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Washington, Saturday, May 2, 1942

## The President

### EXECUTIVE ORDER 9152

#### DIRECTIONS AND REGULATIONS CONCERNING CENSUS REPORTS

WHEREAS section 1401 of the Second War Powers Act, 1942, approved March 27, 1942, authorizes the Secretary of Commerce, at the direction of the President, to make such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war, and, in carrying out that purpose, to dispense with or curtail any regular census or statistical work of the Department of Commerce:

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provision, and in order to carry out the purposes thereof, I hereby issue the following directions and regulations:

1. The Secretary of Commerce is directed to make, subject to the exercise by the Director of the Bureau of the Budget of his responsibilities for the coordination of Federal statistical activities, such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war.

2. In order to carry out the purpose of section 1 hereof, the Secretary of Commerce is authorized and directed to dispense with the taking of the census of manufacturing industries for 1941, and to dispense with or curtail, subject to the exercise by the Director of the Bureau of the Budget of his responsibilities for the coordination of Federal statistical activities, any other regular census or statistical work of the Department of Commerce.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 29, 1942.

[F. R. Doc. 42-3899; Filed, April 30, 1942;  
2:56 p. m.]

## Regulations

### TITLE 14—CIVIL AVIATION

#### Chapter I—Civil Aeronautics Board

[Amendment 20-45, Civil Air Regs.]

#### PART 20—PILOT CERTIFICATES

#### AMENDING PROVISIONS RELATING TO REEXAMINATION FOR PILOT CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of April 1942.

Acting pursuant to sections 205 (a), 601 and 602 (a) of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective April 24, 1942, Part 20 of the Civil Air Regulations is amended as follows:

1. By striking the period from the end of § 20.39 (a) and adding thereto the following:

\* \* \* or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

2. By striking the period from the end of § 20.39 (c) and adding thereto the following:

\* \* \* or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

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3. By striking the period from the end of section 20.46 and adding thereto the following:

\* \* \* or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
*Secretary.*

[F. R. Doc. 42-3919; Filed, May 1, 1942; 11:43 a. m.]

[Amendment 22-4, Civil Air Regs.]

#### PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

##### AMENDING PROVISIONS RELATING TO REEXAMINATION FOR PILOT CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of April 1942.

Acting pursuant to sections 205 (a), 601 and 602 (a) of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective April 24, 1942, Part 22 of the Civil Air Regulations is amended as follows:

By striking the period from the end of § 22.242 (a) and adding thereto the following:

\* \* \* or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
*Secretary.*

[F. R. Doc. 42-3918; Filed, May 1, 1942; 11:43 a. m.]

[Amendment 51-6, Civil Air Regs.]

#### PART 51—GROUND INSTRUCTOR RATING

##### AMENDING PROVISIONS RELATING TO REEXAMINATION FOR GROUND INSTRUCTOR RATING

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of April 1942.

Acting pursuant to sections 205 (a), 601 and 607 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective April 24, 1942, Part 51 of the Civil Air Regulations is amended as follows:

By striking the period from the end of § 51.27 and adding thereto the following:

\* \* \* or after he has received not less than 5 hours instruction on each subject of the examination failed from a certificated ground instructor rated for such subject and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
*Secretary.*

[F. R. Doc. 42-3920; Filed, May 1, 1942; 11:43 a. m.]

#### TITLE 19—CUSTOMS DUTIES

##### Chapter I—Bureau of Customs

[T.D. 50622]

#### PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO REDUCED RATE, ETC.

##### DENATURING VEGETABLE OILS, AMENDMENT

APRIL 29, 1942.

Paragraph (d) of article 460 of the Customs Regulations of 1937 [§ 8.58 (c)] is hereby amended by renumbering formulas (15) to (20), inclusive, as numbers (14) to (19), inclusive; by adding in the formulas numbered (12) and new number (19) the words "or synthetic pine oil" after the words "steam-distilled pine oil"; and by adding the following new formula:

(20) 100 ounces of Oil Bois de Rose Brazil. (Par. 1732; sec. 201, 46 Stat. 680; 19 U.S.C. 1201).

The renumbering of the formulas will cause the numbers of the formulas appearing in the Customs Regulations of 1937 to correspond with the numbers in 19 CFR 8.58 (c).

[SEAL] W. R. JOHNSON,  
*Commissioner of Customs.*

Approved April 29, 1942.

HERBERT E. GASTON,  
*Acting Secretary of the Treasury.*  
[F. R. Doc. 42-3921; Filed, May 1, 1942; 11:50 a. m.]

#### TITLE 24—HOUSING CREDIT

##### Chapter IV—Home Owners' Loan Corporation

[Bulletin 45]

#### PART 406—LEGAL DEPARTMENT

##### AUTHORIZATION OF SUBSTITUTE COUNSEL

Amending Part 406, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 406.00e is amended by the addition of the following sentence at the end thereof:

§ 406.00e *Authorization of substitute counsel.* \* \* \*

When the Legal Department of a Regional Office is consolidated with the Legal Department of the Home Office, the General Counsel, an Associate General Counsel, or an Assistant General Counsel shall have full authority to perform the duties and functions, and to sign all papers and documents which Regional Counsel is authorized to perform or sign under the rules and regulations of the Corporation. (Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective April 17, 1942.

[SEAL] J. FRANCIS MOORE,  
*Secretary.*

[F. R. Doc. 42-3910; Filed, May 1, 1942; 11:01 a. m.]



§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R-II

In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown, Group No. 1: 513; Group No. 2: 2294; Group No. 7: 3010, 3027; Group No. 22: 248.

[F. R. Doc. 42-3887; Filed, April 30, 1942; 10:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment No. 48, 2d Ed.]

PART 642—DELINQUENCY

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 642.7 to read as follows:

§ 642.7 *Procedure upon release of delinquents.* (a) Provided they are required and have not already been accomplished, the following steps shall be taken in connection with every delinquent at the time of his release from custody or confinement:

(1) He shall be registered in accordance with § 616.11, provided that, in addition to the persons authorized to act as registrars under the provisions of § 616.11, any law-enforcement official charged with the custody of the delinquent may act as a registrar.

(2) He shall complete his Selective Service Questionnaire (Form 40).

(3) He shall complete his Special Form for Conscientious Objector (Form 47), where applicable.

(4) He shall complete his Selective Service Occupational Questionnaire (Form 311).

(5) He shall complete all other necessary forms.

(6) He shall be physically examined. The institution physician shall act as the examining physician and shall examine the delinquent in accordance with the provisions of § 623.33, using the Report of Physical Examination and Induction (Form 221) and the List of Defects (Form 220). If the delinquent claims to be a conscientious objector, he shall be further physically examined in accordance with the provisions of part 651.

(b) If the delinquent is unable or refuses to fill out any form in the manner required by paragraph (a) of this section, such form shall be filled out by the superintendent, warden, or law-enforcement official charged with the custody of the delinquent from information gained by interviewing the delinquent and from other sources.

(c) If the signature of the delinquent is required upon any form after it is filled out and the delinquent is unable or refuses to sign his name or make his mark upon any such form, the superintendent, warden, or law-enforcement official charged with the custody of the delinquent shall sign such delinquent's

name and indicate that he has done so by signing his own name beneath the name of such delinquent. The act of the superintendent, warden, or law-enforcement official having custody of such delinquent in so doing shall have the same force and effect as if such delinquent had signed his name to such forms.

(d) All forms completed under the provisions of this section shall be mailed to the State Director of Selective Service for the State in which the place of residence of the delinquent is located, and the State Director of Selective Service shall forward such documents to the local board having jurisdiction over the delinquent.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

APRIL 30, 1942.

[F. R. Doc. 42-3908; Filed, May 1, 1942; 10:22 a. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 937—ZINC

GENERAL PREFERENCE ORDER NO. M-11 AS AMENDED MAY 1, 1942, TO CONSERVE THE SUPPLY AND DIRECT THE DISTRIBUTION OF ZINC

Section 937.1 (*General Preference Order M-11*, as amended) is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Zinc 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:

§ 937.1 *General Preference Order M-11*—(a) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priority Regulation No. 1 (Part 944) 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.

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

(1) "Zinc" means all grades of metallic zinc (spelter) as produced directly from ores, concentrates or other primary material; or redistilled from scrap including ashes, dross, skimmings, clippings, castings or any secondary zinc-bearing material.

(2) "Remelt Zinc" means any metallic zinc sweated, smelted or remelted from scrap including dross, clippings, castings, old scrap or any secondary zinc-bearing material, except brass or other scrap containing more than 50% copper.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation

or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any Person producing Zinc as hereinbefore defined and includes, for the purposes of this Order, any person who has Zinc produced for him under Toll agreement.

(5) "Toll-Agreement" means any agreement by which title to zinc-bearing material remains vested in a Person other than the one processing the material.

(6) "Dealer" means any Person who receives physical delivery of Zinc and sells or holds the same for resale without change in form.

(c) *Restrictions*—(1) *Deliveries by producers.* No Producer shall ship or deliver Zinc to any Person except on presentation by that Person of an Allocation Certificate issued by the Director of Industry Operations. Upon accepting an Allocation Certificate, the Producer shall endorse thereon the amounts of Zinc, by grades, which he agrees to ship in the calendar month against such certificate. No Producer shall endorse an Allocation Certificate for Zinc or make any shipment thereunder if, by so doing, the total endorsements, or shipments, by grades, on the Certificate will exceed the amounts by grades authorized by such certificate.

(2) *Deliveries by dealers.* No Dealer shall ship or deliver any Zinc in any month to any person who has:

(i) Received or purchased for delivery in that month as much as 20 short tons of Zinc from all sources; or

(ii) Requested or received an Allocation Certificate for Zinc from the War Production Board for that month.

(3) *Acceptance of deliveries.* No Person shall accept any delivery of Zinc other than in accordance with the provisions of this Order.

(4) *Production of remelt zinc.* No Person shall produce Remelt Zinc either for sale or under Toll Agreement unless he shall have filed a report on or before the fifteenth day of the preceding month on Form PD-451.

(5) *Toll agreements.* No Person shall produce any Zinc under any existing or future Toll Agreement until and unless he has made a report to the Office of Production Management or the War Production Board, Ref: M-11, setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of the same, the estimated tonnage involved, the estimated rate of deliveries, the length of time the agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the Zinc is to be used, and any other pertinent data.

(d) *Allocation certificates.* The Director of Industry Operations will issue Allocations Certificates for Zinc on or about the first of each month. An Allocation Certificate will authorized shipment during the calendar month by a producer to the holder of the certificate of specified amounts of Zinc, designated by grades or groups of grades. This certificate must be presented to the Producer for endorsement as provided in paragraph (c) (1) of this Order. A

Producer need not accept a new order supported by an Allocation Certificate if his entire production for the month is committed under contract and he has reason to believe that other Allocation Certificates will be presented during the month in amounts at least equal to his production.

(e) *Applications for Allocation Certificates.* Any Person wishing to apply for an allocation of Zinc for any month shall file an application with the War Production Board, Ref: M-11, not later than the fifteenth of the month preceding the month in which the allocation of Zinc is desired. Dealers shall make such application on Form PD-450. Persons other than dealers shall make application on Form PD-94a.

(f) *Exceptions.* Exceptions from the provisions of paragraphs (c) and (d) shall be as follows:

(1) *Anticipatory shipments.* If any Producer has reason to believe that any Person will receive an Allocation Certificate in a given month, he may ship to that Person an amount of Zinc not to exceed twenty-five (25%) percent of the amount of the same grade of Zinc which the Producer shipped to the same customer in the preceding month. Any Person receiving such an Anticipatory Shipment shall immediately upon receipt of his Allocation Certificate submit it to the shipping Producer for endorsement. If the Producer makes an Anticipatory Shipment and does not receive an Allocation Certificate later in the same month covering the shipment, he must notify the War Production Board, Ref: M-11, immediately, and make no further shipments to the same customer except pursuant to an Allocation Certificate.

(2) *Deliveries to the Metals Reserve Company.* Any Producer may ship, sell and deliver Zinc to the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C. section 606 (b)), or to any duly authorized agent of such Corporation without an Allocation Certificate, preference rating or any specific authority from the Director of Industry Operations.

(3) *Substitute grades of zinc.* Any Producer may, with the consent of the purchaser, substitute for any amount of any grade of Zinc specified in an Allocation Certificate an equal amount of any lower grade of Zinc.

(4) *Special directions.* The Director of Industry Operations may, from time to time, issue Special Directions to any Person as to the source, destination, special kinds of amounts of Zinc to be delivered or acquired by any Person, and the Director may also specifically direct the manner and quantities in which such Zinc may be processed.

(5) *Foreign zinc.* Zinc produced from ores of foreign origin imported under bond or drawback agreement may be re-exported by any Person pursuant to an export license duly issued by the Office of Export Control of the Board of Economic Warfare.

(g) *Interdepartmental shipments.* The restrictions, limitations and prohibitions in Paragraph (d) of this Order shall apply to all shipments of Zinc from any producing branch, division or department of any business enterprise to another branch, division or department in the same or any other business enterprise owned or controlled by the same person.

(h) *Addressing of Communications.* All Applications, statements or other communications filed pursuant to this Order or concerning the subject matter hereof, should be addressed to: War Production Board, Washington, D. C. Ref.: M-11.

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

(j) *Revocation of supplementary orders.* Supplementary Orders M-11-b<sup>1</sup> (§ 937.3), M-11-c<sup>2</sup> (§ 937.4), M-11-d<sup>3</sup> (§ 937.5), M-11-e<sup>4</sup> (§ 937.6), M-11-f<sup>5</sup> (§ 937.7), M-11-g<sup>6</sup> (§ 937.8), M-11-h<sup>7</sup> (§ 937.9), M-11-i<sup>8</sup> (§ 937.10) and M-11-j<sup>9</sup> (§ 937.11) are hereby revoked.

(k) *Effective date and duration of order.* This Order shall take effect June 1, 1942 and shall continue in force until otherwise ordered by the Director of Industry Operations. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3928; Filed, May 1, 1942;  
11:55 a. m.]

#### PART 937—ZINC

GENERAL PREFERENCE ORDER NO. M-11-a TO CONSERVE THE SUPPLY AND DIRECT THE DISTRIBUTION OF ZINC OXIDE AND ZINC DUST

Section 937.2 *Supplementary Order M-11-a*, is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Zinc for defense, for private account and for export; and the following Order is deemed neces-

<sup>1</sup> 6 F.R. 3801.  
<sup>2</sup> 6 F.R. 4323.  
<sup>3</sup> 6 F.R. 4900.  
<sup>4</sup> 6 F.R. 5564.  
<sup>5</sup> 6 F.R. 6206.  
<sup>6</sup> 7 F.R. 28.  
<sup>7</sup> 7 F.R. 698.  
<sup>8</sup> 7 F.R. 1869.  
<sup>9</sup> 7 F.R. 2449.

sary and appropriate in the public interest and to promote the national defense:

§ 937.2 *General Preference Order M-11-a—(a) Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), 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.

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

(1) "Zinc Oxide" means all grades of zinc oxide, including lead free and leaded, as produced from ores, concentrates, metallic zinc, or other primary material; also as produced from scrap, dross, ashes, skimmings or other secondary material.

(2) "Zinc Dust" means all grades of zinc dust, as produced from ores, concentrates, metallic zinc or other primary material; also as produced from scrap, dross, or other secondary material.

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

(4) "Producer" means any person producing Zinc Oxide or Zinc Dust as hereinbefore defined; and includes for the purposes of this Order any person who has Zinc Oxide or Zinc Dust produced for him under toll agreement.

(c) *Restrictions—(1) Allocated production.* Each Producer of Zinc Oxide and Zinc Dust shall set aside from his production each month quantities of Zinc Oxide and Zinc Dust respectively, to be determined from time to time by the Director of Industry Operations to be delivered only upon express direction of the Director of Industry Operations.

(2) *Other production.* Each Producer of Zinc Oxide and Zinc Dust shall ship all his production not set aside pursuant to Paragraph (c) (1) so that each customer will receive an equal percentage of the Producer's commitments to him.

(d) *Exception.* Notwithstanding the provisions of Paragraph (c), a Producer may satisfy his commitments to any one customer in full up to but not exceeding 2,000 pounds of Zinc Oxide or Zinc Dust during any one month.

(e) *Applications for allocations.* Any Person who in any month cannot otherwise obtain Zinc Oxide or Zinc Dust in quantities required to fill his preference rated orders may apply for an allocation of Zinc Oxide or Zinc Dust for that month by filing with the War Production Board, Ref: M-11-a not later than the 15th of the month preceding the month in which the allocation is desired, an application on Form PD-62.

(f) *Interdepartmental shipments.* The restrictions, limitations and prohibitions in Paragraph (c) of this Order shall apply to any shipments of Zinc Oxide and Zinc Dust from any producing branch, division or department of any business enterprise to another branch,

division or department in the same or any other business enterprise owned or controlled by the same person.

(g) *Limitation of inventories.* No Producer shall ship Zinc Oxide or Zinc Dust to any Person unless he has received from that Person a written statement that such shipment will not result in an inventory of Zinc Oxide or Zinc Dust in excess of a minimum practicable working inventory.

(h) *Addressing of communications.* All applications, statements or other communications filed pursuant to this Order or concerning the subject matter hereof, should be addressed to: War Production Board, Washington, D. C., Ref.: M-11-a.

(i) *Violations or false statements.* 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 assistance.

(j) *Effective date and duration of order.* This Order shall take effect June 1, 1942 and shall continue in force until otherwise ordered by the Director of Industry Operations. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3929; Filed, May 1, 1942;  
11:56 a. m.]

#### PART 937—ZINC

##### SUPPLEMENTARY ORDER M-11-k

§ 937.12 *Supplementary Order M-11-k.* (a) The Director of Industry Operations hereby determines that the amount of Metallic Zinc, Zinc Oxide and Zinc Dust to be set aside by Producers under § 937.1 (c)<sup>1</sup> as extended, for the month of May, 1942, shall be as follows:

(1) *Metallic Zinc*—An amount equal to 75% of Producer's January 1942 production of High Grade and/or Special High Grade Zinc, and 50% of Producer's January 1942 production of all other grades of Zinc.

(2) *Zinc Oxide*—An amount equal to 10% of Producer's January 1942 Production of Leaded Zinc Oxide (American Process).

(3) *Zinc Dust*—None.

(b) This Order shall take effect on the 1st day of May 1942. (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.

<sup>1</sup> *Infra.*

9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3930; Filed, May 1, 1942;  
11:57 a. m.]

#### PART 984—LEAD

##### SUPPLEMENTARY ORDER M-38-h

§ 984.9 *Supplementary Order M-38-h.* (a) The Director of Industry Operations hereby determines that the amount of lead to be set aside by each refiner pursuant to paragraph (c) (2) of § 984.1 (General Preference Order M-38)<sup>1</sup> for the month of May, 1942, shall be equal to 15% of the total amount of lead produced by such refiner during the month of March, 1942.

(b) *Communications to War Production Board.* All communications concerning this Supplementary Order should be addressed to the War Production Board, Social Security Building, Washington, D. C., Reference M-38-h.

(c) This Order shall take effect immediately. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3924; Filed, May 1, 1942;  
11:56 a. m.]

#### PART 1010—SUSPENSION ORDERS

##### SUSPENSION ORDER S-40

Southern Scrap Material Co., Inc., of New Orleans, Louisiana, is a dealer in copper scrap and is subject to the provisions of Supplementary Order M-9-b. During the months of October, November and December, 1941, and January, 1942, the Company accepted deliveries of copper scrap, although it had not during the preceding 60 days sold or otherwise disposed of copper scrap in an amount at least equal in weight to its inventory of such scrap on the dates it accepted such deliveries.

This violation of Supplementary Order M-9-b has impeded and hindered the war effort of the United States by retarding the flow of such scrap to essential uses. In view of the foregoing facts,

*It is hereby ordered, That:*

§ 1010.40 *Suspension Order S-40.* (a) Southern Scrap Material Co., Inc., its successors and assigns shall accept no deliveries from any source of copper or copper base alloy scrap.

(b) Within 10 days after the effective date of this order, Southern Scrap Material Co., Inc., shall file with the War Production Board a complete statement

<sup>1</sup> 6 F.R. 5090; 7 F.R. 2185.

as to its inventory of copper or copper base alloy scrap and shall dispose of such copper or copper base alloy scrap as directed by the War Production Board.

(c) Deliveries of material to Southern Scrap Material 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 to Southern Scrap Material Co., Inc., by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations except as specifically authorized by the Director of Industry Operations.

(d) No allocation shall be made to Southern Scrap Material 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 except as specifically authorized by the Director of Industry Operations.

(e) Nothing contained in this Order shall be deemed to relieve Southern Scrap Material Co., Inc., from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations.

(f) This order shall take effect on May 2, 1942, and shall expire on August 2, 1942, at which time the restrictions contained in this order shall be of no further effect. (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; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3933; Filed, May 1, 1942;  
11:55 a. m.]

#### PART 1010—SUSPENSION ORDERS

##### SUSPENSION ORDER NO. S-53—GENERAL MOTORS CORP.

General Motors Corporation of Detroit, Michigan, manufactures body hardware, including radiator grills and decorative mouldings for automobiles in its Ternstedt Manufacturing Division. Between January 7, 1942, and March 9, 1942, the Ternstedt Manufacturing Division used 10,259 pounds of chrome steel in the fabrication of decorative mouldings for automobiles although none of the chrome steel so used was to be delivered on a preference rating of A-10 or higher. This constituted a violation of Supplementary Order M-21-d. Between January 24, 1942, and March 13, 1942, the Ternstedt Manufacturing Division used 9,239 pounds of primary aluminum and 11,492 pounds of secondary aluminum in the fabrication of radiator grills and other body hardware. The use of this aluminum for these purposes constituted a violation of Supplementary Order M-1-e.

These violations of Supplementary Orders M-1-e and M-21-d have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered, That:

§ 1010.53 *Suspension Order S-53.*

(a) General Motors Corporation shall not manufacture or produce any replacement parts for passenger automobiles, light, medium, and heavy trucks, truck trailers, passenger carriers, and school bus bodies other than the replacement parts defined in General Preference Orders P-57 and P-107, except as specifically authorized by the Director of Industry Operations.

(b) Nothing contained in this Order shall be deemed to relieve General Motors Corporation from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations.

(c) This order shall take effect on May 2, 1942, and shall expire August 2, 1942, at which time the restrictions contained in this Order shall be of no further effect. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3900; Filed, April 30, 1942; 4:41 p. m.]

PART 1051—JUTE AND JUTE PRODUCTS

AMENDMENT NO. 2 TO GENERAL CONSERVATION ORDER M-70<sup>1</sup>

Section 1051.1 (General Conservation Order No M-70) is hereby amended as follows:

Paragraph (f) (2) is amended by adding the following subdivision:

(iii) Notwithstanding the provisions of subparagraph (f) (2) (ii), no processor shall, in the month of April 1942, put into process more raw jute for the manufacture of carpet yarns than an amount equal to 20 per cent of his average monthly shipments of carpet yarns during the calendar year 1941, except to the extent necessary to fill all orders for carpet yarns to be physically incorporated in products to be delivered to or for the account of the Army or Navy of the United States or the United States Maritime Commission. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3925; Filed May 1, 1942; 11:56 a. m.]

<sup>1</sup> 7 F.R. 1594, 2867.

PART 1051—JUTE AND JUTE PRODUCTS  
AMENDMENT NO. 3 TO GENERAL CONSERVATION ORDER M-70<sup>1</sup>

Section 1051.1 (General Conservation Order M-70) is hereby amended in the following respects:

Paragraph (b) (1) is amended to read as follows:

(1) "Raw Jute" means unprocessed jute, including Meshta and butts originating from India, in the original shipping bales, as received in the continental United States and does not include jute processed into yarn, roving or other fabricated product.

Paragraph (c) is amended to read as follows:

(c) *Restrictions on sales, deliveries and uses of subsequently imported jute; reports to collectors of customs.* (1) Unless specifically authorized by the Director of Industry Operations, no processor shall hereafter sell, deliver or use any raw jute hereafter imported into the continental United States, and each processor hereafter receiving any raw jute shall, as a condition of receiving the said raw jute, segregate the said jute from all other jute held by him and hold the said jute subject to such defense purchase or delivery orders as may from time to time be specified to him by the Director of Industry Operations: *Provided, however,* That the foregoing restriction shall not apply to sales, purchases, options, transfers or acquisitions of title or interest, to and from the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(2) No raw jute shall hereafter be imported into the United States, continental or otherwise, unless the person making the entry or withdrawal shall file with the entry or withdrawal a statement of proposed disposition on Form PD 222B. Such statement shall be filed in duplicate; both copies shall be transmitted by the Collector of Customs to the War Production Board, Ref: M-63, Washington, D. C.

Paragraph (e) is amended to read as follows:

(e) *Restrictions on opening bales of raw jute.* No person other than a processor shall hereafter open any bale of raw jute, except to the extent necessary to permit inspection of jute to determine quality, grade and condition, or to permit examination of damaged jute by an insurance company, or to the extent necessary to prevent deterioration of damaged jute. Every such bale of jute and all jute contained therein opened by any person other than a processor shall, despite such action, continue subject to the restrictions of paragraph (d) of this section.

<sup>1</sup> 7 F.R. 1594, 2867.

Paragraph (f) (1) (i) (d) is amended by adding thereto the following:

*Provided,* however, that no person unless specifically authorized by the Director of Industry Operations shall hereafter put into process for the manufacture of such letter-mail twine more single or plied yarn or roving in any calendar year than 75% of the amount so put into process by him in the year 1941.

Paragraph (f) (1) is further amended by adding thereto the following new subdivisions:

(v) Jute centers for wire ropes and wire cables to fill defense orders bearing a preference rating better than A-2.

(vi) Twine and rope, excluding letter-mail twine, to fill defense orders.

(vii) Carpet yarns made from jute to fill orders placed by manufacturers of carpets to be sold to the Army or Navy of the United States, or the United States Maritime Commission, but only to the extent that the use of such yarns made from jute is specifically required by the terms of the prime contract involved.

Paragraph (f) (2) (ii) is amended to read as follows:

(ii) As to each of the following domestic jute products, in each calendar month listed below, an amount of single or plied yarn or roving in pounds (based on the raw jute fiber content) for his non-defense business for each use specified below, equal to the amount represented by the following percentages of his average monthly shipments of each such product during the calendar year 1941:

Year 1942	Manufacture of twine and rope (excluding letter-mail twine)	Manufacture of webbing
	Percent	Percent
May.....	40	50
June.....	30	35
July.....	25	20

Paragraph (g) (1) (ii) is amended to read as follows:

(ii) To fill orders within the limits of the deliveries hereafter described for the following jute products:

(a) *Linoleum burlap.* No person shall put into process any linoleum burlap except such quantities as are necessary to fill orders therefor: *First* for physical incorporation into products to be delivered to:

- The Army or Navy of the United States.
- The United States Maritime Commission.
- The United States Coast Guard.

*Provided, however,* That such linoleum burlap shall only be so used in the minimum amounts necessary to comply with the specifications of the prime contract involved.

*Second* to replace stocks of linoleum which have been used by any person to fill any of the orders mentioned in item

First above but only to the extent permitted by § 944.14 of Priorities Regulation No. 1.

(b) *Burlap other than of the Hessian Cloth Type.* For use only in the manufacture of agricultural bags, or for defense orders carrying a rating of better than A-2.

(c) *Webbing; provided, however,* That no person shall deliver, in any of the following calendar months a quantity of webbing in excess of the quantity represented by the following percentages of his average monthly shipments in the calendar year 1941:

	Percent
May 1942.....	50
June 1942.....	35
July 1942.....	20

Paragraph (h) (1) is amended to read as follows:

(1) No person shall use in manufacturing any product, other than as permitted in paragraph (f) (2) (i), any of the following domestic and/or imported jute products at a rate per month in excess of the following percentages of his average monthly use of such jute products during the calendar year 1941:

1942	Webbing (both domestic and imported)	Twine and rope (excluding letter-mail twine)
	Percent	Percent
May.....	50	40
June.....	35	30
July.....	20	25

The first clause of paragraph (h) (2) is amended to read as follows:

(2) Unless specifically authorized by the Director of Industry Operations, no person, other than a processor or the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or the United States Post Office Department, or the Government of any of the following countries: The United Kingdom, Canada and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia, shall acquire, receive or accept delivery of any domestic and/or imported jute products of any type (other than bale covering and twine or rope) which will at any time in any calendar month result in an inventory thereof in excess of one month's inventory of such type of product based upon current rate of operations determined as follows: \* \* \*

Paragraph (h) (2) (ii) and paragraph (h) (2) (iii) are amended to read as follows:

(ii) In the case of single or plied yarn or roving to be used in the manufacture of webbing; domestic and imported webbing; linoleum burlap; and wide burlap, such current rate shall not exceed the rate specified in paragraph (h) (1)

of this Order for the particular month or months.

(iii) In the case of new or re woven bale covering for covering raw cotton, no purchaser or user shall, between the effective date of this Order and September 15, 1942, acquire an amount of such bale covering which in the aggregate (together with his inventory on the effective date of this Order) is greater than the amount which such person sold or used during the cotton crop year 1941-1942.

Paragraph (h) is further amended by adding thereto a new subparagraph (3), as follows:

(3) No person shall, after May 11, 1942, use in the manufacture of floor coverings any carpet yarns containing jute, or acquire, after May 4, 1942, any additional stocks of carpet yarns containing jute, unless specifically authorized by the Director of Industry Operations: *Provided, however,* That the foregoing restrictions shall not apply to the acquisition of carpet yarns made from jute for physical incorporation into products to be delivered to or for the account of the Army or Navy of the United States, or the United States Maritime Commission, in the minimum amounts required by the specifications of the prime contract involved. Any specific authorization by the Director of Industry Operations for the use or acquisition of carpet yarns containing jute may, if the Director of Industry Operations determines it to be necessary, also contain permission for the manufacture of such carpet yarns containing jute, notwithstanding the provisions of paragraph (f) (2) hereof.

The first clause of paragraph (i) is amended to read as follows:

(i) No processor or manufacturer of domestic jute products or person importing, owning, processing or controlling stocks of imported jute products, shall deliver, and no purchaser or user (except the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or the United States Post Office Department, or the Government of any of the following countries: The United Kingdom, Canada and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia) of such products shall accept delivery of any such products, unless such purchaser or user has certified to the processor or manufacturer or other such person from whom he receives delivery the following on the purchase order for such products, manually signed by a person authorized to sign for such purchaser.

Paragraph (n) is deleted, in order to extend the Order indefinitely. (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; sec. 2 (a), Pub. Law 671,

76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3926; Filed, May 1, 1942; 11:57 a. m.]

PART 1036—TINPLATE AND TERNEPLATE  
AMENDMENT NO. 2 TO CONSERVATION ORDER M-81<sup>1</sup>

Section 1086.1 (*Conservation Order M-81*) is hereby amended to include the following paragraph:

(h) *Exceptions.* (1) Until further Order of the Director of Industry Operations, a can manufacturer may use for the manufacture of primary products cans and secondary products cans, of sizes other than those specified in Table I or Table II:

(i) Any component parts of such cans which were lithographed, cut, or otherwise prepared for assembly on or before February 11, 1942; and

(ii) Any sheets of tinplate specifically designed for the manufacture of primary products cans or secondary products cans of sizes other than those specified in Table I or Table II, provided that such sheets of tinplate were in the possession of the manufacturer on or before February 11, 1942. Such sheets of tinplate shall be used only for the manufacture of cans of sizes for which the sheet was specifically ordered, or cans of sizes permitted by this Order,

(2) A can manufacturer may use for the manufacture of special products cans of sizes or material other than specified in Table III, and for the manufacture of non-essential cans, any component parts of such cans which were lithographed, cut, or otherwise prepared for assembly on or before February 11, 1942: *Provided,* That this subparagraph (2) shall not be construed to permit the cutting of any unprocessed sheets of tinplate or terneplate or any sheets of tinplate lithographed for making beer cans.

(3) Subject to quota restrictions imposed by Order M-81, a canner may use, or obtain from any can manufacturer and use, for packing products listed in Table I or Table II, cans of sizes other than those specified in said Tables, which cans were completely manufactured and in the possession of the canner or the can manufacturer on or before February 11, 1942, or which may be manufactured pursuant to subparagraph (1) of this paragraph (h).

(4) Irrespective of quota restrictions imposed by Order M-81, a canner may use, or obtain from any can manufacturer and use, for packing products listed in Table III, cans of sizes or material other than specified in said Table, which cans were completely manufactured and in the possession of the canner or the can manufacturer on or before February 11, 1942, or which may be manufactured pursuant

<sup>1</sup> 7 F.R. 1854, 2579.



to subparagraph (2) of this paragraph (h). All such special products cans which may be delivered to or used by a canner pursuant to this subparagraph (4) shall be charged to the quotas specified by Order M-81, for the purpose of determining whether a canner may purchase, accept delivery of, or use the special products cans permitted by Order M-81.

(5) A canner may use, or obtain from any can manufacturer and use, for packing products other than those listed in Tables I, II, or III, excepting beer or products which are processed or sterilized by heating within a sealed can, cans which were completely manufactured and in the possession of the canner or the can manufacturer on or before February 11, 1942, or cans which may be manufactured pursuant to subparagraph (2) of this paragraph (h).

(6) The quota restrictions imposed by Table II of Order M-81 are hereby suspended until May 31, 1942, or until otherwise ordered by the Director of Industry Operations only for the purpose of permitting any canner to buy and accept delivery of from any can manufacturer, and use a minimum number of tinplate cans necessary for packing the vegetables listed upon Table II of Order M-81; *Provided*, That such vegetables were already planted and not harvested on or before February 11, 1942, and on that date the canner had already contracted for their purchase for canning, or was then growing such vegetables with the intention of packing them in cans. To the extent that cans are packed pursuant to this subparagraph (6) by a canner in excess of his quota or by a canner who has no applicable quota under Order M-81 such canner within ten days from the date such packing is completed shall make certified reports to the War Production Board, Washington, D. C., Ref.: M-81, of the kind and grade of production, and number of cans packed. Except as provided herein, no disposition of cans packed pursuant to this subparagraph (6) shall be made by the canner for a period of ninety days from date report of packing is made. During such time, such canned products shall be set aside by the canner for purchase by any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the Army or Navy of the United States, or to such other governmental agency as the Director of Industry Operations may designate, at not to exceed the last market price prevailed therefor on or before February 11, 1942.

This Amendment shall be effective from the date of issuance, and supersedes the telegraphic permissions referred to in War Production Board Releases as follows: Special Products and Non-Essential Cans, Release No. 299, February 20, 1942; Lithographed Motor Oil Cans, No. 309, February 21, 1942; Coffee, Beer and Ham Cans, No. 353, February 25, 1942, as amended, Release No. 505, March 11, 1942; and Vegetable Cans, No. 449, March 6, 1942. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3927; Filed, May 1, 1942;  
11:55 a. m.]

#### PART 1134—TEA

##### CONSERVATION ORDER M-111, AS AMENDED MAY 1, 1942

The uncertainty of shipments of tea from abroad and the fulfillment of requirements for the defense of the United States have created a shortage in the supply of tea 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:

Section 1134.1, *Conservation Order M-111* is hereby amended to read as follows:

§ 1134.1 *Conservation Order M-111*—(a) *Applicability of Priorities Regulation No. 1*. This order, and all transactions affected thereby, are subject to the provisions of Priorities Regulation No. 1 (Part 944), 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.

(b) *Definitions*. For the purpose of this order:

(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) "Tea" means packaged or bulk tea in any form.

(3) "Packer" means any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(4) "Wholesale receiver" means any person (regardless of whether or not he is also a packer) who buys tea for:

(i) Resale exclusively or predominantly at wholesale.

(ii) Resale through four or more centrally-owned, affiliated, or independent stores owned or, for purchasing purposes, represented by him.

(iii) Resale at retail or for any other purpose not specified above, if his monthly purchases of tea during 1941 averaged 200 pounds or more per month.

(5) "Corresponding quarter of 1941" means the one of the several three-month periods of 1941, commencing January 1, April 1, July 1, or October 1, which includes the month corresponding with a 1942 month for which a quota is prescribed hereunder.

(c) *General restrictions*. (1) No packer shall deliver tea packed by or for him or in bulk, except as permitted by this order.

(2) No wholesale receiver shall accept delivery of tea from any person, nor resell tea, except as permitted by this order.

(3) No person shall accept delivery of tea from any packer, and no person shall deliver tea to any wholesale receiver, with knowledge or reason to believe that such packer is not entitled to deliver, or that such wholesale receiver is not entitled to accept delivery of, such tea pursuant to this order.

(4) Every packer and every wholesale receiver shall sell tea equitably to purchasers and shall not favor purchasers who buy other products from them nor discriminate against purchasers who do not buy other products from them.

(d) *Quota restrictions and exceptions thereto*. (1) Except as permitted in subparagraph (d) (4) below, no packer shall, during any month hereafter, deliver more tea packed by or for him or in bulk than his quota as determined by the Director of Industry Operations from time to time.

(2) Except as permitted in subparagraph (d) (4) below, and subject to the inventory restriction of paragraph (e) below, no wholesale receiver shall, during any month hereafter, accept delivery of more tea than his quota as determined by the Director of Industry Operations from time to time.

(3) Any packer or any wholesale receiver who was not in business during the whole of any 1941 base period prescribed by the Director of Industry Operations but was in business during the whole of the last quarter of 1941 may compute his quota for any month by applying the percentage prescribed for that month to the amount of the average monthly deliveries of tea made by him (if he was a packer) or accepted by him (if he was a wholesale receiver) during the last quarter of 1941.

(4) Notwithstanding the foregoing restrictions, any packer may, without charge to his quota, deliver tea to or for any of the following persons, and any wholesale receiver may, without charge to his quota, accept delivery of tea for redelivery to or for any of the following persons:

(i) The Army, the Navy, the Defense Supplies Corporation, Veterans Administration hospitals and homes, or any agency of the United States Government for supplies to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An act to promote the defense of the United States" (Lend-Lease Act).

(ii) The American Red Cross or the United Service Organizations.

(iii) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessel.

(iv) Any person, for retail sale through concession restaurants at army or navy camps or through outlets not operated for private profit and established primarily for the use of army or navy enlisted personnel within army or navy establishments or on army or navy vessels, including post exchanges, sales

commissaries, officers' messes, servicemen's clubs, and stores.

(5) All quotas hereunder shall be calculated quantitatively in terms of pounds.

(e) *Restrictions relating to wholesale receiver's inventory.* Except as specifically authorized by the Director of Industry Operations or for the purpose of filling orders under paragraph (d) (4) above,

(1) No wholesale receiver shall accept deliveries of tea which will increase his inventory thereof to any amount in excess of a month's supply (which for purposes of this order is, for any month, an amount equivalent to his quota for that month under subparagraph (d) (2) above); and

(2) No wholesale receiver who, on the effective date of this order, has an inventory of tea in excess of a month's supply may resell or deliver, during any month until such excess is disposed of, more than an amount equivalent to his quota for that month under subparagraph (d) (2) above: *Provided, however,* That a wholesale receiver need not include, in determining whether his inventory of tea exceeds a month's supply, any tea actually in retail stores or outlets owned by him nor any tea packed by or for him (if he is a packer as well as a wholesale receiver).

(f) *Advance deliveries.* Advance deliveries for any quota period may be made or accepted within ten days prior to the beginning of such period.

(g) *Existing contracts.* The fulfillment of existing contracts for the sale of tea is permissible only to the extent that such fulfillment does not violate the quota or inventory restrictions imposed by this order.

(h) *Limitation on size of packages.*

(1) No packer shall pack tea for sale at retail in a package or container containing more than one-fourth of one pound of tea.

(2) No packer shall pack tea bags or tea balls (defined for purposes of this order as a tea bag or tea ball containing  $\frac{1}{10}$  of one ounce or less of tea) for sale at retail in a package or container containing more than 50 such tea bags or tea balls.

(i) *Reports.* Every packer and every wholesale receiver and every bulk user participating in any transaction to which this order applies shall execute and file with the War Production Board such reports and questionnaires as such Board may from time to time request.

(j) *Records.* Every packer and every wholesale receiver participating in any transaction to which this order applies shall keep and preserve, for a period of not less than two years, records which upon examination, will disclose his total monthly inventories of tea and the monthly deliveries made by him (if he is a packer) or accepted by him (if he is a wholesale receiver). If the sales slips, invoices, bills or other instruments or records customarily employed by him are sufficient to furnish the information herein required, no additional record system

need be installed to meet the requirements of this provision.

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

(l) *Applicability of order.* (1) This order applies to all tea now in, or hereafter brought into, the continental United States (excluding the Canal Zone and Alaska).

(2) In the case of any person who is both a packer and a wholesale receiver, the provisions hereof applicable to packers shall apply to his operations as a packer, and the provisions hereof applicable to wholesale receivers shall apply to his operations as a wholesale receiver.

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

(n) *Appeals.* Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(o) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this Order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-111. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 9040, 7 F.R. 329, 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3931; Filed, May 1, 1942;  
11:57 a. m.]

#### PART 1134—TEA

##### SUPPLEMENTARY ORDER NO. M-111-b<sup>1</sup>

Pursuant to Order M-111, as amended, which this order supplements, the Director of Industry Operations hereby determines that:

§ 1134.2 *Supplementary Order No. M-111-b.* (a) The quota of tea for any packer or any wholesale receiver under paragraphs (d) (1) or (d) (2), respectively, of Order M-111, as amended, shall be, for each of the months of May

<sup>1</sup> M-111, *supra*.

and June 1942, either of the following amounts, whichever he prefers:

(1) 50% of his average monthly deliveries during the corresponding quarter of 1941; or

(2) 25% of an amount determined by deducting the total deliveries made by him (if he was a packer) or accepted by him (if he was a wholesale receiver) during the first four months of 1942 from his total such deliveries during the first six months of 1941.

(b) Supplementary Order M-111-a is hereby superseded. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 9040, 7 F.R. 329, 527; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.  
[F. R. Doc. 42-3932; Filed, May 1, 1942;  
11:57 a. m.]

#### PART 1182—ELECTRIC POWER

##### LIMITATION ORDER L-94 TO PROVIDE FOR THE CURTAILMENT OF ELECTRIC POWER IN THE UNITED STATES

Whereas, the fulfillment of requirements for the defense of the United States has created shortages of electric power in certain regions of the United States; and

Whereas, an additional supply of electric power can be made available for war and essential civilian uses by integrating the operation of interconnected electric systems, by restricting the use of electric power for certain purposes, and by curtailing the demand for and consumption of electric power in certain regions during certain periods of time; and

Whereas, the integration of electric systems and the limitations upon demand for and use of electric power hereinafter ordered are necessary and appropriate in the public interest and in order to make electric power available for military needs, war production, and essential civilian services:

§ 1182.1 *General Limitation Order L-94—(a) Definitions.* For the purposes of this order:

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

(2) "Utility" means any person who generates, transmits, or distributes electric power for general use by the public. The term includes any membership corporation or cooperative supplying such service to its members or stockholders or incidental non-members.

(3) "Non-utility power producer" means any person who has electric power generating facilities and who is not included in the definition of utility.

(4) "Consumer" means any person who is an ultimate user of electric power purchased or otherwise acquired directly or

indirectly from any utility or from any non-utility power producer. The term includes any utility or non-utility power producer to the extent that it is an ultimate user of electric power.

(5) "Base billing month" for any consumer means the billing month for which the last meter reading date fell on any day during the period April 1, 1942, to April 30, 1942, inclusive, or such other period as may be established by the Director of Industry Operations for any consumer or class of consumers.

(6) "Weekly energy quota" for any consumer subject to curtailment under paragraph (g) (2) means whichever is the greater of the following amounts of electric energy consumed by such consumer at any single location:

(i) 2500 kilowatt hours, or

(ii) Seven times the average daily consumption of electric energy by such Consumer during the base billing month multiplied by such percentage as may be established from time to time by direction of the Director of Industry Operations issued pursuant to paragraph (c) hereof.

(7) "Base power demand" for any consumer means the maximum measured demand, or, if not measured, the maximum estimated demand for electric power by such consumer, occurring during any billing month ending within the period May 1, 1941 to April 30, 1942, inclusive, or such other demand as may be established from time to time by the Director of Industry Operations for any consumer or class of consumers.

(8) "Power demand quota" for any consumer subject to curtailment under paragraph (g) (1) hereof means whichever is the greater of the following amounts:

(i) 50 kilowatts, or

(ii) Consumer's base power demand multiplied by such percentage as may be established from time to time by direction of the Director of Industry Operations, issued pursuant to paragraph (c) hereof.

(b) *Integration of power system operation*—(1) Each utility shall so operate its reservoirs, generating plants, sub-stations, transmission lines and other facilities and shall so interchange electric power with other utilities as to achieve the maximum coordination of power supply for war production and essential civilian uses, and for relief of power shortages. Such operations shall, depending upon the supply and availability of fuel, water and generating capacity, include the following:

(i) Making available the maximum peaking capacity during periods when such capacity is needed;

(ii) Using water power to achieve the maximum conservation of fuel;

(iii) Maintaining essential usable reservoir storage, without wasting water.

(2) Each utility shall so maintain its electric power generating facilities as to permit their operation during periods of power shortage, and no utility shall abandon any electric power generating

facilities except upon specific authorization from the Director of Industry Operations.

(3) In order to effectuate the purposes herein set forth, each utility shall as soon as practicable make an investigation of the type, amount and availability of any electric power generating facilities (with rated capacity of 100 kilowatts or more) owned by any non-utility power producer located in its operating area whether or not interconnected with such utility, and shall make such arrangements, (including arrangements for interconnections where feasible) to accomplish said purposes as can be made by means of voluntary agreement among the parties. Where such arrangements contemplate the use of materials in excess of the limitations set forth in Preference Rating Order P-46 (as the same may be amended from time to time) or in any other order issued by the Director of Industry Operations, application for authority to use or to acquire such materials shall be made to the Director of Industry Operations in accordance with procedures established pursuant to said order or orders. In any case, where such efforts to conclude voluntary arrangements shall fail, the utility shall report such fact to the Director of Industry Operations, setting forth all pertinent information.

(4) Where necessary for the purposes herein set forth, the Director of Industry Operations will issue further specific directions to utilities and non-utility power producers as to the operation and integration of electric power facilities.

(c) *Electric power shortage areas*—(1) Whenever the electric power supply (taking into account necessary reserves) available in any area is insufficient to meet the requirements therefor, the Director of Industry Operations will declare such area to be a power shortage area and will issue specific directions to utilities, non-utility power producers and consumers for the purpose of relieving the power shortage in the area. Such directions shall:

(i) Define the power shortage area.

(ii) Establish emergency curtailment schedules to be operative in the event of emergency breakdown of generating units, transmission lines or other equipment, and to remain operative until such time as the provisions of paragraphs (e), (f) and (g) can be made effective to relieve the power shortage.

(iii) Make operative any or all of the provisions set forth in paragraphs (d), (e), (f) and (g). No one of said paragraphs shall become operative until such a direction is issued.

(iv) Specify, where applicable, the curtailment percentages referred to in paragraphs (a) (6) (ii) and (a) (8) (ii).

(v) Include any other specific restrictions or regulations which may be necessary to effectuate the purposes of this order.

(2) Any utility which considers that the supply of electric power available in its service area is insufficient to meet the requirements therefor, may apply to

the Director of Industry Operations to have such area or such area and areas interconnected therewith declared to be a power shortage area.

(3) Whenever an area has been found to be a shortage area, any utility therein which considers that curtailment in its service area or any portion thereof would not directly or indirectly relieve the power shortage, may apply to the Director of Industry Operations to have its system or any portion thereof excluded from any or all of the provisions hereinafter set forth in paragraphs (d), (e), (f) and (g).

(d) *Maintenance of utility equipment.* Whenever the provisions of this paragraph become operative for any area pursuant to paragraph (c), no utility serving such area shall, except where required by safe operating practices, take any power plant equipment out of service for routine maintenance or overhaul if the capacity or output of such equipment is needed for supplying power to the shortage area.

(e) *Operation of non-utility electric generating facilities.* Whenever the provisions of this paragraph become operative for any area pursuant to paragraph (c), each non-utility power producer in such area shall operate its electric power generating facilities to the extent that the operation of such facilities can directly or indirectly relieve the power shortage, and shall so interchange electric power with any interconnected utility or utilities as to achieve maximum coordination of power supply.

(f) *Restrictions on certain uses of electric power during certain periods of time.* (1) Whenever the provisions of this paragraph become operative for any area pursuant to paragraph (c), no consumer in such area shall use electric power for any of the purposes or uses specified in Exhibit "A" annexed hereto, as the same may be amended (either generally or for any specific shortage area) from time to time by the Director of Industry Operations, during such hours of the day or week as may be specified by the Director of Industry Operations, and no utility shall deliver electric power to any consumer if it knows or has reason to believe that it will be used for any such prohibited purposes at such prohibited times.

(2) Where necessary to relieve power shortages, the Director of Industry Operations may issue, pursuant to paragraph (c), directions restricting or prohibiting the use of electric power during peak periods by any consumer or class of consumers so as to reduce or eliminate their demand during such periods, and thereupon no utility shall deliver and no consumer shall accept deliveries of electric power restricted or prohibited by such directions.

(g) *Limitations on deliveries of electric power*—(1) *Restrictions on maximum demand for electric power.* Whenever the provisions of this sub-paragraph (g) (1) become operative for any area pursuant to paragraph (c), no utility in such area shall deliver and no consumer shall accept deliveries of electric power at a

rate in excess of such consumer's power demand quota.

(2) *Restrictions on consumption by large consumers.* Whenever the provisions of this paragraph (g) (2) become operative for any area pursuant to paragraph (c), no utility in such area shall make and no consumer, whose average weekly consumption during the base billing month or during any subsequent billing month is in excess of 2500 kilowatt hours, shall accept during any seven day period deliveries of electric energy in excess of such consumer's weekly energy quota.

(3) *Restrictions on consumption by small consumers.* Whenever the provisions of this paragraph (g) (3) become operative for any area pursuant to paragraph (c), no utility in such area shall deliver to any consumer whose average weekly consumption both during the base billing month and during any subsequent billing month is 2500 kilowatt hours or less, and no such consumer shall use electric energy in excess of such quotas or in violation of such other restrictions as may be established by the Director of Industry Operations, pursuant to paragraph (c).

(4) *Exemptions.* (i) The provisions of paragraphs (g) (1) and (g) (2) shall not apply to any consumer whose operations come within the classifications listed in Exhibit "B" annexed hereto, as the same may be amended or modified (either generally or for any specific shortage area) from time to time by the Director of Industry Operations.

(ii) The Director of Industry Operations shall determine which consumers are included in the above exemption, and no consumer is entitled to such exemption until he shall have received notice thereof from the Director of Industry Operations.

(iii) After an area has been found to be a shortage area pursuant to paragraph (c), any consumer therein who considers that curtailment of his operations pursuant to paragraphs (g) (1) and (g) (2) will interfere with military needs, war production, or essential civilian services may apply for exemption therefrom. Such application shall be made on Form PD-424.

(5) *Curtailment of consumers exempted pursuant to paragraph (g) (4).* If, after effectuating the maximum practical reduction in the demand for and use of electric power by means of the foregoing restrictions, the supply of electric power is, or appears to be, insufficient to meet the demand as so restricted, and it becomes necessary to curtail deliveries of electric power to consumers granted exemption pursuant to paragraph (g) (4), the Director of Industry Operations will issue specific directions providing for the curtailment of such consumers.

(h) *Notice to consumers.* Each utility shall notify its consumers of the restrictions of this order applicable to them. Such notification shall be made in a manner to be prescribed by the Director of Industry Operations.

(i) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years, accurate and

complete records concerning deliveries of electric power to consumers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) Each person 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.

(j) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-94.

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may appeal for relief to the Director of Industry Operations, who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(l) *Other power limitation orders.* Until such time as specific directions incorporating the provisions of Limitation Order L-46, or modifications thereof, are issued pursuant to paragraph (c), and until Limitation Order L-46 is revoked, the provisions of said order shall continue in full force and effect, notwithstanding any of the other provisions herein set forth.

(m) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) 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.

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

(o) *Effective date.* This order shall take effect immediately and shall continue in full force and effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 9040, 7 F.R. 329, 527; sec. 2 (a), Pub. Law, 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 1st day of May 1942.

J. S. KNOWLSON,

Director of Industry Operations.

#### EXHIBIT "A"

#### Restricted Uses Under Paragraph (f) of Limitation Order L-94

A. *Restricted uses*—1. Refrigeration for air conditioning except where essential for industrial processes.

2. Heating cars used on urban and suburban transportation systems (subject to limits which may be established for any area by the Director of Industry Operations).

3. Lighting or electrically operated equipment and installation for:

- a. Interior or exterior sign lighting
- b. Interior or exterior show-window and show-case lighting
- c. Interior or exterior outline and ornamental lighting
- d. Interior or exterior lighting for decorative or advertising purposes
- e. Outdoor and flood lighting including but not limited to field lighting for amusements or sports, and white-way lighting above minimum requirements for safety

4. Interior lighting in excess of one watt per square foot of floor area in any commercial or other establishment open to the public, except offices, drafting rooms, school classrooms, and other interiors in which the visual tasks are difficult and prolonged.

B. *Exceptions*—The foregoing restrictions do not apply to:

1. Ordinary street or traffic lighting
2. Signal or other lighting required by police, fire, or other public safety departments
3. Lighting for defense property protection required by war regulations
4. Lighting essential for airports and airfields, or for military training or other military purposes, including construction of war production plants.

#### EXHIBIT "B"

#### Electric Power Consumers Exempt From the Mandatory Curtailment Provisions of Paragraphs (g) (1) and (g) (2) of Limitation Order L-94

1. The following Federal, State, County, and Municipal services: Fire, Police, Prisons, and essential street and highway lighting.

2. The following essential community services: Hospitals, schools, refrigeration for food preservation plants.

3. Transportation services:

(a) Urban, suburban, and interurban common or contract carriers of passengers or freight, including terminals.

(b) Railways, terminals, and related facilities.

(c) Shipping on inland waterways including locks and terminals and not including dredging.

(d) Airports and airfields.

(e) Oil pipe lines and pumping stations.

(f) Maintenance and repair yards or shops used exclusively for the maintenance or repair of the above transportation services.

4. Communications services including:

(a) Post Offices.

(b) Radio communication (not including commercial broadcasting).

(c) Telephone and telegraph systems.

(d) Traffic control and signal systems.

5. Water supply and sanitation systems including waterworks, pumping stations,

and sewage disposal plants and equipment.

6. Manufactured, by-product, natural, and mixed gas systems, including manufacturing plants, pipe lines, pumping stations and facilities for the maintenance and repair thereof.

7. Military establishments, including cantonments, posts, depots, and fortifications or the construction thereof.

8. Plants exclusively engaged in the production (or mining) of any of the following munitions or materials:

- (a) Airplanes, airplane engines, and parts.
- (b) Naval and merchant ships and parts.
- (c) Ordnance items including guns, ammunition, explosives, combat vehicles, and radio equipment.
- (d) Aluminum, bauxite.
- (e) Magnesium.
- (f) Copper, brass, tin, lead.
- (g) Zinc.
- (h) Manganese.
- (i) Mercury.
- (j) Abrasives.
- (k) Graphite electrodes.
- (l) Forgings.
- (m) Machine and Metal Cutting tools, Cranes and Hoisting equipment, Welding machines, Heat-Treating Furnaces, and Foundry equipment.
- (n) Iron Ore, Pig Iron, Steel, Ferroalloys.
- (o) Sulphuric Acid.
- (p) Liquid Oxygen.
- (q) Rubber.

9. Construction of plants and facilities which will be exclusively engaged in the production of any of the munitions or materials, listed in paragraph 8.

[F. R. Doc. 42-3923; Filed, May 1, 1942; 11:58 a. m.]

PART 1184—QUININE, TOTAQUINE AND CINCHONA BARK

CONSERVATION ORDER NO. M-131, AS AMENDED APRIL 30, 1942

Section 1184.1, *Conservation Order M-131*, is hereby amended to read as follows:

(a) *Definitions*. For the purposes of this Order:

(1) "Quinine" means quinine alkaloid and its derivative quinine salts extracted from cinchona bark.

(2) "Cinchona bark" means the bark obtained from *Cinchona Succirubra* P. et K.; *C. Calisaya* W.; *C. Ledgeriana* M. et T., also known as *Calisaya*, Peruvian or Jesuit's bark, and from its-hybrids.

(3) "Totaquine" means a mixture of alkaloids extracted from cinchona bark containing not less than 25% of combined quinine and cinchonidine, and not less than 70% of total crystallizable cinchona alkaloids.

(4) "Anti-malarial agent" means any product or material which, according to modern medical opinion, is recognized as a specific for the prevention, alleviation or cure of malarial infections.

(b) *Restrictions on the purchase, sale and use of quinine, totaquine and cin-*

*chona bark*. (1) No person shall sell, transfer or deliver, or purchase or accept any transfer or delivery of, or process or combine with other materials (i) any quinine, except for use as (a) an anti-malarial agent, or (b) an ingredient of quinine and urea hydrochloride (U.S.P.) for hypodermic use, or (c) an ingredient of quinine hydrochloride and urethane; (ii) any totaquine, except for use as an anti-malarial agent; (iii) any cinchona bark, except for primary use for the extraction of quinine or totaquine.

(2) Except in the case of a sale, transfer or delivery to an ultimate consumer, no person shall sell, transfer or deliver any quinine, totaquine or cinchona bark, except upon receipt of a certificate manually signed by the person purchasing or accepting transfer or delivery, or a duly authorized official, in substantially the following form; and specifying on the reverse side the quantity involved in the transaction:

(In the case of quinine)

I hereby certify that the quinine (or product containing quinine) ordered hereby (specify quantity on reverse side) is for use as (1) an anti-malarial agent, or (2) an ingredient of quinine and urea hydrochloride (U. S. P.) for hypodermic use, or (3) an ingredient of quinine hydrochloride and urethane, and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of General Preference Order No. M-131 with which I am familiar.

Name.....  
By.....

(In the case of totaquine)

I hereby certify that the totaquine (or product containing totaquine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of General Preference Order No. M-131 with which I am familiar.

Name.....  
By.....

(In the case of cinchona bark)

I hereby certify that the cinchona bark ordered hereby (specify quantity on reverse side) is for primary use for extraction of quinine or totaquine, and will not be sold, transferred or delivered by me for any other purpose. This certification is made in accordance with the terms of General Preference Order No. M-131 with which I am familiar.

Name.....  
By.....

Such certification shall constitute a representation to the War Production Board and the seller or supplier of the facts stated therein. The seller or supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any person making such certification shall use such quinine, totaquine or cinchona bark only for the purposes permitted by this Order.

(c) *Applicability of Order*. The restrictions and provisions of this Order shall not apply to:

(1) Any stock of quinine, consisting of less than 50 ounces, physically located at any one place on April 4, 1942; or

any stock of totaquine, consisting of less than 50 ounces, physically located at any one place on April 30, 1942. (In calculating the stocks on hand, quinine or totaquine in all forms such as solution, pill, tablet or capsule shall be included; but quinine or totaquine which has been combined or compounded with other medicinal agents on said dates shall not be included.)

(2) Any stock of cinchona bark consisting of less than 50 pounds, physically located at any one place on April 30, 1942.

(3) Purchases by importers of quinine, totaquine or cinchona bark to be delivered from outside the Continental United States, provided that any subsequent dealing in such materials after their importation is governed by this Order.

(4) Any transaction affecting, or any use of, any quinine which on April 4, 1942, or totaquine or cinchona bark which on April 30, 1942, had been combined or compounded with other medicinal agents; but any transaction affecting, or any use of, any quinine, totaquine or cinchona bark which has been combined or compounded with other medicinal agents after said dates is governed by this Order.

(d) *Reports*. Every person having in his possession or control on April 4, 1942, (1) any stock of quinine consisting of more than fifty (50) ounces (whether in the form of solution, pill, tablet or capsule, but not including quinine which had been combined or compounded with other medicinal agents on said date) which stock is physically located at any one place, or (2) over fifty (50) pounds of cinchona bark shall make a report on Form PD-401 which shall be filed with the War Production Board. Failure on the part of any person to file said report as prescribed by this Order shall be deemed a representation to the War Production Board that such person had in his possession or control on April 4, 1942, no stock of quinine consisting of more than fifty (50) ounces and no stock of cinchona bark consisting of more than fifty (50) pounds physically located at any one place. All persons affected by this Order shall file such other reports as may be required from time to time by the War Production Board.

(e) *Applicability of Priorities Regulation No. 1*. This Order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), 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.

(f) *Appeals*. Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board*. All reports required to be

filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Health Supplies Branch, Washington, D. C. Ref.: M-131.

(h) *Violations.* Any person who wilfully violates any provision of this Order or who wilfully furnishes false information to the Director of Industry Operations 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 or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3901; Filed, April 30, 1942;  
4:41 p. m.]

Chapter XI—Office of Price Administration

PART 1308—NICKEL

AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 8<sup>1</sup>—PURE NICKEL SCRAP, MONEL METAL SCRAP, STAINLESS STEEL SCRAP, NICKEL STEEL SCRAP, AND OTHER SCRAP MATERIALS CONTAINING NICKEL; SECONDARY MONEL INGOT, SECONDARY MONEL SHOT, AND SECONDARY COPPER-NICKEL SHOT

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.

Sections 1308.1 and 1308.9 are amended to read as follows, and a new paragraph (b) is added to § 1308.12 as set forth below:

§ 1308.1 *Maximum prices on sales of pure nickel scrap, monel metal scrap, stainless steel scrap, nickel steel scrap, and other scrap materials containing nickel.* (a) On and after June 2, 1941, regardless of any contract, agreement, lease or other obligation, and except as provided in paragraph (b) of this section, and in § 1308.3 hereof, no person shall sell or deliver, and no person shall buy or receive, pure nickel scrap, ferro-nickel-chrome-iron scrap, ferro-nickel-iron scrap, monel metal scrap, cupronickel alloy scrap, stainless steel scrap, or nickel steel scrap, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1308.10, and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) On and after April 15, 1942, any person may sell, offer to sell, deliver or transfer, to the Metals Reserve Company, or its duly authorized agent or agents, the scrap materials described in § 1308.10 (a), pursuant to the program with re-

spect to stocks of metallic nickel frozen by the Nickel Conservation Order M-6-b issued January 20, 1942,<sup>2</sup> adopted and announced by the War Production Board, Division of Industry Operations, by letter dated April 15, 1942, and the Metals Reserve Company, or its duly authorized agent or agents, may buy, offer to buy, or accept delivery of such scrap materials, pursuant to such program, without regard to the provisions of Revised Price Schedule No. 8: *Provided*, That the provisions of Revised Price Schedule No. 8 shall apply to all sales, deliveries or transfers of such scrap materials by the Metals Reserve Company or its duly authorized agent or agents.

§ 1308.9 *Definitions.* When used in Revised Price Schedule No. 8, the term:

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

(b) "Scrap" and "scrap materials" include all materials which are the waste or by-product of any kind of metal working, as well as materials which have been discarded from inventory or use because of obsolescence, failure or other reason, and which are to be remelted for further use.

(c) "Maker" of the scrap materials set forth in § 1308.10 (a) of Price Schedule No. 8 means the person who first sells, offers for sale, or delivers such scrap materials such as (1) any manufacturer or fabricator, who, as an incident to his manufacturing process, fabricating or other industrial uses, produces such scrap materials, or (2) any person who, in his business or as an incident to his business, demolishes or dismantles structures, machinery, vehicles or equipment and removes such scrap materials therefrom for the purpose of sale.

(d) "Point of shipment" shall be deemed to mean, in the case of imports by water, the place within the limits of the continental United States where the material is loaded on a conveyance for transportation directly to the buyer, and in the case of imports overland from Mexico or Canada, it shall be deemed to be the freight station in the United States at or nearest to the point on the boundary between the United States and Mexico or Canada as the case may be, at which the shipment first enters the United States.

§ 1308.12 *Effective dates of amendments.*

(b) Amendment No. 2 (§§ 1308.1, 1308.9 and 1308.12 (b)) to Revised Price Schedule No. 8 shall become effective as of April 15, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of April 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-3903; Filed, April 30, 1942;  
5:14 p. m.]

PART 1363—FEEDINGSTUFFS

AMENDMENT NO. 1 TO MAXIMUM PRICE REGULATION NO. 74<sup>1</sup>—ANIMAL PRODUCT FEEDINGSTUFFS

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 § 1363.60a is added and § 1363.61 is amended to read as set forth below:

§ 1363.61 *Appendix A: Maximum prices for sales of animal product feedingstuffs.* (a) The maximum shipping point price per ton for any grade of meat scraps or digester tankage shall be:

(1) Ten cents (\$0.10) per unit of protein less than the highest shipping point price (or delivered price converted to a shipping point price) at which the seller sold, contracted, or agreed to sell at such shipping point meat scraps or digester tankage of the same grade during the period January 20 to March 20, 1942, for delivery within thirty days, in a similar amount to the same type of purchaser; or

(2) If the seller did not sell, contract, or agree to sell such grade during the period January 20 to March 20, 1942, for delivery within thirty days, in a similar amount to the same type of purchaser, the maximum shipping point price shall be ten cents (\$0.10) per unit of protein less than the highest shipping point price (or delivered price converted to a shipping point price) at which the seller sold, contracted, or agreed to sell at such shipping point meat scraps or digester tankage of a different grade or in a different amount or to a different type of purchaser during the period January 20, to March 20, 1942, for delivery within thirty days, making the necessary adjustments for differences in grade, amount, or type of purchaser, in accordance with the seller's practice for determining price differentials existing in the period January 20 to March 20, 1942; or

(3) If the seller did not sell, contract, or agree to sell meat scraps or digester tankage in the period January 20, to March 20, 1942, for delivery within thirty days, the seller's maximum shipping point price for any one of the various grades of meat scraps or digester tankage shall be ten cents (\$0.10) per unit of protein less than the shipping point price (or delivered price converted to a shipping point price) at which such grade was sold, contracted, or agreed to be sold in the market nearest the seller's shipping point in the period January 20 to March 20, 1942, for delivery within thirty days, in a similar amount to the same type of purchaser, making adjustment for the normal differential, if any, between the seller's shipping point price and the shipping point price in such market.

(b) The maximum delivered price to any point shall be the maximum shipping point price determined under paragraph (a) of this section, plus the transportation charge at the lowest available established rate available for an identical shipment to such point.

<sup>1</sup> 7 F.R. 1224, 1836, 2132, 2474, 2818.

<sup>2</sup> 7 F.R. 436.

<sup>1</sup> 7 F.R. 2243, 2543.

§ 1363.60a *Effective date of amendments.* (a) Amendment No. 1 (§§ 1363.-60a, 1363.61) to Maximum Price Regulation No. 74 shall become effective May 5, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of April 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-3904; Filed, April 30, 1942; 5:14 p. m.]

PART 1410—WOOL

AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 58,<sup>1</sup> AS AMENDED—WOOL AND WOOL TOPS AND YARNS

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.

The headnote of § 1410.56 is amended, the existing paragraph is designated (a) and a new paragraph (b) is added thereto as set forth below:

§ 1410.56 *Petitions for amendment and adjustment.* (a) \* \* \*

(b) A seller who claims that his maximum price established by § 1410.51 (b) (1) is abnormally low in relation to the maximum prices prevailing in the same or nearest competitive area for wool or wool tops or yarns of the same or similar class, kind, type, condition and grade sold by other sellers of the same general class to purchasers of the same general class, may file a petition for adjustment of that maximum price in accordance with Procedural Regulation No. 1:<sup>2</sup> *Provided*, That until such time as an order of adjustment is issued by the Office of Price Administration the seller shall comply with his maximum price for such wool or wool tops or yarns established by § 1410.51 (b) (1).

§ 1410.60 *Effective dates of amendments.*

(c) Amendment No. 2 (§ 1410.56) to Revised Price Schedule No. 58, as amended, shall become effective May 2, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of April 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-3902; Filed, April 30, 1942; 5:13 p. m.]

<sup>1</sup> 7 F.R. 2397, 2543 and 2580.

<sup>2</sup> 7 F.R. 971.

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T. D. 50623]

SUBCHAPTER A—DOCUMENTATION, ENTRANCE AND CLEARANCE OF VESSELS, ETC.

COASTWISE LAWS WAIVED TO EXTENT NECESSARY TO PERMIT CANADIAN VESSELS TO ENGAGE IN COASTWISE TRADE, AND TRANSPORT PASSENGERS OR MERCHANDISE, OR BOTH, BETWEEN POINTS ON THE PACIFIC COAST, AND BETWEEN POINTS ON THE PACIFIC COAST AND POINTS IN ALASKA

APRIL 30, 1942.

Upon the recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 8 of the Act of June 19, 1886, as amended (46 U.S.C. 289), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation on Canadian vessels of passengers and merchandise, or both, between points on the Pacific Coast of the United States, and between points on the Pacific Coast and points in Alaska. I deem that such action is necessary in the conduct of the war.

HERBERT E. GASTON,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 42-3922; Filed, May 1, 1942; 11:50 a. m.]

Chapter II—Coast Guard: Inspection and Navigation

Subchapter K—Seamen

PHILIPPINE CITIZENS AND SUBJECTS

Pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.), I hereby waive compliance with the provisions of subsection (b), section 5 of the Act of June 25, 1936, and section 302 of the Act of June 29, 1936 (Title 46 U.S.C., sections 672a and 1132) to the extent necessary to permit citizens or subjects of the Philippine Islands to be employed as unlicensed members of the crew of vessels of the United States, irrespective of the limitations of the statute as to the percentage of aliens who may be so employed.

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

FRANK KNOX,  
*Secretary of the Navy.*

APRIL 30, 1942.

[F. R. Doc. 42-3909; Filed, May 10, 1942; 10:37 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-302]

PETITION OF THE FORD COLLIERIES COMPANY, A PRODUCER IN DISTRICT NO. 2, FOR A REDUCTION IN THE EFFECTIVE MINIMUM PRICES IN SIZE GROUPS 7 AND 8 COALS FOR SHIPMENT INTO MARKET AREA 10 ORDER REINSTATING TEMPORARY RELIEF

This proceeding having been instituted upon a petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by the Ford Collieries Company, a code member in District No. 2, requesting a reduction in the classification of the coals of the petitioner's Berry Mine (Mine Index No. 12) and Francis Mine (Mine Index No. 72) in Size Groups 7 and 8, for shipment by rail to all destinations in Market Area 10, from "C" to "E", and the consequent reduction in the effective minimum price of said coals from \$2.05 to \$1.95 per ton; or, in the alternative, that such change be restricted to one consumer in Market Area 10, the Hammermill Paper Company;

Temporary relief pending final disposition of the petition having been granted by the Director as prayed in the petition on December 6, 1940;

Pursuant to an Order of the Director and after notice to interested persons, a hearing in this matter having been held before J. D. Dermody, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The Examiner having filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations and petitioner having filed exceptions to the Examiner's Report and the same having been examined and considered by the undersigned;

The undersigned having entered an Order dated March 25, 1942, overruling petitioner's exceptions, approving and adopting the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner as the Findings of Fact and Conclusions of Law of the Acting Director, denying petitioner's prayers for relief, and revoking the temporary relief previously granted;

Thereupon, petitioner having moved to continue the effectiveness of the temporary relief pending its filing of a motion for reconsideration; the Acting Director having entered an Order sus-

pending the effective date of the Order of March 25, 1942, until April 21, 1942;

Petitioner having on April 27, 1942, filed a motion for reconsideration of the Findings of Fact, Conclusions of Law, as adopted, and the Order dated March 25, 1942, and having moved to continue the effectiveness of the temporary relief previously granted pending decision on the motion for reconsideration;

The undersigned having concluded that it is not unreasonable to continue the temporary relief previously granted petitioner until such time as the motion for reconsideration is itself considered and determined;

Now, therefore, it is ordered, That the effective date of the Order of March 25, 1942, denying relief and revoking temporary relief be suspended until such time as petitioner's motion for reconsideration of the Order of March 25, 1942, is considered and determined.

Dated: April 30, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3911; Filed, May 1, 1942;  
11:35 a. m.]

[Docket No. 1695-FD]

IN THE MATTER OF PROCEEDINGS TO DETERMINE IF CERTAIN REGISTERED DISTRIBUTORS ARE BONA FIDE MERCHANTS ACTIVELY, REGULARLY AND CONTINUOUSLY ENGAGED IN THE BUSINESS OF PURCHASING COAL FOR RESALE AND ACTUALLY RESELLING IT IN NOT LESS THAN CARGO OR RAILROAD CARLOAD LOTS WITHIN THE MEANING OF § 304.13 OF THE RULES AND REGULATIONS FOR THE REGISTRATION OF DISTRIBUTORS, AND FOR THE REVOCATION OF THE REGISTRATION OF DISTRIBUTORS WHO ARE NOT SO ENGAGED

ORDER CORRECTING ERRORS IN ORDER ENTERED ON APRIL 13, 1942

Exhibit A attached to and made a part of the Order Concerning Exceptions to the Examiner's Report and Revoking Registrations entered on April 13, 1942, 7.F.R. 2819, contains certain errors in typewriting and mimeographing as follows:

In the typewritten original and mimeographed copies, in the column headed "Address", on page 1, line 15, the abbreviation "Ind." instead of "Ill."

In the mimeographed copies only, in the column headed "Name", the following:

Page 1, line 31: "Bloomer" instead of "Boomer."

Page 4, line 29: "R." instead of "P."

Page 5, line 12: "W." instead of "E."

In Exhibit B, attached to and made a part of said Order entered on April 13, 1942, the name of Lanark Coal Co., Registration No. 5362, was erroneously included, and the name of Liberty Coal Co., Registration No. 5562, was erroneously omitted.

It is therefore ordered, That the entries in which appear the aforementioned er-

rors in Exhibit A attached to and made a part of the Order of April 13, 1942, Concerning Exceptions to the Examiner's Report and Revoking Registrations, in the above-entitled matter, be, and they hereby are, corrected to read as follows:

Number and name	Address
0423 Barfield Coal Co. (Charles H. Barfield).	1st & Metropolis St., Metropolis, Ill.
0924 Boomer, Roy E. (The Boomer Co.).	1940 E. Forrest Ave., Detroit, Mich.
6460 Milliron Co., Inc., The P.	Second St., East Liverpool, Ohio.
6938 Oates, L. E.	Paris, Ark.

It is further ordered, That Exhibit B, attached to and made a part of said Order in the above-entitled matter, entered on April 13, 1942, be, and it hereby is, corrected by deleting the following entry:

Number and name	Address
5362 Lanark Coal Co.	Hastings, Pa.

and by adding thereto the following entry:

Number and name	Address
5562 Liberty Coal Co.	Lochrle Bldg., Windber, Pa.

In all other respects the aforesaid Order shall remain in full force and effect.

Dated: April 30, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3912; Filed, May 1, 1942;  
11:35 a. m.]

#### Bureau of Reclamation.

#### FIRST FORM RECLAMATION WITHDRAWAL GENERAL INVESTIGATIONS, IDAHO

FEBRUARY 11, 1942.

#### THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal, as provided in section 3, Act of June 17, 1902 (32 Stat. 388), and that departmental order of April 8, 1935, establishing Grazing District No. 1, Idaho, be modified and made subject to the reclamation withdrawal effected by this order.

GENERAL INVESTIGATIONS, IDAHO

Boise Meridian

Township 4 North, Range 1 East:  
Sec. 1, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 12, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Township 4 North, Range 2 East:  
Sec. 4, Lot 4;  
Sec. 6, W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 7, Lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 17, E $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Township 5 North, Range 2 East:  
Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 30, Lots 1, 4;  
Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Township 6 North, Range 2 East:  
Sec. 2, Lot 2, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Township 2 North, Range 3 East:

Sec. 1, Lot 4;  
Sec. 2, Lots 1, 2;  
Sec. 10, Lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 11, Lots 5, 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 12, Lot 5, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Township 2 North, Range 4 East:  
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Township 3 North, Range 4 East:  
Sec. 17, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 31, Lots 1, 2, 3, 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Township 1 South, Range 3 East:  
Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 25, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Township 1 South, Range 4 East:  
Sec. 31, SW $\frac{1}{4}$ ;  
Township 2 South, Range 4 East:  
Sec. 5, NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 6, NE $\frac{1}{4}$ , W $\frac{1}{2}$ ;  
Sec. 7, W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;  
Sec. 8, SW $\frac{1}{4}$ ;  
Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 18, All;  
Sec. 19, All;  
Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Township 1 South, Range 6 East:  
Sec. 24, E $\frac{1}{2}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Township 1 South, Range 7 East:  
Sec. 30, S $\frac{1}{2}$ ;  
Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 32, All.

Respectfully,

JOHN C. PAGE,  
Commissioner.

I concur: March 10, 1942.

JULIAN TERRETT,  
Acting Director of the  
Grazing Service.

I concur: April 17, 1942.

FRED W. JOHNSON,  
Commissioner of the  
General Land Office.

APRIL 21, 1942.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,  
First Assistant Secretary.

[F. R. Doc. 42-3905; Filed, May 1, 1942;  
9:22 a. m.]

#### FIRST FORM RECLAMATION WITHDRAWAL GENERAL INVESTIGATIONS, IDAHO

FEBRUARY 11, 1942.

#### THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388).



GENERAL INVESTIGATIONS, IDAHO

Boise Meridian

Township 10 North, Range 13 East;  
 Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Township 7 North, Range 14 East;  
 Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ .

Respectfully,

JOHN C. PAGE,  
 Commissioner.

I concur: April 11, 1942.

FRED W. JOHNSON,  
 Commissioner of the  
 General Land Office.

APRIL 21, 1942.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,  
 First Assistant Secretary.

[F. R. Doc. 42-3906; Filed, May 1, 1942;  
 9:22 a. m.]

FIRST FORM RECLAMATION WITHDRAWAL

GENERAL INVESTIGATIONS, IDAHO

FEBRUARY 11, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry, under the first form withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat. 388):

GENERAL INVESTIGATIONS, IDAHO

Boise Meridian

Township 16 North, Range 2 East:  
 Sec. 9, All;  
 Sec. 21, NE $\frac{1}{4}$ ;  
 Township 3 North, Range 4 East;  
 Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Township 4 North, Range 10 East:  
 Sec. 3, Lots 1, 2, 3, 4, 5, 6, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
 S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 10, Lots 1, 2, 3, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
 Township 10 North, Range 11 East:  
 Sec. 26, All;  
 Sec. 27, All;  
 Sec. 34, All;  
 Sec. 35, All;  
 Township 9 North, Range 12 East:  
 Sec. 21, All;  
 Sec. 22, All;  
 Sec. 23, All;  
 Township 10 North, Range 12 East:  
 Sec. 1, All;  
 Township 11 North, Range 12 East:  
 Sec. 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,  
 12, 13, 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 12, Lots 1, 2, 3, 4, 5, 6, 7, 8, NE $\frac{1}{4}$ ,  
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 13, Lots 1, 2, 3, 4, 5, 6, 7, 8;  
 Sec. 14, Lots 1, 2, 3, 4, 5, 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 23, All;  
 Sec. 24, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,  
 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;

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Sec. 25, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,  
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$   
 SE $\frac{1}{4}$ ;

Sec. 26, All;

Sec. 36, Lots 1, 2, 3, 4, 5, 6, W $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$   
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$   
 SE $\frac{1}{4}$ ;

Township 5 North, Range 13 East:

Sec. 2, All;

Sec. 3, All;

Sec. 10, All;

Sec. 11, All;

Township 6 North, Range 13 East:

Sec. 34, All;

Sec. 35, All;

Township 9 North, Range 13 East:

Sec. 1, All;

Sec. 12, All;

Sec. 13, All;

Sec. 14, All;

Township 10 North, Range 13 East:

Sec. 22, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, E $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
 W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$   
 SE $\frac{1}{4}$ ;

Sec. 23, Lots 1, 2, 3, 4, 5, 6, N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 25, Lots 1, 2, 3, 4, 5, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$   
 SE $\frac{1}{4}$ ;

Sec. 27, All;

Township 11 North, Range 13 East:

Sec. 18, Lots 1, 2, 5, 6, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;

Sec. 19, Lots 5, 6, 7, 8, 9, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$   
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$   
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$   
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$   
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 20, All;

Sec. 21, All;

Sec. 28, All;

Sec. 29, All;

Sec. 30, All;

Sec. 31, All;

Sec. 32, All;

Township 7 North, Range 14 East:

Sec. 8, Lots 1, 2, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 9, W $\frac{1}{2}$ ;

Sec. 16, Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;

Township 9 North, Range 14 East:

Sec. 6, Lots 1, 2, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 7, Lots 1, 2, 3, 4, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;

Township 10 North, Range 14 East: Unsur-

veyed;

Sec. 31, All.

Respectfully,

JOHN C. PAGE,  
 Commissioner.

I concur: April 17, 1942.

FRED W. JOHNSON,  
 Commissioner of the  
 General Land Office.

APRIL 21, 1942.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,  
 First Assistant Secretary.

[F. R. Doc. 42-3907; Filed, May 1, 1942;  
 9:22 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-37]

IN THE MATTER OF STANDARDS OF FILL OF  
 CONTAINER FOR CANNED WET PACK  
 SHRIMP AND CANNED DRY PACK SHRIMP,  
 IN NONTRANSPARENT CONTAINERS

NOTICE OF HEARING

Notice is hereby given that the Administrator of the Federal Security Agency, upon his own initiative and in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act, sections 401 and 701 [21 U.S.C., sections 341 and 371 (1940 ed.)], will hold a public hearing commencing at 10 o'clock in the morning of June 3, 1942, in Room 1039, South Building, Independence Avenue between 12th and 14th Streets SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which regulations may be promulgated fixing and establishing standards of fill of container for canned wet pack shrimp and canned dry pack shrimp, in nontransparent containers. Interested persons are notified that the hearing is a fact-finding proceeding, after which it will be determined in accordance with the Act whether standards of fill of container should be established for the foods referred to herein and what the provisions of such standards should be.

All interested persons are invited to attend the hearing, either in person or by representative, and to offer evidence relevant and material to the subject matter of this notice.

Joseph L. Maguire is hereby designated as Presiding Officer to conduct the hearing in the place of the Administrator, with full authority to administer oaths and affirmations and do all other things appropriate to the conduct of the hearing. The hearing will be conducted in accordance with the rules of practice provided for such hearings, as published in the FEDERAL REGISTER for June 26, 1940, at pages 2379 to 2381 (5 F.R. 2379-2381).

In lieu of personal appearance, interested persons may offer affidavits by delivering the same to the Presiding Officer at Room 2242, South Building, Independence Avenue, between 12th and 14th Streets, SW., Washington, D. C., not later than the day of the opening of the hearing. Such affidavits must be submitted in quintuplicate, and, if relevant and material, may be received and made a part of the record at the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements made in affidavits. Every interested person will be permitted to examine the affidavits offered and to file counteraffidavits with the Presiding Officer.

A suggested regulation, which is for the purpose of giving notice of the subject

matter to be considered and giving direction to the hearing, is set forth below. It is not to be inferred from the fact that a regulation is suggested that it represents the views of the Federal Security Agency or that the evidence to be adduced by the Agency will support such regulation. The suggested regulation is subject to adoption, rejection, amendment, or modification, in whole or in part, as the evidence of record adduced at the hearing may require and is as follows:

§ 36.3 *Canned wet pack shrimp and canned dry pack shrimp, in nontransparent containers: Fill of containers; label statement of substandard fill.* (a) The standard of fill of nontransparent containers for canned wet pack shrimp is a fill such that the total weight of drained shrimp is not less than 64 percent, and for canned dry pack shrimp is a fill such that the total weight of drained shrimp is not less than 60 percent, of the water capacity of the con-

tainer, as determined by the general method for water capacity of containers provided in § 10.010 (a) [4 F.R. 3320; 21 CFR, 1939 Sup., 10.1 (a)]. Such total weight of drained shrimp is determined by the following method:

Keep the unopened canned shrimp container at a temperature of not less than 68° or more than 95° Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute its contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves", published March 1, 1940, in L. C.

584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained shrimp. The weight so found, less the weight of the sieve, shall be considered to be the total weight of the drained shrimp.

(b) If canned wet pack shrimp or canned dry pack shrimp, in nontransparent containers, falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.020 (b) [4 F.R. 3320; 21 CFR, 1939 Sup., 10.2 (b)], in the manner and form therein provided.

[SEAL]

WATSON B. MILLER,  
Acting Administrator.

WASHINGTON, D. C., May 1, 1942.

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