6-1 *General provisions, approval—TB/ALL* is deleted.

Section 37.6-2 *General characteristics—TB/ALL* is deleted.

Section 37.6-6 *Specifications for standard type kapok life preserver—TB/ALL* and Figure 2 are deleted.

**Subchapter G—Ocean and Coastwise: General Rules and Regulations**

**PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)**

Section 59.55 *Life preservers* is amended by deleting paragraphs (c) *General provisions, approval*, (d) *General characteristics*, (h) *Specifications for standard type kapok preserver*, and Figure 2.

**PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)**

Section 60.48 *Life preservers* is amended by deleting paragraphs (c) *General provisions, approval*, (d) *General characteristics*, (h) *Specifications for standard type kapok preserver*, and Figure 2.

**Subchapter H—Great Lakes: General Rules and Regulations**

**PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES**

Section 76.52 *Life preservers* is amended by deleting paragraphs (c) *General provisions, approval*, (d) *General characteristics*, (h) *Specifications for standard type kapok preserver*, and Figure 2.

**Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations**

**PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES**

Section 94.52 *Life preservers* is amended by deleting paragraphs (c) *General provisions, approval*, (d) *General characteristics*, (h) *Specifications for standard type kapok preserver* and Figure 2.

**Subchapter J—Rivers: General Rules and Regulations**

**PART 113—BOATS, RAFTS, BULKHEADS AND LIFESAVING APPLIANCES**

Section 113.44 *Life preservers* is amended by deleting paragraphs (c) *General provisions, approval*, (d) *Gen-*

*eral characteristics*, (h) *Specifications for standard type kapok preserver* and Figure 2.

Dated: January 21, 1946.

[SEAL]

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 46-1142; Filed, Jan. 21, 1946; 4:33 p. m.]

**Subchapter Q—Specifications**

**PART 160—LIFESAVING EQUIPMENT**

**SUBPART 160.001—LIFE PRESERVERS, GENERAL**

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4482, 4488, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 367, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1) and Coast Guard General Order 1-46 of the Secretary of the Treasury dated January 1, 1946 (11 F.R. 185), Part 160—*Lifesaving Equipment*, is amended by adding a new subpart 160.001 and the following new regulations are prescribed, which shall be in effect on and after February 8, 1946:

Sec.

160.001-1 Applicable specifications.

160.001-2 General characteristics of life preservers.

160.001-3 General provisions for approval of life preservers.

AUTHORITY: §§ 160.001-1 to 160.001-3, inclusive, issued under R.S. 4405, 4417a, 4426, 4482, 4488, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244; 46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 367, 526-526t, 50 U.S.C. 1275; E.O. 9083, Feb. 28, 1942, 3 CFR, Cum. Supp., as modified by E.O. 9666, Dec. 28, 1945, 11 F.R. 1; and Coast Guard Gen. Order 1-46, Jan. 1, 1946, 11 F.R. 185.

§ 160.001-1 *Applicable specifications.* (a) There are no other specifications applicable to this subpart.

§ 160.001-2 *General characteristics of life preservers.* (a) Life preservers shall be simple in design, reversible, and capable of being quickly adjusted, and shall support the wearer in the water in an upright or slightly backward position.

(b) The buoyancy shall not be dependent upon air, compartments or loose granulated material.

(c) Construction, materials, and workmanship shall be at least equivalent to that of a standard type described in detail by other subparts in this part.

§ 160.001-3 *General provisions for approval of life preservers.* (a) Designs of life preservers are approved only by the Commandant, U. S. Coast Guard, Washington 25, D. C.

(b) Standard type life preservers covered by detailed specifications in this part shall be submitted as provided by the applicable subpart.

(c) Life preservers in any degree different from the standards contained in this part shall be submitted for approval

through the District Coast Guard Officer of the district in which the factory is located, and shall include duplicate specimen life preservers, together with plans, material lists, and construction specifications in quadruplicate.

Dated: January 21, 1946.

[SEAL]

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 46-1140; Filed, Jan. 21, 1946;  
4:32 p. m.]

#### PART 160—LIFESAVING EQUIPMENT

##### SUBPART 160.002—LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE), MODELS 2, 3, 5 AND 6

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4482, 4488, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 367, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1) and Coast Guard General Order 1-46 of the Secretary of the Treasury dated January 1, 1946 (11 F.R. 185), Part 160—*Lifesaving Equipment*, is amended by adding a new subpart 160.002 and the following new regulations are prescribed, which shall be in effect on and after February 8, 1946:

Sec.	
160.002-1	Applicable specifications and plans.
160.002-2	Types and models.
160.002-3	Materials.
160.002-4	Construction.
160.002-5	Inspections and tests.
160.002-6	Marking.
160.002-7	Procedure for approval.

**AUTHORITY:** §§ 160.001-1 to 160.001-3, inclusive, issued under R.S. 4405, 4417a, 4426, 4482, 4488, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244; 46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 367, 526-526t, 50 U.S.C. 1275, E.O. 9083, Feb. 28, 1942, 3 CFR, Cum. Supp., as modified by E.O. 9666, Dec. 28, 1945, 11 F.R. 1; and Coast Guard Gen. Order 1-46, Jan. 1, 1946, 11 F.R. 185.

§ 160.002-1 *Applicable specifications and plans*—(a) *Specifications*. The following specifications, of the issue in effect on the date life preservers are manufactured, form a part of this subpart:

(1) *Navy Department specifications*.

21T4—Twine, cotton, mattress, polished, for use in tufting machines.  
23P12 (INT)—Preservers, life, kapok (jacket type).  
27D1—Drill, cotton, fire and weather-resistant.

(2) *Army specifications*.

6-185—Webbing, cotton, natural, or in colors.

(3) *Federal specifications*.

V-T-276—Thread; cotton.  
CCC-D-651—Drill, unbleached.  
CCC-T-191—Textiles; general specifications, test methods.  
DDD-S-751—Stitches; seams and stitching.

(4) *Coast Guard specifications*.

164.003—Kapok, processed.  
164.004—Kapok, reprocessed.

(b) *Plans*. The following plans, of the issue in effect on the date life preservers are manufactured, form a part of this specification:

Dwg. No. F-49-6-1:

(Sheet 1)—Cutting pattern and general arrangement (adult).

(Sheet 1A)—Alternate stitching of tapes and webbing (adult and child).

(Sheet 1B)—Alternate body strap arrangement (adult and child).

(Sheet 2)—Pad detail (adult).

Dwg. No. F-49-6-5:

(Sheet 1)—Cutting pattern and general arrangement (child).

(Sheet 2)—Pad detail (child).

§ 160.002-2 *Types and models*. (a) Life preservers specified by this subpart shall be of the following types:

Type A—Adult:

Model 2—Adult, 24 ounces kapok, removable pads not enclosed within coated fabric outer pad covering.

Model 3—Adult, 24 ounces kapok, removable pads enclosed within coated fabric outer pad covering.

Type B—Child:

Model 5—Child, 16 ounces kapok, removable pads enclosed within coated fabric outer pad covering.

Model 6—Child, 16 ounces kapok, removable pads not enclosed within coated fabric outer pad covering.

§ 160.002-3 *Materials*—(a) *Kapok*. The kapok shall comply with subpart 164.003 or 164.004 of this subchapter, and shall be properly processed.

(b) *Envelope*. The life preserver envelope, or cover, shall be made of cotton drill without sizing, thread count approximately 74 x 60, having a minimum breaking strength of 100 pounds in the warp and 80 pounds in the filling when tested in accordance with Federal Specification CCC-T-191, listed in Section 1, and may be treated with a clear, uncolored, fire-resistive substance of an approved type. Cotton drills conforming to Navy Department Specification 27D1 or those meeting the requirements for Type A drill contained in Federal Specification CCC-D-651, are acceptable. Until June 30, 1946, the color may be unbleached or orange. After June 30, 1946, the color shall be Indian Orange, Cable No. 70072, Standard Color Card of America, Ninth Edition, issued by The Textile Color Card Association of the United States, Inc., 200 Madison Avenue, New York, N. Y. Samples of fabric conforming to this color requirement may be obtained upon request.

(c) *Tunnel strip*. The tunnel strip shall be made of cotton drill conforming to the requirements for the envelope cover, and shall not be treated with a fire-resistive substance.

(d) *Pad covering*. The covering for the kapok pads shall be any cotton sheeting or print cloth which possesses not less strength than unbleached cotton print cloth known commercially as 38½ inch, 64 x 56, 5.50 yards, having a minimum breaking strength of 36 pounds in the warp and 22 pounds in the filling.

(e) *Outer pad covering*. The outer covering for the kapok pads shall consist

of a coated fabric which possesses the hydrostatic test values, flame resistance, and other characteristics specified by the applicable paragraphs of Navy Department, Bureau of Ships Ad Interim Specification 23P12 (INT), listed in § 160.002-1.

(f) *Tie tapes and drawstrings*. The tie tapes at the neck and the lower drawstrings shall be made of ¼ inch cotton tape equal in color to the treated drill jacket covering, weighing not less than 0.3 ounce per linear yard, and having a minimum breaking strength of 200 pounds. The tie tapes and drawstrings shall not be treated with a fire-resistive substance.

(g) *Body strap*. The body strap shall be made of one inch cotton webbing, olive drab or equal in color to the cotton drill covering, and have a minimum breaking strength of 400 pounds. Types IIB, III, IV, V, or VI, 1" webbing meeting the requirements of U. S. Army Specification No. 6-185, listed in § 160.002-1, are satisfactory.

(h) *Dee rings and tip*. The Dee rings and tip shall be made of brass or bronze. The Dee ring ends shall be welded together to form a complete ring. They shall be of the approximate size indicated by Dwg. No. F-49-6-1, Sheet 1, or by Dwg. No. F-49-6-5, Sheet 1. When assembled, the complete body strap with Dee ring fastening arrangement shall have a breaking strength of not less than 360 pounds.

(i) *Reinforcing tape*. The reinforcing tape shall be made of ¾ inch cotton tape equal in color to the treated drill jacket covering, weighing not less than 0.18 ounce per linear yard and having a minimum breaking strength of 120 pounds. This cotton tape may be treated with an approved fire-resistive substance.

(j) *Thread*. The thread shall be Type 1B, No. 20, 4-ply cotton thread, conforming to the requirements of Federal Specification V-T-276, listed in § 160.002-1.

(k) *Tufting twine*. The tufting twine shall be in compliance with Navy Department Specification 21T4, listed in § 160.002-1.

§ 160.002-4 *Construction*—(a) *General*. This specification covers life preservers which essentially consist of a vest-cut envelope containing pockets in which are enclosed pads of buoyant material, the life preserver being fitted with tapes and webbing to provide complete reversibility, proper adjustment for close fit to the bodies of various size wearers, and proper flotation characteristics to hold the wearer in an upright backward position with head and face out of water.

(b) *Envelope*. The envelope shall be of not more than two pieces, one piece for either side, cut to the pattern shown on Dwg. No. F-49-6-1, Sheet 1, for adult size, and Dwg. No. F-49-6-5, Sheet 1, for child size, joined by seams and stitching as shown on the drawing. A drawstring tunnel shall be formed by stitching a strip of the tunnel strip material as shown by the drawing. The ends of the tunnel strip shall be tucked under the reinforcing tape stitched around the end openings so there is no direct access to the pads from the outside. Three pockets shall be formed for insertion of the

kapok pads. The two front pads shall be removable from the envelope when portions of the lower longitudinal seam are opened, and the back pad shall be removable when a portion of one arm-hole seam is opened. The pads shall be well inserted into the pockets of the envelope, in no case more than one inch from the top seam of the pocket.

(c) *Pad inserts.* The kapok pads shall be formed from two pieces of material cut to the pattern shown by Dwg. No. F-49-6-1, Sheet 2, for adult size, and Dwg. No. F-49-6-5, Sheet 2, for child size, with seams as indicated on the drawing, and filled with kapok distributed as follows:

Distribution of Kapok in Pad Inserts

	Models 2 and 3 life preservers	Models 5 and 6 life preservers
Kapok, minimum.....	Ounces 24	Ounces 16
Front pad:		
Lower section.....	5 1/4	3 1/2
Upper section.....	3 3/4	2 1/2
Back pad.....	6	4

For Models 3 and 5 life preservers, the kapok pads shall be enclosed in the outer pad covering specified by § 160.002-3 (e) which shall be heat sealed tight to pass the tests prescribed by the applicable paragraphs of Navy Department Bureau of Ships Ad Interim Specification 23P12 (INT). For Models 2 and 6 life preservers, the pads shall not be in the coated fabric outer pad covering.

(d) *Tie tapes.* The tie tapes at the neck shall extend not less than 14 inches from the edge of the adult life preserver and not less than 12 inches from the edge of the child life preserver. They shall be stitched through both thicknesses of the envelope as shown by Dwg. No. F-49-6-1, Sheet 1, for adult size, and Dwg. No. F-49-6-5, Sheet 1, for child size, or by the alternate stitching shown on Sheet 1A. The free ends shall be doubled over and stitched in accordance with Section G-G of Sheet 1.

(e) *Drawstrings.* The drawstrings at the waist shall extend not less than 8 inches from the edge of the life preserver and shall be secured in the drawstring tunnel as shown by Dwg. No. F-49-6-1, Sheet 1, for adult size, and Dwg. No. F-49-6-5, Sheet 1, for child size, or by the alternate stitching shown on Sheet 1A. The free ends shall be doubled over and stitched in accordance with Section G-G of Sheet 1.

(f) *Body strap.* The body or lifting strap shall be fitted with double Dee rings on one end and metal tip on the other. The strap shall be secured in a tunnel formed between the two pieces of the envelope as shown on Dwg. No. F-49-6-1, Sheet 1, for adult size, and Dwg. No. F-49-6-5, Sheet 1, for child size, or by the alternate stitching shown on Sheet 1A. The alternate arrangement with body strap not between the two pieces of the envelope, as shown by Sheet 1B, may be utilized. The outside edge of the double Dee rings shall be 20 inches from the center line of the adult jackets and 15 inches from the center line of the child jackets. The other end of the

body strap shall be fitted with a metal tip to facilitate threading of the strap through the Dee rings.

(g) *Reinforcing tape.* Binding tape shall be stitched approximately 15 inches for adult jackets and 12 inches for child jackets around the back of the neck as shown by Dwg. No. F-49-6-1, Sheet 1, for adult size, and Dwg. No. F-49-6-5, Sheet 1, for child size. Binding tape shall also be stitched around the end openings of the drawstring tunnel, as indicated by the drawing.

(h) *Stitching.* All stitching shall be a short lock stitch, conforming to Stitch Type 301 of Federal Specification DDD-S-751 listed in § 160.002-1, and there shall be not less than 7, nor more than 9 stitches to the inch.

(i) *Tufting.* The pad inserts shall be tufted in the locations shown on Dwg. No. F-49-6-1, Sheet 2, for adult size, and Dwg. No. F-49-6-5, Sheet 2, for child size, except the alternate method provided by § 160.002-4 (j) may be employed for certain tufts in the case of Models 2 and 6 life preservers.

(j) *Securing pad inserts in envelope pockets.* The removable pad inserts shall be secured in the pockets of the envelopes of Models 2 and 6 life preservers, in no case more than one inch from the top seam of the pocket, by a row of stitching, approximately 1 1/4 inches long near the upper edge of each pocket, which stitching shall extend through both envelope covers and the pad cover fabric. The alternate method of securing the pad inserts in the pockets of the envelopes of Models 2 and 6 life preservers, in no case more than one inch from the top seam of the pocket, shall be by extending the tufts in the upper section of the front pads, and the tuft in the back pad, through the envelope covers and the pads. The removable pad inserts, which are contained in coated fabric outer pad covering, shall not be stitched or tufted to the envelopes of Models 3 and 5 life preservers.

(k) *Workmanship.* Life preservers shall be of first class workmanship and shall be free from any defects materially affecting their appearance or serviceability.

§ 160.002-5 *Inspections and tests*—(a) *General.* An inspector shall examine all life preservers at the place of manufacture for compliance with this specification. Samples of materials entering into the construction may be taken at random by the inspector and tests made for compliance with the applicable requirements. After satisfying himself that the life preservers have been manufactured according to this specification, he shall select indiscriminately from each lot of 250 or less, at least one life preserver to be tested for buoyancy as specified by § 160.002-5 (b). If the specimen life preserver passes the buoyancy test, the lot shall be acceptable as to buoyancy. If the specimen life preserver fails the buoyancy test, ten additional specimen life preservers shall be selected at random from the lot and tested for buoyancy. If all the ten additional specimen life preservers pass the test, the lot shall be acceptable as to buoyancy. If any one of the ten additional specimen life pre-

servers fails the buoyancy test, the lot shall be rejected. Rejected lots may be tested 100 percent by the manufacturer and all non-conforming units eliminated, whereupon the remainder of the lot may be re-submitted for official inspection. When any specimen life preserver shall fail the buoyancy test, ten specimen life preservers shall be selected at random and tested from the next succeeding lot submitted for official inspection. When the inspector has satisfied himself that the life preservers submitted for inspection are of a type officially approved in the name of the company, and that such life preservers meet the requirements of this specification, they shall be plainly marked in waterproof ink with the words, "Approved, U. S. Coast Guard, (Inspection date), (Inspector's initials), (Port)."

(b) *Buoyancy test.* A Model 2 or 6 life preserver may be tested as a unit. For a Model 3 or 5 life preserver, the pads shall be separated from the preserver and the coated fabric outer pad covering removed. The pads (or life preserver in the case of Model 2 or 6) shall be placed in a weighted wire cage. The cage shall be submerged forty-eight hours in a tank of fresh water so the top is approximately two inches below the surface. The weights shall be more than sufficient to submerge the cage with the enclosed pads (or life preserver in the case of Model 2 or 6). The buoyancy shall be determined to equal the weight of the weighted cage in the water less the weight of the cage in water with the pads (or life preserver in the case of Model 2 or 6) inside. The pads from life preserver Model 3, and the Model 2 life preservers, shall support not less than 16 1/2 pounds net weight; and the pads from life preserver Model 5 and the Model 6 life preservers, shall support not less than 11 pounds net weight.

§ 160.002-6 *Marking*—(a) *General.* Each life preserver shall be plainly marked in waterproof ink on a front compartment with the word "Adult", or "Child", as the case may be, with the model number, with the name and address of the manufacturer, and with the official approval number assigned to the life preserver.

§ 160.002-7 *Procedure for approval*—(a) *General.* Life preservers are approved only by the Commandant, U. S. Coast Guard, Washington, D. C. Correspondence pertaining to the subject matter of this specification shall be addressed to the District Coast Guard Officer of the district in which the factory is located. Manufacturers who desire to manufacture Models 2, 3, 5, or 6 life preservers shall submit one set of pad inserts and one complete specimen of each model life preserver for which approval is desired for assignment of an official approval number for each model.

Dated: January 21, 1946.

[SEAL]

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 46-1141; Filed, Jan. 21, 1946; 4:33 p. m.]

### Notices

#### FEDERAL TRADE COMMISSION.

[Docket No. 5378]

##### WORTHWHILE HATCHERIES

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of January A. D. 1946.

In the matter of Jenevive Roth and Louis Roth, individually and trading as Worthwhile Hatcheries.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, January 25, 1946, at ten o'clock in the forenoon of that day (Eastern standard time), in Room 709, U. S. Appraisers Stores, 103 South Gay Street, Baltimore, Maryland.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of fact, conclusions of law, and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-1151; Filed, Jan. 22, 1946;  
10:45 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order P1]

##### YOKOHAMA SPECIE BANK, LTD.

In re: The Yokohama Specie Bank, Ltd., (Manila Branch).

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

1. Having found and determined in Vesting Order Number 1501, dated May 18, 1943, that The Yokohama Specie Bank, Ltd., is a national of a designated enemy country (Japan);

2. Finding that The Yokohama Specie Bank, Ltd., has an established agency or branch office at Manila, Commonwealth of the Philippines, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property described as follows: All property of any nature whatsoever subject to the jurisdiction of the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on

account of or owing to, said Manila branch of The Yokohama Specie Bank, Ltd., including but not limited to the cash which was on deposit with the Manila Clearing House Association on December 29, 1941, in the amount of 2,886,570.68 Philippine pesos,

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

and determining:

4. 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, 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.

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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1050; Filed, Jan. 21, 1946;  
11:27 a. m.]

[Vesting Order P4]

##### BANK OF TAIWAN, LTD.

In re: Bank of Taiwan, Ltd.

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

1. Having found and determined in Vesting Order Number 911, dated February 15,

1943, that Bank of Taiwan, Ltd., is a national of a designated enemy country (Japan);

2. Finding that Bank of Taiwan, Ltd., has established agencies or branch offices in the Commonwealth of the Philippines, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property described as follows: All property of any nature whatsoever subject to the jurisdiction of the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, the said branches in the Commonwealth of the Philippines of the Bank of Taiwan, Ltd., including but not limited to the cash which was on deposit with the Manila Clearing House Association on December 29, 1941, in the amount of 233,410.26 Philippine pesos,

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

and determining:

4. 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, 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.

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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 7, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1051; Filed, Jan. 21, 1946;  
11:28 a. m.]



[Vesting Order 5445]

LOUIS A. SIEVERS

In re: Estate of Louis A. Sievers, deceased (File D-28-8836; E. T. Sec. 10857).

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;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Sievers, Jr., Elsa Sievers, Wilhelm Sievers, Mina Fricke, Ricke Bode, Maria Sickman, and Emilie Sievers, and each of them, in and to the Estate of Louis A. Sievers, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Wilhelm Sievers, Jr., Germany.  
Elsa Sievers, Germany.  
Wilhelm Sievers, Germany.  
Mina Fricke, Germany.  
Ricke Bode, Germany.  
Maria Sickman, Germany.  
Emilie Sievers, Germany.

That such property is in the process of administration by Louis C. Dismar, as Executor, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

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

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 December 4, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1052; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5553]

ADOLPH KOCH

In re: Estate of Adolph Koch, deceased (File D-28-9781; E. T. Sec. 13755).

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;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of August Koch and Gottlieb Heinrich Albert Koch, otherwise known as Albert Koch, and each of them, in and to the estate of Adolph Koch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

August Koch, Germany.  
Gottlieb Heinrich Albert Koch, otherwise known as Albert Koch, Germany.

That such property is in the process of administration by Charles Leischer, De Grey, South Dakota, as Administrator of the estate of Adolph Koch, deceased, acting under the judicial supervision of the County Court of Hughes County, Pierre, South Dakota;

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

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 January 7, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1053; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5569]

GERTRUD SARA FRIEDLAENDER-GOLDBERGER

In re: Bank account owned by Gertrud Sara Friedlaender-Goldberger.

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 Gertrud Sara Friedlaender-Goldberger, whose last known address is Schlüterstrasse 54, Berlin-Charlottenburg, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gertrud Sara Friedlaender-Goldberger, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an inactive dollar checking account, entitled Mrs. Gertrud Sara Friedlaender-Goldberger, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1054; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5570]

GEORG HAUCK & SOHN

In re: Bank account owned by Georg Hauck & Sohn.

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 Georg Hauck & Sohn, the last known address of which is 30 Neue Mainzerstrasse, Frankfurt A/M, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to George Hauck & Sohn, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled Georg Hauck & Sohn, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1055; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5571]

JOS. HECKEMANN

In re: Bank accounts owned by Friedrich Wilhelm Meyer, doing business as Jos. Heckemann.

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 Friedrich Wilhelm Meyer, doing business as Jos. Heckemann, whose last known address is 11 Dönhof, Bremen, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: a. That certain debt or other obligation owing to Friedrich Wilhelm Meyer, doing business as Jos. Heckemann, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Jos. Heckemann, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Friedrich Wilhelm Meyer, doing business as Jos. Heckemann, by Guaranty Trust Company of New York, New York, New York, arising out of an unrepresented foreign draft account, entitled Jos. Heckemann, and any and all rights to demand, enforce and collect same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1056; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5572]

LUDWIG MUELLER-HECKLER AND/OR RUTH MUELLER-HECKLER

In re: Bank account owned by Ludwig Mueller-Heckler and/or Ruth Mueller-Heckler.

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 Ludwig Mueller-Heckler and Ruth Mueller-Heckler, whose last known address is Mainz Gonsenheim, Lochneihof, Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ludwig Mueller-Heckler and/or Ruth Mueller-Heckler by Corn Exchange Bank Trust Company, New York, New York, arising out of a dollar account, entitled Ludwig or Ruth Mueller-Heckler, maintained at the Branch office of the aforesaid bank located at Washington & Rector Streets, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such nationals are persons not within a des-

ignated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1057; Filed, Jan. 21, 1946;  
11:28 a. m.]

[Vesting Order 5580]

KOCHI ITO

In re: Bank account owned by Kochi Ito.

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 Kochi Ito, whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kochi Ito, by Corn Exchange Bank Trust Company, 13 William Street, New York, New York, arising out of a dollar account, entitled Kochi Ito, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or

control by, the aforesaid national of a designated enemy country;

And 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1058; Filed, Jan. 21, 1946;  
11:29 a. m.]

[Vesting Order 5581]

TSUNEHICO KANAI

In re: Bank account owned by Tsunehiko Kanai.

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 Tsunehiko Kanai, whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Tsunehiko Kanai, by Corn Exchange Bank Trust Company, 13 William Street, New York, New York, arising out of a dollar account, entitled Tsunehiko Kanai, maintained at the branch office of the aforesaid bank located at Washington Street and Rector Street,

New York, New York, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1059; Filed, Jan. 21, 1946;  
11:29 a. m.]

[Vesting Order 5582]

MASAO KANNO

In re: Bank account owned by Masao Kanno.

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 Masao Kanno, whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Masao Kanno, by Corn Exchange Bank Trust Company, 13 William Street, New York, New York, arising out of a dollar account, entitled Masao Kanno, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1060; Filed, Jan. 21, 1946;  
11:29 a. m.]

[Vesting Order 5583]

WALTER KAUEHOWEN

In re: Bank account owned by Walter Kauenhoven.

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 Walter Kauenhoven, whose last known address is Lockkoppel 12, Wellingsbuette, Hamburg, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Walter Kauenhoven, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A53226, entitled Dr. Walter Kauenhoven, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1061; Filed, Jan. 21, 1946;  
11:30 a. m.]

[Vesting Order 5583]

A. A. KISSLING

In re: Bank account owned by A. A. Kissling.

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 A. A. Kissling, whose last known address is 83 Yamashita-Cho, Yokohama, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to A. A. Kissling, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A-91157, entitled A. A. Kissling, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-1062; Filed, Jan. 21, 1946;  
11:30 a. m.]

[Vesting Order 5586]

JULIA KNOEDLER

In re: Bank account owned by Julia Knoedler.

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 Julia Knoedler, whose last known address is Fleinerstrasse 31, Hellbronn-Wttbg., Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Julia Knoedler, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Compound Interest Department Account, Account Number A-89789, entitled Miss Julia Knoedler, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1063; Filed, Jan. 21, 1946; 11:30 a. m.]

[Vesting Order 5587]

JULIUS KOCH

In re: Bank account owned by Julius Koch.

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 Julius Koch, whose last known address is c/o H. Bischoff & Company, Baumwoll Boerse 203/6, Bremen, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to New York Cotton Exchange, by Chemical Bank & Trust Company, arising out of a dollar account, entitled New York Cotton Exchanges for account of Julius Koch, maintained at the main office of the aforesaid bank located at 165 Broadway, New York, New York, and any and all rights to demand, enforce and collect the same;

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Julius Koch, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1064; Filed, Jan. 21, 1946; 11:30 a. m.]

[Vesting Order 5588]

MAX KOENIGSDORF

In re: Bank account owned by Max Koenigsdorf.

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 Max Koenigsdorf, whose last known address is Mainz, Raimundi Strasse 3, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Max Koenigsdorf, by Corn Exchange Bank Trust Company, 13 William Street, New York, New York, arising out of a dollar account, entitled Max Koenigsdorf, maintained at the branch office of the aforesaid bank located at 8119 Roosevelt Avenue, Queens, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1065; Filed, Jan. 21, 1946;  
11:30 a. m.]

[Vesting Order 5589]

**KOKUSAI SANGYO KABUSHIKI KAISHA**

In re: Bank account owned by Kokusai Sangyo Kabushiki Kaisha.

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 Kokusai Sangyo Kabushiki Kaisha, the last known address of which is 4, 3-Chome, Kobikicho, Kyoboshikei, Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kokusai Sangyo Kabushiki Kaisha, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Kokusai Sangyo Kabushiki Kaisha, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1066; Filed, Jan. 21, 1946;  
11:30 a. m.]

[Vesting Order 5590]

**JOSEPHINE KUEPPERS**

In re: Bank account owned by Josephine Kueppers.

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 Josephine Kueppers, whose last known address is Potsdamerbrücke Detmold, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Josephine Kueppers, by Corn Exchange Bank Trust Company, New York, New York, arising out of a dollar account, entitled Josephine Kueppers, maintained at the branch office of the aforesaid bank located at 2900 Broadway, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it 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 it 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 January 8, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-1067; Filed, Jan. 21, 1946;  
11:30 a. m.]

**OFFICE OF PRICE ADMINISTRATION.**

[SO 119, Order 50]

**HAMMOND BRASS WORKS**

**ADJUSTMENT OF MAXIMUM PRICES**

(a) *Maximum prices for the Hammond Brass Works, Hammond, Indiana.*

(1) The above-mentioned manufacturer may determine his maximum prices for his line of radiator valves, radiator return elbows, sill faucets, boiler drains, stop and waste valves by increasing by 7 percent his prices on these items in effect on October 1, 1941, to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941, plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category on October 1, 1941.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the

adjustment granted by this order is put into effect:

Order No. 50 under Supplementary Order No. 119 authorizes a 7 percent increase on October 1, 1941 net prices for sales of radiator valves, radiator return elbows, sill faucets, boiler drains, stop and waste valves manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 50.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective January 21, 1946.

Issued this 21st day of January, 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1102; Filed, Jan. 21, 1946;  
11:54 a. m.]

[SO 119, Order 51]

DURHAM MANUFACTURING CO.  
ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Durham Manufacturing Company, Muncie, Indiana, may increase by no more than 10 per cent, its ceiling prices to each class of purchaser for metal household furniture of its manufacture.

(b) *Ceiling prices of purchasers for resale.* Purchasers for resale of such articles which the manufacturer has sold at the adjusted maximum prices permitted by paragraph (a) above, shall determine their maximum prices as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall calculate his ceiling price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices estab-

lished under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March, 1942, or thereafter properly established upon OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1103; Filed, Jan. 21, 1946;  
11:54 a. m.]

[SO 133, Order 14]

APCO MOSSBERG CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to sections 4 and 6 of Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* Apco Mossberg Company, Attleboro, Massachusetts, may increase by no more than 7.6% its ceiling prices to each class of purchaser for wrenches covered by Maximum Price Regulation No. 188, of its manufacture.

(b) *Ceiling prices of purchasers for resale.* Purchasers for resale of such articles which the manufacturer has sold at adjusted maximum prices shall determine their ceiling prices as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale shall calculate his ceiling price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 22d day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1104; Filed, Jan. 21, 1946;  
11:54 a. m.]

[SO 142, Order 10]

BELL SOUND SYSTEMS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 10 under Supplementary Order 142. Adjustment provisions for sales of industrial machinery and equipment. Bell Sound Systems, Inc. Docket No. 6083-SO-142-136-26.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order 142, it is ordered:

(a) The maximum prices for sales of these products (including portable public address, industrial paging and intercommunicating equipment and recording equipment and other electronic devices) by Bell Sound Systems, Inc., Columbus, Ohio, shall be as follows:

The manufacturer shall multiply by 124.2% the maximum prices he had in effect to a purchaser of the same class on October 1, 1941.

(b) The maximum prices for sales of these products (including portable public address, industrial paging and intercommunicating equipment and recording equipment and other electronic devices) by resellers shall be determined as follows: The resellers shall add to the maximum net price he had in effect to a purchaser of the same class on October 1, 1941, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Bell Sound Systems, Inc. shall notify each person who buys these products for resale of the dollar-and-cents

amounts by which this order permits the resellers to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1105; Filed, Jan. 21, 1946; 11:54 a. m.]

[SO 142, Order 11]

AMSCO-WIRE PRODUCTS CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 11 under Supplementary Order 142. Adjustment provisions for sales of industrial machinery and equipment. Amsco-Wire Products Corporation. Docket Nos. 6083-136.21-667 and 6083-581.12-37.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order 142; *It is ordered:*

(a) (1) The maximum prices for sales of piano pins by the Amsco-Wire Products Company, Ridgefield, New Jersey, shall be determined by adding 10% to the maximum prices which it had in effect on October 1, 1941 to a purchaser of the same class.

(2) The maximum prices for sales of wire products by the Amsco-Wire Products Company, Ridgefield, New Jersey, shall be determined as follows: (i) Compute a maximum price in accordance with section 10 (a) of Revised Maximum Price Regulation 136, or section 4 (c) of Maximum Price Regulation 581, whichever is applicable, using base date machine hour rates, material cost as of November 27, 1945, and base date profit markup. (ii) Increase the price computed under (i) above by not more than 10%.

(b) The maximum prices for sales of piano pins and wire products by resellers shall be determined as follows: The reseller shall add to the minimum net price he had in effect to a purchaser of the same class just prior to the issuance of this order, the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

(c) Amsco-Wire Products Corporation shall notify each person who buys piano pins and wire products for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1106; Filed, Jan. 21, 1946; 11:55 a. m.]

[Order 101 Under 18 (c), Amdt. 1]

BREAD

ADJUSTMENT OF MAXIMUM PRICES

NOTE: An amendment to the opinion accompanying Amendment No. 1 to Order No. 1 under § 1499.18 (c) of the General Maximum Price Regulation was filed with the Division of the Federal Register as Document No. 46-1222 (NP), on January 21, 1946, at 11:54 a. m.

[MPR 86, Order 41]

IRONRITE IRONER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of Maximum Price Regulation No. 86; *It is ordered:*

(a) This order establishes ceiling prices for the sales of the two models of Ironrite ironers manufactured by the Ironrite Ironers Manufacturing Company, Detroit, Michigan.

(1) The ceiling prices for sales by distributors to dealers in each zone for the models listed below are as follows:

Models	Zone 1	Zone 2	Zone 3
70	\$75.49	\$78.62	\$81.79
70G	75.49	78.62	81.79
75	88.08	92.84	94.38
75G	88.08	92.84	94.38

2. The ceiling price for sales by dealers to ultimate consumers in each zone for the models listed below are as follows:

Models	Zone 1	Zone 2	Zone 3
70	Each \$119.95	Each \$124.95	Each \$129.95
70G	119.95	124.95	129.95
75	139.95	144.95	149.95
75G	139.95	144.95	149.95

These prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

	Size group Nos.										
	1	2	3	4	5	6	7	7A	8	9	10
All methods of transportation (except truck or wagon) and for all uses (except railroad locomotive fuel).	Pursuant to the provisions of Section 1340.223 (b) (1) of Maximum Price Regulation No. 120, as amended.										
Truck or wagon shipments.....	\$4.37	\$4.27	\$4.17	\$4.07	\$4.07	\$4.17	\$4.27	\$4.27	\$3.32	\$4.07	\$2.32
Railroad locomotive fuel (all sizes).....	\$3.57										

(b) For the purposes of this order Zones 1, 2 and 3 comprise the following states:-

Zone 1. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Kentucky, Indiana, Michigan, Illinois, Wisconsin, Missouri, Iowa, Minnesota, Kansas, Nebraska, South Dakota, North Dakota, District of Columbia.

Zone 2. Georgia, Mississippi, Alabama, Louisiana, Florida, Arkansas, Oklahoma, Tennessee, North Carolina, South Carolina.

Zone 3. Washington, Oregon, California, Nevada, Montana, Idaho, Utah, Colorado, Wyoming, New Mexico, Arizona, Texas.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that these provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1080; Filed, Jan. 21, 1946; 11:55 a. m.]

[MPR 120, Order 1563]

SUNSHINE COAL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The No. 4 Mine of the Sunshine Coal Company, Centerville, Iowa, is hereby assigned Mine Index No. 1016 and its coals are classified in Centerville Mine Origin Group for rail shipments and in Maximum Truck Price Group No. 2 for truck shipments.

(b) Coals produced by the Sunshine Coal Company from the Mystic Seam at its No. 4 Mine, Mine Index No. 1016, located in Appanoose County, Iowa, in District No. 12, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:



(c) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

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

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120, governing the sale of bituminous coal, shall remain in effect.

(g) The price classifications and mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1081; Filed, Jan. 21, 1946; 11:55 a. m.]

[MPR 188, Amdt. 1 to Order 77 Under 2d Rev. Order A-3]

THE JOHN S. TILLEY LADDERS CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered*, That paragraph (a) (1) of Order No. 77 under Second Revised Order A-3 under Maximum Price Regulation No. 188 be amended to read as follows:

(a) *Manufacturer's maximum prices.* The John S. Tilley Ladders Company, Inc., 100-122 Second Street, Watervliet, New York, may sell the models of ladders listed below, of its manufacture, at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge in the amount indicated opposite each item.

This order shall become effective on the 22d day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1088; Filed, Jan. 21, 1946; 11:57 a. m.]

[MPR 188, Revocation of Order 97 Under 2d Rev. Order A-3]

MICHIGAN MAPLE BLOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 97 under Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 be, and the same hereby is, revoked.

This order shall become effective on January 22, 1946.

Issued this 21st day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1089; Filed, Jan. 21, 1946; 11:58 a. m.]

[MPR 188, Revocation of Order 100 Under 2d Rev. Order A-3]

O. C. S. OLSEN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 100 under Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188 be, and the same hereby is, revoked.

This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1087; Filed, Jan. 21, 1946; 11:57 a. m.]

[MPR 188, Order 135 Under 2d Rev. Order A-3]

O. C. S. OLSEN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*:

(a) *Manufacturer's maximum prices.* O. C. S. Olsen Company, 2527 Moffat Street, Chicago 47, Illinois, may increase its maximum prices in effect immediately

Article	Model	Size	Permitted adjustment
Ladder	Spring lock	20'-32'	Per ladder foot \$.14
	Do	36'-44'	
	Do	3-Section 18' and under	
	Do	3-Section 20' and over	
	Champion and liberty	20'-32'	
	Do	36'-44'	
	Electrician	4'-12'	
	Western style	20'-32'	
	Do	36'-44'	
	Single ladders	18'-22'	
	Do	24'-26'	
	Mason ladders	12'-22' 12" tread	
	Do	24'-30' 12" tread	
	Do	12'-22' 10" tread	
	Open top	10'-16'	
	Do	18'-22'	
	Do	24'-26'	
	Pointed top	25'-27'	
	Do	29'-31'	
	Omega	5'-12'	
	Patrician	6'-12'	
	Hudson	3'-10'	
	Do	12'	
Spruce single	10'-16'		
Decorator	4'-12'		
Do	14'-16'		
Safety platforms		Each	
Step ladder	No. 18	.442	
Do	No. 20	.504	
Stairway ladders		.232	

These adjustments apply only to those items for which maximum prices have been established under Maximum Price Regulation No. 188 prior to the effective date of this order. These adjustments may be made and collected only when separately stated on each invoice. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of the ladders for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) may add to his properly established maximum prices in effect immediately prior to the effective date of this order the dollars-and-cents amount of the adjustment charge which he is required to pay his

supplier. Such adjusted prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of the same or similar articles to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at wholesale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 77 Under Second Revised Order A-3 under Maximum Price Regulation No. 188 permits all sellers of the articles covered by this invoice to increase their maximum prices in effect prior to 1945 by the dollars-and-cents amount of the separately stated adjusted charges appearing on this invoice.

(d) All requests for adjustment of maximum prices not specifically permitted by this order are denied.

prior to October 10, 1944, for sales of the commercial and office furniture which it manufactures, by 10.6 percent of each such maximum price.

(b) *Maximum prices of purchasers for resale.* (1) A purchaser for resale of such articles, which the manufacturer has sold at adjusted maximum prices may increase his present maximum resale prices by the same dollar and cents amount by which his supplier's maximum prices have been increased.

(2) If a purchaser for resale cannot determine his maximum resale price under the above method, he shall apply to the Office of Price Administration for the establishment of his maximum resale price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum resale prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March 1942, or which have been properly established under the applicable OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1085; Filed, Jan. 21, 1946;  
11:56 a. m.]

[MPR 188, Order 136 Under 2d Rev. Order  
A-3]

PROFESSIONAL MANUFACTURING CO.  
ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Second Revised Order A-3 under § 1499.159b of MPR No. 188; it is ordered:

(a) *Manufacturer's ceiling prices.* Undertakers Supply Company, 123 South Racine Avenue, Chicago, Illinois and the Professional Manufacturing Company, Inc., 1322 West Monroe Street, Chicago 7, Illinois, may increase their current maximum prices for sales to each class of purchaser for the articles listed below which are manufactured by the Professional Manufacturing Co. by the amount of increase stated after each article:

Article	No.	Permitted amount of increase in current maximum prices
Church truck.....	2700	\$14.77
	2702	11.48
	2715	11.94
	2716	11.15
	2717	25.59
	2718	23.70
Display truck.....	2274	2.65
Allway cots (minus straps).....	3571C	5.75
Sterilizer.....	3267	3.40
		.44

(b) *Maximum prices of purchasers for resale.* A purchaser for resale other than Undertakers Supply Company who handle the article for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of his distribution from the manufacturer to the user, may add to his properly established maximum prices for these articles in effect immediately prior to the effective date of this order, the dollar and cents amount of the adjustment charge which he is required to pay to his supplier, provided the amount of the adjustment charges are separately stated.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March, 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) Within four months of the effective date of this order the manufacturer (Professional Manufacturing Company, Inc.) shall submit to the Office of Price Administration, Washington, D. C., a profit and loss statement covering the first three months of operation under this order.

(f) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1086; Filed, Jan. 21, 1946;  
11:57 a. m.]

[MPR 188, Order 137 Under 2d Rev. Order A-3]

FRED L. MEYERS, COMPANY, INC.  
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's ceiling prices.* Fred L. Meyers Company, Inc., Lawes, Delaware, may increase by no more than 10.6 percent its existing maximum prices to each class of purchaser for its no. 2 tin handled brush with bristles of horsehair, of its manufacture.

(b) *Ceiling prices of purchasers for resale.* Purchasers for resale of such articles which the manufacturer has sold at adjusted maximum prices shall determine their ceiling prices as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall calculate his ceiling price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1090; Filed, Jan. 21, 1946;  
11:58 a. m.]

[MPR 188, Order 138 Under 2d Rev. Order A-3]

MICHIGAN MAPLE BLOCK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Michigan Maple Block Company, of Petoskey, Michigan, may increase its maximum prices in effect immediately prior to June 15, 1945, for sales of the wood blocks, tops and tables which it manufactures by 18.8 percent of each such maximum price.

(b) *Maximum prices of purchasers for resale.* (1) A purchaser for resale of any article which the manufacturer sells at a price adjusted in accordance with this order, may increase his present maximum resale prices by the same dollar and cents amounts by which his supplier's maximum prices have been increased.

(2) If a purchaser for resale cannot determine his maximum price under the above method, he shall apply to the Office of Price Administration for the establishment of his maximum price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials in effect during March 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1091; Filed, Jan. 21, 1946; 11:58 a. m.]

[MPR 188, Order 4824]

J. O. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by J. O. Manufacturing Company, 8442 Otis Street, Southgate, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—			For sales by any person to consumers
		Drop ship jobber	Jobber	Retailer	
Eyesh curler.....	1	Per dozen \$6.40	Per dozen \$6.80	Per dozen \$8.00	Each \$1.25

These maximum prices are for the articles described in the manufacturer's application dated November 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% ten days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 22d day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1082; Filed, Jan. 21, 1946; 11:56 a. m.]

[MPR 188, Order 4825]

WILSON FOUNDRY AND MACHINE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a bicycle motor described in the November 7, 1945 application of the Wilson Foundry and Machine Co., West Wilson Avenue, Pontiac 11, Michigan, as follows:

(1) (i) For all sales and deliveries by the manufacturer to Whizzer Motor Company since Maximum Price Regulation No. 188 became applicable to those sales, the maximum price is \$42.00 each, f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying 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 by Whizzer Motor Company, 8272 Sunset Boulevard, Los Angeles 46, California, and any other person other than the manufacturer, to the following classes of purchasers, the maximum prices are those set forth below:

Article	Maximum price to—		
	Jobbers	Dealers	Consumers
Whizzer bicycle motor H.....	Each \$53.70	Each \$62.65	Each \$89.50

These maximum prices for sales to jobbers and dealers are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles to each class of purchaser. The maximum price for sales to consumers is a delivered price.

(ii) For all sales and deliveries by Whizzer Motor Company and by other persons other than the manufacturer 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 for resale on and after the effective date of this order, the manufacturer and every other seller to a purchaser for resale shall notify the purchaser of maximum prices and conditions established by the order for resales by the purchaser. This notice may be given in any convenient form.

(c) The Whizzer Motor Company shall attach a tag to every bicycle motor for which a maximum price is established by this order which is shipped to a purchaser for resale on and after the effective date of this order. Such tag shall contain the following statement:

OPA Retail Ceiling Price—\$89.50

This tag may not be removed before delivery to the consumer.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of January, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1083; Filed, Jan. 21, 1946; 11:56 a. m.]

[MPR 188, Order 4826]

WILSON INDUSTRIES, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188, and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Wilson Industries, Inc., of 551 West Lake Street, Chicago 6, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales to—		
		Jobbers	Retailers	Consumers
Hack saw frame (with blade).....	103	Each \$0.65	Each \$0.87	Each \$1.30

These prices are for the article described in the manufacturer's report filed August 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory, and they are subject to a cash discount of two percent for payment within ten days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These

prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the amount properly filled in:

OPA Retail Ceiling Price—\$1.30  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 22d day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1084; Filed, Jan. 21, 1946; 11:56 a. m.]

[MPR 478, Order 159]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered:*

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

Style #122, 56" 68 x 40 1.85 drill, dyed, neoprene coated and cotton flocked: \$1.625 per linear yard.

(b) With or prior to the first delivery of the coated fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric, which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1092; Filed, Jan. 21, 1946; 11:58 a. m.]

[MPR 478, Order 160]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478; *It is ordered:*

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

Style #180, 57" 48 x 40 3.47 sheeting, dyed, neoprene coated and cotton flocked: \$0.95 per linear yard.

(b) With or prior to the first delivery of the coated fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric, which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1093; Filed, Jan. 21, 1946; 11:59 a. m.]

[MPR 591, Revocation of Order 154]

FEDDERS MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register Order No. 154 under section 9 of Maximum Price Regulation No. 591 is hereby revoked.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1094; Filed, Jan. 21, 1946; 11:59 a. m.]

[MPR 591, Order 230]

TODHUNTER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum price, excluding Federal excise tax, for sales by any person to consumers of the following electric water heater manufactured by the Todhunter Manufacturing Company of Milwaukie, Oregon and described in its application dated December 3, 1945, shall be:

No. 400—40 gallon Electric storage water heater, galvanized tank, insulated, single element..... \$81.95

(b) The maximum net price, excluding Federal excise tax, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less a discount of 40 percent.

(c) The maximum net price, excluding Federal excise tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less a discount of 50 percent.

(d) The maximum prices established by this order shall be subject to such further discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) The Todhunter Manufacturing Company shall attach to each electric water heater covered by this order a tag containing the following:

OPA Maximum Retail Price, not installed, including actual federal excise tax paid at source, \$-----

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1095; Filed, Jan. 21, 1946; 11:59 a. m.]

[MPR 591, Order 231]

HAMILTON MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by Hamilton Manufacturing Company to Sears, Roebuck and Company, Chicago, Illinois of the following steel under sink cabinets manufactured by the Hamilton Manufacturing Company of Two Rivers, Wisconsin and described in applications dated December 20 and December 22, 1945, shall be:

42" x 20" R41-151 L. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	\$16.04
42" x 20" R41-152 R. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	16.04
42" x 24" R41-112 L. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	17.97
42" x 24" R41-119 R. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	17.97
42" x 24" R41-149 L. H. Steel enameled under sink cabinet with 2 drawers and 3 doors.....	20.52
42" x 24" R41-150 R. H. Steel enameled under sink cabinet with 2 drawers and 3 doors.....	20.52
54" x 24" R63-14 Steel enameled under sink cabinet with 2 drawers and 3 doors.....	22.80
60" x 24" R41-155 Steel enameled under sink cabinet with 4 drawers and 4 doors.....	27.98

(b) The maximum net prices, f. o. b. the point indicated below, for sales by Sears, Roebuck and Company of Chicago, Illinois to any person of the following steel under sink cabinets manufactured by the Hamilton Manufacturing Company of Two Rivers, Wisconsin, shall be:

	Unit price on sales through mail order catalog f. o. b. Chicago, Ill.	Unit price on sales through retail stores f. o. b. store
42" x 20" R41-151 L. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	\$21.06	\$23.40
42" x 20" R41-152 R. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	21.06	23.40
42" x 24" R41-112 L. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	24.97	27.97
42" x 24" R41-119 R. H. Steel enameled under sink cabinet with 2 drawers and 2 doors.....	24.97	27.97
42" x 24" R41-149 L. H. Steel enameled under sink cabinet with 2 drawers and 3 doors.....	27.00	30.00
42" x 24" R41-150 R. H. Steel enameled under sink cabinet with 2 drawers and 3 doors.....	27.00	30.00
54" x 24" R63-14 Steel enameled under sink cabinet with 2 drawers and 3 doors.....	31.80	35.00
60" x 34" R41-155 Steel enameled under sink cabinet with 4 drawers and 4 doors.....	36.81	40.90

(c) The Hamilton Manufacturing Company shall notify Sears, Roebuck and Company, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for Hamilton Manufacturing Company to Sears, Roebuck and Company as well as the maximum prices established for Sears, Roebuck and Company upon resale, including allowable transportation.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1096; Filed, Jan. 21, 1946; 11:59 a. m.]

[MPR 591, Order 232]

NEW CASTLE WELDING AND MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment, for sales by any person of the following septic tanks manufactured by the New Castle Welding Company of New Castle, Pennsylvania and described in its application dated November 29, 1945, shall be:

(1) On sales to consumers:	
Steel (12 gauge) welded septic tank, 200 gallon capacity.....	\$29.80
Steel (12 gauge) welded septic tank, 300 gallon capacity.....	40.68
Steel (12 gauge) welded septic tank, 500 gallon capacity.....	57.81
(2) On sales to dealers:	
Steel (12 gauge) welded septic tank, 200 gallon capacity.....	22.35
Steel (12 gauge) welded septic tank, 300 gallon capacity.....	30.51
Steel (12 gauge) welded septic tank, 500 gallon capacity.....	43.36
(3) On sales to jobbers:	
Steel (12 gauge) welded septic tank, 200 gallon capacity.....	17.88
Steel (12 gauge) welded septic tank, 300 gallon capacity.....	24.41
Steel (12 gauge) welded septic tank, 500 gallon capacity.....	34.69

(b) The maximum prices specified in (a) above shall be subject to such further discounts and allowances, including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(c) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(e) The New Castle Welding and Manufacturing Company shall stencil in

a conspicuous place on each of the septic tanks the following:

OPA Maximum Consumer Price—\$-----

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1945.

Issued this 21st day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1097; Filed, Jan. 21, 1946;  
11:59 a. m.]

[MPR 591, Order 233]

IGLOO FOODS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following refrigerator manufactured by the Igloo Foods, Inc., 2643 Erie Avenue, Cincinnati, Ohio, and as described in the application dated November 19, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
10 cu. ft. 1/4 hp. condensing unit.....	\$180	\$216	\$360

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for

each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Igloo Foods, Inc., of Cincinnati, Ohio, shall stencil on the lid or cover of the refrigerator covered by this order, substantially the following:

OPA Maximum Retail Price—\$360.00  
Plus freight and crating as provided in Order No. 233 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1098; Filed, Jan. 21, 1946;  
12:00 m.]

[MPR 591, Order 234]

GIRTON MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum price, excluding Federal excise tax, for sales by any person to consumers of the following dairy electric water heater manufactured by the Girton Manufacturing Company of Millville, Pennsylvania, and described in its application dated October 25, 1945, shall be:

10 gallon capacity, Girton dairy electric water heater, pressure type, galvanized tank..... \$61.00

(b) The maximum net price, excluding Federal excise tax, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less a discount of 25 per cent.

(c) The maximum net price, excluding Federal excise tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less a discount of 40 per cent.

(d) The maximum prices established by this order shall be subject to such further discounts and allowances, including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this

order for each such seller as well as the maximum prices established for purchasers upon, except dealers, resale.

(g) The Girton Manufacturing Company shall attach to each dairy electric water heater covered by this order a tag containing the following:

OPA maximum retail price not installed, including actual Federal excise tax paid at source—\$-----

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1099; Filed, Jan. 21, 1946;  
12:00 m.]

[MPR 591, Order 235]

PARAGON UTILITIES CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Kitchen Sink Cabinet units manufactured by Paragon Utilities Corporation and as described in the application dated November 30, 1945, shall be:

(1) On sales to consumers:

Countess 154: 54" single bowl—combination steel sink cabinet unit with stainless steel top, sink bowl and back splash complete with crum cup strainer and faucet with spray.....	\$211.50
Duchess 160: 60" single bowl—combination steel sink cabinet unit with stainless steel top, sink bowl and back splash complete with crum cup strainer and faucet with spray.....	245.65
Princess 166: 66" single bowl—combination steel sink cabinet unit with stainless steel top, sink bowl and back splash complete with crum cup strainer and faucet with spray.....	269.50
Empress 172: 72" single bowl—combination steel sink cabinet unit with stainless steel top, sink bowl and back splash complete with crum cup strainer and faucet with spray.....	319.50
Majesty 1666: 66" double bowl—combination steel sink cabinet unit with stainless steel top, sink bowls and back splash complete with crum cup strainers (2) and faucet with spray.....	360.60
Monarch 1722: 72" double bowl—combination steel sink cabinet unit with stainless steel top, sink bowls and back splash complete with crum cup strainers (2) and faucet with spray.....	395.50

(2) On sales to dealers the maximum net prices f. o. b. point of shipment shall be the list prices specified in (a) (1) above less a discount of 40 percent with additional discount of 5 percent granted on carload shipments.

(b) In addition to the discounts provided for in (a) above the maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum price on an installed basis of the commodities covered by this Order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(d) Each seller of the commodities covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) The Paragon Utilities Corporation shall stencil in a conspicuous place on each kitchen cabinet sink unit covered by this order, the following:

OPA Maximum Retail Price—\$-----

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1100; Filed, Jan. 21, 1946; 12:00 m.]

[MPR 591, Order 236]

SECURE LOCK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the door guard manufactured by the Secure Lock Company of Chicago, Illinois, and as described in the application dated November 12, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

On sales to jobbers: \$3.95 per dozen.  
On sales to retailers: \$5.25 per dozen.

(b) The maximum net price for sales by any person to consumers of the door guard manufactured by the Secure Lock Company, shall be: 65 cents each.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities within the same general category during March 1942.

(d) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 22, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1101; Filed, Jan. 21, 1946; 12:00 m.]

Model	Article	Maximum prices for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
6E604.....	Gas range.....	Each \$115.25	Each \$117.25	Each \$120.25	Each \$124.25
5E604.....	do.....	122.50	124.50	127.50	131.50
CG 404.....	Combination range.....	257.25	262.50	270.50	280.75
MB 404.....	Bungalow range.....	212.25	216.25	221.95	228.95

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$9.00 in the case of combination or bungalow ranges and \$6.00 in the case of gas ranges not of the combination or bungalow type from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel which plainly states the OPA ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery, and installation, and that if the seller does not provide installation, the maximum price is \$9.00 less than the price shown on the label if the range is of the combination or bungalow type and \$6.00 less than the price shown on the label if the range is not of the combination or bungalow type.

(c) For purposes of this order Zones 1, 2, 3 and 4 comprise the following states:

Zone 1. Michigan, Indiana, Ohio and Illinois.

Zone 2. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, New York, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Mississippi, Missouri, Iowa, Minnesota, Wisconsin, Kansas and Nebraska.

[SO 119, Order 53]

ROUND OAK CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 13 and 14 of Supplementary Order 119, *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the four models of gas ranges listed below manufactured by the Round Oak Company, Dowagiac, Michigan. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Zone 3. Florida, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, North Dakota, South Dakota and Montana.

Zone 4. Washington, Idaho, Utah, Arizona, Nevada, Oregon and California.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of January, 1946.

Issued this 21st day of January, 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1113; Filed, Jan. 21, 1946; 4:21 p. m.]

[MPR 86, Order 42]

APEX ELECTRICAL Mfg. Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Maximum Price Regulation No. 86; *It is ordered:*

(a) This order establishes ceiling prices for sales of fifteen models of wringer-type washing machines and three models of ironing machines manufactured by the Apex Electrical Manufacturing Company, Cleveland, Ohio.

(1) Distributors shall determine their ceiling prices for sales to dealers of each of the models listed in subparagraph (2) below in accordance with the provisions of section 15 of Maximum Price Regulation No. 86.

(2) The ceiling prices for sales by dealers in each zone for the models listed below are as follows:

Article	Model	Dealers' ceiling prices to consumers		
		Zone 1	Zone 2	Zone 3
Wringer-type washing machine.....	373	Each \$89.95	Each \$94.95	Each \$97.30
	390	79.95	84.75	86.75
	392	69.95	73.95	75.80
	389	69.95	74.60	76.60
	374	99.95	104.70	106.70
	371	69.95	74.70	76.70
	366	59.95	64.70	66.70
	369	49.95	54.70	56.70
	373P	99.95	104.95	107.90
	390P	89.95	94.75	96.75
	392P	79.95	83.95	85.80
	389P	79.95	84.60	86.60
	390G	104.95	109.75	111.75
	389G	89.95	94.60	96.60
	371G	99.95	104.70	106.70
	Ironing machine.....	541C	109.95	114.75
512C		99.95	104.70	106.70
533		34.95	35.95	36.50

These ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on similar articles.

(b) For purposes of this order Zones 1, 2 and 3 comprise the following states:

**Zone 1.** Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Kentucky, Ohio, Indiana, Michigan, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, New York.

**Zone 2.** North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas.

**Zone 3.** Washington, Oregon, California, Nevada, Arizona, New Mexico, Utah, Colorado, Wyoming, Montana, Idaho.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify the distributor that he shall establish his ceiling prices for resale to dealers in accordance with Section 15 of Maximum Price Regulation No. 86.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of January 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1111; Filed, Jan. 21, 1946; 4:21 p. m.]

[MPR 381, Order 2]

STOCK SCREEN GOODS

AUTHORIZATION TO USE OPEN BILLING PENDING DETERMINATION OF MAXIMUM PRICES

Applications have been filed for the establishment of maximum prices for screen doors, combination doors and extension windows made with 14 x 18 mesh

wire in both galvanized and bronze and 16 x 16 mesh aluminum wire. No prices are presently established for these items under Maximum Price Regulation No. 381 since the wire used is a new type now being produced by wire manufacturers. Maximum prices for all sizes and patterns of these items in the specifications and species set forth in Maximum Price Regulation 381 will be established by a forthcoming amendment to this regulation.

This is the normal period when manufacturers make shipments to distributors for spring business. It appears that authorization to manufacturers to use open billing pending determination of prices is necessary to allow shipment of stock screen goods made with this new type screen wire prior to the issuance of the amendment to avoid any unwarranted delay in distribution and production of these items and that the granting of such authorization will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended.

Therefore, in accordance with section 6 (d) of Maximum Price Regulation No. 381, Stock Screen Goods, *It is ordered:*

(a) Manufacturers subject to Maximum Price Regulation 381, Stock Screen Goods, may sell and deliver, and persons may buy and receive screen doors, combination doors and extension window screens made with 14 x 18 mesh wire in both galvanized and bronze and 16 x 16 mesh aluminum wire at or below maximum prices to be established after date of delivery by the Office of Price Administration.

(b) Manufacturers who sell any items covered by this order may collect and purchasers may pay no higher than the maximum prices for the same item with 16 x 16 mesh galvanized wire pending action by the Office of Price Administration. Any balance due may be collected upon the establishment by the Office of Price Administration of maximum prices for screen doors, combination doors and extension window screens wired with 14 x 18 mesh galvanized and bronze wire and 16 x 16 mesh aluminum wire.

(c) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for screen doors, combination doors and extension window screens in 14 x 18 mesh galvanized and bronze screen wire and 16 x 16 mesh aluminum wire.

(d) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 2 shall become effective January 22, 1946.

Issued this 22d day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1189; Filed, Jan. 22, 1946; 11:50 a. m.]

[MPR 591, Amdt. 7 to Order 48]

BRASS PLUMBING FIXTURE SUPPLY FITTINGS AND TRIMMINGS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, Order 48 under section 22 of Maximum Price Regulation No. 591 is amended in the following respects:

Paragraph (a) of section 2.6 is amended to read as follows:

**SEC. 2.6 Brass plumbing fixture supply fittings and trimmings—**(a) *Manufacturer's increase for items having an October 1, 1941 price.* The maximum price for sales by any manufacturer of the following categories of brass plumbing fixture supply fittings and trimmings and repair and service parts therefor shall be his price to each class of purchaser in effect on October 1, 1941, increased by the amounts shown below:

	Percent
I—Bathcocks and bathcock couplings, all finishes, except those having self-contained operating units with or without integral seats.....	15
II—Exposed two valve swing spout faucet for installation through back of sink with spout not longer than 6", with or without soap dish, except those having self-contained operating units with or without integral seats.....	17½
III—Exposed two valve swing spout faucet for installation through deck of sink, with or without soap dish, except those having self-contained operating units with or without integral seats.....	17½
IV—Concealed two valve swing spout faucet for installation through deck of sink, without spray, with or without soap dish, except those having self-contained operating units with or without integral seats.....	12½
V—Combination lavatory supply fitting (4" center to center only) with or without coupling nuts and tail pieces, with or without chain and rubber stopper, or with or without P. O. plug and tail piece.....	12½
VI—Combination lavatory supply fitting (4" center to center only) with or without coupling nuts and tail pieces, with or without pop up waste and tail piece.....	10
VII—Combination laundry tray faucets, except those having self-contained operating units with or without integral seats.....	15
VIII—Rough finish exposed (industrial) two valve shower with or without riser, with or without rigid head or ball joint head.....	15
IX—Single elevated code pattern lavatory faucet including coupling nuts and tail pieces, all finishes, except those having self-contained operating units with or without integral seats.....	17½
X—Single sink faucet ½" male shoulder, ½" shank; ¾" male shoulder, ½" shank; ¾" male shoulder, ¾" shank; rough or polished brass finish, plain or hose end.....	25
XI—Single sink faucet, all types and all finishes, except (1) self closing, (2) those having self-contained operating units with or without integral seats, and (3) those covered by category X above.....	17½
XII—All items of brass plumbing fixture supply fittings and trimmings not covered in categories I-XI, inclusive, above.....	5
XIII—Repair and service parts for brass plumbing fixture supply fittings and trimmings covered in categories I-XII, inclusive, above.....	5

NOTE: (1) When an item of brass plumbing fixture supply fittings and trimmings and an item of brass plumbing fixture



waste fittings and trimmings are sold as a unit for which the manufacturer has an established maximum price as a unit, for the purposes of this section, such units shall be considered as an item of brass plumbing fixture supply fittings and trimmings and the maximum price shall be determined in accordance with this Paragraph of this section.

NOTE: (2) By self-contained operating units with or without integral seats is meant units similar to the American Radiator and Standard Sanitary Corporation's "Re-nu" units and the Crane Company's "Newsleeve" units.

This amendment shall become effective January 21, 1946.

Issued this 21st day of January 1946.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 46-1112; Filed, Jan. 21, 1946;  
4:22 p. m.]

### Regional and District Office Orders.

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register January 15, 1946.

#### REGION I

Concord Order 21-C and 22-C, Amendment 4, covering poultry in the State of New Hampshire. Filed 10:00 a. m.

Montpelier Order 2-F, Amendments 33 and 34, covering fresh fruits and vegetables in Burlington, Clarendon, Colchester, Essex, Pittsford, Proctor, Rutland, Shelburne, South Burlington, West Rutland, Williston, Winoski. Filed 10:00 a. m.

Montpelier Order 3-F, Amendment 16, covering fresh fruits and vegetables in the State of Vermont with certain exceptions. Filed 10:00 a. m.

Montpelier Order 2-O, Amendment 3, covering eggs in the entire State of Vermont. Filed 10:01 a. m.

#### REGION II

Baltimore Order 4-F, Amendment 73, covering fresh fruits and vegetables in the Baltimore, Maryland, area. Filed 10:01 a. m.

Baltimore Order 10-F, Amendment 29, covering fresh fruits and vegetables in the entire State of Maryland except Baltimore City and adjoining area. Filed 10:02 a. m.

Baltimore Order 1-C, Amendment 2, covering poultry in the Baltimore, Maryland, area. Filed 10:02 a. m.

District of Columbia Order 5-F, Amendment 45, covering fresh fruits and vegetables in the Washington, D. C. area. Filed 10:01 a. m.

District of Columbia Order 6-W, Amendment 7, covering dry groceries in the Washington, D. C. area. Filed 10:01 a. m.

Philadelphia Order 1-C, Amendment 1, covering poultry in Philadelphia, Delaware and Montgomery counties, Pennsylvania. Filed 10:01 a. m.

Syracuse Order 3-F, Amendment 64, covering fresh fruits and vegetables in the cities of Syracuse, Watertown, Utica and their free delivery zones, N. Y. Filed 10:02 a. m.

Syracuse Order 4-F, Amendment 49, covering fresh fruits and vegetables in certain counties in New York with the exception of the cities of Syracuse, Watertown, Utica and their free delivery zones. Filed 10:02 a. m.

Trenton Order 12-F, Amendment 43, covering fresh fruits and vegetables in the counties of Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Warren, and all of Somerset

county, except the Borough of North Plainfield, New Jersey. Filed 10:01 a. m.

#### REGION IV

Atlanta Orders 16 and 17, Amendment 12, covering eggs in Zone 15. Filed 10:02 and 10:03 a. m.

Atlanta Orders 18 and 19, Amendment 12, covering eggs in Zone 18. Filed 10:03 a. m.

Atlanta Order 33-C, Amendment 6, covering poultry in Zone 23. Filed 10:03 a. m.

Atlanta Orders 34-C, and 35-C, Amendment 6, covering poultry in Zone 25. Filed 10:04 a. m.

#### REGION VI

Chicago Order 2-F, Amendment 95, covering fresh fruits and vegetables in Cook, DuPage, Kane, Lake, McHenry counties, Illinois, and Lake County, Indiana. Filed 10:04 a. m.

Des Moines Order 1-O, Amendment 11, covering eggs in the cities of Des Moines, West Des Moines and Marshalltown, Iowa. Filed 10:04 a. m.

Des Moines Order 2-O, Amendment 7, covering eggs in the cities of Council Bluffs, Iowa and Sioux City, Iowa. Filed 10:04 a. m.

Des Moines Order 3-O, Amendment 7, covering eggs in the cities of Fort Dodge and Mason City, Iowa. Filed 10:05 a. m.

Des Moines Order 4-O, Amendment 7, covering eggs in the cities of Dubuque, Waterloo, Cedar Rapids, Clinton, Davenport, Burlington and Ottumwa, Iowa. Filed 10:05 a. m.

Peoria Order 1-M, covering bottled beer and ale in certain counties in Illinois. Filed 10:05 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-1071; Filed, Jan. 21, 1946;  
11:52 a. m.]

### SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-533]

#### MEAD CORP.

#### ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of January, A. D. 1946.

The Mead Corporation, a holding company exempt from the provisions of the Public Utility Holding Company Act of 1935 under paragraph (a) of Rule U-9 promulgated thereunder, having filed an application and an amendment thereto pursuant to section 3 (a) (3) of the act; and

A public hearing having been held after appropriate notice, the Commission having considered the record, and having filed its findings and opinion;

It is ordered, That the application of The Mead Corporation on behalf of itself and its subsidiaries as such for exemption pursuant to section 3 (a) (3) (A) of the act be, and it hereby is, granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-1147; Filed, Jan. 22, 1946;  
9:46 a. m.]

[File No. 70-1215]

#### IOWA POWER AND LIGHT 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 18th day of January, A. D. 1946.

Notice is hereby given that a declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 by Iowa Power and Light Company (Iowa), a public utility company and a subsidiary of Continental Gas & Electric Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed which are summarized as follows:

Iowa proposes to refinance its outstanding 38,700 shares of 6% Cumulative Preferred Stock \$100 par value per share and 11,300 shares of 7% Cumulative Preferred Stock \$100 par value per share (hereinafter collectively referred to as "Old Preferred Stock") by

(a) An offer to the holders of such Old Preferred Stock of an opportunity to exchange their shares on a share for share basis for —% Cumulative Preferred Stock (hereinafter referred to as "New Preferred Stock") pursuant to an exchange plan hereinafter described;

(b) A sale pursuant to the competitive bidding requirements of Rule U-50 of that number of shares of such New Preferred Stock which shall be equal to the difference between 50,000 and the aggregate number of shares of Old Preferred Stock which shall be deposited for exchange; and

(c) The redemption from the proceeds of the sale of New Preferred Stock together with required treasury funds of all outstanding shares of Old Preferred Stock not deposited for exchange.

In the exchange of Old Preferred Stock for New Preferred Stock on a share for share basis Iowa proposes to make cash dividend adjustments which, together with the dividends receivable for the New Preferred Stock, will give each holder of 7% Cumulative Preferred Stock whose shares are exchanged a dividend at the rate of 7% per annum and each holder of 6% Cumulative Preferred Stock whose shares are exchanged a dividend at the rate of 6% per annum, from the date of the last dividend payment to April 1, 1946, the proposed redemption date of the unexchanged Old Preferred Stock. To the extent that the company shall receive a price for the shares of New Preferred Stock not taken under this exchange offer that is less than \$105 per share, the company will pay out of treasury funds to the holder of each share of Old Preferred Stock deposited for exchange a sum equal to the difference between such price and \$105, which is the charter redemption price.

The company proposes pursuant to the requirements of Rule U-50 publicly to invite bids for services in effecting the exchange of the New Preferred Stock for Old Preferred Stock and for the purchase of such of the 50,000 shares of New Preferred Stock as are not required for

such exchange. The invitation for bids will specify a maximum price to be paid to Iowa of \$102.75 per share and a minimum price of \$101.25 per share.

Iowa proposes to adopt an amendment to its Articles of Incorporation which will, among other things, provide for the authorization of 100,000 shares of preferred stock and will authorize the issuance of 50,000 shares of —% Cumulative Preferred Stock, par value \$100 per share, the provisions applicable thereto to be set out in full in said amendment to the Articles of Incorporation.

The declarant has designated sections 6 (a), 7 and 12 (c) of the act and Rules U-42 and U-50 as being applicable to the proposed transaction.

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 the declaration and that the declaration shall not be permitted to become effective except pursuant to further order of the Commission:

*It is ordered*, That a hearing on the declaration under the applicable provisions of the Act and the Rules of the Commission thereunder be held on January 29, 1946 at 10:30 a. m., E. s. 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. Any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of the Commission on or before January 28, 1946 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered*, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of issues presented by the declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the issue and sale or exchange of the proposed New Preferred Stock by Iowa meets the applicable requirements of Section 7 of the Act.

2. Whether the terms and conditions of the New Preferred Stock proposed to be issued by Iowa are detrimental to the public interest or the interests of investors or consumers.

3. Whether the terms and conditions of the proposed exchange offer are fair and reasonable and appropriate in the public interest or the interest of investors or consumers.

4. Whether the fees, commissions or other remuneration to be paid, directly or indirectly, in connection with the proposed transactions are reasonable.

5. Whether the proposed amendments to the Articles of Incorporation of Iowa

will result in an unfair or inequitable distribution of voting power among holders of its securities, or be otherwise detrimental to the public interest or the interest of investors or consumers.

6. Whether the accounting entries to be made in connection with the proposed transactions are proper and in accordance with sound accounting principles.

7. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in connection with the proposed transactions.

8. Generally, whether the proposed transactions comply with all of the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

*It is further ordered*, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to Iowa Power and Light Company, the Federal Power Commission, the Mayor and City Solicitor of Des Moines, Iowa, and the Iowa Executive Council, and that notice of said hearing shall be given 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 Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-1148; Filed, Jan. 22, 1946;  
9:46 a. m.]

[File No. 1-2211]

#### NORFOLK SOUTHERN RAILROAD CO.

#### ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of January A. D. 1946.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5% First & Refunding Mortgage Bonds, Series A, due 1961, of Norfolk Southern Railroad Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered*, That the matter be set down for hearing at 9:30 a. m. on Thursday, February 7, 1946, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered*, That Richard Townsend, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-1149; Filed, Jan. 22, 1946;  
9:46 a. m.]

#### UNITED STATES COAST GUARD.

#### APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4483 and 4491, as amended, 35 Stat. 428, 49 Stat. 1384, 1544, sec. 5, 55 Stat. 244 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 396, 369, 367, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the following approval of equipment is prescribed, effective upon the date of publication in the FEDERAL REGISTER:

#### FIRE RETARDANT MATERIALS FOR VESSEL CONSTRUCTION: PANELS FOR CLASS B BULKHEAD CONSTRUCTION

Hollow steel Class "B" bulkhead panel, Aetna Ship Bulkhead, over-all thickness 2", filled with two 1" blankets of 3¼ pound density Fiberglas, Dwg. No. 1007, dated 6 November, 1945, submitted by the Aetna Steel Products Corp., 50 Church Street, New York City, N. Y.

#### LIFEBOAT

26.0' x 9.0' x 3.6' steel motor-propelled lifeboat, 44-person capacity, Arrangement and Construction Dwg. No. 2059, date 6 August, 1945, submitted by Imperial Lifeboat and Davit Co., Inc., Athens, New York.

Dated: January 21, 1946.

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 46-1143; Filed, Jan. 21, 1946;  
4:33 p. m.]

#### WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4482, 4483, and 4491, as amended, sec. 11, 35 Stat. 428, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5, 55 Stat. 244 (46 U.S.C. 375, 391a, 404, 475, 481, 489, 396, 367, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the withdrawal of approval of the fol-

lowing kapok type of adult and child life preservers is prescribed, effective February 8, 1946:

#### KAPOK LIFE PRESERVERS

Withdrawal of approval of all kapok type life preservers, adult and child, approved by Coast Guard and its predecessors except those assigned the following approval numbers: B-226, B-227, B-230, B-231, B-233, B-234, B-236, B-237, B-238, B-240, B-241, B-244, B-246, B-247, B-249, B-250, B-253, B-254, B-255, B-256, B-258, B-261, B-266, B-268, B-271. (This cancels all approvals of kapok type life preservers except Models 2 and 3

which are in accordance with Specification 160.002, originally the Specification dated June 10, 1944, as amended.)

Notwithstanding the withdrawal of approval of certain models of kapok type life preservers, all such life preservers inspected and stamped approved on or before February 8, 1946, may be used so long as they are in good and serviceable condition.

A list of the manufacturers of approved kapok life preservers with a complete listing of approvals still in effect may be obtained upon written request to the

Commandant (EMM), United States Coast Guard, Washington 25, D. C.

The suspension of approval of adult kapok life preservers used on ocean and coastwise merchant vessels, dated August 5, 1944, and published in the FEDERAL REGISTER of August 12, 1944 (9 F.R. 9871), is hereby canceled.

Dated: January 21, 1946.

J. F. FARLEY,  
Admiral, U. S. C. G.,  
Commandant.

[F. R. Doc. 46-1144; Filed, Jan. 21, 1946;  
4:33 p. m.]