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The President

EXECUTIVE ORDER 9299

PRESCRIBING REGULATIONS AND PROCEDURE WITH RESPECT TO WAGE AND SALARY ADJUSTMENTS FOR EMPLOYEES SUBJECT TO THE RAILWAY LABOR ACT

By virtue of the authority vested in me by the Constitution and statutes of the United States, and more particularly by the act of October 2, 1942 (Public Law 729, 77th Congress), it is hereby ordered:

1. No increases in the wage rates or salary of any employee subject to the provisions of the Railway Labor Act, whether granted as a result of voluntary agreement, collective bargaining, conciliation, arbitration, or otherwise, and no decreases in such wage rates or salary, shall be made except in accordance with the provisions of this order; provided, however, that nothing contained in this order or Executive Order No. 9250 [1] shall be construed as affecting the procedure or limiting the jurisdiction of either the National Mediation Board, as defined in the Railway Labor Act, or the National Railway Labor Panel, as defined in Executive Order No. 9172,[2] except as herein specifically set forth.

2. No carrier shall make any change in wage rates, except such changes as by general order of the National War Labor Board, or by regulations of the Commissioner of Internal Revenue, are permitted to be made without the specific approval of the Board or the Commissioner, as the case may be, unless notice of such proposed change shall have been filed with the Chairman of the National Railway Labor Panel, created by Executive Order No. 9172, and shall have been permitted to become effective as hereinafter provided.

Notwithstanding § 4001.2 of the Regulations of the Economic Stabilization Director,[3] for the purpose of determining what wage and salary adjustments may be made without any specific approval, the general orders of the National War Labor Board shall be applicable to all employees subject to the Railway Labor Act, except those receiving salaries at the rate of $5,000 or more per annum in regard to whom the regulations of the Commissioner of Internal Revenue shall apply. But any adjustment of salary under $5,000 heretofore approved by the Commissioner shall not be affected by this order.

3. If the Chairman of the National Railway Labor Panel has reason to believe that the proposed change, in wage rates or salary, may not conform to the standards prescribed in Executive Order No. 9250, or to the general stabilization program made effective thereunder, or to the directives on policy issued by the Economic Stabilization Director thereunder and the proposed change is not modified to conform to such standards, program, and directives, he shall designate three members of the Panel as an Emergency Board to investigate the proposed change and to report to the President. Otherwise, the Chairman of the Panel may permit the proposed change to become effective.

4. Emergency Boards, whether designated pursuant to the Railway Labor Act, Executive Order No. 9172, or section 3 of this order, in reporting to the President shall certify that their recommendations in regard to any proposed change affecting wage and salary payments conform with the standards prescribed in Executive Order No. 9250, the general stabilization program made effective thereunder, and with the directives on policy issued by the Economic Stabilization Director thereunder.

5. Copies of the report with recommendations made to the President by any Emergency Board under section 4 of this order shall be filed by the Board forthwith with the Economic Stabilization Director, the National War Labor Board and the Commissioner of Internal Revenue. The Economic Stabilization Director may on behalf of himself or other departments and agencies concerned, report to the President the effect of the recommendations on the general stabilization program. Unless and except to the extent that the Economic Stabilization Director shall otherwise direct, the recommendations of the Emergency

(Continued on next page)

[1] 7 F.R. 7871.
[2] 7 F.R. 3913.
[3] 7 F.R. 8748.

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THE PRESIDENT

REGULATIONS AND NOTICES

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FEDERAL REGISTER

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Board in regard to proposed changes affecting wages and salary payments shall, upon the expiration of thirty days after the report is filed with the President, become effective.

6. The National War Labor Board and the Commissioner of Internal Revenue shall either rule on any application for approval of wage and salary adjustments now before the Board and the Commissioner or transfer it to the Chairman of the National Railway Labor Panel. The Board and the Commissioner shall not rule on any application hereafter made.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 4, 1943.

[F. R. Doc. 43–1924; Filed, February 5, 1943; 11:10 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

RETIREMENT OF STOCK IN CONNECTION WITH DIVISIONS OF LOANS

Part 11 of Chapter I, Title 6, Code of Federal Regulations, is hereby amended by adding § 11.258–50, as follows:

§ 11.258–50 *Retirement of stock in connection with divisions of loans.* The Administration approves the retirement under section 7 of the Federal Farm Loan Act (U.S.C. 721) of stock of the bank held as security for a loan resulting from the division of a loan in an amount which will reduce the amount of stock outstanding in connection with such loan to the amount which would be required to be purchased in connection with a new loan of like amount: *Provided*, That (a) such retirement is authorized by the board of directors of the bank, (b) a current appraisal shows that the loan is within the 50-20 percentages, and (c) the capital stock of the association is not impaired.

(Sec. 6, 47 Stat. 14, sec. 7, 39 Stat. 365; 12 U.S.C. 665, 721)

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 43–1910; Filed February 4, 1943; 3:12 p. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

REVIEW OF APPLICATIONS FOR PRIORITY ASSISTANCE

DELEGATION OF AUTHORITY TO DIRECTOR OF FOOD PRODUCTION

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such order, there is hereby delegated to the Director of Food Production, or such employees of the United States Department of Agriculture as may be designated by him, the authority to approve all applications for priority assistance and recommend priority ratings relating to non-food materials to be used in connection with those aspects of the food program administered by the Food Production Administration whenever in his judgment the granting of such priority assistance or rating is necessary or appropriate to effectuate the purposes of the food program, and, otherwise, to deny such applications. Such denial shall be final.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 4th day of February 1943. Witness my hand and seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1927; Filed, February 5, 1943; 11:32 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[Q. 52, Amendment 4 to Rev. Supp. Regs.]

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF PINK BOLLWORM QUARANTINE REGULATIONS

Introductory note. Owing to the discovery of a light infestation of the pink bollworm slightly beyond the northern boundary of the lightly infested area in Southern Texas, the regulated area is extended in this amendment to include small areas in Live Oak and McMullen Counties. No other modification is made in the regulations by this amendment. For the convenience of shippers and others, regulations 3 and 4, which were revised in amendment No. 1, are reprinted herein, the current document superseding amendment No. 3, which became effective on November 20, 1939.

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), § 301.52–2 of the subpart entitled "Pink Bollworm" of Part 301, chapter III, title 7, Code of Federal Regulations [regulation 2 of the revised regulations sup-

plemental to Notice of Quarantine No. 52], which was promulgated March 7, 1939, as amended, is hereby amended further to read as follows:

Areas Under Regulation

§ 301.52–2 *Regulated areas.* The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

Heavily infested areas—Texas. Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of *Hudspeth County,* except that part of the northwest corner of said county lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

Lightly infested areas—Arizona. Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County[1] except that part lying west of the western boundary line of range 8 east.

New Mexico. Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Roosevelt, Sierra, Socorro, and Valencia.

Texas. Counties of Andrews, Brooks, Cameron, Cochran, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Hockley, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Bailey County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of league 207; thence west following the northern boundary line of leagues 207, 203, 191, 188, 175, and 171 to the north west corner of league 171; thence south on the western line of league 171 to the northeast corner of the W. H. L. survey; thence west along the northern boundary of the W. H. L. survey and the northern boundary of sections 68, 67, 66, 65, 64, 63, 62, 61, and 60 of block A of the M. B. & B. survey to the western boundary of said county; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Lamb County* lying south of the following-described boundary line: Beginning on the east line of said county where the county line intersects the northern boundary line of section 9 of the R. M. Thomson survey; thence west following the northern boundary line of sections 9 and 10 of the R. M. Thomson survey and the northern boundary line of sections 6, 5, 4, 3, 2, and 1 of the T. A. Thompson survey and the northern boundary line of leagues 637, 636, and 635 to the southeast corner of league 239; thence north on the eastern boundary line of league 239 to the northeast corner of said league; thence west on the northern boundary line of leagues 239, 238, 233, 222, 218, and 207 to the western boundary line of said county; and those parts of *Live Oak and McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point of said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

Restricted Articles

§ 301.52–3 *Articles the interstate movement of which is restricted or prohibited—*(a) *Articles prohibited movement.* The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement.* Seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas as prescribed herein.

Conditions of Certification

§ 301.52–4 *Conditions governing the issuance of certificates—*(a) *Cotton lint and linters.* A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than 1/64 inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided,* That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further,* That certificates may be issued for the interstate movement of linters produced from sterilized seed originating in a lightly infested area when produced in an authorized oil mill.

(b) *Cottonseed.* A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds: *Provided,* That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal.* Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton.* The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra.* Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to continguous infested area.* No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

(7 CFR § 301.52; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.)

This amendment shall be effective on and after February 10, 1943, and shall, on that date, supersede amendment No. 3 which became effective on November 20, 1939.

Done at the city of Washington this 4th day of February 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43–1928; Filed, February 5, 1943; 11:32 a. m.]

[1] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial No. 2123]

PART 202—ACCOUNTS, RECORDS AND REPORTS

UNIFORM SYSTEM OF ACCOUNTS FOR INTERNATIONAL AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 21st day of January 1943.

The Board, on January 21, 1943, having promulgated an amendment of § 202.2 of the Economic Regulations requiring certain air carriers to keep their accounts, records, and memoranda in accordance with the provisions of the Uniform System of Accounts for International Air Carriers; and

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a) and 407 (d) thereof, and finding its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder;

It is ordered, That the Uniform System of Accounts for International Air Carriers dated January 1, 1943 (CAB Form 2380 Manual 1–1–43), be and the same is adopted as set forth in Exhibit A attached hereto.[1]

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 43–1917; Filed, January 30, 1943; 10:24 a. m.]

[1] Filed as part of the original document.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4849]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL INHERITANCE SERVICE, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice;* § 3.55 *Furnishing means and instrumentalities of misrepresentation or deception;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general;* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce, of respondents' form letters and envelopes, (1) using the words "National Inheritance Service", or any other word or words of similar import, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents' business bears any relation to estates, or to the rights or interests of heirs therein; and representing, directly or by implication, (2) that respondents have correspondents in all the principal cities of the world; (3) that respondents act as counsellors to those in charge of estates, or that respondents are engaged in the business of locating heirs to estates or interests therein; (4) that respondents act as examiners for title insurance companies; (5) that respondents are engaged in genealogical research, actuarial work, or the searching of records; and (6) that persons concerning whom information is sought through respondents' form letters have or may have any interest in estates or any other property; and (7) selling or distributing form letters or envelopes which represent, directly or by implication, that respondents' business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b [Cease and desist order, National Inheritance Service, et al., Docket 4849, January 26, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of January, A. D. 1943.

In the matter of Herbert L. Ross, an individual, trading under the name National Inheritance Service, and O. F. Blaker, an individual.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of respondents, in which answers respondents admit all the material allegations of fact set forth in the complaint and state that they waive all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Herbert L. Ross and O. F. Blaker, individually and trading as National Inheritance Service, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' form letters and envelopes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "National Inheritance Service," or any other word or words of similar import, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that respondents' business bears any relation to estates, or to the rights or interests of heirs therein.

2. Representing, directly or by implication, that respondents have correspondents in all the principal cities of the world.

3. Representing, directly or by implication, that respondents act as counsellors to those in charge of estates, or that respondents are engaged in the business of locating heirs to estates or interests therein.

4. Representing, directly or by implication, that respondents act as examiners for title insurance companies.

5. Representing, directly or by implication, that respondents are engaged in genealogical research, actuarial work, or the searching of records.

6. Representing, directly or by implication, that persons concerning whom information is sought through respondents' form letters have or may have any interest in estates or any other property.

7. Selling or distributing form letters or envelopes which represent, directly or by implication, that respondents' business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought through such letters is for any purpose other than for use in the collection of debts.

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

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-1925; Filed, February 5, 1943; 11:24 a. m.]

[Docket No. 4642]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. & M. GRAND RAPIDS FURNITURE FACTORIES, INC., ETC.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place;* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place;* § 3.69 (b) *Misrepresenting one's self and goods—Goods—Source or origin—Place;* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place;* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, using the words "Grand Rapids" or any simulation thereof, (1) as a part of respondent's corporate name or as a part of any trade name used by respondent; or (2) to designate, describe, or refer to any article of furniture which is not in fact manufactured in Grand Rapids, Michigan; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer;* § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Producer status of dealer;* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with offer, etc., in commerce of respondent's furniture, and among other things, as in order set forth, using the word "Factory" or "Factories" or any other word of similar import, as a part of respondent's corporate name or as a part of any trade name used by respondent; or otherwise representing, directly or by implication, that respondent owns, operates, or controls any factory or manufacturing plant, or that respondent is the manufacturer of the furniture sold by it; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others;* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Direct dealing advantages;* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Direct dealing advantages;* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, (1) using the words "Factory Showrooms" or any other words of similar import, to designate, describe, or refer to respondent's place of business; or otherwise representing, directly or by implication, that respondent operates or

maintains a factory showroom; or (2) using the words "From factory direct to you", or any other words of similar import, in connection with respondent's business; or otherwise representing, directly or by implication, that respondent's furniture is sold direct from the factory to the consumers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.66 (f) *Misbranding or mislabeling—Price;* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Exaggerated as regular and customary;* § 3.69 (c) *Misrepresenting oneself and goods—Prices—Retail as dealer's or wholesale.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, (1) representing as the customary or regular prices of respondent's furniture, prices which are in excess of those at which such furniture is regularly and customarily sold by respondent in the normal and usual course of business; or (2) representing, directly or by implication, that the prices at which respondent offers its furniture for sale are wholesale or reduced prices when in fact such prices are the usual and customary prices at which respondent sells its furniture in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642, February 2, 1943]

§ 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation;* § 3.96 (a) *Using misleading name—Goods—Manufacture.* In connection with offer, etc., in commerce, of respondent's furniture, and among other things, as in order set forth, using the words "Custom Built", or any other words of similar import, to designate, describe, or refer to any furniture which is not made on special order to meet the requirements of a particular customer but forms a part of respondent's general stock; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. & M. Grand Rapids Furniture Factories, Inc., etc., Docket 4642. February 2, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of February, A. D. 1943.

In the matter of S. & M. Grand Rapids Furniture Factories, Inc., a corporation, also trading as S. & M. Grand Rapids Furniture Company of Newark, New Jersey, and Grand Rapids Showrooms.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, S. & M. Grand Rapids Furniture Factories, Inc., a corporation, trading also as S. & M. Grand Rapids Furniture Company of Newark, New Jersey, and as Grand Rapids Showrooms, or trading under any other name, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's furniture in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Grand Rapids" or any simulation thereof, as a part of respondent's corporate name or as a part of any trade name used by respondent.

2. Using the words "Grand Rapids," or any simulation thereof, to designate, describe, or refer to any article of furniture which is not in fact manufactured in Grand Rapids, Michigan.

3. Using the word "Factory" or "Factories" or any other word of similar import, as a part of respondent's corporate name or as a part of any trade name used by respondent; or otherwise representing, directly or by implication, that respondent owns, operates, or controls any factory or manufacturing plant, or that respondent is the manufacturer of the furniture sold by it.

4. Using the words "Factory Showrooms" or any other words of similar import, to designate, describe, or refer to respondent's place of business; or otherwise representing, directly or by implication, that respondent operates or maintains a factory showroom.

5. Using the words "From factory direct to you," or any other words of similar import, in connection with respondent's business; or otherwise representing, directly or by implication, that respondent's furniture is sold direct from the factory to the consumer.

6. Representing as the customary or regular prices of respondent's furniture, prices which are in excess of those at which such furniture is regularly and customarily sold by respondent in the normal and usual course of business.

7. Representing, directly or by implication, that the prices at which respondent offers its furniture for sale are wholesale or reduced prices when in fact such prices are the usual and customary prices at which respondent sells its furniture in the normal and usual course of business.

8. Using the words "Custom Built," or any other words of similar import, to designate, describe, or refer to any furniture which is not made on special order to meet the requirements of a particular customer but forms a part of respondent's general stock.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-1926; Filed, February 5, 1943; 11:24 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1764]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary and conditionally final relief in the matter of the petition of District Board 13 for revision of price classifications and minimum prices for the coals of certain mines in District No. 13.

On November 26, 1942, District Board No. 13 filed a petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a revision of the price classifications and minimum prices which were established by an order dated July 6, 1942, 7 F.R. 5697, in Docket No. A-1481 for the coals of certain District No. 13 mines for all shipments except truck.

In support of this requested revision, the district board states that although its petition in Docket No. A-1481 requested that the same minimum prices be established for the coals involved herein as are applicable to the coal produced at the Whitwell Mine, Mine Index No. 95, the order of July 6, 1942, established minimum prices therefor in each size group 10 cents less than those applicable to Mine Index No. 95 coals except for shipments to Market Area 112 where minimum prices were established 6 cents higher than those applicable to Mine Index No. 95 coals.

District Board No. 13 also alleges that the coals of the mines herein involved are analogous to those of Mine Index No. 95 and have the same freight rate to Market Area 112 as the coals of that mine. The district board states that the prices established in Docket No. A-1481 offer the coals herein involved an advantage over other competing coals in all market areas except Market Area 112 and render them at a disadvantage in Market Area 112. It requests that prices be established for these coals the same as those established for the coals produced at Mine Index No. 95.

Accordingly, it appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 333.24 (*General*

prices) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section II (d) of the Bituminous Coal Act of 1937.

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

The petition proposed relief for the Cumberland Mt. Coal Co. Mine (Mine Index No. 1155) of Vandergriff, Layne and Sullivan. The records of the Division show that Vandergriff, Layne and Sullivan have been succeeded by Charlie Sullivan, and relief has been granted accordingly.

The petition also proposed relief for the coals of the Cain Mine (Mine Index No. 1227) of George D. Cain. Subsequent to the filing of the original petition herein, District Board No. 13 asked that the request for relief for Mine Index No. 1227 be deleted because the minimum prices for Mine Index No. 1227 were revised in Docket No. A–1606. Accordingly, the request for relief for this mine has not been granted.

Dated: January 23, 1943.

[SEAL] DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL RELIEF, DISTRICT NO. 13

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 333 Minimum Price Schedule for District No. 13 and supplements thereto.

FOR RAIL SHIPMENT

§ 333.24 *General prices*—Supplement R.

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Subdistrict	Seam	Freight origin group
	MARION COUNTY, TENN.				
[1] 1339	Griffith, H. A. (Griffith Coal Co.)	Griffith #2	3	Sewanee	150
[1] 1210	Layne, Edd	Lake Point	3	Sewanee	150
[1] 1208	Nunley & Nolan (Buford Nunley)	Nunely & Nolan	3	Sewanee	150
[1] 895	Rounsavill, Clyd	Rounsavill	3	Sewanee	150
[1] 722	Shaderick, C. H	Shaderick	3	Sewanee	150
[1] 1266	Shook, James R	Shook #2	3	Sewanee	150
[1] 873	Shook, James R	Big Ridge	3	Sewanee	150
[1] 891	Simmons, S	Simmons Mine	3	Sewanee	150
[1] 907	Thomas, Virgil C	V. C. Thomas	3	Sewanee	150
[1] 850	Trussell, Oscar	Trussell #1	3	Sewanee	150
[1] 1341	Trussell, Oscar	Trussell #3	3	Sewanee	150
[1] 1342	Trussell, Oscar	Trussell #4	3	Sewanee	150
[1] 1343	Trussell, Oscar	Trussell #5	3	Sewanee	150
[1] 1267	Trussell, Oscar	Trussell #7	3	Sewanee	150
[1] 1452	Henry Bros. (Clarence Henry)	Henry Bros	3	Sewanee	150
[1] 1448	Whitlow, W. T	Whitlow	3	Sewanee	150
	SEQUATCHIE COUNTY, TENN.				
[2] 1344	Goforth, J. H	Stone Coal Bank #2	3	Sewanee	150
[2] 1363	Johnson Creek Coal Co	White	3	Sewanee	150
[2] 978	Layne, Estel	Doakins #2	3	Sewanee	150
[2] 1345	Presnell, Earrin	Stone Coal Bank #3	3	Sewanee	150
[2] 1043	Tate, Ed	Tate	3	Sewanee	150
[2] 1155	Sullivan, Charlie	Cumberland Mt. Coal Co.	3	Sewanee	150

[1] Shipping Point: Sequatchie, Tenn. Railroad: N. C. & St. L.
[2] Shipping Point: Dunlap, Tenn. Railroad: N. C. & St. L.
[3] Shipping Point: Daus, Tenn. Railroad: N. C. & St. L.

NOTE: On each respective price table the above mines shall have in each size group the same respective price as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Price Schedule No. 2, Group No. 9). Group No. 7 shall no longer be applicable for these mines.

[F. R. Doc. 43–1858; Filed, February 4, 1943; 10:45 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[General Ruling 15]

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

MEXICAN RAILROAD PROPERTY

FEBRUARY 4, 1943.

General Ruling No. 15 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 132.15 *General Ruling No. 15.* (a) Unless authorized by license issued by the Secretary of the Treasury expressly referring to this general ruling:

(1) No person shall exercise within the United States any right, remedy, power, or privilege (by self-help, judicial process, or otherwise), directly or indirectly against or with respect to any Mexican railroad property; and

(2) Any seizure by attachment or otherwise of Mexican railroad property, and any judgment, decree, lien, execution, garnishment, or other judicial process against or with respect to such property is null and void.

(b) The provisions of (a) (1) and (a) (2) above shall not apply to claims arising out of, or with respect to, current repair, maintenance, and similar charges, in connection with the operation or servicing, within the United States, of Mexican railroad property on or after the date of this general ruling.

(c) As used in this general ruling, the term "Mexican railroad property" shall include:

(1) All railroad rolling stock and equipment brought into the United States from Mexico or acquired in the United States by a railroad in Mexico, and with respect to which Mexico or a national thereof has an interest;

(2) All earnings, income, or other rights, payable to, or in favor of, Mexico or a national thereof and created by reason of, or otherwise resulting from, the employment or use of such rolling stock or equipment within the United States after the date hereof.

(Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong., 55 Stat. 838; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43–1907; Filed, February 4, 1943; 12:44 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

GENERAL REVISION OF EXPORT REGULATIONS

Correction

In § 802.3 *General license country groups* appearing on page 1550 of the issue for Thursday, February 4, 1943, the designation "Group K" was omitted. It should appear immediately above the list of countries beginning "Aden, Afghanistan", etc.

Chapter IX—War Production Board

Subchapter B—Director General for Operations

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

PART 1010—SUSPENSION ORDERS

[Suspension Order S–232]

J. N. HEDBERG

J. N. Hedberg, San Jose, California, is a manufacturer of sirens which are made largely of aluminum.

During the period January 7, 1942 to October 23, 1942, without specific authorization from the War Production Board, J. N. Hedberg entered into ar-

rangements with an aluminum foundry whereby he delivered aluminum scrap to the foundry which melted said aluminum scrap, cast same into sirens and other parts and delivered said parts to J. N. Hedberg for a charge of approximately $1,426.43. This aluminum weighed approximately 2,418 pounds. These transactions amounted to a toll arrangement and constituted violations of Supplementary Order M–1–d.

Subsequent to January 23, 1942, without specific authorization from the War Production Board, J. N. Hedberg used aluminum in the manufacture of sirens, having a value of approximately $11,576.77. The use of aluminum in the manufacture of said sirens constituted violations of Supplementary Orders M–1–e and M–1–i.

These violations of Supplementary Orders M–1–d, M–1–e and M–1–i have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered,* That:

§ 1010.232 *Suspension order S–232.* (a) J. N. Hedberg, his successors and assigns, shall accept no deliveries from any source of primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(b) J. N. Hedberg, his successors and assigns, shall not process, fabricate, assemble, or in any way use any primary aluminum, secondary aluminum, aluminum scrap or alloys of which aluminum constitutes the major part, except as specifically authorized by the Director General for Operations.

(c) J. N. Hedberg, his successors and assigns, shall not transfer or deliver articles heretofore produced by him, which contain aluminum, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve J. N. Hedberg, his successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent therewith.

(e) This order shall take effect February 9, 1943, and shall expire on August 9, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1915; Filed, February 4, 1943; 5:01 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–233]

GRON METAL SPINNINGS MFG. CO., INC.

Gron Metal Spinnings Manufacturing Co., Inc., Chicago, Illinois, is a manufacturer of smoking stands and fluorescent lighting fixtures.

From January 23 to approximately October 30, 1942, the Company used aluminum, brass, steel and tinplate in the manufacture of large quantities of smoking stands. In the course of this manufacture the Company, at various times, violated Conservation Orders M–1–e, M–1–i, M–9–c, M–126 and Limitation Order L–62.

From April 2 to December 4, 1942, the Company manufactured and assembled fluorescent lighting fixtures in violation of General Limitation Order L–78.

The Company violated Priorities Regulation No. 3 by extending preference ratings to acquire approximately 14,300 pounds of steel which ratings were higher than the ones it was authorized to extend and apply. Furthermore, the Company while operating as a PRP unit applied and extended preference ratings other than the ones assigned to it on its PD–25A form in violation of Priorities Regulation No. 11. The Company also accepted deliveries of material at a time when its inventory was greatly in excess of a practicable minimum working inventory in violation of Priorities Regulation No. 1 and failed to keep accurate and complete records of such inventories.

These violations of orders and regulations of the War Production Board have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered,* That:

§ 1010.233 *Suspension Order S–233.* (a) Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, shall not receive, put in process, process, manufacture, spin, assemble, or otherwise use any aluminum, copper, brass, steel, iron, or any other of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form, including scrap, or any parts and products containing any of such metals, except with the specific approval of the Regional Compliance Chief, Chicago, Regional Office, War Production Board.

(b) Deliveries of material to Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(c) No allocation shall be made to Gron Metal Spinnings Manufacturing Co., Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except with the specific approval of the Regional Compliance Chief, Chicago Regional Office, War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Gron Metal Spinnings Manufacturing Co., Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on February 7, 1943, and shall expire on August 7, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 4th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43–1916; Filed, February 4, 1943; 5:01 p. m.]

PART 1115—FUEL OIL

[Limitation Order L–56, as Amended Feb. 5, 1943]

§ 1115.1 *Limitation Order L–56*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation, issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Additional facilities" means any equipment designed to use fuel oil, other than internal combustion engines or equipment used for domestic cooking or illumination purposes, which equipment has been installed subsequent to July 31, 1942, and shall include only those space heaters (whether or not installed) which were transferred subsequent to July 31, 1942: *Provided,* That the replacement of worn-out parts shall not be deemed to be the installation of additional facilities when the existing equipment is not adaptable to the use of alternate fuels.

(2) "Alternate fuel" means any fuel other than fuel oil, electricity, natural gas, manufactured gas or mixed natural and manufactured gas.

(3) "Area One" means the area specified in paragraph (a) of Exhibit A hereof.

(4) "Area Two" means the area specified in paragraph (b) of Exhibit A hereof.

(5) "Space heater" means any fuel oil burning equipment (including portable heaters) designed to heat the space adjacent to such equipment without the use of pipes or ducts for conveying heat to such space.

(6) "Private dwelling" means a building or structure designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodging house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

(7) "Coal spraying equipment" means any equipment designed to use or using fuel oil or any other petroleum product for the purpose of applying such fuel oil or other petroleum product to coal.

(8) "Consumer" means any person acquiring fuel oil for use, including use as a component part of any manufactured article, material, or compound other than fuel oil. The term includes dealers and suppliers to the extent that they use fuel oil, or acquire fuel oil for use rather than for transfer.

(9) "Converted facilities" means any fuel oil burning equipment which was designed to use an alternate fuel and which has been converted to the use of fuel oil.

(10) "Coupon note" means a writing signed by a person to whom or to whose account fuel oil is transferred, whereby such person agrees to surrender coupons or other evidences, of a stated gallonage value, authorized by or issued under any fuel oil ration order of the Office of Price Administration, within fifteen (15) days after the effective date of such order. Such coupon note shall be in substantially the following form:

Date: October ____, 1942
Amount: _____ Gallons

The undersigned acknowledges receipt from _____ of _____ gal-
(Name and address of the transferor)
lons of fuel oil and agrees to surrender fuel oil ration coupons or other evidences representing such gallonage within fifteen (15) days after the effective date of any fuel oil ration order of the Office of Price Administration, in accordance with the requirements of Limitation Order L–56.

_____
(Name of transferee)

By _____
(Officer or agent)

_____
(Address of transferee)

(11) "Dealer" means any person, including a supplier, who operates a regular place of business at or from which fuel oil is regularly transferred to consumers. The term also includes any person who operates a tank truck or tank wagon for the transfer of fuel oil directly to consumers and who does not also maintain stationary fuel oil storage tanks.

(12) "Evidence" means a token designed by the Office of Price Administration to represent a right to receive a transfer of fuel oil, and exchangeable for such fuel oil. The term includes coupons, acknowledgments of delivery, inventory coupons, exchange certificates and export certificates. The term does not include delivery receipts on Form OPA R–1125.

(13) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum products (except gasoline) used for the same purposes as the above designated grades.

(14) "Passenger automobile" means any motor vehicle, other than a motorcycle, built primarily for the purpose of transporting passengers and having a rated seating capacity of seven persons or less.

(15) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(16) "Primary supplier" means: (i) Any person who refines fuel oil within Area Two; or

(ii) Any person who makes a first transfer of fuel oil within Area Two from stationary storage facilities within Area Two; or

(iii) Any consumer who maintains an establishment within Area Two at which delivery of fuel oil for his own use is taken by pipe line, barge, tank ship, or railroad tank car, directly from without Area Two; or

(iv) Any person, whether within or without Area Two, who does not maintain stationary storage facilities within Area Two, and who sends or brings fuel oil into Area Two and transfers it to a person other than a primary supplier as defined in subdivisions (i), (ii), or (iii) of this subparagraph (16).

A person shall be deemed to be a primary supplier only with respect to the establishments or facilities maintained by him at or from which operations described in subdivisions (i), (ii), (iii), or (iv) of this subparagraph are carried on, and with respect to the establishments which are replenished solely on a stock transfer basis, rather than on a sales basis, from establishments at or from which operations described in subdivisions (i), (ii), (iii) or (iv) of this subparagraph are carried on: *Provided,* That, if such person does not maintain stationary storage facilities, he shall be deemed to be a primary supplier with respect to all the mobile facilities operated by him within Area Two.

(17) "Secondary supplier" means any person, other than a primary supplier, who is engaged in the business of transferring fuel oil for resale: *Provided,* That any person who receives fuel oil on consignment from a primary supplier, title to the fuel oil remaining in the primary supplier until the time of transfer by the consignee, shall not be deemed to be a secondary supplier with respect to such fuel oil but shall, for all the purposes of this order, be deemed to be an agent of such primary supplier.

(18) "Standby facilities" means equipment (other than fireplaces) in serviceable operating condition designed to use an alternate fuel, for the operation of which a supply of such fuel is available.

(19) "Supplier" means a primary supplier, a secondary supplier, or both.

(20) "Transfer" means to sell, give, exchange, lease, lend, deliver, receive, supply or furnish, and includes the acquisition of title by legal process or operation of law, such as, but not limited to, the acquisition of title by will, inheritance or foreclosure; it also includes the use by any dealer or supplier of fuel oil held by him; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier.

(c) *Prohibited transfers of fuel oil* (1) No person shall transfer or accept a transfer of fuel oil or any other petroleum product for use in the operation of coal spraying equipment in any place in the United States: *Provided,* That nothing herein contained shall prohibit any person from transferring or accepting a transfer of fuel oil or any other petroleum product for such use when required to expedite the unloading of railroad cars in cold weather where all of the following conditions are fully complied with:

(i) The coal to be sprayed shall have been screened through not larger than a one and one-quarter inch (1¼") round hole or equivalent screen.

(ii) The quantity of fuel oil or other petroleum product used in spraying such coal shall not be in excess of one quart to each ton of coal sprayed.

(iii) Such coal shall be sprayed at the mine only and only during the months of December, January, February and March.

(iv) Such coal shall be destined for and shipped only to points outside of the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas, New Mexico, Arizona or California.

(2) No person shall transfer or accept a transfer of fuel oil for use in the operation of additional facilities or converted facilities within Area One, except.

(i) Where in the case of new construction, the additional facilities were specified in the construction contract and the foundation under the main part of the structure in which the additional facilities were to be installed was completed prior to July 31, 1942;

(ii) Where in the case of converted facilities, such conversion was completed prior to July 31, 1942;

(iii) Where in the case of either additional or converted facilities, the person using such facilities cannot use an alternate fuel either because such fuel is unavailable or because technical utilization factors prevent its use;

(iv) Where the additional facility is a space heater:

(*a*) To the extent necessary to operate such space heater until a date to be fixed by the Office of Price Administration in Ration Order No. 11 as the final date for replacement of such space heater by equipment using an alternate fuel; or

(*b*) A local war price and rationing board established by the Office of Price Administration has issued an auxiliary ration for the operation of such space heater; or

(*c*) Such space heater is used to heat the same premises heated by it prior to July 31, 1942; or

(*d*) For the purposes of increasing efficiency, such space heater replaces a space heater which is not an additional facility or which is specified in subdivision (*c*) above; or

(*e*) Such space heater is used in a house trailer.

(3) No person shall transfer or accept a transfer of fuel oil for use in the operation of fuel oil burning equipment within Area One where standby facilities are available, unless such standby facilities are operated to take the place

of such equipment to the maximum possible extent and to effect the maximum reduction of fuel oil requirements.

(4) No person shall transfer or accept a transfer of fuel oil for use in the operation of fuel oil burning equipment, within Area Two, for the purpose of cooling space (other than hospital space) for human occupancy.

(5) No person shall transfer or accept a transfer of fuel oil for the operation of a passenger automobile anywhere in the United States.

(d) *Restrictions on transfers of fuel oil to or by consumers in Area Two.* (1) Within Area Two, on and after October 1, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made except as otherwise provided in Ration Order No. 11, no person other than a dealer or supplier shall transfer or offer to transfer fuel oil to a consumer.

(2) During the period from October 1, 1942 to October 31, 1942, inclusive, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no dealer or supplier may transfer fuel oil from within or without Area Two to a consumer within Area Two or from within such area to a consumer without such area, and no consumer shall accept such transfer except in exchange for coupon notes (or coupons or other evidences), for an amount equal to the number of gallons of fuel oil transferred. Such coupon notes shall be executed and forwarded to the transferor at the time of transfer or within twenty-four (24) hours thereafter.

(3) Nothing herein shall be deemed to forbid:

(i) The transfer of fuel oil actually in the fuel supply tank of a vehicle, boat, or equipment used for purposes other than supplying heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat or equipment of fuel oil actually in the fuel supply tank thereof at the time of transfer; or

(ii) Transfers of fuel oil by legal process or by operation of law; or transfers of fuel oil in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, or in the fuel supply tank of equipment supplying heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such enterprise, establishment or equipment itself; or transfers of fuel oil by consumers to dealers or suppliers. Any person to whom a transfer of the character described in this subdivision (ii) is made within Area Two, shall forthwith report such transfer and the amount of fuel oil involved, to the local war price and rationing board in the area in which such fuel oil is located. Such person, if a dealer or supplier, shall surrender to the Board, together with such report, coupon notes signed by him for an amount equal to the number of gallons of fuel oil transferred. Such person, if not a dealer or supplier, may either:

(*a*) Transfer all or any part of such fuel oil in exchange for coupon notes for an amount equal to the number of gallons of fuel oil so transferred, and surrender to the local war price and rationing board coupon notes signed by him for an amount equal to such number of gallons; or

(*b*) Consume such fuel oil: *Provided,* That such person shall report the amount of fuel oil so consumed as fuel oil on hand if he makes application, under any fuel oil ration order issued by the Office of Price Administration, for a fuel oil ration covering the period during which such fuel oil was consumed.

(e) *Restrictions on transfers of fuel oil to dealers and suppliers within Area Two.* (1) During the period from October 1, 1942 to October 31, 1942, inclusive, no primary supplier within or without Area Two, and no dealer or secondary supplier within Area Two, shall transfer or offer to transfer fuel oil to any dealer or supplier within Area Two, and no dealer or supplier within Area Two shall accept such transfer of fuel oil, except in exchange for coupon notes (or coupons or other evidences) for an amount equal to the number of gallons of fuel oil transferred: *Provided,* That this paragraph shall not apply to transfers between primary suppliers. Such coupon notes shall be executed by the transferee and forwarded to the transferor within twenty-four (24) hours after the transfer.

(2) If, between October 1, 1942 and October 31, 1942, the place of business of any dealer or supplier within Area Two, is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without executing a coupon note. All coupon notes of the transferor shall be turned over to the transferee, and shall be held by the transferee until they have been redeemed; the coupons or other evidences received in redemption of the coupon notes shall be disposed of in the manner provided in the fuel oil ration order of the Office of Price Administration pursuant to which such coupons or evidences are issued.

(f) *Records to be kept by dealers and suppliers.* (1) At the time of making any transfer of fuel oil to any dealer or supplier within Area Two, every transferor shall furnish to such dealer or supplier an invoice delivery ticket, or other document of transfer showing the name and address of the transferee and the date and amount of the transfer. Every such transferee shall retain at his place of business for a period of at least one year from the date of such transfer of fuel oil, the invoice, delivery ticket, or other document so furnished him.

(2) Every dealer or supplier who makes a transfer to a consumer, of the type described in paragraph (d) (2), shall keep a record of such transfer, showing the name and address of the transferee, the date of the transfer, and the number of gallons of fuel oil transferred. Every dealer or supplier shall retain such record at his place of business for a period of at least one year from the date of such delivery.

(3) Every person to whom coupon notes have been given shall retain all such coupon notes and, at the time of surrender to him of coupons or other evidences in full redemption of a coupon note, shall return such note to the person who signed it: *Provided,* That on or before December 30, 1942, each such person shall report to the Regional Office of the Office of Price Administration in his region, the name and address of each person who has failed to redeem his coupon notes in full, and the amount of fuel oil transferred to such person.

(4) All coupon notes, records, reports, or other documents required by Limitation Order L–56 to be prepared and kept by any person, and the fuel oil facilities of any person, shall be subject to inspection by the War Production Board or the Office of Price Administration, or by any agent, representative or employee of either; such inspection may be made at the establishment or office of any such person at any reasonable time.

(g) *Redemption of coupon notes.* Within fifty (50) days after the effective date of any fuel oil ration order issued by the Office of Price Administration, every person who has executed (or is required by this order to execute) a coupon note shall surrender to the person to whom the note was given (or was required by this order to be given) coupons or other evidences, issued pursuant to such fuel oil ration order, equal in gallonage value to the number of gallons for which such notes were executed or required: *Provided,* That a primary supplier need not so surrender any evidences to another primary supplier.

(h) *Directions as to deliveries and conversions.* (1) The Director General for Operations may, from time to time, subject to the provisions of paragraphs (d), (e) and (g) of this order, issue specific directions directing or forbidding the transfer of fuel oil to any person or class of persons.

(2) The Director General for Operations or a representative of the Office of Petroleum Coordinator for War designated by him may from time to time examine and investigate the fuel oil burning facilities owned or operated by any person for the purpose of determining whether such equipment can be converted to the use of an alternate fuel. In making such investigation facts and circumstances which may relate to the particular problem, including the availability of alternate fuel, shall be considered. If it is found that the fuel oil burning facilities of any person may be converted to the use of alternate fuel, and that a supply of such fuel is available, without any unreasonable expenditure upon the part of the person and without working any exceptional or unreasonable hardship upon such person, then the Director General for Operations may, after notice sufficient to permit such conversion, forbid further deliveries of fuel oil for use in such facilities.

(i) *Appeals and applications.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the

reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate. Any appeal involving a defense housing project shall be filed with the local Federal Housing Administration Office which shall review such appeal and transmit it, together with specific recommendations, to the Director of Marketing, Office of Petroleum Coordinator for War, South Interior Building, Washington, D. C.

(j) *Reports and correspondence.* (1) All reports required to be filed and all appeals filed under paragraph (i) shall, unless otherwise directed, be addressed to the District Director of Marketing, Petroleum Administration for War, at:

(i) 122 East 42nd Street, New York, New York, if the fuel oil is to be delivered or used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, or Florida, or the District of Columbia.

(ii) Suite 1336, 120 South LaSalle Street, Chicago, Illinois, if the fuel oil is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the fuel oil is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the fuel oil is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah or Idaho.

(v) 855 Subway Terminal Building, Los Angeles, California, if the fuel oil is to be delivered or used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

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

(l) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Limitation Order L–56 (§ 1115.1), as such order may have been amended from time to time; and may take such measures with respect to any appeal from such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropriate with respect to any violation accrued or incurred under such order.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

(a) *Area One:* The States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

(b) *Area Two:* The States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

[F. R. Doc. 43–1929; Filed, February 5, 1943; 11:17 a. m.]

PART 1141—MOTOR FUEL

[Limitation Order L–70, as Amended Feb. 5, 1943]

§ 1141.1 *Limitation Order L–70*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of any applicable priorities regulation issued by the War Production Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, except Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Supplier" means any person, other than a service station, who delivers motor fuel, directly or indirectly, for redelivery or for consumption.

(c) *Limitation on shipment of motor fuel from certain areas.* (1) No supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the States of Oregon or Washington to any point in the United States outside such States: *Provided,* That this paragraph shall not apply to:

(i) The delivery outside the States of Oregon or Washington of any motor fuel manufactured wholly from crude oil or natural gas produced within the States of Colorado, Idaho, Montana, Utah, or Wyoming.

(ii) Deliveries from bulk plants within the States of Oregon or Washington to such points outside such States as were actually served by such bulk plants by tank truck during the period December 1, 1941–February 28, 1942, inclusive.

(2) Effective December 15, 1942, no supplier shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of any motor fuel from any point within the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, or West Virginia, or the District of Columbia, to any point in the United States outside such States: *Provided,* That this paragraph shall not apply to deliveries from bulk plants within such States to such points outside such States as were actually served by such bulk plants by tank truck during the period December 1, 1941–February 28, 1942, inclusive.

(d) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief. All appeals shall be filed in quadruplicate.

(e) *Appeals and correspondence.* All appeals filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the District Director of Marketing, Office of Petroleum Coordinator for War at:

(1) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel is to be used in the States of Oregon or Washington or states adjacent thereto.

(2) 122 East 42nd Street, New York, New York, if the motor fuel is to be used in the States of Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, or West Virginia, or the District of Columbia or states adjacent thereto.

(f) *Violations or false statements.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to any Department or Agency of the United States in connection with this order is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(g) *Administration of order.* The Petroleum Administrator for War or the Deputy Petroleum Administrator for War may extend, amend, modify or revoke Limitation Order L–70 (§ 1141.1), as such order may have been amended from time to time; and may take such measures with respect to any appeal from such order as he may deem necessary or appropriate; and may take such measures as he may deem necessary or appropri-

ate with respect to any violation accrued or incurred under such order.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1930; Filed, February 5, 1943; 11:17 a. m.]

PART 3115 — CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Amendment 1 to Schedule II to Limitation Order L-217]

Section 3115.3 *Schedule II to Limitation Order L-217* is hereby amended by deleting paragraph (c) (6) thereof.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1932; Filed, February 5, 1943; 11:17 a. m.]

PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS

[Conservation Order M-273-a]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of cattle hide leather and cattle hide products for defense, for private account and for export: and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3156.2 *Conservation Order M-273-a.*—(a) *Definition.* For the purposes of this order:

"Harness leather" means any leather tanned so as to be suitable for harness or harness strap work. The term does not include leather already cut for or fabricated into harness or strap work.

(b) *Restrictions on sale and delivery of harness leather.* No person engaged in the business of manufacturing or selling harness leather shall sell or deliver any such leather except pursuant to a purchase order or contract from a harness manufacturer, harness leather jobber or harness repair shop having certified thereon a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by a duly authorized official for such purpose:

CERTIFICATION

The undersigned hereby represents to his vendor and the War Production Board that the material covered by this order or contract will be sold or used solely for the manufacture or repair of harness or harness strap work for farm or draft animals.

Name_____

By _____

(Signature of duly authorized official)

Every person concerned shall be entitled to rely on said certification unless he knows or has reason to believe it to be false.

(c) *Exception.* The Director General for Operations may specifically authorize exceptions to paragraph (b) of this order when he deems such exceptions necessary or advisable in the public interest.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith in which case the provisions of this order shall govern.

(e) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales, including copies of each purchase order or contract containing the certification hereinabove referred to.

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

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

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

(i) *Communications.* All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing & Leather Division, Washington, D. C., Ref.: M-273-a.

Issued this 5th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-1931; Filed, February 5, 1943; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120,[1] Amendment 36]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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.*

Sections 1340.212 (b), 1340.214 (b), 1340.215 (b), and 1340.217 (b) are amended to read as set forth below:

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

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650, 8948.

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

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

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

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

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

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

(5) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2, 3, and 4 above, but must be computed by adding to such adjusted price the following sum:

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

	Cents
Size groups 1 and 2	20
Size groups 3, 4, and 5	25

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

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

	Cents
Size groups 1 to 5, inclusive	25

(C) For use indicated in (3) above:

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

(D) For use indicated in (4) above:

25 cents.

§ 1340.214 *Appendix C: Maximum prices for bituminous coal produced in District No. 3.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

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

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	355	355	315	295	295	295	280	280	265	265
D	280	270	260	260	260	260	245	245	240	240
E	270	270	260	260	260	260	235	235	225	225
F	260	260	260	260	260	250	230	230	220	220
G	260	260	260	260	260	260	260	260	245	245
H	250	250	245	245	240	240	230	230	220	220
J	245	245	245	240	240	240	230	230	215	215

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 40 cents for all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all-railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 35¢ per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs 1, 2 and 3 above, but must be computed by adding to such adjusted price the following sum:

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

	Cents
Size group 2, Class F and G	5
Size group 3, Class D, E, and F	5
Size group 3, Class G	10
Size group 4, Class D and E	5
Size group 4, Class F, G, and J	10
Size group 5, Class D, E, G, H, and J	10
Size group 5, Class F	20
Size groups 6, 7, 8, 9, 10, all classes	20

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

	Cents
Size groups 1 to 7, inclusive	20

(C) For use indicated in (3) above:

20 cents: *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 4 (A) above.

§ 1340.215 *Appendix D: Maximum prices for bituminous coal produced in District No. 4.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

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

For shipment from all mines in freight origin districts	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Ohio No. 8	290	285	255	255	250	240	215	205	240	190	185	240
Cambridge	290	285	255	255	250	240	215	205	240	190	------	240
Hocking	330	325	285	285	285	255	235	225	255	225	------	255
Pomeroy	315	305	265	265	265	255	225	225	230	190	------	230
Crooksville	315	305	265	265	265	255	225	225	230	190	------	230
Jackson	330	325	285	285	285	255	235	225	255	225	------	255
Middle	310	305	280	275	270	260	230	220	260	215	------	260
Leetonia	310	305	280	275	270	260	230	220	260	215	------	260
Ohio Middle	290	285	265	265	245	245	245	235	245	210	------	245

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for Size Groups 1, 2, 3, 4 and 5; 30 cents for Size Group 6; and 25 cents for Size Groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for All-Rail On-Line shipment *plus* a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; Fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(C) For use indicated in (3) above; Twenty (20) cents.

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

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

	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
For shipments from all mines	290	285	260	255	255	255	220	210	240	190	------	240

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, *plus* a sum not exceeding 45 cents for size groups 1, 2, 3, 4 and 5; 30 cents for size group 6; and 25 cents for size groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for Railroad Fuel (including lake cargo railroad fuel) shall be the applicable effective minimum prices as of October 1, 1942, for All-Rail On-Line shipment *plus* a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs 1, 2 or 3 above, but must be computed by adding to such adjusted price the following sum:

(A) For the methods of shipment and uses indicated in (1) above; fifteen (15) cents in size groups 1 to 3, inclusive, twenty (20) cents in size groups 4 to 12, inclusive.

(B) For the methods of shipment and uses indicated in (2) above; twenty (20) cents in all size groups.

(C) For use indicated in (3) above; twenty (20) cents.

This amendment shall be effective as of February 4, 1943.

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

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1914; Filed, February 4, 1943; 4:12 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order No. 11,[1] Amendment 35]

FUEL OIL RATIONING REGULATIONS

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

A new paragraph (e) has been added to § 1394.5201; a new paragraph (e) has been added to § 1394.5705; § 1394.5721 is amended; in paragraph (a) of § 1394.5723 the phrase "which have not become void pursuant to paragraph (e) of § 1394.5201" is inserted between the phrase "A supplier may at any time deliver to any Board in the limitation area coupons" and the phrase "or other evidences including exchange certificates"; as set forth below:

Coupon Sheets

§ 1394.5201 *Class 1 and Class 2 coupon sheets.* * * *

(e) On and after February 20, 1943, all unit value coupons numbered "1" on Class 1 and on Class 2 coupon sheets shall be void. After thirty (30) days from the expiration of the period of validity, specified in paragraph (b) of this section, of all unit value coupons on Class 1 or Class 2 coupon sheets, other than unit value coupons numbered "1", such coupons shall be void. No fuel oil shall be transferred, and no exchange certificate, inventory coupon or other evidence shall be issued to a dealer or supplier in exchange for such void coupons.

* * * * *

Provisions Relating to Dealers and Suppliers

§ 1394.5705 *Issuance of inventory coupons.* * * *

(e) A dealer may at any time deliver to a Board in the limitation area unit value coupons on Class 1 or Class 2 coupon sheets, which have not become void pursuant to paragraph (e) of § 1394.5201, and obtain inventory coupons equal in gallonage value to the coupons delivered. The dealer shall attach to the coupons delivered the summary required by § 1394.5722. The Board shall issue to him inventory coupons equal in gallonage value to the coupons delivered.

* * * * *

Use of Coupons and Other Evidences

§ 1394.5721 *Affixing coupons.* Each dealer and supplier shall affix the coupons received by him directly from consumers to Form OPA R–120, in the manner directed thereon, when delivering such coupons to a Board (wherever in these regulations provision for such delivery is made) or, if his transferor so requests, to his transferor. Separate such forms shall be maintained for coupons of each type, and only coupons of the same class, gallonage value, and from the same thermal zone, may be attached to any one such form.

This amendment shall become effective February 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1–0, 7 F.R. 9416; E.O. No. 9125, 7 F.R. 2719)

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1913; Filed, February 4, 1943; 4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 20 to Rev. Supp. Reg. 4,[1] Under GMPR[2]]

AIRPLANE REPAIR, ETC., SERVICES

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

Subparagraph (28) is added to § 1499.29 (a).

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales or deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

(28) Any service rendered in connection with the operation, repair, conversion, modification, or maintenance for any War Procurement Agency of airplanes and of engines, parts, accessories, instruments, and other equipment used in connection with airplanes, including all services incidental thereto.

This Amendment No. 20 § 1499.29 (a) (28) shall become effective February 4, 1943.

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

Issued this 4th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1912; Filed, February 4, 1943; 4:12 p. m.]

PART 1335—CHEMICALS

[RPS 68,[3] Amendment 6]

HIDE GLUE STOCK

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

In § 1335.504, paragraph (b) is revoked, and paragraph (c) is redesignated paragraph (b).

This amendment shall become effective February 11, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1956; Filed, February 5, 1943; 11:47 a. m.]

PART 1346—BUILDING MATERIALS

[Revised MPR 236,[1] Amendment 1]

HEATING BOILER CONVERSION PARTS

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

Sections 1346.151 and 1346.159 are amended to read as set forth below.

§ 1346.151 *Purpose and scope of this regulation.* The purpose of this Revised Maximum Price Regulation No. 236 is to establish maximum prices for sales of conversion parts for heating boilers, as defined in § 1346.169 (a) (8). The regulation applies to sales by manufacturers, wholesalers, and retailers. However, if the total weight of conversion parts sold at one time is 10 pounds or less, the maximum prices fixed by this regulation do not apply. The regulation also establishes maximum prices for the installation of conversion parts for heating boilers. The regulation is only applicable in those areas of the country indicated in § 1346.153.

Maximum Price Regulation No. 188 controls manufacturers' and producers' sales of conversion parts for warm air furnaces, sales of conversion parts for heating boilers in areas not subject to this regulation, or any sale of conversion parts for heating boilers where the total weight is 10 pounds or less; the General Maximum Price Regulation controls these sales when sold by any person other than a manufacturer or producer.

Maximum prices for the installation of the conversion parts for heating boilers and warm air furnaces referred to in the previous paragraph are established in Maximum Price Regulation No. 251.

Maximum prices for sales of conversion parts for marine and industrial boilers are subject to Maximum Price Regulation No. 136.

Conversion parts, as defined in § 1346.169 (a) (8) of this regulation, do not include manganese steel castings or manganese steel casting products as defined in, and controlled by, Maximum Price Regulation No. 235.

Maximum Price Regulation No. 244, which establishes maximum prices for gray iron castings, does not apply, but this regulation does apply to the sale of

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

[1] 7 F.R. 8480, 8780, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1205, 1235.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9613, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

[2] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

[3] 7 F.R. 1338, 1836, 2000, 2132, 2241, 2948, 3125, 5362, 6474, 8948.

[1] 7 F.R. 9895.

gray iron castings used for conversion parts.

§ 1346.159 *Maximum prices for special combination grates*—(a) *Installed price.* The maximum prices for the sale of special combination grates installed in the purchaser's heating boiler are as follows:

Trade name of special combination grate	Type	Capacity	Installed price
"Konver to Kol"	Kit A	Up to 24" including fire pot	$34.95
	Kit B	25" to 34" including fire pot	39.95
"Convert O Grates"	Kit A	Up to 24" including fire pot	34.95
	Kit B	29" to 34" including fire pot	39.95
"Stoket"	A-14	Up to 20" including fire pot	32.95
	A-22	22" to 26" including fire pot	39.95
	Type B	27" to 40" including fire pot	37.95
	Type C	21" to 27" including fire pot	34.95
"Blue Coal"	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Old Company Lehigh"	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hudson Coal Co. Grates"	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hershey Machine & Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"American Brake Shoe & Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Early Foundry Co. Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Dieter Foundry Universal Conversion Grates."	Round	Up to 21" including fire pot	44.95
	Round	22" to 25" including fire pot	49.95
"Hercules"	Circular	Up to 26" including fire pot	34.95
	Orbround	27" to 32" including fire pot	39.95
"Standard Universal Conversion Grates."	4 grate	Up to 24" including fire pot	[1] 49.95
	5 grate	25" to 26" including fire pot	[1] 54.95
	6 grate	27" to 29" including fire pot	[1] 59.95

[1] Includes installations made with angle clips only. When fire brick chamber is used, add $9.00 to price.

(b) *Uninstalled maximum price.* The maximum price for the sale of any special combination grate listed above when sold to an ultimate purchaser on an uninstalled basis shall not exceed the maximum installed price established in paragraph (a) above less the cost of the installation allowance established by the seller in the following manner:

The seller shall establish the installation allowance by securing bona fide quotations from one or more persons performing mechanical installation services (installing conversion grates) located in the area where the seller is conducting its business; then the seller shall subtract the amount of the lowest quotation received from the installed price enumerated in paragraph (a) of this section. The amount remaining after such deduction shall constitute the uninstalled maximum price.

The seller shall, upon request of the purchaser, submit the name or names of the persons who have issued quotations for the mechanical installation service.

This amendment shall become effective February 11, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1957; Filed, February 5, 1943; 11:47 a. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Rev. Ration Order 7,[1] Amendment 8]

NEW ADULT BICYCLE REGULATION

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

In § 1391.5, paragraph (a) (6) is added.

Restrictions on Transfers

§ 1391.5 *Transfers not restricted.* * * *

(a) * * *

(6) Dealers and distributors who have filed OPA Form 701 with the Office of Price Administration, Inventory Unit, but not including transfers from a manufacturer, or from a distributor to a dealer.

Effective Dates

§ 1391.37 *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§ 1391.5 (a) (6)) to Revised Ration Order 7 shall become effective February 11, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1G, 7 F.R. 562, 3546)

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1948; Filed, February 5, 1943; 11:49 a. m.]

PART 1410—WOOL

[MPR 163,[1] Amendment 10]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

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

A new paragraph (i) to § 1410.103 and a new § 1410.120 are added to read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(i) *Sales by jobbers or manufacturers of apparel who purchase from converters.* For the purpose of determining the maximum prices for jobbers, secondary jobbers or manufacturers of apparel who purchase woolen or worsted apparel fabrics from converters, the term "manufacturer" shall be construed to mean converter and the manufacturer's net invoice price and maximum price shall be construed accordingly.

§ 1410.120 *Maximum prices for sales of woolen or worsted apparel fabrics by converters*—(a) *How to determine maximum prices.* The maximum prices for sales and deliveries by a converter of woolen and worsted apparel fabrics dyed and finished by him, or for his account, shall be determined in accordance with the provisions of the General Maximum Price Regulation.

(b) *To what sellers this section applies.* For the purpose of this section, the term "converter" means a person who during the calendar year 1942 was engaged in the business of purchasing fabrics in the grey (undyed) state and converting them, or causing them to be converted for his account, to the dyed and finished state.

A person who sells fabrics converted by him from the grey (undyed) state but who was not a converter during 1942 shall be classified as a jobber and his maximum price shall be determined in accordance with § 1410.103 of this regulation.

(c) *Invoices.* On and after February 11, 1943, every converter making sales of fabrics subject to this section shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (1) the selling price, and (2) the maximum price determined in accordance with this section.

§ 1410.117 *Effective dates of amendments.* * * *

(l) Amendment No. 10 (§§ 1410.103 (i) and 1410.120) to Maximum Price Regulation No. 163 shall become effective on the 11th day of February 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1958; Filed, February 5, 1943; 11:47 a. m.]

PART 1433—FEATHERS AND DOWN

[MPR 318]

FEATHERS AND DOWN

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the is-

[1] 7 F.R. 5062, 5871, 8808, 9823, 10337; 8 F.R. 370, 534.

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

[1] 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454, 7603, 8941, 8948; 8 F.R. 262, 608.

suance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

AUTHORITY: §§ 1433.1 to 1433.13, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1433.1 *Sales of feathers and down at higher than maximum prices prohibited.* (a) Regardless of any contract or other obligation (except as provided in § 1433.9, below), no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any feathers or down at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. This regulation becomes effective with respect to sales or deliveries of raw or crude feathers on February 11, 1943, and becomes effective with respect to processed feathers or down on March 1, 1943. Feathers and down become "processed" when they have been cleaned, sterilized, and otherwise prepared to be used for filling sleeping bags and similar articles. The mere sorting of feathers does not constitute processing. More precise definitions of raw or crude feathers and processed feathers and down are contained in § 1433.3.

(b) Prices lower than the maximum prices may be charged and paid.

§ 1433.2 *To what products, transactions, and persons this regulation applies.* (a) What products are covered by the regulation: This regulation covers sales of all grades of new raw or crude feathers and all grades of new processed feathers and down. Specific maximum prices in dollars and cents have been fixed for most of the grades of feathers and down which are used for the purpose of filling sleeping bags, pillows, and similar articles. It does not cover the sale of feathers used for millinery, sporting equipment and similar uses. Maximum prices for grades of feathers and down which are not specifically mentioned are to be calculated according to a method described below.

(b) What transactions are covered by the regulation: This regulation covers all sales of new feathers and down by any person to any other person including sales by brokers, dealers, except sales by a foreign seller to any domestic buyer. This exception includes domestic buyers who purchase through a bona fide agent.

(c) Any person who sells and any person who buys, in the course of trade or business, new feathers or down is subject to this regulation, except foreign sellers and domestic buyers insofar as they purchase from foreign sellers. The term "person" includes: an individual, corporation, or any other organized group; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1433.3 *Maximum prices for sales of feathers and down by all persons except brokers.* The maximum prices which any person except a broker may charge for feathers and down are fixed by the table which follows:

TABLE OF MAXIMUM PRICES

(a) Raw or crude feathers:

Kind of feathers	Shipping terms	Maximum price per pound
1. Prime domestic goose: Gray or white feathers from the full grown goose, with full natural down content, containing not more than 3% wing and tail feathers by weight, and thoroughly dried.	F. o. b. dresser's plant or warehouse (the "dresser" is the person who plucks the fowl), packed for shipment.	$1.25
2. Prime domestic duck: Gray or white feathers from the full grown duck, with full natural down content, containing not more than 3% wing and tail feathers by weight, and thoroughly dried. "Full grown duck" means a duck with completely developed plumage which contains as much down as ducks ever develop at maturity.	F. o. b. dresser's plant or warehouse, packed for shipment.	1.00
3. XL Duck or XLDUX: Duck feathers of the standard quality, composition, and condition heretofore sold by the Feather Sales Agency of Brooklyn, N. Y., designated as XL Duck or XLDUX feathers.	F. o. b. Feather Sales Agency warehouse, packed or baled for shipment.	1.07½
4. Domestic duckling: Gray or white feathers from ducklings or not full grown ducks, sometimes called "green" ducklings, containing not more than 5% of wing and tail feathers by weight, and thoroughly dried. Ducklings are ducks with plumage not completely developed, which contains less down than the duck would produce if allowed to grow to maturity.	F. o. b. dresser's plant or warehouse, packed for shipment.	.85
5. Chicago butcher goose and duck: Feathers of either goose or duck or any mixture of the two, containing full natural down content, not more than 10% of wing and tail feathers, not more than 5% of chicken feathers, and not more than 10% of moisture.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.70
6. New York butcher goose and duck: Feathers of either goose or duck or any mixture of the two, containing the full natural down content and not a greater proportion of wing and tail feathers than the natural content, and not more than 15% of moisture.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.50
7. China goose: China goose feathers, gray or white, containing not more than 15% dust or other nonfeather material, from foreign sources.	F. o. b. port of entry, duty paid, packed for shipment.	.70
8. China duck: China duck feathers, gray or white, containing not more than 15% dust or other non-feather material, from foreign sources.	F. o. b. port of entry, duty paid, packed for shipment.	.60
9. Domestic goose and duck wing & tail feathers: Wing and tail feathers of goose and duck, gray or white	F. o. b. dresser's plant or warehouse, packed for shipment.	.15
10. Prime colored chicken & turkey body feathers: Colored feathers from turkeys or full grown chickens, containing not more than 3% of chicken wing and tail feathers, free of turkey wing and tail feathers, and dried by machine, or by a process which produces feathers of equivalent dryness and cleanliness.	F. o. b. dresser's plant or warehouse, packed for shipment.	.05
11. Prime white chicken & turkey body feathers: White feathers from turkeys or full grown chickens, containing not more than one-half of one percent colored feathers or more than 3% chicken wing and tail feathers, free of turkey wing and tail feathers, and dried by machine or by a process which produces feathers of equivalent dryness and cleanliness.	F. o. b. dresser's plant or warehouse, packed for shipment.	.07
12. Butcher chicken & turkey body feathers: Feathers of any color from turkeys or full grown chickens, containing not a greater proportion of chicken and wing and tail feathers than the natural content, and free of turkey wing and tail feathers. They may be in a wet and dirty condition, just as they come from the picking floor.	F. o. b. dresser's city (within 20 miles of dresser's plant).	.02

(b) Processed or manufactured feathers and down. (Shipping Terms: f. o. b. processor's plant, packed for shipment):

WATERFOWL

Kind of feathers and down	Maximum price per pound				
	Down	Small feathers	Large feathers	40/60 mixture	Quills
1. Domestic and European goose	$5.00	$1.10	$0.50	$2.65	$0.25
2. Domestic and European duck	4.50	1.00	.45	2.40	.20
3. China goose	4.50	1.00	.45	2.40	.20
4. China duck	4.00	.90	.40	2.00	.15

CHICKEN AND TURKEY

Kind of feathers	*Maximum price per pound*
5. Colored chicken or turkey	$0.13
6. White chicken or turkey	.175

(c) Specifications for processed or manufactured feathers and down:

(1) The waterfowl feathers and down specified in the above table must meet the following requirements:

(i) *Processed feathers and down* shall be well dusted, washed, dried, sterilized, free from objectionable odors, and in all other respects shall meet the requirements of Federal Specification C–F–151a for feathers.

(ii) *Down* shall be at least 90% true down, and not more than 10% feathers. It does not include feathers of more than 2½ inches in length.

(iii) *Small feathers* shall not exceed 2½ inches in average length. Feathers longer than 3 inches, together with feathers of less valuable kind, shall not exceed 4% by weight. Feathers over 4½ inches in length are not included.

(iv) *Large feathers* shall not exceed 3 inches in average length. Feathers longer than 4 inches, together with feathers of a less valuable kind, shall not exceed 3% by weight.

(v) *40/60 mixture* shall be a mixture of 40%, (by weight) down and 60% (by weight) small feathers.

(vi) *Quills* include all the feathers of the raw stocks except the down, small feathers, and large feathers.

(2) *Processed chicken and turkey feathers* must meet Federal Specification C–F–151a both as to general and specific requirements.

§ 1433.4 *Maximum prices for raw or crude feathers or finished feathers and*

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

down which have not been fixed by the above table—(a) *Raw or crude feathers.* Maximum prices for raw or crude feathers not specifically mentioned shall be prices in line with those fixed by this Maximum Price Regulation No. 318. In calculating an in line price, consideration must be given to the amount and quality of processed down and feathers which can be obtained from the raw or crude feathers for which a maximum price is being calculated, compared to the amount and quality of the processed down and feathers obtained from the raw or crude feathers priced in this Maximum Price Regulation No. 318.

(b) Maximum prices for processed feathers and down not specifically mentioned shall be prices in line with those fixed by this Maximum Price Regulation No. 318. In calculating an in line price, due consideration must be given to the quality of the down or feathers, including the filling capacity, resiliency, and other characteristics which affect quality and if the material is a mixture, the proportion of down and feathers must be ascertained and considered in calculating a maximum price.

(c) Before selling or offering to sell any raw or crude feathers or processed feathers and down other than the kinds and qualities for which dollars and cents prices are established in this Maximum Price Regulation No. 318, a seller shall submit to the Office of Price Administration (Consumers' Durable Goods Price Branch) a report showing the proposed maximum price and showing in detail how the price was calculated. Upon approval of the calculation of the price by the Office of Price Administration, or fifteen days after mailing the report, in the absence of a contrary direction from the Office of Price Administration, he may sell or offer to sell the feathers or down at the price reported.

§ 1433.5 *Maximum prices which brokers or dealers may charge.* (a) A broker or dealer is a person who buys and sells raw or crude feathers but does not process the feathers while they are in his possession. Neither the Defense Supplies Corporation nor any other government agency shall be considered a broker or dealer for the purposes of this section. A broker or dealer may add to the maximum prices which have been set out in the table in § 1433.3 the following charges:

(1) To the maximum price of raw waterfowl feathers, 7½% of the maximum price may be added, regardless of the point from which the feathers are shipped.

(2) To the maximum price of raw prime chicken and turkey body feathers, ½¢ per pound may be added, if the feathers are shipped to the buyer directly from the dresser's city; 1½¢ per pound may be added if the feathers are shipped from the broker's own warehouse.

(b) A broker who cleans or sorts feathers to increase their value, may not upon the sale of those feathers add any charge on such sales; his maximum price is fixed in the table contained in § 1433.3.

(c) The Feather Sales Agency of Brooklyn, New York, may not add any amount to the maximum price of XL Duck or XLDUX, since that agency has traditionally performed the function of a broker, and the maximum price already includes a brokerage charge.

§ 1433.6 *Prohibited practices.* (a) Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums. special privileges, tying-agreements, trade understandings and the like.

(b) The following are among the practices specifically prohibited:

(1) Changing credit terms or any other conditions of sale which make such terms or conditions less favorable to the buyer than they were during October 1941.

(2) "Upgrading" or selling material of one grade at the price of a superior grade.

(3) Adulteration of feather stock by including large feathers or non-feather material to increase weight.

(4) Payment by the buyer to the seller of excessive "fees" for loading, packing, or otherwise handling the material sold.

(5) Sales of several types or grades of feathers showing only total weight and total price. Each sale must be itemized to show weight and price of each type and grade of material.

(6) Quoting only a delivered price; seller may prepay transportation, but must bill transportation charges as a separate item.

§ 1433.7 *Applications for adjustment and petitions for amendment.* (a) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

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

§ 1433.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

[1] F.R. 5087, 5664.
[2] F.R. 8961.

§ 1433.9 *Exemption from maximum price provisions of contracts to fill government orders.* Any person who, before December 1, 1942, entered into a contract with anybody to supply feathers or down which are to be used in filling government contracts for sleeping bags or pillows may, prior to April 30, 1943, complete the contract at the contract price, even though that price is higher than the maximum price. If, however, those contract prices are higher than the maximum prices fixed by this regulation, the seller must submit a copy of his contract to the Office of Price Administration (Consumers' Durable Goods Price Branch), Washington, D. C. within 30 days after the issuance of this regulation together with a statement of the amount in pounds of feathers and down which are not yet delivered under the contract.

§ 1433.10 *Records.* All sellers (including brokers or dealers) must keep records which will show a complete description of the feathers or down sold, the name and address of the buyer, the date of the sale and the prices. These records must be kept for inspection by the Office of Price Administration.

§ 1433.11 *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" includes the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person selling any feathers and down for which a maximum price is established by this regulation. These sections provide, in brief, that a license is necessary in order to make sales of any of the commodities for which maximum prices are established by this and certain other regulations. Such license is automatically granted to all sellers making these sales. It is not necessary to apply for the license, but a registration of all sellers may later be required. Licenses may be suspended for violations in connection with the sale of any commodity which the seller is licensed to sell by said § 1499.16, and no person whose license is suspended may sell any such com-

modity during the period of suspension. A license may not be transferred.

§ 1433.12 *Relation to other regulations.* (a) Any sale or delivery governed by this Maximum Price Regulation No. 318 is not subject to the General Maximum Price Regulation.[1]

(b) The maximum price for export sales of feathers or down is governed by the Revised Maximum Export Price Regulation.[2]

§ 1433.13 *Effective date.* (a) This regulation (§§ 1433.1 to 1433.13, inclusive) becomes effective with respect to sales or deliveries of raw or crude feathers on February 11, 1943, and becomes effective with respect to processed feathers or down on March 1, 1943.

(b) If feathers or down have been received before the effective date of this regulation, applicable to the particular feathers mentioned, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation, which governed it at the time the feathers or down were turned over to the carrier.

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1947; Filed, February 5, 1943; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 19 to Rev. Supp. Reg. 4[3] of GMPR[4]]

EXCEPTIONS

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

A new subparagraph (27) is added to paragraph (a) of § 1499.29, as follows:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

* * * * *

(27) Sales or deliveries of brooms by Federal Prison Industries, Inc., to the United States or any agency thereof.

* * * * *

(d) (20) Amendment No. 19 (§ 1499.29 (a) (27)) to Revised Supplementary Regulation No. 4 shall become effective February 11, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1959; Filed, February 5, 1943; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 145 Under § 1499.3 (b) of GMPR]

CATALIN CORP.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) § 1499.1161 of Order No. 145 is amended to read as follows and a new paragraph (f) is added to § 1499.1161 as set forth below:

§ 1499.1161 *Maximum prices for sales of synthetic phenol by Catalin Corporation.* (a) The maximum price which the Catalin Corporation, a corporation incorporated under the laws of the State of Delaware, may charge for synthetic phenol produced by that corporation shall be 18.7 cents per pound, naked, f. o. b. the plant of the Catalin Corporation, Matawan, New Jersey, except that the maximum price applicable to such synthetic phenol delivered before January 1, 1943 to the buyer or to a carrier not under the control of the Catalin Corporation consigned to the buyer thereof, shall be 20 cents per pound, naked, f. o. b. the plant of the Catalin Corporation, Matawan, New Jersey.

* * * * *

(f) Amendment No. 1 (§ 1499.1161 (a) and (f)) to Order No. 145 under §1499.3 (b) of the General Maximum Price Regulation shall become effective February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1949; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 265 Under § 1499.3 (b) of GMPR]

STOPHLET SHEET METAL WORKS

Approval of prices for certain steel roofing pails.

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

§ 1499.1701 *Authorization to Stophlet Sheet Metal Works for sale of certain steel roofing pails.* (a) On and after the effective date of this Order No. 265 Stophlet Sheet Metal Works, of Kansas City, Missouri, is authorized to sell and deliver and offer to sell and deliver steel roofing pails at prices not to exceed those set forth in paragraph (b) hereof, and any person may buy and receive or offer to buy and receive such pails at such prices from Stophlet Sheet Metal Works.

(b) Maximum prices: Supply pails, $2.25 each; mop pails, $3.25 each; f. o. b. Stophlet Sheet Metal Works.

(c) This Order No. 265 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 265 (§ 1499.1701) shall become effective February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1944; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 266 Under § 1499.3 (b) of GMPR]

E. I. DU PONT DE NEMOURS & COMPANY, INC.

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

§ 1499.1702 *Approval of maximum prices for sales of Dry Gasoline Soluble Binder and Indigo Blue Lake BE-252-D Pigment.* (a) On and after February 6, 1943, the E. I. Du Pont de Nemours & Company, Inc. of Wilmington, Delaware may sell and deliver Dry Gasoline Soluble Binder and Indigo Blue Lake BE-252-D Pigment at prices not in excess of those hereinafter set forth:

Dry Gasoline Soluble Binder at twenty-one cents per pound, delivered.
Indigo Blue Lake BE-252-D Pigment at thirty-five cents per pound, delivered.

(b) The prices set forth above shall be subject to cash discounts by the seller which are no less favorable than those in effect during March 1942, with respect to sales of comparable commodities.

(c) This Order No. 266 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 266 (§ 1499.1702) shall become effective February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1945; Filed, February 5, 1943; 11:49 a. m.]

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

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4399, 4487, 4659, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5485, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204.

[2] 7 F.R. 5059, 7242, 8829, 9000, 10530.

[3] 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10110, 10531; 8 F.R. 130, 137, 372.

[4] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204.

PART 1499—COMMODITIES AND SERVICES

[Order 267 Under § 1499.3 (b) of GMPR]

MAJOR VITAMINS, INC.

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

§ 1499.1703 *Approval of maximum prices for sales of "Major B Brand Vitamin B Complex" and "Major Brand Vitamins and Minerals"*—(a) *Sales by Major Vitamins, Inc.*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by Major Vitamins, Inc., of New York, New York, of "Major B Brand Vitamin B Complex" are established as set forth below, freight prepaid:

Size of package	Maximum price per dozen packages	
	To wholesalers	To retailers
24 tablets	$2.04	$2.40
48 tablets	3.49	4.10
100 tablets	6.38	7.50
120 tablets	6.80	8.00
200 tablets	12.33	14.50
1,000 tablets	52.28	61.50

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by Major Vitamins, Inc., of "Major Brand Vitamins and Minerals" are established as set forth below, freight prepaid:

Size of package	Maximum price per dozen packages	
	To wholesalers	To retailers
24 tablets	$2.81	$3.30
100 tablets	8.60	10.10
1,000 tablets	66.05	77.70

(2) *Discounts.* The maximum prices set forth in subparagraph (1) of this paragraph shall be reduced by 5 percent for payment in cash by the purchaser within ten days of invoice.

(b) *Sales by wholesalers*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by wholesalers of "Major B Brand Vitamin B Complex" are established as set forth below:

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by wholesalers of "Major Brand Vitamins and Minerals" are established as set forth below:

Size of package:	*Maximum price per dozen packages*
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.70

(2) *Discounts, allowances, and price differentials.* Any wholesaler making sales of "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, cash discounts, credit terms, practices relating to the payment of shipping charges, and other customary allowances which were in effect in March, 1942, on sales by the wholesaler of the vitamin product most nearly comparable to "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals."

(c) *Sales by retailers*—(1) *Maximum prices*—(i) *"Major B Brand Vitamin B Complex."* The maximum prices for sales by retailers of "Major B Brand Vitamin B Complex" are established as set forth below:

Size of package:	*Maximum price per package*
24 tablets	$.29
48 tablets	.49
100 tablets	.89
120 tablets	1.00
200 tablets	1.75
1,000 tablets	7.25

(ii) *"Major Brand Vitamins and Minerals."* The maximum prices for sales by retailers of "Major Brand Vitamins and Minerals" are established as set forth below:

Size of package:	*Maximum price per package*
24 tablets	$.39
100 tablets	1.20
1,000 tablets	9.25

(2) *Discounts for purchasers of different classes.* Any retailer making sales of "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all discounts for purchasers of different classes which were in effect in March 1942, on sales by the retailer of the vitamin product most nearly comparable to "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals."

(d) *Marking package with retail ceiling price.* Major Vitamins, Inc., shall mark each package of "Major B Brand Vitamin B Complex" sold by it as indicated below:

Size of package:	*Marked as follows:*
24 tablets	Ceiling price 29¢.
48 tablets	Ceiling price 49¢.
100 tablets	Ceiling price 89¢.
120 tablets	Ceiling price $1.00.
200 tablets	Ceiling price $1.75.
1,000 tablets	Ceiling price $7.25.

Major Vitamins, Inc., shall mark each package of "Major Brand Vitamins and Minerals" sold by it as indicated below:

Size of package:	*Marked as follows:*
24 tablets	Ceiling price 39¢.
100 tablets	Ceiling price $1.20.
1,000 tablets	Ceiling price $9.25.

These words shall be printed or stamped in letters clearly legible and at least one quarter as large as those used for the name of the product on the package in which "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" is customarily sold to the ultimate consumer.

(e) *Notification of maximum prices*—(1) *"Major B Brand Vitamin B Complex"*—(i) *By Major Vitamins, Inc., to wholesalers.* Major Vitamins, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Major B Brand Vitamin B Complex" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex" to wholesalers, freight prepaid and less 5% for payment within 10 days of invoice:

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.04
48 tablets	3.49
100 tablets	6.38
120 tablets	6.80
200 tablets	12.33
1,000 tablets	52.28

Wholesalers are authorized to establish the following maximum prices for sales of "Major B Brand Vitamin B Complex," subject to all cash discounts and customary allowances:

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

(ii) *By Major Vitamins, Inc., to retailers via wholesalers.* Major Vitamins, Inc., shall include a written notification with each shipping unit of "Major B Brand Vitamin B Complex" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex", subject to all cash discounts and customary allowances.

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

Retailers are authorized to establish the following ceiling prices for sales of "Major B Brand Vitamin B Complex":

Size of package:	*Ceiling price*
24 tablets	$.29
48 tablets	.49
100 tablets	.89
120 tablets	1.00
200 tablets	1.75
1,000 tablets	1.25

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(iii) *By Major Vitamins, Inc., to retailers.* Major Vitamins, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Major B Brand Vitamin B Complex" to such retailers. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major B Brand Vitamin B Complex" to retailers, freight prepaid and less 5% for payment within 10 days of invoice.

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.40
48 tablets	4.10
100 tablets	7.50
120 tablets	8.00
200 tablets	14.50
1,000 tablets	61.50

Retailers are authorized to establish the following ceiling prices for sales of "Major B Brand Vitamin B Complex":

Size of package:	*Ceiling price*
24 tablets	29¢
48 tablets	49¢
100 tablets	89¢
120 tablets	$1.00
200 tablets	1.75
1,000 tablets	7.25

OPA requires that you keep this notice for examination.

(2) *"Major Brand Vitamins and Minerals"*—(i) *By Major Vitamins, Inc., to wholesalers.* Major Vitamins, Inc., shall supply a written notification to each wholesaler before or at the time of its first delivery of "Major Brand Vitamins and Minerals" to such wholesaler. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sales of "Major Brand Vitamins and Minerals" to wholesalers, freight prepaid and less 5% for payment within 10 days of invoice:

Size of package:	*Maximum price per dozen packages*
24 tablets	$2.81
100 tablets	8.60
1,000 tablets	66.05

Wholesalers are authorized to establish the following maximum prices for sales of "Major Brand Vitamins and Minerals", subject to all cash discounts and customary allowances:

Size of package:	*Maximum price per dozen packages*
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.10

(ii) *By Major Vitamins, Inc., to retailers via wholesalers.* Major Vitamins, Inc., shall include a written notification with each shipping unit of "Major Brand Vitamins and Minerals" for a period of three months. If such notification is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice. The written notification shall read as follows:

OPA has authorized wholesalers to charge the following maximum prices for sales of "Major Brand Vitamins and Minerals," subject to all cash discounts and customary allowances.

Size of package:	*Maximum price per dozen packages*
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.70

Retailers are authorized to establish the following ceiling prices for sales of "Major Brand Vitamins and Minerals":

Size of package	*Ceiling price*
24 tablets	39¢
100 tablets	$1.20
1,000 tablets	9.25

If the initial sale by a wholesaler to a retailer is a split-case sale, the wholesaler is required to provide such retailer with a copy of this notice.

OPA requires that you keep this notice for examination.

(iii) *By Major Vitamins, Inc., to retailers.* Major Vitamins, Inc., shall supply a written notification to each retailer before or at the time of its first delivery of "Major Brand Vitamins and Minerals" to such retailer. The written statement shall read as follows:

OPA has authorized us to charge the following maximum prices for sale of "Major Brand Vitamins and Minerals" to retailers, freight prepaid and less 5% for payment within 10 days of invoice.

Size of package:	*Maximum price per dozen packages*
24 tablets	$3.30
100 tablets	10.10
1,000 tablets	77.70

Retailers are authorized to establish the following ceiling prices for sales of "Major Brand Vitamins and Minerals":

Size of package:	*Ceiling price*
24 tablets	$.39
100 tablets	1.20
1,000 tablets	9.25

OPA requires that you keep this notice for examination.

(f) *Definitions.* When used in this order the term:

(1) "Major B Brand Vitamin B Complex" means a vitamin preparation manufactured by the Major Vitamins, Inc., each tablet of which contains at least the following amounts of specific vitamin substances:

	mg.
Vitamin B_1 (Thiamine)	.333
Vitamin B_2 (Riboflavin)	.166
Vitamin B_6 (Pyridoxine)	.026
Pantothenic Acid	.083
Niacin	.166

(2) "Major Brand Vitamins and Minerals" means a vitamin preparation manufactured by Major Vitamins, Inc., each tablet of which contains at least the following amounts of specific vitamin and mineral substances:

	U. S. P. units
Vitamin A	1,666
Vitamin B_1 (Thiamine)	166
Vitamin D	166
	Mg.
Calcium	250
Phosphorus	250
Iron	3

(3) "Wholesaler" means any person who buys "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" and resells it, without substantially changing its form, to retailers.

(4) "Retailer" means any person who buys "Major B Brand Vitamin B Complex" or "Major Brand Vitamins and Minerals" and resells it directly to consumers.

(g) Major Vitamins, Inc., shall submit to the Office of Price Administration in Washington, D. C., such reports as may from time to time be required.

(h) This Order No. 267 may be revoked or amended by the Price Administrator at any time.

(i) This Order No. 267 (§ 1499.1703) shall become effective on February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1946; Filed, February 5, 1943; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 189 Under § 1499.18 (b) of GMPR]

THE BANTON CORP.

Order No. 189 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-1177.

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

§ 1499.1091 *Adjustment of maximum prices for tomato paste, 6 ounce size cans, for domestic sales by The Banton Corporation.* (a) The Banton Corporation, 60 Wall Street, New York, New York, may sell and deliver and any person may buy and receive from The Banton Corporation tomato paste packed in 6 ounce size cans at a price no higher than the maximum price of $6.10 per carton of 100 cans, f. o. b. Applicant's shipping point.

(b) All prayers of the Application not specifically granted herein are dismissed.

(c) This Order No. 189 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 189 (§ 1499.1091) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942 as amended, shall apply to terms used herein.

(f) This Order No. 189 (§1499.1091) shall become effective on February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1941; Filed, February 5, 1943; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 190 Under § 1499.18 (b) of GMPR]

UNIVERSAL WINE AND LIQUOR CO.

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

§ 1499.1091 *Denial of application of Universal Wine and Liquor Company, 7944 West Fort Street, Detroit, Michigan for adjustments of maximum prices for Canadian Black Horse Ale.* (a) The application of Universal Wine and Liquor Company, 7944 West Fort Street, Detroit, Michigan, filed October 17, 1942 and assigned Docket No. GF3-2595 requesting permission to increase maximum prices

for Canadian Black Horse Ale sold by it is denied.

(b) This Order No. 190 (§ 1499.1091) shall become effective February 6, 1943.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-1942; Filed, February 5, 1943; 11:50 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Distribution Order 3, Amendment 1]

PART 1526—MARKETING FUEL OIL

DELIVERIES ON OR AFTER FERBUARY 2, 1943

Section 1526.1 *Petroleum Distribution Order 3* (8 F.R. 1395, 1396) is hereby amended by adding to Schedule A as follows:

14.00	Chemicals, production of:
14.01	Acrylates.
14.02	Acrylonitrile.
14.03	Ammonium nitrate.
14.04	Ascorbic acid.
14.05	Atabrin.
14.06	Benzol.
14.07	Biological products (vaccines, serums, etc.)
14.08	Butyl alcohol.
14.09	Butyral resins.
14.10	Carbonyl iron.
14.11	Chemical cotton pulp.
14.12	Chlor sulfonic acid.
14.13	Ethyl alcohol.
14.14	Ethyl cellulose.
14.15	Fabric coating plants to the extent required to fulfill Army and Navy contracts.
14.16	Formaldehyde.
14.17	Iso propyl alcohol.
14.18	Lithium and lithium salts.
14.19	Nitro cellulose.
14.20	Oleum.
14.21	Phenol.
14.22	Phenolic resins.
14.23	Phthalic anhydride.
14.24	Polyvinyl resins.
14.25	Quinine.
14.26	Silica gel catalysts.
14.27	Sodium acetate.
14.28	Sorbitol.
14.29	Strontium chemicals.
14.30	Sulfa drugs.
14.31	Tega film.
14.32	Toluol.
14.33	Varnished cambric.
14.34	Vinyl acetate.
14.35	Vitamins.
14.36	Zinc chromate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of February 1943.

R. K. DAVIES,
Acting Petroleum Administrator for War.

[F. R. Doc. 43-1908; Filed, February 4, 1943; 1:39 p. m.]

Notices

DEPARTMENT OF INTERIOR.

Bituminous Coal Division.

[Docket No. B-308]

COAL HILL MINING CO., INC.

ORDER GRANTING APPLICATION, ETC.

In the matter of Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675.

Order granting application filed pursuant to § 301.132 of the rules of practice and procedure for disposition hereof without formal hearing, suspending registration, and cease and desist order.

The above-entitled proceeding having been instituted by the Bituminous Coal Division (the "Division") on its own motion pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors by a Notice of and Order for Hearing (the "Order"), dated September 3, 1942, and duly served on the said Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, (the "Distributor") to determine whether said Distributor had violated the Bituminous Coal Act of 1937 (the "Act"), the Bituminous Coal Code (the "Code"), and orders, rules and regulations promulgated thereunder, and its Distributor's Agreement (the "Agreement"), dated June 11, 1940, as more fully set forth in said order; and

The said proceeding having been scheduled for hearing on September 30, 1942, pursuant to said order and having been postponed by an Order of the Director issued on September 26, 1942, to a time and place to be thereafter designated; and

An application based upon admissions for the disposition of the above-entitled matter without formal hearing, (the "application") pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division, having been duly filed by the said Distributor with the Division on October 10, 1942, and having been amended as of November 30, 1942; and

Notice of filing of said application, as amended, dated December 7, 1942, having been published in the FEDERAL REGISTER on December 8, 1942, pursuant to § 301.132; and

Said notice of filing having provided that interested parties desiring to do so, might, within fifteen (15) days from the date of said notice, file recommendations or requests for informal conferences with respect to said application, and it appearing that no such recommendations or requests have been filed with the Division within said 15 day period; and

It appearing from said application, as amended, that the said distributor admits the prepaying of freight on all coal involved in the transactions set forth in paragraph 1 of the Order, and admits receiving a total of $283.95 as discounts from minimum prices on coal shipped by the Pennsylvania Coal & Coke Corporation, Pursglove Coal Mining Co., Reitz Coal Company, W. J. Rainey, Inc., Seger Bros. Coal Co., Inc., DuShan Coal Mining Co., Abbie E. Lansberry & Son and Goshen Valley Coal Co.; and

It further appearing from said application, as amended, that the said distributor admits prepaying freight on an undescribed portion of the tonnages of coal involved in the transactions set forth in paragraph 4 of the order; and

It further appearing from said application, as amended, that the said distributor, acting as sales agent for the code members referred to in paragraph 5 of the said order, admits that it sold coal produced by the said code members at their respective mines located in District No. 1, and accepted and retained sales agency commissions on sales of said coal, as more fully set forth in the said paragraph 5 of the order; and

It further appearing from said application, as amended, that the said distributor admits the sale of coal for which minimum prices, temporary or final, had not been established by the Division, as more fully set forth in paragraph 6 of the said order; and

It further appearing from said application, as amended, that the said distributor admits that it, acting as sales agent sold coal produced by certain code members (except with respect to the tonnage of coal shipped for the Culbertson Coal Company) and accepted and retained sales agency commissions in excess of the commissions stipulated in certain sales agency contracts, although certified copies of agreements modifying the stipulated commissions prescribed by said sales agency contracts were not filed with the Division, as more fully set forth in paragraph 7 of the said order; and

It further appearing from said application, as amended, that said distributor admits that, acting as sales agent, pursuant to a sales agency contract entered into between said distributor and Culbertson Coal Co., a code member, it sold for rail shipment during the period October 9, 1940 to December 31, 1940, both dates inclusive, approximately 4,670.94 net tons of coal produced by said Culbertson Coal Co. at $2.00 per net ton, whereas minimum prices, temporary or final, had not been established by the Division for rail shipment of said coal, as more fully set forth in paragraph 9 of said order; and

It further appearing from the said application, as amended, that the said distributor admits that, acting as sales agent for the code members referred to in paragraph 10 of the order, it sold Size Group No. 4 coal produced by the said code members at their respective mines located in District No. 1, whereas minimum prices, temporary or final, had not been established by the Division for said

coal, as more fully set forth in paragraph 10 of said order; and

It further appearing from said application, as amended, that said distributor represents that it has not to the best of its knowledge committed any violations of the Act, the Code, or regulations other than those violations admitted and more particularly described in said application, as amended, except that it admits an additional violation not set forth in the order by distributor, acting as sales agent for Kristianson & Johnson Coal Co., Inc. from May 19, 1941 to October 8, 1942, both dates inclusive, and receiving commissions on sales of coal produced by the said Kristianson & Johnson Coal Co., Inc., in excess of the maximum allowable discounts prescribed by the Division without the Division's permission granted under Rule 13 of section II of the Marketing Rules and Regulations; and

It further appearing from said application, as amended, that said Distributor represents that none of aforesaid admitted violations were committed with a preconceived intention wilfully to violate any regulation of the Division, or otherwise to violate the Act on the basis of extenuating circumstances set forth in said application, as amended; and

It further appearing from said application, as amended, that the said distributor agrees to accept a suspension of its registration as a registered distributor for a period of 30 days with respect to the violations alleged in paragraphs 1 and 4 of the order, and agrees in addition to return to the following named code members the aforesaid discounts in the amount of $283.95 accepted with respect to transactions set forth in paragraph 1 of the said order, as follows:

Code member producer:	*Discounts*
Pennsylvania Coal & Coke Corportation	$145.40
Pursglove Coal Mining Co	18.02
Arrow Coal Mining Co	45.14
Reitz Coal Company	30.78
W. J. Rainey, Inc	1.89
Seger Bros. Coal Co., Inc	4.92
DuShan Coal Mining Co	5.89
Abbie E. Lansberry & Son	19.23
Goshen Valley Coal Co	12.68
Total	283.93

and to return to the following named code members the actual sales agency commissions in the amount of $388.69 received in connection with transactions described in paragraph 4 of the said order, as follows:

Code member producer:	*Commissions*
Kristianson & Johnson Coal Co., Inc	$182.86
Dugan Coal Mining Co	21.56
Ed. E. Carlson	12.03
Fred Barilar	12.04
Hamilton Coal Co	12.04
Nick Ferrari	12.04
Harlan Spencer	37.16
Royal Quemahoning Coal Co	9.40
Robert O'Harah	55.24
James A. White Coal Co	12.19
Culbertson Coal Co	22.13
Total	388.69

and to return excess sales agency commissions in the amount of $155.74 to James A. White Coal Co. and in the amount of $5.62 to Appalacha Coal Company received in connection with transactions described in paragraph 5 of the order, but does not agree to return the other excess commissions set forth in said paragraph 5; and

It further appearing from said application, as amended, that the said Distributor agrees to return to the following named code members the entire sales agency commissions in the amount of $938.77 received in connection with the transactions set forth in paragraph 7 of the said order, except as to the said Culbertson Coal Co., as follows:

Code member producer:	*Commission*
Ed. E. Carlson	$301.23
Fred Barilar	189.96
Harlan Spencer	164.07
Hamilton Coal Co	51.40
Nick Ferrari	189.59
Royal Quemahoning Coal Co	42.52
Total	938.77

It further appearing from said application, as amended, that the said Distributor further agrees to the issuance of a Cease and Desist Order in this proceeding; and

It further appearing from said application, as amended, that the said Distributor agrees to execute any and all papers and other documents necessary for the disposition of this proceeding in the event that the said application, as amended, is granted; and

It further appearing from said application, as amended, that the said Distributor denies the allegations of violations set forth in paragraphs 2, 3, and 8 of the order:

Now, therefore, pursuant to authority vested in the Division by section 4 II (h) of the Act and upon said application, as amended, of the said Distributor filed with the Division pursuant to § 301.132 of the Rules of Practice and Procedure for disposition without formal hearing of the charges as set forth in the Notice of and Order for Hearing, and upon evidence in the possession of the Division; it is hereby found that: (a) The said Distributor is a corporation organized and existing by virtue of the laws of the Commonwealth of Pennsylvania with its principal place of business located at DuBois, Pennsylvania, and is engaged in the business of purchasing and reselling bituminous coal;

(b) The said distributor filed with the Division its application for registration as a registered distributor, dated June 11, 1940, and a certificate of registration No. 1675, dated June 26, 1940, was issued to the distributor pursuant to said application, and since then the distributor has been engaged in the business of purchasing and selling bituminous coal as a registered distributor;

(c) The said distributor during the period October 2, 1940 to September 2, 1941, both dates inclusive, violated section 4 II (i) (3) and (6) of the Act, Part II (i) (3) and (6) of the Code, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (c), (d) and (e) of the said Agreement by purchasing from certain code members named in paragraph 1 of the order approximately 5095 net tons of various sizes of coal produced by said code members at their respective mines and reselling said coal for rail shipment to various purchasers and prepaying the freight thereon in the total amount of $13,168.82, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Amount freight prepaid
Pennsylvania Coal & Coke Corporation	371	Oct. 2, 1940 to Sept. 2, 1941	2534.95	$6,388.07
Stineman Coal & Coke Co	630	Oct. 16, 1940 to Nov. 24, 1941	1025.40	2,688.84
The Pursglove Coal Mining Co	120	Oct. 21, 1940 to Nov. 6, 1940	150.20	411.55
Arrow Coal Corporation	18	Dec. 19, 1940	240.10	605.05
Reitz Coal Co	420	Oct. 9, 1940 to July 9, 1941	264.65	1,073.15
W. J. Rainey, Inc	3	Oct. 14, 1940	39.35	91.89
Seger Bros. Coal Co., Inc	202	Oct. 12, 1940	28.95	72.95
DuShan Coal Mining Co	140	Nov. 16, 1940	34.25	86.31
Abbie E. Lansberry & Son	2337	Aug. 20, 1941	160.30	415.40
Goshen Valley Coal Co	130	June 23, 1941 to June 26, 1941	106.50	280.10
E. B. Peterson	102	Jan. 7, 1941	235.35	614.26
Heckler, B. F. (The "B" Quality Coal Co)	57	June 23, 1941 to Nov. 19, 1941	175.10	441.25

(d) The said distributor during the period October 2, 1940 to June 26, 1941, both dates inclusive, violated section 4 II (i) (6) of the Act, Part II (i) (6) of the Code and paragraphs (c), (d), and (e) of the said agreement by receiving, accepting and retaining the total amount of $283.95 as improper discounts from the effective minimum prices established by the Division for coal produced by the Pennsylvania Coal & Coke Corporation, the Pursglove Coal Mining Co., Reitz Coal Company, W. J. Rainey, Inc., Seger Bros. Coal Co., Inc., DuShan Coal Mining Co., Abbie E. Lansberry & Son and Goshen Valley Coal Co.;

(e) The said distributor, acting as sales agent for the code member producers indicated below pursuant to sales agency contracts entered into between said Distributor and the said code members during the period October 5, 1940 to September 23, 1941, both dates inclusive, violated section 4 II (i) (e) and (6) of the Act, Part II (i) (3) and (6) of the Code, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations and paragraphs (c) and (e) of the said Agreement, by selling coal produced by said code members at their respective mines located in District No. 1 to various purchasers for rail shipment, and by prepaying freight on an unascertainable portion of the coal produced by the said code members, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Amount Freight prepaid
Barnes & Tucker Co	205	Sept. 10, 1941	42.7	$123.40
Kristianson & Johnson Coal Co., Inc	192, 258	Nov. 19, 1940 to May 19, 1941	661.95	1,740.93
	259			
	260			
Dugan Coal Co	654	Dec. 9, 1940 to Mar. 19, 1941	366.8	924.34
Ed. E. Carlson	605	Oct 5, 1940 to Sept. 23, 1941	790.45	2,039.79
Fred Barilar	1042	Nov. 5, 1940 to Sept. 23, 1941	559.03	1,427.10
Harlan Spencer	638	Oct. 5, 1940 to Sept. 23, 1941	786.07	1,187.91
Hamilton Coal Co	707	Jan. 30, 1941 to Sept. 20, 1941	141.37	364.34
Nick Ferrari	2503	Nov. 5, 1940 to Sept. 23, 1941	550.53	1,434.75
Royal Quemahoning Coal Co	445	Sept. 5, 1941	43.35	118.78
Hamler Coal Mining Co	194	Jan. 29, 1941 to June 24, 1941	412.40	981.51
Robert O'Harah	2572	Apr. 11, 1941 to Apr. 29, 1941	195.60	451.93
James A. White Coal Co	651	Apr. 7, 1941 to Apr. 19, 1941	101.60	256.03
Superior Cherry Run Coal Co	90	Dec. 17, 1940 to Aug. 2, 1941	1,899.55	4,520.93
Culbertson Coal Co	1480	Nov. 22, 1940 to Dec. 26, 1940	89.25	244.54

(f) The said distributor, acting as sales agent for the code members indicated below pursuant to sales agency agreements entered into between said distributor and said code members subsequent to August 8, 1940, during the period January 11, 1941 to May 19, 1941, both dates inclusive, participated in violations of Rule 13 of section II of the Marketing Rules and Regulations and thereby violated paragraph (e) of the said agreement by selling coal produced by said code members at their respective mines located in District No. 1, to various purchasers for rail shipment, and receiving, accepting and retaining sales agency commissions, as provided by said sales agency agreements, with respect to which applications were not filed pursuant to said Rule 13, which commissions were in excess of the maximum allowable discounts prescribed by the Division, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Total comm. taken	Maximum allowable discount
Kristianson & Johnson Coal Col, Inc	192, 258, 259, 260	Jan. 17, 1941, to May 19, 1941	537.70	$157.93	$64.53
Dugan Coal Co	654	Jan. 11, 1941, to Mar. 19, 1941	1,333.60	445.60	160.05
Appalacha Coal Co	13	Feb. 4, 1941	48.00	11.38	5.76
James A. White Coal Co	651	Apr. 7, 1941, to May 19, 1941	969.60	272.08	116.34
Robert O'Harah	2572	Apr. 11, 1941, to Apr. 29, 1941	194.00	55.61	23.28

(g) The said distributor, acting as sales agent for the code member producers indicated below, during the period October 15, 1940 to February 22, 1941, both dates inclusive, participated in violation of the Order of the Director entered in General Docket No. 19 dated October 9, 1940, and thereby violated paragraph (e) of the said agreement, by selling coal produced by said code members at their respective mines located in District No. 1 for rail shipment, to various purchasers, for which coal minimum prices, temporary or final, had not been established by the Division, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Size
Fred Barilar	1042	Oct. 15, 1940, to Jan. 30, 1941	649.07	2" N & S.
Harlan Spencer	638	Oct. 14, 1940, to Nov. 11, 1940	229.73	2" N & S.
Hamilton Coal Co	707	Jan. 20, 1941, to Feb. 22, 1941	16.93	2" N & S mine run.

(h) The said distributor, acting as sales agent for the code member producers indicated below pursuant to sales agency contracts entered into between said distributor and said code members, during the period October 5, 1940 to September 23, 1941, both dates inclusive, participated in violation of Rule 9 (a) of section II of the Marketing Rules and Regulations and thereby violated paragraph (e) of the said agreement, by selling coal produced by said code members at their respective mines located in District 1 and receiving, accepting and retaining sales agency commissions on sales of said coal in excess of those stipulated in said sales agency contracts, although certified copies of agreements modifying said stipulated commissions were not duly filed with the Division, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Sales agency comm. accepted	Stipulated sales agency comm.
Ed. E. Carlson	605	Oct. 26, 1940, to Sept. 23, 1941	733.73	$301.23	$197.66
Fred Barilar	1042	Nov. 5, 1940, to Sept. 23, 1941	434.28	189.96	117.35
Harlan Spencer	638	Oct. 5, 1940, to Sept. 23, 1941	384.87	164.07	112.59
Hamilton Coal Co	707	Jan. 30, 1941, to Sept. 23, 1941	105.73	51.40	29.16
Nick Ferrari	2503	Nov. 5, 1940, to Sept. 23, 1941	437.92	189.59	118.29
Royal Quemahoning Coal Co	445	Jan. 10, 1941, to Jan. 29, 1941	135.25	42.52	30.52

(i) The said distributor, acting as sales agent pursuant to a sales agency contract entered into between said distributor and Culbertson Coal Co., a code member producer, during the period October 9, 1940 to December 31, 1940, both dates inclusive, participated in the violation of Order of the Division entered in General Docket No. 19 dated October 9, 1940, and thereby violated paragraph (e) of the said agreement, by selling to various purchasers for rail shipment approximately 4670.94 net tons of 2" nut and slack coal, produced by said Culbertson Coal Co. at its Harvey No. 1 Mine, Mine Index No. 1480, located in District No. 1, at $2.00 per net ton f. o. b. said mine, whereas minimum prices, temporary or final, had not been established by the division for rail shipment of said coal;

(j) The said distributor, acting as sales agent for the code members indicated below, during the period October 5, 1940 to January 31, 1941, both dates inclusive, participated in violation of section 4 II (e) of the Act, Part II (e) of the Code, and Rule 2 of section XII of the Marketing Rules and Regulations, and thereby violated paragraphs (b) and (e) of the said agreement, by selling Size Group No. 4 coal produced by the said code members at their respective mines located in District No. 1, whereas minimum prices, temporary or final, had not been established by the Division for Size Group No. 4 coal produced at the aforesaid mines, as follows:

Code member producer	Mine index No.	Dates of shipment	Tonnage	Size group No.	Sales price f. o. b. mine
Ed. E. Carlson	605	Oct. 5, 1940, to Jan. 30, 1941	755.65	4	$2.15
Harlan Spencer	638	Nov. 26, 1940, to Jan. 31, 1941	179.75	4	2.15

(k) The violations hereinbefore described in paragraphs (c) to (j), inclusive, were wilfully committed and that said distributor should be directed to cease and desist from further violations, as hereinafter ordered.

Now, therefore, upon the basis of the foregoing findings and the said admissions and the consent filed by said Coal Hill Mining Co., Inc., pursuant to § 301.132 of the Rules of Practice and Procedure:

It is ordered, That said application, as amended, for disposition of this proceeding without formal hearing be, and it hereby is, granted; and

It is further ordered, That the hearing herein heretofore postponed by order

dated September 26, 1942, to a date and place to be thereafter designated by an appropriate order be, and the same hereby, is cancelled; and

It is further ordered, That the registration of the said distributor, as a registered distributor, Registration No. 1675, be, and it is hereby suspended for the period of thirty (30) days commencing at 12:01 on the next calendar day following the date of service of this order upon said distributor: *Provided, however,* That if said distributor shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five days prior to the expiration of said suspension period, said suspension shall continue in full force and effect until five days after the affidavit required by said § 304.15 shall have been filed with the Division.

It is further ordered, That the said distributor refund to the code members set forth below, $283.95, which represents excess discounts improperly received, accepted and retained by said distributor with respect to transactions set forth in paragraph 1 of the order as follows:

Code member producer:	*Discounts*
Pennsylvania Coal & Coke Corporation	$145.40
Pursglove Coal Mining Co	18.02
Arrow Coal Mining Co	45.14
Reitz Coal Company	30.78
W. J. Rainey, Inc	1.89
Seger Bros. Coal Co., Inc	4.92
DuShan Coal Mining Co	5.89
Abbie E. Lansberry & Son	19.23
Goshen Valley Coal Co	12.68

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to the code members set forth below, $388.69, which represents sales agency commissions improperly received, accepted and retained with respect to transactions set forth in paragraph 4 of the order as follows:

Code member producer:	*Commissions*
Kristianson & Johnson Coal Co., Inc	$182.86
Dugan Coal Co	21.56
Ed. E. Carlson	12.03
Fred Barilar	12.04
Hamilton Coal Co	12.04
Nick Ferrari	12.04
Harlan Spencer	37.16
Royal Quemahoning Coal Co	9.40
Robert O'Harah	55.24
James A. White Coal Co	12.19
Culbertson Coal Co	22.13

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to the code members set forth below, $938.77, which represents the entire amount of the sales agency commissions improperly received, accepted and retained with respect to transactions set forth in paragraph 7 of the order as follows:

Code member producer:	*Commission*
Ed. E. Carlson	$301.23
Fred Barilar	189.96
Harlan Spencer	164.07
Hamilton Coal Co	51.40
Nick Ferrari	189.59
Royal Quemahoning Coal Co	42.52
Total	$938.77

and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the said distributor refund to James A. White Coal Co., code member, $155.74 and the said distributor be required to refund to the Appalacha Coal Co., code member, $5.62, which amounts were received by said distributor as sales agency commissions received from the said code members with respect to transactions set forth in paragraph 5 of the order, and that a statement that such refunds have been made shall be included in any affidavit executed and filed by the said distributor pursuant to the aforesaid § 304.15; and

It is further ordered, That the effect of such suspension shall not be evaded directly or indirectly by the use of any device such as a sales agency agreement or any other device and that such suspension shall not excuse the said distributor from all duties and functions imposed upon it by the Act, the Code, and the Rules and Regulations promulgated thereunder and its Distributor's Agreement; and

It is further ordered, That, upon the basis of the extenuating facts represented in paragraph XVI of the said application, as amended, the alleged charges set forth and described in paragraphs 2, 3, and 8 of the said order be and the said charges hereby are withdrawn without prejudice.

It is further ordered, That Coal Hill Mining Co., Inc., registered distributor, Registration No. 1675, its representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act for or in its behalf, be and they hereby are directed to cease and desist from further violations of the Act, the regulations made thereunder, and the Distributor's Agreement.

It is further ordered, That upon any failure to comply with this order, the Division may reopen this proceeding and take appropriate action under the circumstances for the enforcement thereof, or take such further action as may be appropriate in the premises.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1857; Filed, February 4, 1943; 10:45 a. m.]

[Docket No. B-60]

E. H. AND J. H. TURPIN

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

In the matter of E. H. Turpin and J. H. Turpin, also known as E. H. Turpin and J. H. Turpin, individually and as copartners, doing business under the name and style of E. H. & J. H. Turpin, code member, District No. 8.

Upon the basis of findings of fact and conclusions of law set forth in the Opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the Order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j) and 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That E. H. Turpin and J. H. Turpin, individually and as copartners, doing business under the name and style of E. H. and J. H. Turpin, operating the Ferndale Mine (Mine Index No. 770) in Bell County, Kentucky, in District 8, their agents, representatives, employees, successors or assigns, and any persons acting or claiming to act for or on their behalf, cease and desist from violating the Order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the Code and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this Order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, *Director.*

[F. R. Doc. 43-1921; Filed, February 5, 1943; 11:11 a. m.]

[Dockets Nos. A-1766, Part II and A-1786, Part II]

DISTRICT BOARD 4 AND SHEBAN MINING CO.

ORDER OF SEVERANCE, ETC.

In the matters of the petitions filed by District Board No. 4 and Sheban Mining Company for the establishment of price classifications and minimum prices for the coals produced at the Sheban Mine, Mine Index No. 2314.

Order of severance and order continuing temporary relief, terminating final relief and notice of and order for hearing.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act") were respectively filed in Docket No. A-1766 and Dqcket No. A-1786 by Sheban Mining Company and District Board No. 4, requesting among other matters, the establishment of price classifications and minimum prices, for shipment via rail for certain coals produced at the Sheban Mine, Mine Index No. 2314, located in District No. 4.

An amended petition, pursuant to said section of the Act, was thereafter filed in Dockets Nos. A-1766 and A-1786 by Sheban Mining Company requesting the establishment both temporary and permanent of price classifications and minimum prices for shipment by rail for coals produced at the said Sheban Mine.

Dockets Nos. A-1766 and A-1786 were consolidated by an order issued herein dated December 28, 1942, which established among other matters, temporary

and conditionally final price classifications and minimum prices for certain coals produced by the Sheban Mine.

On January 14, 1943, District Board No. 8 filed a motion to modify the order herein dated December 28, 1942, and accordingly, it appears advisable that the price classifications and minimum prices established for the coals involved should not become conditionally final without a hearing, and that such hearing develop whether the coals produced at the Sheban Mine are cannel coals.

Now, therefore, it is ordered, That those portions of the original and amended petitions heretofore filed herein, which relate to the request for relief, both temporary and permanent, for certain coals produced at said Sheban Mine be, and the same hereby are, severed therefrom, and designated as Dockets Nos. A–1766, Part II and A–1786, Part II.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 26, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C.; and

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 21, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

It is further ordered, That the temporary relief heretofore granted for the coals of said Sheban Mine in the Order entered in Dockets Nos. A–1766 and A–1786 be, and the same hereby is, continued in effect until further order.

It is further ordered, That, with respect to the coals produced at the said Sheban Mine, the conditionally final relief heretofore granted in the order issued in Dockets Nos. A–1766 and A–1786 be, and the same hereby is, terminated.

It is further ordered, That the order heretofore issued in Dockets Nos. A–1766 and A–1786 shall, in all other respects, remain in full force and effect.

The matter concerned herewith is in regard to the petition of Sheban Mining Company and the petition of District Board No. 4 filed in Dockets Nos. A–1766 and A–1786 requesting the establishment of price classifications and minimum prices for shipment via rail for coals produced by the Sheban Mining Company, at its Sheban Mine, Mine Index No. 2314, located in District No. 4, and the petition of intervention of District Board No. 8 filed January 14, 1943, opposing the original petition and requesting that the temporary relief granted by the order issued herein dated December 28, 1942, be modified and to determine whether the coals produced at the Sheban Mine are cannel coals.

Dated: February 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1923; Filed, February 5, 1943; 11:11 a. m.]

[Docket No. A–1829]

DISTRICT BOARD 11

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for an additional shipping point for coals produced from Mine Index Nos. 746 and 1354.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Division by the above-named party requesting the temporary establishment for 60 days of an additional shipping point at the Bobolink Mine, Mine Index No. 11 for approximately 13,000 tons of Third Vein mine run entry coal produced by the Honey Creek Mine, Mine Index No. 746 and the Victory Mine, Mine Index No. 1354, now stored on the ground at the Honey Creek Mine.

In support of the requested relief, petitioner alleges that the Pyramid Coal Corporation is the owner of the Victory Mine, Honey Creek Mine, and the Bobolink Mine, all of which are on adjacent properties. It appears that the Victory Mine tipple will not be completed until March 1, 1943 and the Bobolink Mine will be idle for several weeks starting January 15, 1943. In order to fill shipments on a current contract to the Indiana & Michigan Electric Company, petitioner requests that Pyramid Coal Corporation be given temporary relief by the establishment of the Bobolink Mine as an additional shipping point for a period of 60 days from January 9, 1943 pursuant to a telegraphic request and approval of the Director on January 9, 1943, for approximately 13,000 tons of Third Vein mine run entry coal produced at its Honey Creek and Victory Mines and now stored on the ground of the Honey Creek Mine.

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

It is ordered, That temporary relief be granted as follows: The Schedule of Effective Minimum Prices for District No. 11 for All Shipments Except Truck is supplemented to include the matter set forth in the Schedule marked "Supplement R" annexed hereto and made a part hereof.

It is further ordered, That pending further order of the Director the relief granted herein shall be effective as of January 9, 1943 and shall expire on March 9, 1943.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within twenty-five (25) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43–1922; Filed, February 5, 1943; 11:11 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 442]

VOGEMANN-GOUDRIAAN COMPANY, INC.

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

1. Finding that Henry Vogemann and Richard Vogemann, whose last known addresses were represented to the undersigned as being Hamburg, Germany, are nationals of a designated enemy country (Germany);

2. Finding that all of the capital stock of Vogemann's Transport Company, Rotterdam, Holland, is owned by said Henry Vogemann and Richard Vogemann, and determining, therefore, that said company is a national of a designated enemy country (Germany);

3. Finding that said Henry Vogemann, Richard Vogemann and Vogemann's Transport Company are the owners of 10 shares, 10 shares and 980 shares respectively, of $10 par value common capital stock of Vogemann-Goudriaan Company, Inc., a Louisiana Corporation, New Orleans, Louisiana, which is a business enterprise within the United States and which shares constitute all of the outstanding capital stock of said business enterprise and represent ownership thereof;

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

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

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

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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

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

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

Executed at Washington, D. C. on December 4, 1942.

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

[F. R. Doc. 43–1933; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 493]

BRUHAN REALTY CORPORATION

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

1. Finding that Bruno Hollender, whose last known address was represented to the undersigned as being Donlitz Post Bresslau, Germany, a German citizen, is a national of a designated enemy country (Germany);

2. Finding that all of the capital stock of Bruhan Realty Corporation, a New York Corporation, New York, New York, consisting of 100 shares of no par value common stock registered in the name of Frederick W. Hollender, as nominee, is owned by said Bruno Hollender;

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

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

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

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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

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

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

Executed at Washington, D. C. on December 12, 1942.

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

[F. R. Doc. 43–1937; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 494]

RUSS ESTATE COMPANY

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

1. Finding that the persons (each of whom is a citizen of Germany), whose names and last known addresses are set forth in Exhibit A attached hereto and made a part hereof, are nationals of a designated enemy country (Germany);

2. Finding that 42¾ shares of $5,000 par value common capital stock of Russ Estate Company, a California corporation, San Francisco, California, which is a business enterprise within the United States, are registered in the names of and owned by said persons, the number of shares owned by each of whom is set forth after his or her respective name in said Exhibit A;

3. Finding that said 42¾ shares constitute a substantial part (namely, 20.75%) of all outstanding shares of capital stock of, and represent an interest in, said business enterprise;

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

5. Finding that 5 of the shares of stock registered in the name of Erich G. Russ referred to in said Exhibit A are held by The San Francisco Bank, San Francisco, California, as pledgee, the 5 shares of stock registered in the name of Daisy Illing referred to in said Exhibit A are held by said bank as pledgee and the 1 share of stock registered in the name of Frederich C. A. Heydenreich referred to in said Exhibit A is held by said bank as pledgee;

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

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

8. Deeming it necessary to the national interest;

hereby (a) vests in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, (i) all right, title and interest of Erich G. Russ, Daisy Illing and Frederich C. A. Heydenreich, and each of them, in and to the shares of stock referred to in subparagraph 5 hereof, and (ii) all the shares of stock referred to in said Exhibit A except the 11 shares of stock described in subparagraph 5 hereof, and (b) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C. on December 12, 1942.

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

EXHIBIT A

42¾ shares of the capital stock of Russ Estate Company, the names and last known addresses of the registered owners of which, and the number of shares owned by them, respectively, are as follows:

Names	Last known addresses	Number of shares
Marie Ellinor Verhein	Leipsic, Germany	4
Carla Mauraeh	Berlin, Germany	2
Daisy Illing	Dresden, Germany	5
Dr. Ernst Illing	Dresden, Germany	2¾
Hans Joachim Illing	Dresden, Germany	2
Eleanore von Seyfried	Berlin, Germany	1¾
Johann von Seyfried	Berlin, Germany	1¾
Marie von Phillipsborn	Berlin, Germany	3½
Erich G. Russ	Dresden, Germany	7
Ernst Heinrich Heydenreich	Leipsic, Germany	4
Alma Mebuis	Berlin, Germany	4
Elsie Mebuis	Berlin, Germany	1
Carola Bleidorn	Berlin, Germany	3
Frederich C. A. Heydenreich	Leipsic, Germany	1
Total		42¾

[F. R. Doc. 43-1938; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 626]

D. A. B. RECREATIONAL RESORT, INC.

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

1. Finding that the German American Vocational League, Inc., New York, New York, is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and therefore is a national of a designated enemy country (Germany);

2. Finding that said German American Vocational League, Inc. is the beneficial owner of all of the outstanding capital stock of D. A. B. Recreational Resort, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 10 shares of no par value common stock registered in the names of Fritz Schroeder, Heinz Schnoedewind, Theo. Koehn and Joseph Lieblein, as Trustees for said German American Vocational League, Inc.

3. Finding also that D. A. B. Recreational Resort, Inc. is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country;

4. Determining, therefore, that said D. A. B. Recreational Resort, Inc. is a national of a designated enemy country (Germany);

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

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

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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

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

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

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

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

[F. R. Doc. 43-1934; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 639]

COTTON EXPORT TRADING COMPANY, INC.

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

1. Finding that Boden & Haac, located in Bremen, Germany, is a national of a designated enemy country (Germany);

2. Finding that said Boden & Haac is the beneficial owner of 100 shares of $100 par value capital stock of Cotton Export Trading Company, Inc., a Texas corporation, Dallas, Texas, registered as follows:

Names:	*Number of shares*
Robert Mayer	1
E. W. Olivard, Jr	1
Franz Brass	1
N. V. Ex- & Import Mij. Roessingh & Co	97
Total	100

3. Finding that said Cotton Export Trading Company, Inc. is a business enterprise within the United States and that said 100 shares of stock constitute all of the issued and outstanding capital stock of said business enterprise and represent ownership thereof;

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

5. Determining that John Lyon & Co., Gothenburg, Sweden, is acting for or on behalf of said Boden & Haac and, therefore, is a national of a designated enemy country (Germany);

6. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of John Lyon & Co., Gothenburg, Sweden and said Boden & Haac, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Cotton Export Trading Company, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to sue for and collect such obligations, is an interest in the aforesaid business enterprise held by nationals of an enemy country, and also is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

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

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

9. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the shares of stock described in subparagraph 2 hereof and the property described in subparagraph 6 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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

of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

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

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

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

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

[F. R. Doc. 43–1935; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 654]

BEATRICE GAUSEBECK

Re: Real property situated in Blairstown, Warren County, New Jersey, owned by Beatrice Gausebeck.

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

1. Finding that Beatrice Gausebeck is a resident of Germany and is a national of a designated enemy country (Germany);

2. Finding that said Beatrice Gausebeck is the owner of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Beatrice Gausebeck, in and to that certain real property situated in the Township of Blairstown, County of Warren, and State of New Jersey, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of Beatrice Gausebeck for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. 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 the aforesaid designated enemy country (Germany);

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

6. Deeming it necessary in the national interest;

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

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

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

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

Executed at Washington, D. C., on January 9, 1943.

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

EXHIBIT A

The first lot beginning at the Stone Corner of Abraham Francis and Daniel Vaugh's line and runs (1) North forty-six and one-half degrees East twenty-five chains and eighty-six links to a chestnut tree in the road for Reeder's Corner; thence (2) South four degrees West four chains and fifty-three links to a large rock; thence (3) South thirty-five and one-half degrees East twelve chains and eighty-four links to a hickory tree in the road; thence (4) North fifty-five and one-half degrees East three chains and twelve links to a stone corner; thence (5) South thirty-four degrees East four chains to a stake in the lane; thence (6) North sixty-one degrees and eighteen chains and twenty-one links to a stone corner on an island in the brook; thence (7) South eighteen and one-half degrees East three chains and fifty-six links to a red oak tree; thence (8) South seven and one-half degrees East five chains and forty-seven links to a stone heap; thence (9) South 13 degrees East two chains and twenty-two links to a stone corner; thence (10) South two chains and forty-three links to a stone corner; thence (11) South fifty-eight degrees West three chains and seventeen links in the middle of the road. Twenty-two links from a chestnut tree; thence (12) South twenty-two and one-half degrees East one chain and eighty-two links to a chestnut tree on the West side of the road; thence (13) South ten and one-half degrees East three chains and forty-five links to a hickory sapling; thence (14) South five and one-half degrees East seven chains and eighty-five links in the brook; thence (15) South seventy degrees West six chains and twenty-five links to a red oak stump; (16) North sixteen and one-half degrees West thirty-one chains and four links to a stone corner in Vaugh's Field; thence (17) South thirty-two and one-half degrees West three chains and six links to a corner near a hickory sapling; thence (18) North forty-three degrees West four chains and fifty-two links to a pile of stones thence (19) North sixty degrees and four chains and forty-five links to a stake in a stone row; thence (20) North thirty-two and one-half degrees West twenty-six chains and thirty-three links to a stake in Vaugh's Corner in A. France's line; thence (21) North two degrees West three chains and eleven links to the place of beginning.

Containing one hundred and thirty-three acres of land, be the same more or less, excepting however a lot sold to John C. McConachy, by Mary Ann Henry, containing about one acre and twenty-one hundredths of an acre of land, by deed recorded in the Warren County Clerks Office in Book 180 of Deeds on Page 360, etc. It being expressly understood that there is claimed to be a right-of-way in the public beginning at about the third corner in the above description and running through the woods in a Westerly direction towards Emanuel Kise's House for which the party of the first part shall in no way be held responsible.

Being the same premises conveyed to August T. Gausebeck by Kaethe Lucie Gausebeck by deed dated June 7, 1933 and recorded in the Warren County Clerk's Office in Book 271 of Deeds for said County, Pages 202 etc.

[F. R. Doc. 43–1936; Filed, February 5, 1943; 11:37 a. m.]

[Vesting Order 719]

L. ZULEIKHA VON VIETINGHOFF

Re: Certain real properties in Illinois, together with a bank account, owned by L. Zuleikha von Vietinghoff.

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

1. Finding that the last known address of L. Zuleikha von Vietinghoff is at 10–A Corneliusstrasse, Berlin, Germany, and that therefore she is a national of a designated enemy country (Germany);

2. Finding that said L. Zuleikha von Vietinghoff is the owner of the real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of said L. Zuleikha von Vietinghoff, in and to that certain real property, situated in Woodford County, Illinois, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of L. Zuleikha von Vietinghoff for rents and refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and estate, both legal and equitable, of said L. Zuleikha von Vietinghoff, in and to that certain real property, situated in Vermilion County, Illinois, more particularly described in Exhibit B attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of L. Zuleikha von Vietinghoff for rents, refunds, benefits or other payments arising from the ownership of such property; and

c. All right, title, interest and claim of any name or nature whatsoever of said L. Zuleikha von Vietinghoff in and to all obligations, contingent or otherwise and whether or not matured, owing to her by Continental Illinois National Bank and Trust Company, Chicago, Illinois, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in said Continental Illinois National Bank and Trust Company carried in the name of Karl Gruenwald, Special Account,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3–a and 3–b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. 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 the aforesaid designated enemy country (Germany);

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

7. Deeming it necessary in the national interest;

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

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

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

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

Executed at Washington, D. C., on January 18, 1943.

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

EXHIBIT A

The Southwest quarter (SW¼) of Section twenty-three (23) in township twenty-eight (28) North, Range two (2) East, excepting therefrom however, one (1) acre in the southeast corner thereof, and excepting therefrom, also a tract in the northeast corner thereof seventy-five feet wide by six hundred and eighty feet long, and excepting and reserving, also, in the event the same have been severed from the fee of said premises, and in that event only, the underlying coal, minerals and mining rights;

also, the south seventy-seven and seventy-three hundredths acres (S77-73/100 A.) of the west one-half of the southeast quarter (W½SE¼) of said Section twenty-three (23) aforesaid, excepting and reserving in the event the same has been severed from the fee of said last mentioned premises, and in that event only, the underlying coal, minerals and mining rights;

all the premises above mentioned, containing 236.56 acres, more or less, situated in the County of Woodford, and State of Illinois.

EXHIBIT B

The East half (E½) of Section Six (6) and the East half (E½) of the Southwest Quarter (SW¼) of said Section Six (6), all in Township Twenty-three (23), North, Range Thirteen (13) West of the Second Principal Meridian, containing Four Hundred Five (405) acres more or less, situated in the County of Vermilion and State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

[F. R. Doc. 43–1939; Filed, February 5, 1943; 11:42 a. m.]

[Vesting Order 725]

HANI FARKAS, ET AL.

Re: Real property situated in Amesbury, Massachusetts, owned by Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman.

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

1. Finding that Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman are citizens of Czechoslovakia residing in Hungary and are nationals of a designated enemy country (Hungary);

2. Finding that said Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, are the owners of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, and each of them, in and to that certain real property situated at 77 Elm Street, Amesbury, Massachusetts, more particularly described in Exhibit A attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto and any and all claims of said Hani Farkas, Frida Gluck, David Gottlieb and Jenny Guttman, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by nationals of a designated enemy country (Hungary);

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

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

6. Deeming it necessary in the national interest:

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

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

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

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

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

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

EXHIBIT A

The land in said Amesbury, (Massachusetts) together with the factory building and boiler house standing thereon, bounded and described as follows: Beginning at the Northerly corner of Clark and Elm Streets in said Amesbury; thence running in a Northerly direction along said Elm Street and over Back River, so called, one hundred fifty (150) feet, ten (10) inches, more or less, to the wall of the factory building standing on the remaining land of the grantor; thence turning at an angle and running along the wall of said factory building and continuing in the same line to the land formerly of Clark; thence in a Southerly direction along said land of Clark about one hundred fifty five (155) feet, more or less, to said Clark Street; thence in an Easterly direction along said Clark Street to the point of beginning. Meaning and intending to convey all of the property of the grantor at the corner of Clark and Elm Streets, which lies South of a line drawn from Elm Street along the line of the South wall of the factory building on remaining land of the grantor, extended to the land now or late of Clark. Reserving however, to the grantor, its successors and assigns, all water rights and rights of flowage in said Back River, as established by former deeds to the grantor by various parties. Reserving also to the grantor, its successors and assigns, the right to use and enter upon a space four feet wide running along the wall of the factory building standing on remaining land of the grantor for the purpose of repairing the same when necessary, so long as the present factory building on the remaining land of the grantor stands. Subject to the rights of others as established by previous deeds to use a passageway on the Westerly side of the premises running to Clark Street. Subject also to real estate taxes for the year 1923.

[F. R. Doc. 43–1940; Filed, February 5, 1943; 11:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 14]

CONSOLIDATED MOTOR FREIGHT—CERTIFIED MOTOR TRANSPORT

COORDINATED OPERATION BETWEEN MINNEAPOLIS—ST. PAUL, AND WINONA, MINN.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, filed with the Office of Defense Transportation by M. E. Sullivan and Edward Flom, a co-partnership, doing business as (and hereinafter referred to as) Consolidated Motor Freight, of St. Paul, Minnesota, and R. D. Holt, doing business as (and hereinafter referred to as) Certified Motor Transport, of St. Paul, Minnesota, as governed by § 501.9 of General Order ODT 3, Revised, as amended,[1] and

It appearing that such coordination is required in order to conserve and providently utilize materials and equipment, and to assure the maximum utilization of such materials and equipment, by reason whereof: *It is hereby ordered,* That:

1. Consolidated Motor Freight shall suspend operations between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, except over that segment of its route between Nelson, Wisconsin, and Winona, Minnesota; and shall divert to Certified Motor Transport all shipments tendered to it for transportation between those points, or from or to the intermediate points of Wabasha, Lake City or Red Wing, Minnesota.

2. Certified Motor Transport shall accept from Consolidated Motor Freight all shipments diverted to it pursuant hereto and shall transport such shipments over its routes between Minneapolis and St. Paul, Minnesota, on the one hand, and Winona, Minnesota, on the other, or from or to such intermediate points, on the billing, and pursuant to the lawful rates and the rules and regulations of Consolidated Motor Freight; and shall perform the pickup and delivery at Wabasha, Lake City and Red Wing, Minnesota, in respect of such shipments originating at or destined to such points.

3. Certified Motor Transport shall suspend the operation of pickup and delivery vehicles at Winona, Minnesota; and shall divert its shipments to Consolidated Motor Freight at such point for transportation between its terminal and points of collection or delivery.

4. Consolidated Motor Transport shall perform the pickup and delivery of all shipments diverted to it at Winona, Minnesota, pursuant hereto and shall transport such shipments between the terminal of Certified Motor Transport at such point, on the one hand, and points of delivery and collection at such point, on the other, on the billing, and pursuant to the lawful rates and the rules and regulations of Certified Motor Transport.

5. The carriers shall eliminate duplicate terminals at Winona, Minnesota, and, in lieu thereof, shall utilize a joint terminal at such point.

6. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

7. The carriers forthwith shall file with the Interstate Commerce Commission and any other regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Nothing contained herein shall be so construed as to permit or require either carrier to perform any transportation service which is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

9. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3, Revised-14".

10. This order shall become effective February 10, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-1920; Filed, February 5, 1943; 10:55 a. m.]

[Special Order ODT B-35]

CENTRAL GREYHOUND LINES, INC.—PORT CLINTON COACH LINES

COORDINATED OPERATION BETWEEN TOLEDO—SANDUSKY, OHIO

Central Greyhound Lines, Inc., and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Central Greyhound Lines, Inc., Cleveland, Ohio, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines, Oak Harbor, Ohio, pursuant to § 501.49 of General Order ODT 11,[1] and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered,* That:

1. Central Greyhound Lines, Inc., Cleveland, Ohio, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines, Oak Harbor, Ohio (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Toledo, Ohio and Sandusky, Ohio, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between Sandusky, Ohio and Toledo, Ohio, Central Greyhound Lines, Inc., shall operate a through service of not to exceed eleven round trips daily, and Gottlieb Schuster and Tom D. Stahl doing business as Port Clinton Coach Lines shall operate a through service of not to exceed two round trips daily.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and

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[1] 7 F.R. 5445, 6689.

[1] 7 F.R. 4389.

should refer to "Special Order ODT B–35."

This order shall become effective February 19, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1918; Filed, February 5, 1943; 10:55 a. m.]

[Special Order ODT B–36]

QUAKER CITY BUS COMPANY—SILVER DART LINES, INC.

COORDINATED OPERATION BETWEEN NEW YORK, NEW YORK—BOSTON, MASSACHUSETTS

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by Quaker City Bus Company, Camden, New Jersey, and Silver Dart Lines, Inc., Boston, Massachusetts, pursuant to § 501.49 of General Order ODT 11,[1] and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Quaker City Bus Company, Camden, New Jersey, and Silver Dart Lines, Inc., Boston, Massachusetts, (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between New York, New York, and Boston, Massachusetts, as common carriers by motor vehicle shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Between New York, New York and Boston, Massachusetts, the combined daily through service of the carriers shall not exceed four round trips.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B–36".

This order shall become effective February 19, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43–1919; Filed, February 5, 1943; 10:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Corr. to Order 85 Under MPR 120]

SHOCKLEY CREEK COAL CO.

Correction to Order No. 85 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–211.

The reference to Mine Index No. 165 in paragraph (b) of Order No. 85 under Maximum Price Regulation No. 120 is corrected to read Mine Index No. 164.

This Correction to Order No. 85 shall be effective as of November 24, 1942.

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

Issued this 5th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–1954; Filed, February 5, 1943; 11:50 a. m.]

Regional Office I.

[Emergency Order 3 Under Ration Order 11]

BUNKER "C" OIL IN PROVIDENCE–TIVERTON–FALL RIVER SUPPLY AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, the following emergency order is prescribed:

(a) *Findings.* The Regional Administrator finds that in the territory served by the terminal and storage facilities of the Providence, Tiverton and Fall River Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59 (including all of the State of Rhode Island and certain portions of Southeastern Massachusetts and Eastern Connecticut), as the result of the continuing inadequacy of the supply of fuel oil of Grade No. 6, or Bunker "C" oil, hereinafter referred to as Bunker "C" oil, to meet the demands of vitally important users, there exists an emergency in the transportation and distribution of Bunker "C" oil which endangers the public health, the public welfare, and the war effort.

(b) *Scope of order.* (1) Nothing in this emergency order shall be construed to limit the quantity of fuel oil of any grade which may be acquired by the persons listed in § 1394.5052 of Ration Order No. 11.

(2) This emergency order shall be effective in the territory served by the terminal and storage facilities of the Providence. Tiverton and Fall River Supply Area, as established under Petroleum Directive No. 59, and shall include:

(i) All of the State of Rhode Island;

(ii) In Connecticut, the towns of Thompson, Putnam City, Putnam, Killingly, Sterling and Danielson;

(iii) In Massachusetts, the counties of Dukes, Nantucket, Barnstable, and Bristol (except the town of Easton); in Plymouth County the towns of Lakeville, Middleboro, Carver, Plymouth, Rochester, Wareham, Marion, and Mattapoisett; in Norfolk County, the towns of Bellingham, Franklin, Medway, Wrentham, Plainville, and Foxboro; in Worcester County, the towns of Sutton, Northbridge, Douglas, Uxbridge, Mendon, Millville, Blackstone, Hopedale, and Milford; in Middlesex County, the town of Holliston.

(c) *Order.* During the effective period of this order, notwithstanding the provisions of § 1394.5661 of Ration Order No. 11 relating to discrimination in transfer to consumers,

(1) No person shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery if such consumer has on hand a supply of such Bunker "C" oil sufficient to meet his estimated needs for three days.

(2) No person shall transfer or deliver Bunker "C" oil to any consumer nor shall any consumer accept a transfer or delivery in an amount which, when added to his stock on hand, is greated than his estimated needs for three days: *Provided, however,* That this limitation on the amount of a delivery shall not operate to prohibit a delivery of a greater amount

(i) Where such greater amount represents the minimum practicable delivery, or

[1] 7 F.R. 4389.

(ii) Where extraordinary circumstances of transportation or distribution require the delivery of a greater amount.

(3) No person shall transfer or deliver Bunker "C" oil to any consumer not on the priority list set forth in paragraph (c) (3) of Emergency Order No. 2 until he has satisfied all current demands of consumers on the priority list. No demand for Bunker "C" oil shall be considered a current demand if it is for an amount which, when added to the consumer's stock on hand, is greater than his estimated needs for three days.

(4) Emergency Order No. 2, heretofore prescribed and issued, shall remain in full force and effect except as modified with respect to transfer and deliveries of Bunker "C" oil by this emergency order.

(5) *Definitions.* All terms in this order which are defined in Ration Order No. 11 shall have the meaning assigned to them in that Ration Order.

(6) *Penalties.* Any violation of this order shall be deemed a violation of Ration Order No. 11.

(7) *Effective period.* This order shall take effect at 12:01 a. m. February 3, 1943 and shall terminate at 12:00 p. m. February 9, 1943 unless extended by further order.

Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, 7 F.R. 8418, E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480.

Issued this 2d day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43–1911; Filed, February 4, 1943; 4:12 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–670]

ALABAMA UNITED ICE COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of February 1943.

Alabama United Ice Company, a subsidiary of United Public Utilities Corporation, a registered holding company, having filed an application, pursuant to the Public Utility Holding Company Act of 1935, regarding the acquisition by it for $15,000 in cash of a 20% interest in the Polar Ice Company, Inc., a new company to be organized in the State of Alabama, with a total paid-in capital of $75,000; the remaining 80% of the capital of said new ice company to be subscribed and paid for by four other non-affiliated ice companies of Mobile, Alabama, in equal amounts; and

Said application having been filed on January 26, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and the applicant having requested that the approval of the application be accelerated because of the emergency nature of the transactions involved so that the order will issue not later than February 2, 1943; and

United Public Utilities Corporation, the parent registered holding company of the applicant, having stipulated that the approval of this application by the Commission will not in any way be claimed as a change of conditions or circumstances which will constitute grounds for modification or revocation of the order entered by this Commission In the Matter of United Public Utilities Corporation and its Subsidiary Companies (File No. 59–38) pursuant to section 11 (b) (1) of the Act of March 4, 1942, or which will affect the ability of said registered holding company to comply with said order; and

The Commission finding that the requirements of section 10 are satisfied with respect to the proposed acquisition of a 20% interest in the Polar Ice Company, Inc. by Alabama United Ice Company; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the said application pursuant to section 10; and being satisfied that the date of granting said application should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the Act, that the aforesaid application be and the same is hereby granted, subject, however, to the terms and conditions prescribed in Rule U-24: *And provided, further,* That the granting of such application shall not be construed as modifying or affecting the order entered by this Commission on March 4, 1942 pursuant to section 11 (b) (1) directing United Public Utilities Corporation to divest itself of its interest in Alabama United Ice Company.

By the Commission. Judge Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43–1909; Filed, February 4, 1943; 3:12 p. m.]